**ABORIGINAL AND TORRES STRAIT ISLANDER**

**ELECTED BODY**

**(Reference: Estimates process 2017-2018)**

**Members:**

**MS KATRINA FANNING (Chairperson)**

**MS JOANNE CHIVERS (Deputy Chairperson)**

**MR MAURICE WALKER**

**MS PAULA McGRADY**

**MS CAROLINE HUGHES (absent)**

**MR FRED MONAGHAN**

**MR JACOB KEED**

**TRANSCRIPT OF EVIDENCE**

**CANBERRA**

**THURSDAY, 15 MARCH 2018**

**Committee contact officer:**

Ms Margaret Beattie

ATSIEB Secretariat

Office for Aboriginal and Torres Strait Islander Affairs

Community Services Directorate

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## APPEARANCES

**ACT Policing** **174**

**Education Directorate** **118**

**Health Directorate** **207**

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**Transport Canberra and City Services Directorate** **189**

## The Elected Body met at 9.27 am.

Appearances:

Education Directorate

Howson, Ms Natalie, Director-General

Brighton, Ms Meg, Deputy Director-General

Craddy, Ms Beth, Manager, Aboriginal and Torres Strait Islander Education

McAlister, Ms Coralie, Director, Strategic Policy

Gotts, Mr Robert, Director, Planning and Analytics

Hodgson, Mr Chris, Director, People and Performance

Borton, Mr Jason, Director, Learning and Teaching

Battenally, Mr Michael, Principal, Melba Copland Secondary School

Hayes, Ms Bernadette, Principal, Narrabundah Early Childhood School

Stenhouse, Mr John, Director, Board of Senior Secondary Studies

**THE CHAIR**: Good morning, everybody. I thank you, Natalie, and the officers from the Education Directorate for joining us this morning. I will deal with a few protocol and process issues before we start. As we did yesterday, and as we do for all of our meetings, I start by acknowledging the Ngunnawal people, pay my respects to their elders past and present, and acknowledge their thousands of years of continued custodianship of this beautiful country that happens to border that of my own. We share the Murrumbidgee River. I thank them for that as well.

With a sadder heart today, I also acknowledge the passing of one of the members of the United Ngunnawal Elders Council. Her service is in Tumut today. Hence, we are one member down, given her family relationship with that elder. That elder is Laura Bell. She was a foundation member for the elders council. Throughout her life, she has done a lot both here and all the way over to Tumut. As for each of the sessions we have had, I acknowledge and pay respects to the life that she led and the legacy that she leaves.

Thank you for the responses to the generic questions. We have been through those. You may feel that some of the questions that we have for you today are very similar to those generic questions, but we ask the Aboriginal and Torres Strait Islander community for questions for these hearings as well. To be transparent to the community about that process, some of those questions we ask again if they have been provided to us. We do give those priority in our listings.

For people who have not been part of the process before—yesterday that felt like just me and a couple of others at the table—the way we go about our questions is the development we do as a collective. There will be a lead-in for your portfolio. For this morning’s session Member Walker will ask our agreed set of questions to begin with. At the end of that, if we have follow-up questions, the other members are provided with that opportunity. However, during that process, if I feel that we have got a bit off-track in the questioning or the information we are seeking, I might interject. Hopefully, you will not hear from me too much.

Given that we have only an hour and that education is such an important area, we are happy to receive an opening statement, but I would ask you, Natalie, to keep that to five minutes or so. That would be much appreciated.

The final two points are more from the elected body’s view of today. I state again that we take a great deal of pride in being able to represent our community here today and ask these questions. We have a common area of focus across the questions. I think you will see that they are perhaps a little more targeted than in previous years, because we are actually after the outcomes that are being achieved.

I understand that you may need to give some context around the activity and things that are happening, but what we are really wanting to see is the impact to date. I am happy then to hear about where those next steps are going. Bearing in mind those comments, I ask you, Natalie, for your opening statement. Then we will move to Member Walker to commence the questioning.

**Ms Howson**: I also extend on behalf of my colleagues and myself our acknowledgement of the traditional custodians, the Ngunnawal people, and pay my respects to their elders past and present. I would also like to acknowledge, like you chair, that the traditional custodians have been educating children and young people on this land for thousands of years and have made an enormous contribution to the cultural wellbeing not only of their own children but also the country in general.

It is a real privilege for us to be here to respond to the things that your community is interested in. We will do our best to answer your questions to the level of detail that you are expecting today. If we cannot, I have a very strong brains trust sitting in the gallery with me. If we cannot answer a question immediately, they will be working very hard to get you the information before the end of the hearing today—

**THE CHAIR**: Thank you, we appreciate that.

**Ms Howson**: so that it can be a satisfying experience. Of course, I also would like to extend my respect to all of the elected body members. I feel very proud, as a Canberran, to be able to speak about the fact that we give Aboriginal and Torres Strait Islander people a voice in our parliamentary process here in Canberra. Again, I extend my respects to you as members of the elected body.

I would also like to extend my respects to our Aboriginal and Torres Strait Islander colleagues that are with us today and anyone in the gallery that is here to observe. I also extend our condolences to the Bell family. I echo your sentiments about the contribution of that local family to the cultural life of this city.

In terms of an opening statement, I would like to say that it is our aim to meet the needs and aspirations of all Aboriginal and Torres Strait Islander people, and particularly our children and young people and their families. We do this by a focus on building cultural integrity. That is something we are learning more and more about and I think getting better at. We would like to have the opportunity to talk to you about that today.

More particularly, we aim to improve our teaching practice in our schools and to be able to meet the needs of each child in our system, forging stronger relationships with community and prioritising that partnership with parents and families in order to create environments where their children can learn.

We certainly are putting more focus on early intervention, investing in the early years—hopefully, we will get a chance to talk to you more about that as well—and creating schools where kids just love to learn, where they want to be there and, while they are there, where they want to learn. That is our core focus. Hopefully, we will extend that discussion around those themes in the context of the questions you ask us today.

That is really all I would like to say, apart from emphasising that our shift is towards a strength-based approach. We want to celebrate the achievements of Aboriginal and Torres Strait Islander children in our system and identify the things that they love to do, the things that they are good at, and make sure that they have the opportunity to learn through exploring their passion, whatever that might be.

In taking that strengths-based approach, though, I think we are very cognisant of the fact that Aboriginal children and young people are not achieving as well as all children in our education system. We are aware of these issues of equity. We know they need to be addressed and they continue to be our challenges in our system. We acknowledge that and we are working on those issues. That is all I would like to say, chair, by way of an introduction. Thank you.

**MR WALKER**: Thank you, Natalie. The first question I ask is: what Aboriginal and Torres Strait Islander events has the minister attended in the past three years that you know of?

**Ms Howson**: The minister; I might need to get some advice on that for you, Maurice.

**MR WALKER**: Okay.

**Ms Howson**: We have certainly been at a number of things together, but I am not sure I could give you the complete outline of her attendance. I know that as part of the future of education consultation we have been running across the community, the minister has been particularly interested in the voice of Aboriginal and Torres Strait Islander children and young people. For example, she prefers to do things in a much more informal context and in that way create a more relaxing environment for young people, and families for that matter, to speak with her about their views.

For example, I know that she spent quite a bit of time at the Indigenous Culture Club at Forrest Primary School towards the end of last year. I think she was with that community for most of the afternoon talking to them about the things that they are concerned about. She has spent quite a bit of time at Namadgi School. I will need to get the complete program together for you to answer that question properly.

**MR WALKER**: I guess that is in the context of getting out into community. People obviously know who the minister for education is. That question was prompted from community. We will go to question No 2. Does the cultural awareness training cover Ngunnawal and traditional custodian content? Is it delivered by a local provider?

**Ms Howson**: We make cultural awareness training available to our staff. I will ask Beth to talk about that in detail. But I would also like to pre-empt her answer by saying that I mentioned in my opening statement that we are really focusing on building cultural integrity. We are taking it beyond awareness training. For example, last year all of the executive in the education directorate participated in three days of immersion in cultural integrity training with Grant Sarra, Scott Gorringe and Dave—

**Ms Craddy**: Spillman.

**Ms Howson**: Spillman; I should remember David’s name. I went to university with him. That is leading into a comprehensive focus on what we are describing as our cultural integrity continuum. Schools are in the process now of self-assessing their competence, if you like, on that continuum and then working through an action plan to move themselves along that continuum to a more superior level of cultural integrity. It does go beyond the awareness training. I will ask Beth to fill in the details.

**Ms Craddy**: In the first instance, I presume that you are talking about the online courses that we have been reporting on at different times. That course that we have been accessing is a fairly general course. It covers the country. We include some Ngunnawal content through the supplementary workshops. It is fairly limited. A lot of it has been around the Ngunnawal plant use books using the rangers and also Adam when he was working with Greening Australia.

At this point in time, we are doing some refresh on the document “Understanding the land through the eyes of the Ngunnawal people” to get alignment with the Australian curriculum for that. We have also spoken to the United Ngunnawal Elders Council co‑chairs. We have made contact with them about developing new resources once we have done this first project. Hopefully, there will be more around cultural awareness in that space.

As well as those courses that are run, a lot of the cultural awareness is actually covered through curriculum projects and professional learning projects, looking at the cross-curriculum priority, because that actually makes the connections for teachers in the classroom and translating it that way. In a nutshell, a little bit, we need to be doing more in that space too to make the links across the community.

**MR WALKER**: Thank you. Are you able to give examples of the practical ways your directorate has strengthened engagement with Aboriginal and Torres Strait Islander students?

**Ms Howson**: Yes, we can do that. Do you want to start with that, Jason?

**Mr Borton**: I am happy to talk about that, yes.

**Ms Howson**: Then Coralie might put some icing on the cake around that picture of education consultation.

**Mr Borton**: There are a couple of aspects to this. We have school-based initiatives and then things which happen more system-wide. I have some examples. From the directorate’s perspective, we have the student aspirations program, which is really promoting leadership for Aboriginal and Torres Strait Islander students, focusing on their pathways and transitions.

We have the Mura Awards. These are around recognition for student achievement and schools to acknowledge consistent effort, not just the academic achievements. They are to encourage students to engage in their schooling in a positive way.

We also have 10 Aboriginal and Torres Strait Islander Indigenous education, officers. They work in our schools, across 11 of our schools. One of their roles is also to support cultural integrity development and at the same time the engagement of our students and young people in their academic and their school studies.

We also have the Aboriginal and Torres Strait Islander secondary scholarship program. That is for senior secondary students pursuing careers in teaching or the health field and students wanting to pursue a vocational pathway. Since 2009, 57 senior secondary students have been awarded those secondary scholarships. Those types of central approaches are geared to promote the engagement of our students.

A couple of examples of school-based initiatives are the Warrumbul Aboriginal and Torres Strait Islander Centre for Excellence at Campbell High School. If you have not had an opportunity to visit, I would encourage you to do that. That is an excellent example of student engagement. Melba Copland Secondary School has an excellent program—

**Ms Howson**: Jason, I interrupt you to note that the principal of Melba Copland is here.

**Mr Borton**: Yes, absolutely, yes.

**Mr Battenally**: I am here!

**Mr Borton**: Michael will be able to talk more about that, because I think that is a great example of a school-based initiative which is really working in that space.

**Ms Howson**: I should have also mentioned that not only the executive but every principal in our system went through that three-day cultural integrity immersion last year.

**Mr Borton**: The last one, I will just add before we throw to Michael, is the example of the Indigenous study centre, the big picture academy, of Melrose high, a program for years 9 and 10. That allows them to study areas that they are passionate about. It has had some excellent outcomes for kids in regard to their engagement. That is a great program to connect our Aboriginal and Torres Strait Islander mentors already working in the local community with the schools. Michael has an excellent example of a school-based initiative, too.

**Mr Battenally**: Thank you for the stewardship you are showing here today. I am humbled to be here, but proud to be here too, to tell you some of the story about my school, which is reflected in many of our schools, if not all of our schools, in the ACT now.

I have some notes here, but there are a few key things in relation to the impact on our students. Getting to know our students that come from, I will just say, a first nation background is very powerful in our school. The role of Indigenous education officers in our school is an integral part of that, but that has evolved to be quite sophisticated now in the way that they build relationships between our students and bring family understanding into the school and work with us as educators.

Each of my 40 students has professional learning plans. Those professional learning plans are readily accessible to the teachers, and they are part of a suite of getting to know students within our school, which is an attitude and expectation.

Around cultural integrity, and about understanding the country we live in, live on and respect, I lead that as a principal. I am very up-front about that; I am strong about that in the messaging that I provide as a leader. I think all principals and leaders in our schools are now doing that in a more sophisticated way, because we understand a bit more.

My issue with being a principal, starting some 15 years ago, is that I was concerned about what I did not know. I grew up in a country town. I went to school with people from a first nation background, but I did not know a lot of stuff. In the past few years, in particular the past five years, the opportunity for us in schools to understand more and to listen better has been a very powerful thing to help us develop support for every child. Modelling that with Aboriginal and Torres Strait Islander kids has been great, but it has helped us model it better with other kids, too. It is not about doing it differently; it is about developing that culture in the school.

An example of a very exciting thing that happens—it happened yesterday, and I think it is happening again today—is the buroinjin carnival. That is about sport, but it is a lot deeper than that. It is about bringing kids from Aboriginal and Torres Strait Islander backgrounds into, I guess, a piece of history that links back thousands of years. But the non-Aboriginal and Torres Strait Islander kids are part of that as well. It is not something that is separate. We are trying to do more of that work, and we are enjoying the challenge of that work in our schools. We are not doing it as something that is separate; we are doing it as something that is integral.

My school was involved in a PhD study around sport in schools. The curriculum was a very westernised curriculum; we will say that. We have missed the opportunity of culture, of the land we live on and the history that it has. Now we are bringing that back into our schools and it is being celebrated. It is a very exciting thing.

**Ms Howson**: Michael, can you talk a bit about how you actually hear the voice of young people in the schools?

**Mr Battenally**: To be honest, I think a lot of it is through leadership. Most recently, we had a scholarship student who is now at the ANU and was front page on his enrolment year. But through those students—he was involved with our board—he was a good example of listening to the kids about what is important and what matters to them. He was an example, without naming the student or the journey he had from year 7 through, where now, if you have a sibling or a family member coming through, it is matching that up. A lot of it is about engagement with family as well, that they know that you know their family. That is the bit where we can really get stronger around that. That is where I see a lot more success.

**THE CHAIR**: Michael, can I just clarify. You are talking about that young person having had a voice to the board. Was that a consistent voice or did he come in on occasion?

**Mr Battenally**: No; he put his hand up and he was part of the board.

**THE CHAIR**: Thank you.

**Mr Battenally**: That was a very positive outcome for him from a leadership point of view, and for me as a principal and part of the community governance opportunity.

**Ms Howson**: It gave him a lot of confidence to engage with me, too.

**Mr Battenally**: She knows what I am talking about.

**Ms Howson**: I met him a few times. To have one of our Aboriginal students in years 11 and 12 directly engaging with the director-general is pretty unusual. It is very good.

**MR WALKER**: I want to move to the fourth question. What I was hearing from that last answer was about what programs you have implemented to engender pride amongst Aboriginal and Torres Strait Islander students. It seems that some of that stuff that Michael just mentioned goes a long way to doing that. Do you want to add any more to that?

**THE CHAIR**: In particular, it is great to hear those individual cases, but I would also like to understand how you do that systemically.

**Ms Howson**: I might ask Meg to work out who is going to answer this for me. It is multi-tiered, if you like, in terms of the universal. It is the interaction that happens in the classroom between the teacher and the student, and a focus, again, on good pedagogical practice. We could talk to you a bit more about how we are encouraging students to lead their learning: having students set their own goals, having their own expectations about what they want to learn next, and affirming that when it is learnt. It is a very concrete way of kids understanding they are actually learning. I have sat with some year 2 students and I have been amazed at how easily they understand that concept if it is properly taught, that they are learning. And once they have success in learning it, it just builds on itself; they start to see themselves as learners.

It is that universal approach to a pedagogical practice and the things that Jason mentioned around creating environments where kids are able to pursue passions. Michael mentioned individual learning plans. It is very specific targeted and individualised approaches. Then on top of that, we have layers that go to school-based recognition. Then we have very formal recognition in a public sense around achievement in high school and primary school. There are different award programs and different certification programs for achievement.

**Ms Brighton**: If I can just add to that, both Natalie and Beth spoke to the work we have done around cultural integrity. If we look at that as that universal foundation layer that we are trying to build upon across the entire system, about building that capability of our leaders, the capability of our staff in the education support office, as well as our staff in schools—if that is the foundation layer for that, we also have a whole body of work strengthening the capabilities of our staff in teaching and learning, so strengthening up their own abilities to have good teaching practice in the classroom as well as creating environments where students love to learn so that when students are coming into school, they have a class teacher who has really solid pedagogical craft and can teach a whole gamut of students in a class that is differentiated based on where those kids are at at that particular time.

We are scaling that up across the system. We are on a journey, just as we are with our cultural integrity in our continuum. There is our focus on school improvement about strengthening the practice of teaching and learning and strengthening the leadership of our system leaders as well as making sure that our classroom teachers have the skills and knowledge to be outstanding teachers. Those three tiers combined are the systemic approach we are trying to make sure that every child and young person in our system meets their needs and aspirations.

**Ms Howson**: I think the stretch for us—this is what we have learnt out of this immersion in cultural integrity practice—is that we need to do more to have Aboriginal and Torres Strait Islander young people see themselves in the environments in schools. It is a focus on the way in which we value and privilege aspects of Aboriginal and Torres Strait Islander culture; it is incorporating language into the way in which we are conducting curriculum.

Just yesterday, I was at Belconnen High School. They, with a number of other schools, are focusing on introducing local Indigenous language. They have used their whole language stream. Normally it has been the European languages like French, and Indonesian and others. They have introduced a cultural language. What is it called, Beth?

**Ms Craddy**: A cultures and languages course for years 7 and 8.

**Ms Howson**: All the students do this. Again, we are working with elders in the community to do the best we can to introduce not only Ngunnawal language but other local languages, words and stories. I sat in on a class with year 7 students. They were sitting in a circle reading an Indigenous story about the two swans which are incorporated into the coat of arms for the ACT. This story is a story of equity really. It is an interesting story. The teacher was unpacking that through the lens of an Aboriginal cultural perspective.

These are the things that we are trying to do better and do more of. When you asked the question, Maurice, about how we recognise achievement, it is also about making sure that all our children feel valued from the perspective that they come from.

**MR WALKER**: Thank you very much. I will move to the next question. What support is provided to schools with low numbers of Aboriginal and Torres Strait Islander students, assuming those schools would not have a designated Aboriginal and Torres Strait Islander liaison officer?

**Ms Craddy**: I would just like to point out first that in relation to the officers we are talking about, we call them Aboriginal and Torres Strait Islander education officers. Liaison is part of their role, but with the cultural integrity framework, much of their work is around building school capability. We work as a team to do that.

In the schools that have low numbers, we have the aspirations program; we try to touch base with kids in that way. But, by and large, if there is an issue, a learning need, something to do with behaviour management or something where a kid is experiencing difficulties, part of the cultural integrity framework essentially is that those are student needs and those needs should be met as they would be met for any other student. Building the cultural integrity of the school will better place the teachers to be able to meet those needs in a culturally appropriate and safe way. Having said that, if there are issues, cause for concern, people can contact us in the educational support office. We can provide some referrals or at least advice on where people can get additional support if needed.

**Ms Howson**: Further to that, earlier, I explained this continuum of cultural integrity that we have introduced, and the schools doing self-assessment. Regardless of how many identified Aboriginal and Torres Strait Islander children are in their school, our expectation is that they will be working on this. At the very least, there is this shift in the environment around, again, valuing Indigenous perspectives in our schools. The message out to all of our schools is that if you do not have an Aboriginal student in your school at the moment, you may well have in the future, or they may just not have identified. Therefore, this is an important issue for you.

**MR WALKER**: From my recollection of talking to the community member that gave me that question, she felt that, because the education officer was not visible to her, she wondered if a child was being looked after in that respect.

**Ms Howson**: Yes.

**MR WALKER**: I guess it is a matter of not only having people come to you but finding a way to get to those mums and dads so they know that the service is there for them and, given the whole gamut of things that you are talking about, Natalie, it is about that inclusion where someone is already feeling excluded.

**Ms Howson**: I think that is, again, part of our overall improving our approach. It is important around connecting with families. I think, again, that is something that not all schools are really comfortable with yet, and not all are sure how to start that process or how they go about making those sorts of connections. That is perhaps something, with the elected body’s support, that we could work on together.

**Ms Craddy**: I have one more point on that. Part of the cultural integrity work is that we have been restructuring and looking again at the Indigenous education officer team. To make them more accessible across their clusters, that has been redefined in their roles. So while they may be based in one particular school, their role is being evolved so that they are touching base and being involved with their local clusters as well, which should create greater exposure.

**MR WALKER**: Yes. I know some of your officers are pretty busy.

**Ms Craddy**: Yes.

**MR WALKER**: How is the directorate addressing the disparity between the results of the NAPLAN for Aboriginal and Torres Strait Islander students and non-Aboriginal students?

**Mr Borton**: Thanks for the question, Maurice. This is something we are taking very seriously. There is no quick answer. There is no easy fix, despite the fact that, when we look at the figures against the rest of the country, the proportion of our students meeting the national minimum standard is strong. But we do not think that is good enough. We absolutely see that there is an equity issue here, and there is a job for us to do to ensure that, both centrally and with schools, we have an impact on this with respect to student outcomes. I will say that up-front.

There are two parts to this. There is the central support that we provide. Our focus has been particularly on literacy and numeracy—providing the professional learning, the capacity building for our school leaders and school teachers at a professional learning level. We have an early years literacy approach which is really targeting those first few years of school for our teachers and our leaders, to understand what it is that we need to improve outcomes for our kids.

Our secondary literacy project is looking at what is happening in high schools. What we saw with our NAPLAN data was a tapering off of results for our kids in the secondary sector, particularly in writing. We are addressing those two areas specifically in literacy at a central level, at the education support office level.

For maths, the same thing applies. We are seeing significant gaps in achievement. Our principals as numeracy leaders professional learning program, an ongoing piece of work, is building capacity across all of our primary schools in particular, around numeracy practices which are best-case scenario to improve results for all of our kids.

At the school level our principals are making sure in their school plans that they have specific actions and goals to address these particular issues that you are asking about. It is about how they are monitoring the ongoing performance of all of their students, but in particular our Aboriginal and Torres Strait Islander students, how they are doing that to ensure that the strategies and the impacts on outcomes are happening within each school environment. It is not the same in every school. The principals have a much more fine-grained view of what is happening on their particular site, and they are implementing strategies on the back of that. Our role is to provide the support for them to increase their understanding and knowledge of what works best.

**Mr Battenally**: I come from a school where we have really good growth around the interventions for all of our kids, but your interest is around Aboriginal and Torres Strait Islander kids. The first thing I wrote down, in thinking around this, was around the data. We do not wait for NAPLAN data to work out where a kid is at. On entry to the school, the students have a suite of tests, assessments. It is called PAT testing. It is through the Australian Council for Educational Research. We use that data to identify where a student is at in their progress around their learning and where their strengths are; also, where their deficits might be. We set in place interventions around that, which could be in the class, in a small group or one-on-one.

The other interesting thing about that is that the family is aware of this. The family is engaged in that conversation around where your child is at and how we are going to help to develop them. This is a conversation, a relationship and an action that is consistent across all of our schools.

It will be at different stages, as to how it is progressing in those schools, but it is certainly the approach we are taking around literacy and numeracy, as well as in general learning. I am more confident now than I would have been some years back about this approach, because we have learned a lot along the way about what works and how to get the impact with individual kids. It is not all about the average achievement; it is about every child in your school. I am not saying this because Natalie said that this is what we do. This is what I am doing when I am in my school with my staff. I do not know whether it is appropriate, but I would love to invite you to my school one day, just to come and have a yarn with some of the kids, because that is where you get a feeling for what works.

**MR WALKER**: Thank you, Michael. Moving on to quality learning and teaching, can you tell us what specific perspectives—I think it was in your annual report or the summary document that I read—the directorate has incorporated into the Australian curriculum?

**Mr Borton**: The Australian curriculum has three cross-curriculum priorities. One of those specifically related to this is the Aboriginal and Torres Strait Islander histories and cultures priority. Through each of those learning areas—maths, English and science—the Aboriginal and Torres Strait Islander histories and cultures priority sits as a thread. There is an access Asian education thread, as well as a sustainability thread. But the Aboriginal and Torres Strait Islander one is the one we are focusing on through our curriculum projects that Beth’s team is leading within schools.

Also, with the national curriculum developed by ACARA—that is the national body that develops the Australian curriculum—they have a body of work around what this looks like right across Australia. We are quite excited about that, actually. They are working to pull together what it looks like in local communities, to be able to embed the local history and culture within our curriculum. Our aim is to work towards that, and we are excited about that, as part of our cultural integrity work, because that can also help to build pride for our local kids. That is something that we are really looking forward to, but we are at the start of that work.

**Ms Howson**: I have also invited the principal of the Narrabundah Early Childhood School, Bernadette, to speak to you about exactly what that looks like in the context of the things that happen in the school.

**Ms Hayes**: I think about that not only in the context of the Australian curriculum but also as part of the early years learning framework, which supports our children from birth to the end of preschool. We provide an integrated service model from birth to year 2 at our school. Part of that is ensuring that we understand the stories of each of our children. We have been doing a lot of work around “my story” with our families, and getting the story for every single child that enrols at our school, because if we do not understand their stories, it means we do not understand who they are and how we can best work with our families.

We introduced, six years ago, bush school as part of our curriculum. The children spend one day out in the local bush somewhere. For our preschoolers, it is at the arboretum, in the forest. It is about connecting with country and with nature. One of our Aboriginal LSAs is part of that program, and they do a lot of work around what that is—climbing lots of trees. Their gross motor skills increase considerably.

**THE CHAIR**: Bernadette, what is an LSA?

**Ms Hayes**: A learning support assistant. We have a Koori preschool—

**THE CHAIR**: It feels like I need one!

**Ms Hayes**: You are welcome to come at any time. We have a Koori preschool at our school which is amazing. We are very fortunate to have that. About 40 per cent of our enrolments are Aboriginal children. We recognised six years ago that for some of our children, engaging in the classroom with desks, chairs and a board out the front was not a particularly engaging experience, and that we needed to provide an alternative for them that enabled them to engage meaningfully and authentically in the curriculum.

We started by going up to Red Hill—because we are very close to there—spending the day up there and giving them the skills to understand how to navigate that environment. They all had whistles and things. They knew what area they were allowed to stay in. We had extra staff. We took up eskies with water for them. They had to learn how to go to the toilet in the bush. The first time we also took pencils and paper—

**Ms Howson**: I am not sure that has been in *Hansard* before!

**THE CHAIR**: Not in this house, maybe!

**Ms Hayes**: We never did that again. After that, the children facilitated a lot of their learning themselves. The first time that I went along, some children who were in kindergarten said, “Bernadette, can you come and count the cicada shells with us?” and I said, “Okay.” They said, “We’ve got 540 of them,” and I said, “How do you know you have 540?” They said, “We have 54 lots of 10.” I said, “I don’t remember seeing that in the Australian curriculum, where the kindergarten learned to count by tens in that manner.”

Learning became very meaningful. They had shared understandings and shared stories that we were able to bring back to the classroom. In particular, it had an impact around oral language, around their vocabulary in particular, as well as on their reading and writing, because they were all able to reflect on an experience they had shared that was meaningful to them, and it built on their understanding and knowledge.

Many of our children had a lot to share. It is also an amazing experience for parents to come along and be an active part of that. A number of our families come and join us when we are in those different places. We try to make sure that we have areas of significance for our community as well. We often incorporate some of our Aboriginal parks and wildlife rangers; they are part of that as well.

**MR WALKER**: Thank you very much, Bernadette. Can you provide an example of how the student resource allocation has made an impact on schools’ ability to support the cultural wellbeing and educational needs of our children?

**Ms McAlister**: I will do that quickly and succinctly, hopefully, being mindful of the time. I do need to spend one minute to embed that example in the definition of “cultural integrity” in the SRA model. We have Gonski; SRA is the local implementation of Gonski. In the ACT, under the SRA model, we are looking at how we support our Aboriginal and Torres Strait Islander students.

We did a review of how we used to do it. As part of that review, we found that when you take into account factors such as attendance, socio-economic status and prior ability, there is no difference in student outcomes between Aboriginal and Torres Strait Islander students and their non-Indigenous counterparts.

**THE CHAIR**: When those measures are equal.

**Ms McAlister**: Yes, when those measures are used. We are drilling down and looking at what stereotypes might exist here. The other thing we know is that there is still a persistent difference in those outcomes. When we were doing the work under the SRA, when we did the literature review, when we had a strong consultative mechanism, and consultative input into that work, we were strongly advised that the difference is the school environment; that is, as you have been hearing today, the degree to which Aboriginal and Torres Strait Islander students and families see themselves in the interactions, in the curriculum and in the environment. That is the piece that we are calling cultural integrity under the SRA.

As Meg said, it is a long journey. We were talking about cultural integrity in our employment action plan in 2015. We were talking about it in our RAP in 2016, the first time we turned away from deficit discourse, and we are embedding it further in the SRA work—cultural integrity. So we have set the policy position, which Natalie spoke about, which is our schools meeting the needs and aspirations of all Aboriginal and Torres Strait Islander students. It is an inclusive policy position. We are talking about all Aboriginal and Torres Strait Islander students, our high achieving students as well as those who might need some educational or pastoral support.

The emphasis is on our schools being inclusive, not on the individuals and the families fitting in. If I can then embed the example in that quick intro, it is a really simple but meaningful example. Upon hearing about this work, we had a principal who took a couple of small measures in putting some artefacts in the front office—something on display, and a piece of artwork—and immediately noticed the difference in engagement with a young student that she had not seen before. The engagement was positive, immediate and really productive. That is a very small example, but I think it is embedded in the broader systemic work that we are doing about helping engagement happen for all young people in our schools.

**MR WALKER**: Thank you very much, Coralie. Other than the proposed new structure of the former Aboriginal and Torres Strait Islander educational consultative group, what other groups or forums are available for the community and organisations to provide feedback and input into the school environment?

**Ms McAlister**: I will continue with the SRA work, if I might. There was a very strong governance structure around that. We had a reference board of senior Indigenous community members with a background in higher education, community and consultancy. We also had a policy group. There are examples of specific consultation needs where we set up strong governance, a policy group made up of our Aboriginal and Torres Strait Islander employees and our non-Indigenous employees, too, telling us whether the policy ideas were actually applicable on the ground.

Another really different consultation that we are doing is around the future of education, which is very open and iterative. We have chosen consultation methods such as video booths to engage the voices of young people. We have been actively setting those booths up where we might be able to get the voices of our Aboriginal and Torres Strait Islander students and community. I will not name schools, but we deliberately went out to a 30th birthday fete of a school on the south side. We have been at Bernadette’s school as well, to actively and informally seek voices.

The third element to that answer, importantly, is the enduring consultation opportunities through your local school. You can hear the importance, I think, of systemically helping schools to become more and more inclusive and welcoming over time in partnership with their school communities.

**Ms Howson**: The other thing I would add is that we have a very strong Aboriginal and Torres Strait Islander staff network operating in education. I would like to acknowledge all of those members of our staff, because not only are they there doing their jobs every day; they add an extra dimension, which I am sure each of you appreciates, by providing advice and stewardship on the issues that relate to the communities that each of them is a leader in. They are a very important forum for me as the Director-General to engage with. They also attend our senior executive meetings once a quarter to discuss issues that are coming up through the staff network.

**MR WALKER**: If the directorate is spending $23,000 per student—$4,000 more than the national average—what are the indicators that are preventing the directorate from achieving maximum effective spending? What is the directorate doing to rectify this? Who are the stakeholders that need to be involved in this discussion?

**Ms Howson**: I am assuming that is the figure in relation to our school resource, what we call our standard allocation per student; is that what you are talking about?

**MR WALKER**: Yes.

**Ms Howson**: Yes, and the fact that the ACT is funded as a system over and above the standard that David Gonski articulated a number of years ago as part of that federal government reform. You are right. In the ACT, I think proudly, we are funding our schools to a level that is higher than the standard expected across the country.

If then your question is: if we have those resources available, why aren’t we making better progress, I think this is part of the story we are talking about today. We are building capability over time. We need to start in the early years. We need to continue our effort throughout the 12 years of schooling. We are learning about how we make a difference. Coralie spoke earlier about the work and advice that has come through our focus on the allocation of funding on a needs basis.

We have only recently made the shift to an orientation around a strengths-based approach in recognition of supporting all Aboriginal children: our high achieving children and the children who need additional supports, the children who come to school with a whole lot of things going on in their family life.

But the thing that we have to add on to that is making sure that our schools are genuinely places where each Aboriginal and Torres Strait Islander child actually loves to be and loves to learn. It is our focus on the environment that we are creating in schools that facilitates learning. This is something that we are shifting more and more effort into at the moment, Maurice. I am very optimistic that we will see a reduction in what we currently describe as this equity gap in our system.

We have numerous examples of Aboriginal and Torres Strait Islander children who are exceeding their own expectations, who are high performing young people. They are leaving our school system ready to take on the world, that new world in front of us. They are providing enormous leadership within their school community. But we know that there are also children who need extra support and increasingly we are gearing for that.

We could talk to you a little more about what that looks like, if you would like, in terms of the sort of multidisciplinary support that is available to individual students who have more complex needs.

**MR WALKER**: Yes, we might save that for another time—

**Ms Howson**: Okay.

**MR WALKER**: because we have a few more questions and we do not have much time. I would love to hear about that and maybe I can catch up with you.

**Ms Howson**: We can make that a focus of one of our meetings, yes.

**MR WALKER**: Yes. I am going to jump a couple of questions before I go back down the line, because I think the question that I have here is in a similar vein. You may already have answered it. It is a long-winded question. It has been reported recently that a high number of Aboriginal and Torres Strait Islander students have completed year 12. But what has not been identified is the numeracy and literacy levels of that cohort of school leavers. Does the directorate have data as to the numeracy and literacy attainment gap between non-Aboriginal students and Aboriginal and Torres Strait Islander students leaving school at year 12?

**Ms Howson**: I invite John Stenhouse, who heads up the Board of Senior Secondary Studies, to respond to that question.

**Mr Stenhouse**: Thank you for that question. First, I will say a few things in general about literacy and numeracy and then get to the Aboriginal and Torres Strait Islander literacy and literacy—

**THE CHAIR**: John, in the interests of time, could you just answer the question?

**Mr Stenhouse**: All right. Basically, we have year 9 NAPLAN and after that there is no formal literacy and numeracy testing. The board, in its strategic plan, would like to introduce literacy and numeracy testing for all students in year 10 so that we know which students need support and, not only that, which areas of literacy and numeracy their weaknesses are in so that they can be identified and supported.

That is in our strategic plan and we are working very closely with other jurisdictions across the country in trying to identify what is the best way of testing students before entry to college, because we do need to know what their needs are when they are entering college.

We issue a number of statistics in the annual reports on Aboriginal and Torres Strait Islander students but we have not in the past put in anything about literacy and numeracy. The information we have about literacy and numeracy for students in years 11 and 12 is based on their performance in maths and English. Strictly speaking, maths is not numeracy and English is not literacy. If you ask maths and english teachers they will very quickly tell you that, but they can be used as proxies for literacy and numeracy.

For example, we usually look at what happens with the cohort that has just finished. At the end of last year when we were looking at the 2017 year 12 graduating cohort we saw that there was a gap in literacy and numeracy, assuming that results in maths and English give us information about that gap.

The gap is most evident in the number of students who get A grades and B grades. By the time we look at the number of students who get C grades it is very much the same between Aboriginal and Torres Strait Islander students and the other students. So it indicates that in respect of the levels of literacy and numeracy overall, there is certainly a gap and the—

**THE CHAIR**: Can you tell us what that gap is?

**Mr Stenhouse**: I can give you the figures for last year.

**Ms Howson**: We can actually table that data for you.

**THE CHAIR**: Thanks.

**Mr Stenhouse**: I will table it for you if that would save time. I can do that.

**THE CHAIR**: Yes, if it is not as simple as, “There is a 15 per cent gap.”

**Mr Stenhouse**: It depends how you measure the gap. I have the gap for the As, the Bs, the Cs. I could add them all up but—

**Ms Howson**: It is not actually a literacy or numeracy measure but it is a measure of attainment. That gives you some indication of the difference.

**Mr Stenhouse**: Yes, the gap last year would be roughly in the 10 to 20 per cent area. It is very similar to the gap in completion. In fact, one of the keys to improving literacy and numeracy is making sure that students are in schools so they can get the support that they need.

**THE CHAIR**: That would be my next concern when we get that data. If the kids who actually stayed on to year 12 have a gap, what is the retention difference between years 10 and 12 as well, because there is a whole bunch of kids we do not even have sight of then?

**Ms Howson**: I will ask Robert Gotts to come up. I think he is able to unpack some of that data if you are interested in that. Robert, would you mind coming up to talk about what we understand are the issues of real retention and how that is looking?

**Mr Gotts**: Let me get to the right spot.

**Ms Howson**: I think today we have tried to build a picture that investing early is early identification of children who are either behind when they start school or who are falling behind. How do we actually identify that as soon as possible and start to provide a more personalised response to the needs of that child? Most of this data is also available publicly. Again, if it helps the committee we can provide the annual reports and the easy way to access this information.

**Mr Gotts**: When it comes to retention rates, the apparent retention rate is very high. It is around 98 per cent.

**THE CHAIR**: Between when?

**Mr Gotts**: In a year; so the apparent retention rate is measured by the number of students—it is done for all groups of students—in, say, year 10 and then, say, Aboriginal and Torres Strait Islander students in year 10. Then in year 11, the number of Aboriginal and Torres Strait Islander students are counted again. The difference between those two numbers determines the apparent retention rate.

What that does not show up is the real retention rate because there are students who leave the system altogether to go interstate or who leave school, or there are students who come in from other jurisdictions—interstate and so on. The real retention rate is a bit different. That is calculated by tracking the number of students who start each year and how many of those students are still retained in the next year. I do not have the specific figure here but I can provide that as a separate thing. Are you looking for between year 10 and year 11, because the number is different for each year?

**THE CHAIR**: I think the question is about people finishing year 12 and whether they are ready to take on the world.

**MR WALKER**: I guess it is that our kids are finishing year 12 and having that whole experience. But the report says that the numeracy and literacy gap is still different: they are not graduating at the same numeracy and literacy levels as the wider community.

**Ms Howson**: They are graduating in different proportions with different qualifications from year 12. There are three ways we look at this. John, correct me if I am wrong, but we have the attainment of a year 12 certificate. That is completion of their year 12. We have also an ATAR measure. That is those students who go through the tertiary stream and achieve that score. Then we have qualifications in the vocational education and training area.

What we know is that Aboriginal students, I think I am right on this, actually have proportionally achieved better outcomes in the VET area than non-Aboriginal students. But then in the tertiary stream that is not the case. But we have—

**THE CHAIR**: Of the students who get a certificate?

**Ms Howson**: That is correct, yes. That is correct, but we can give you the detail of all that data. Then what Robert is talking about is whether young people who finish year 10 are staying in our system, moving into year 11 and then completing year 12. That is what we talk about as a retention rate.

**THE CHAIR**: One of the things for us is to try to understand how many of the kids are staying in the system because of other levers outside your control. Changes to things like support and welfare payments mean that if you are not in school and you are not working, it is not as easy to stay at home as it may have been a decade or two ago. I am trying to understand the number of those kids so that we can understand where the issues are, whether it is things within our community that we should be leveraging, things we should be asking of you or things we should be asking of business. We are trying to understand, as people get to these forks in the road, what measures are there to get them back.

**Ms Howson**: That issue has come through quite strongly in the consultation on the future of education. We are sort of largely referring to it as transitions. There are these key transition points for students. We know that we need to do something about smoothing out those transitions and what we have learned about young people in their primary years or their high school years actually being passed through with the young person to the next school setting that they are in. If we know there is a high chance of them disengaging over the six weeks of the summer break, we need some way to keep those young people connected with education.

Of course, we have to work with families and community. I think that when we are saying we still have work to do, this is one area where it would make an enormous difference to our impact. I think we seem to be doing very well in having children come to our schools and stay at our schools during the year that they are engaging. But it is in these key transitions that we are losing some of those young people at risk.

**Mr Gotts**: To clarify what we will provide, I can look at the number of students in year 10 and then look at how many of those students continue to the end of year 12 if that is what you are looking for.

**THE CHAIR**: This is more about attainment.

**Mr Gotts**: Okay.

**Ms Howson**: It is about attainment, yes.

**THE CHAIR**: Yes.

**Mr Gotts**: With regard to the other point you made, we are talking to the New South Wales government about the extent to which we have information. While we try to keep track of students who leave, it is not always possible. We do not necessarily know if they are now attending a school in New South Wales. So we have a longer term project to work out how to resolve those issues.

**MR WALKER**: There is a little bit of work to do. As you said, there are other things to be working on which might bring that back together. I am going to combine a couple of questions. Does the directorate have involvement with the university Aboriginal and Torres Strait Islander units? It might be a question for another directorate probably but I am going to ask you anyway. Obviously, I am referring to the Ngunnawal Centre, Tjabal centre and CIT. If so, what are you doing to build and sustain a relationship with those units, given that some of our kids obviously go from school straight to university? Possibly, if our Aboriginal and Torres Strait Islander children are going through to uni, they are going through those institutions or those entities.

**Ms Craddy**: I would say that we have had longstanding relationships with each of the centres and the universities, and with CIT. We have a strong relationship with the widening participation mob out at the University of Canberra, which we collaborate with to do transitions and pathways programs, the early access things. We currently also have a relationship happening that involves the University of Canberra and the ACT Supreme Court. There is going to be an event, an excursion, in another month or so for the kids from year 9 to year 12. ANU have a higher ATAR in many ways than the other universities. It is still a work in progress as far as getting access to a lot of the courses there is concerned, but the kids are involved in the open days and things. The Australian Catholic University are organising aspirations activities for us, in collaboration, starting with the year 8 kids and some of the primary school kids, to at least get them to understand that universities exist across the board.

We also invite the various organisation representatives from those to participate in our scholarship selection processes, attend the award ceremonies and things like that. So I would say we are well and truly underway.

**MR WALKER**: Extensive.

**Ms Howson**: I have also recently met with the vice-chancellor, deputy vice‑chancellor and dean of education at UC (University of Canberra). We have been talking to them about the work that we are doing on improving cultural integrity and the expectation that we mirror each other in our respective institutions. We are forming a partnership with our schools and the CIT, and we will emphasise that in that partnership. The vice‑chancellor of the ANU recently met with me and outlined some changes that they are making to improve equity of access to the ANU. They will be taking into account things like whether or not a young person has had a leadership role in their school, whether they have been a carer in their school, whether they have made some other contribution by working part time. Those things will be taken into account, along with their academic record, to give them access to programs, then courses, at the ANU.

Across the city, I think you can be confident that people are recognising that more needs to be done and taking some steps to address that.

**MR WALKER**: Good; I do not have to ask another directorate. Thank you; good answer.

This is about your current staffing: how is the directorate planning to grow and sustain their efforts to attract new Aboriginal and Torres Strait Islander staff? What is the directorate doing to encourage leadership opportunities? And are there conversations with Aboriginal and Torres Strait Islander staff offering to take up more advanced training in leadership?

**Ms McAlister**: I might start that answer and then hand over to Chris. We have an employment action plan that guides our work, it is important to state, and we have leadership opportunities built into that plan.

Let me give a couple of really quick examples. The strong and close advisory relationship that Natalie spoke about between SET and our staff network emerged out of that action plan, and has been growing and strengthening over time. That is a really important leadership function that our staff network enacts. We also have an annual survey of our Aboriginal and Torres Strait Islander employees, “Our mob our stories”. It is in its fifth year, and we use the information that we receive to then build further initiatives. The third example is that we trialled the first shot at a mentoring program last year for our Aboriginal and Torres Strait Islander staff. It was really good. It was well attended, and we need to build on that, but we are systematically looking at leadership through that plan.

Your question relates to growing numbers; I will hand over to Chris to respond.

**Mr Hodgson**: I will be fairly quick; I am conscious of the time. I have been in this organisation for about a year now. Having worked rurally across Queensland, it is the first organisation I have worked in where we are actually tackling the culture of the organisation. Making our organisation a culturally safe and inclusive workplace to me is the most significant thing that we are doing, and Natalie is a very strong leader in that space.

While we still work on a range of whole-of-government programs around things like traineeships and graduate programs, and they will continue to be integral to what we do, part of what we do, selling ourselves as an employer of choice to a range of cultural backgrounds is really important.

One of the other things is that we currently have six ASBA students, high school based apprenticeships, and four more on the way.

**THE CHAIR**: Just to clarify, do you mean that their placements are within the directorate?

**Mr Hodgson**: Yes. They are students, but they are all—

**THE CHAIR**: Not six that do it?

**Mr Hodgson**: No. They are also doing their apprenticeships with us as the employer.

**THE CHAIR**: Yes; that is what I was getting to.

**Mr Hodgson**: That is a real opportunity for us. We are looking at upskilling, in particular with our school-based staff. There is a real opportunity for us there to grow those career paths into our organisation. And it goes right down to looking at opportunities for a direct appointment, so a transition straight from a successful apprenticeship into ongoing employment.

I am not sure if we have given you numbers, but one of our issues is our higher rate of casual and temporary staff. Our numbers fluctuate a bit. At the moment, we are sitting on 98. That number got to a peak of 101 in November and dropped down to 80‑something over Christmas and with our temporary contracts.

The other opportunity for us is that at any given time, we carry really high numbers of temps, temp contractors. Part of a review that we are doing at the moment around teaching mobility will be to look at whether we can up our ongoing establishment. We do need some flexibility in terms of subject matter backfill and all of those sorts of things, but there is an opportunity for us to probably up those numbers and permanent numbers.

**MR WALKER**: I go to my last question. We know that school teachers are being trained in cultural competency from visiting Tidbinbilla. What other pathways is the directorate exploring to assist teachers to deliver more comprehensive culturally competent curriculum? It will come back to the answer you have already given, I guess. How will the directorate embed and grow cultural integrity for teaching and office-based staff?

**Ms McAlister**: Beth can probably give you a couple of examples, but I can just reinforce that it starts from the top. The leadership and the three-day cultural integrity training that our principals and our corporate executive did to position them well as leaders in this area was really critical for our teachers to then actually build their own competence. And I want to say that it has us doing business differently as an executive. We are just starting to develop our visions and values as a united leadership team. Natalie has asked us to do that out at Yarramundi in a yarning circle rather than in a boardroom. I think it is important that we are demonstrating that and that our teachers are seeing us taking our own cultural integrity seriously.

**Ms Howson**: I might just add that our reconciliation action plan focuses on your next most powerful step. In terms of the education support office staff, it challenges us to think through, even though we are not working directly with students, what our next most powerful step can be. Rod Bray is sitting in the gallery. Rod is responsible for infrastructure and capital works, and I know that Rod has been thinking about a number of initiatives that facilitate schools changing their spaces and environments to make them more culturally appropriate.

So it has that flow-through. For the strategic finance team, it is how they actually mobilise the resources that are available to enable schools to do the things that they want to do in this space. For the executive, it is just something in the front of our minds. We acknowledge country every week as a collective executive. It is not a ritual for its own sake; its purpose is to remind us of the importance of cultural integrity to the effectiveness of our mission, which is to ensure that every child in the ACT is empowered through education and ends up loving learning. We all have a role to play there. It is a complex issue to discuss, but these are the very practical day-to-day things that we are doing within our directorate.

**THE CHAIR**: Do members have any follow-up questions? If not, I have a few follow-up questions on what we have heard. Coralie, you talked about the employment action plan.

**Ms McAlister**: Yes.

**THE CHAIR**: And you talked a bit about the activity.

**Ms McAlister**: Yes.

**THE CHAIR**: I would like to know how the directorate is going against its set outcomes for that. Are you on track for achieving your targets?

**Ms McAlister**: Chris talked about the variability of numbers and, because of the work we do, we have a large casual workforce.

**THE CHAIR**: I assume you knew that when you set your targets, so it is taken into account?

**Ms McAlister**: Yes, we did. We are slightly under the whole-of-government targets. We watch those closely. If you look at our journey over time, we are on track. We started at about 56; we put the plan in place, with three elements of the plan and a strong cultural integrity focus; and we have seen those numbers grow up to around 96 now.

**THE CHAIR**: How far do you have to go?

**Ms McAlister**: I think we are about 12 under at the moment. Part of that also involves our strategies under the plan. We go out to do community yarns, and we go out to the Ngunnawal centre, because we want them working.

**THE CHAIR**: But that number is within a variation?

**Ms McAlister**: It is.

**THE CHAIR**: A variation that is reasonable for your staffing structure?

**Ms McAlister**: Yes.

**THE CHAIR**: We spoke to a couple of directorates yesterday, and when I asked that question, they just said, “We are not going to make it, and we are not close.”

**Ms Howson**: We are not giving up. The challenge for us is that the majority of our workforce is a teaching workforce, and that requires a university four-year qualification. The truth is that we have to actually have these pathways through to tertiary education. At the moment, the students who are translating from secondary into tertiary have many options available to them.

**THE CHAIR**: Your problem is how competitive the market is for that cohort of people?

**Ms Howson**: That is right, at the moment. So how do we broaden the base? Really it goes to the things that Chris is talking about: about attracting students to choose education as a vocation early; about entry ways into the education directorate. People might come in as learning support assistants but then get support to build their qualifications over time. Our employment plan is focused on those things, and we keep reviewing it every year while we are continuing to trend up. We still have work to do on the harder end.

**THE CHAIR**: Thank you. With the work you have described in the school infrastructure and cultural integrity work, there are kids going to school now who will think, “Yes, this is where I want to teach.” I get that it is long term and that that is part of the foundation for that.

One of the other questions slightly relates to the attainment questions. From your budget papers, one of the measures is around the year 12 attainment. I notice that in the forecast years there is no movement in that 20 per cent gap. So there is no projection from the directorate that that is going to change.

**Ms Howson**: We are working on that now.

**THE CHAIR**: That is my question. Is that for your next lot of forecasting?

**Ms Howson**: Yes.

**THE CHAIR**: Your KPI is going to be—

**Ms Howson**: We are reviewing all of our KPIs and our targets at the moment.

**THE CHAIR**: Excellent.

**MR WALKER**: I would like to say thank you for your answers today and to thank you and your staff for coming along. I look forward to having more meetings with you. And I would like to take Michael up on his offer to come out and see the school.

**THE CHAIR**: I have a final comment as well. There has been some commentary, both nationally and locally, even very recently, about the impacts that racism has on service delivery, particularly for Aboriginal and Torres Strait Islander people. One of the things that has really stood out to me today—maybe you sell it or get a chance to talk about it more often—is the opportunity that the cultural integrity work that you are talking about in the curriculum is providing, the impact that it is having on a generation of non‑Indigenous children going through your school who will take up all of those jobs and the legacy that that will leave. Please don’t drop the ball on that either.

I think that for my kids and their kids, there are some things that will be beyond whenever we have to sit and be accountable for them, but we will encourage that. Education, as you know, is a critical area for generational change and, unlike many places where I have worked, Canberra does have jobs and businesses and things for our people to take on if we get the education component right. I thank you for what sounds like some great structural change that needs to happen. Without that, we are only tinkering at the end. I really look forward to hearing how this progresses.

I thank you for your time in preparing generic responses and for your evidence today.

## Hearing suspended from 10.47 to 11.09 am.

Appearances:

Justice and Community Safety Directorate

Playford, Ms Alison, Director-General

Pryce, Mr David, Deputy Director-General, Community Safety

Peach, Mr Jon, Executive Director, ACT Corrective Services

Hayward, Ms Virginia, Acting Chief Human Resources Officer

Inkpen, Dr Nova, Acting Director, Justice Reinvestment

Glenn, Mr Richard, Deputy Director-General, Justice

Brown, Mr Mark, Chief Officer, ACT Fire & Rescue, ACT Emergency Services Agency

Lutz Ms Amanda, Manager, Restorative Justice Unit

Harvey, Ms Tamsyn, Executive Director, Legislation, Policy and Programs

Tew, Ms Melinda, Senior Policy Officer, Social Justice

Robb, Mr Ian, General Manager, Custodial Operations, ACT Corrective Services

**THE CHAIR**: I welcome the officers from the Justice and Community Safety Directorate and other portfolio representatives who are here. Thank you for appearing at our 2018 hearings.

We have done an acknowledgement of country this morning, but one thing we have done at each of the sessions is to pay our respects to a Ngunnawal elder who has passed away. Indeed her funeral service is being held today in Tumut. We acknowledge the work that Laura Bell has done, particularly in being a foundation member of the elders council. Because her work has cut across most things that happen in Canberra, we think it is important to acknowledge that in each of the sessions.

Most of you would know that the way the hearings operate is that we work together, particularly with our community, in putting the questions together. Predominantly, the questions that we have settled on to start with will be asked by our portfolio representative, Mr Monaghan; then, if we get an opportunity time-wise, we may have some follow-up questions.

We do get questions from our community for all of the hearings, and we do give those priority. At times you may feel like we have doubled up a bit with the generic questions that have been provided earlier, but it is important for us, transparency-wise, for the community to see that we have asked the questions that they have put.

Many of the activities and programs that you operate are well documented and we have some of that information. We are really trying to get to what the impact looks like now and perhaps the forward thinking on things. If I jump in, it will be about time management and getting through the questions; it is not that what you are saying is not important. Do you have an opening statement that you would like to make?

**Ms Playford**: Thank you. I very much appreciate the opportunity to make this opening statement today. I would like to begin by acknowledging the traditional custodians of the land that we are meeting on, the Ngunnawal people. I acknowledge and pay my respects to their culture and the continuing contribution they make to this city and region. I pay my respects to elders past, present and future, and I would also like to acknowledge and welcome other Aboriginal and Torres Strait Islander people who are attending today’s hearing or who will read the transcript of today’s hearing.

Firstly, congratulations, Katrina, on being elected to the position of chair of the elected body. It is a very important role. I would also like to acknowledge Fred Monaghan for his work with the directorate as the elected body justice representative, and make note of the passion and commitment that he has already shown in that role. To other elected body members, I acknowledge the contribution that you are making to your respective portfolios. I also look forward to continuing to join up our efforts across government, to achieve better outcomes for Aboriginal and Torres Strait Islander people, because I think that is really important.

As director-general, I place great value on the directorate’s relationship with the elected body and view our partnership as being crucial to achieving better outcomes for Aboriginal and Torres Strait Islander people. It has been a challenging year for the directorate. The tragic death of Steven Freeman and implementing the recommendations of the Moss inquiry have been a very key focus.

Last month Minister Rattenbury tabled a progress report, one year after the Moss review into the treatment of Steven Freeman. Mr Russell Taylor, the independent chair of the review implementation steering committee, at a meeting yesterday, agreed that six of the recommendations relating to the government have been fully implemented and strong progress has been made against the remaining three. Steven’s death was a tragedy, and we continue to reflect deeply as a directorate on this and the ongoing impact on Steven’s family and friends.

I would like to thank Jo Chivers for the role that she has played and her commitment as a representative on the steering committee. It has been a very large time investment and a strong commitment. Alongside Russell Taylor we have had Julie Tongs and Anthony Longbottom from the Aboriginal Legal Service on the committee. It is a very innovative approach for government to have an oversight governance committee which has that strong community input, as well as having a broad range of directors‑general, and it has benefited from that strong Aboriginal focus.

A major example of our commitment to developing cultural proficiency in the justice system is the model of care that has been developed by ACT Corrective Services, ACT Health, Winnunga and Community Services for delivery of health services at the Alexander Maconochie Centre. $8.3 million over 3½ years has recently been allocated to key outcomes from the Moss review to a range of corrections and health areas to improve service delivery, particularly in that area, and to ensure safety and security. This collaborative arrangement provides for far better health outcomes, hopefully, for Aboriginal people in custody and upon their return to the community.

Yesterday the government announced Neil McAllister as the ACT’s first inspector of correctional services. This was another outcome of the Moss review. I understand that the inspector will be meeting with the elected body. The inspector will ensure continuous improvement through regular review of our centres and services. The inspector will take a whole-system approach to identify areas for improvement and prevent poor practices.

Across JACS we are focused on creating a more integrated and culturally proficient justice system for Aboriginal and Torres Strait Islander people. We remain strongly committed to reducing the rate of incarceration and to reducing the over‑representation of Aboriginal and Torres Strait Islander people as both offenders and victims. We continue to work hard with the elected body on the objectives of the Aboriginal and Torres Strait Islander justice partnership.

I would like to acknowledge that there are a number of targets that we have in our current justice partnership which have not been achieved, particularly in relation to incarceration rates. There is a real opportunity, as we move into the next one, to look at how we better focus the activities that fall underneath those targets.

Over the past year we have progressed a number of new initiatives. This includes the launch of the bail support trial service with ALS. At our meeting yesterday, Anthony Longbottom gave us some really good, positive feedback around particular cases. He gave an example of two women who he thinks were granted bail by that service. That is really good, initial feedback because it has not been going for very long.

We launched the Aboriginal and Torres Strait Islander drivers licensing project, which tries to provide culturally appropriate road-ready theory lessons, driving lessons and assistance to navigate licensing systems and resolve some of the traffic-related debt issues that impact on Aboriginal and Torres Strait Islander people and some of the people at the AMC.

We have very much tried to focus on assisting the ACT law courts and tribunals and their cultural diversity committee. They have a range of initiatives that they are running to ensure that the courts operate in a way that is more culturally proficient. We have undertaken a cost-benefit analysis and evaluation of the Galambany Circle Sentencing Court, which very much demonstrates to government the economic value of programs like that. I think that is really positive in convincing our treasury colleagues around some of these things.

Through our justice reinvestment work we are continuing to develop smarter, more cost-effective approaches to improving justice outcomes, including programs specifically addressing Aboriginal and Torres Strait Islander needs for their families. The Yarrabi Bamirr trial, working with Winnunga, has provided intensive case management support for families. This was another innovative program, for a justice agency to be working with a health agency. We would all reflect that it probably took a little longer than we had anticipated to get going, and we had to work through issues around how we work together. An independent evaluation of that program by the ANU is being done. Again the case stories that we hear appear to be positive.

We have also expanded the front-up service to support Aboriginal and Torres Strait Islander offenders for breach. We are working with through care to better support family members of detainees coming out of prison. That is an extension of the Yarrabi Bamirr that we are working towards. We also led a whole-of-government response to the Australian Law Reform Commission inquiry into the incarceration rate of Aboriginal and Torres Strait Islander people. That was an opportunity to put some of our local solutions onto the national stage.

JACS is continuing to actively recruit Aboriginal and Torres Strait Islander staff. On 7 March, last week, we had 47 Aboriginal and Torres Strait Islander employees, with a number of recruitment exercises underway. A couple of our permanent staff members are currently on secondment to other directorates.

I recognise that increasing the diversity of our workforce, ensuring that there are Aboriginal and Torres Strait Islander staff in each workforce and ensuring that those staff have opportunities for career progression are essential to developing cultural competency across the justice system in particular, as well as in our community safety zone.

At JACS we have a “stretch” RAP, a reconciliation action plan, which complements the aims of the government’s respect, equity and diversity framework and very much complements the work that we are doing in terms of our cultural competency. This is overseen by a committee. We have an executive champion. Mark Brown, our chief officer from Fire & Rescue, has recently taken on that role as champion.

Later this month we are having a JACS executive retreat for all of our executive staff. Tyronne Bell from Thunderstone Aboriginal Cultural and Land Management Services is partnering with Doug Marmion from the Australian Institute of Aboriginal and Torres Strait Islander Studies. It will be a unique learning experience for our executive, focused on the Ngunawal language and a better understanding of Ngunawal culture. We like to try to ensure that we have a different focus each time we meet as a group. We are having lunch provided by Koori Kulcha. The Thunderstone Aboriginal cultural service will also provide an informal bush tucker session, so that we have a greater understanding of, and not just eating, our food.

I am also pleased to note that this year the ACT Emergency Services Agency has established processes to recruit two Aboriginal and Torres Strait Islander firefighters through the Fire & Rescue Indigenous employment strategy. Mark Brown is the person who can best give you details of that. The ESA also held a second event, “Be a firefighter for a day”, during NAIDOC Week, with a welcome to country and smoking ceremony, and that was very popular.

Despite our efforts, we still have challenges ahead to improve our justice outcomes for the Aboriginal and Torres Strait Islander community, particularly to reduce over‑representation in our prison system. We look forward to working closely with the elected body in the development of the next Aboriginal and Torres Strait Islander justice partnership and the whole-of-government agreement. This feeds very much into the government’s commitment to reduce recidivism in the ACT by 25 per cent by 2025. Given the high rate of Aboriginal incarceration, we will be able to assist the government to achieve those aspirational targets only by working very closely with the elected body and using those frameworks to drive that reform.

**MR MONAGHAN**: Thank you for that, Alison. It was great information that we can all reflect on. The first question is: how many Aboriginal and Torres Strait Islander events have the ministers attended in the past three years? It has been asked of all the directorates. I want to know about the ministers’ attendance at events over the past three years.

**Ms Playford**: In the interests of time, it might be better for us to take that on notice, given that we have multiple ministers. If we are doing it over three years, we have had other ministers.

**THE CHAIR**: We are particularly interested in Aboriginal and Torres Strait Islander community events, not departmental events.

**Ms Playford**: Yes. I think it is better if we take that one on notice, rather than just talk about the ones we know about and miss some.

**MR MONAGHAN**: We will go on to question 2. Does your cultural awareness training cover Ngunnawal and traditional custodian content, and is it delivered by a local provider?

**Ms Playford**: We have a number of different providers in cultural competency, partly because of our diverse workforces, so I will give part of the answer and then hand over to some of my colleagues in terms of their business units. For a lot of our more general office staff we very much use the programs that are offered through the CIT, which I understand do have a component of Ngunnawal.

I talked already in my opening statement about the upcoming session for the executive, which is going to be very much focused on the Ngunnawal language. The previous session we had a couple of years ago for the executive was around better understanding the Ngunnawal from a more historical point of view in terms of families and history, so it had a different slant to it. The ACT strategic board, of which I am a member, last year—I, because of my health issues, did not actually attend—did do a tour of some of the significant sites. This is something I am keen, now that my health has been better, to organise from a JACS perspective.

Corrections also have a component of cultural competency for the training of all custodial officers. I might let Jon Peach address that, and then Virginia Hayward, who is the head of my people workforce strategy, may be able to round out my answer.

**Mr Peach**: As Alison has alluded to, in our custodial officer training we do have cultural awareness training as a key component. In terms of the actual content, Mr Monaghan, I would have to confirm whether it is delivered by a Ngunnawal elder or member. Similarly we also provide cultural awareness training across the rest of the department as well. Again, the actual specifics of that training I would have to take on notice and confirm with you.

We are looking at further training as a consequence of some of the recent reviews that we have had. We have been working very much with the commonwealth government in adding an appropriate program that we can deliver. In fact ACT Corrective Services has been selected as one of the key deliverers of that program, or key contributors to that program, through a member of staff, Ida Hanley. That is in development at the moment as a response to the prison to work program. That is ongoing as well at the moment.

As to the specific nature of who delivers and how it is delivered, I would have to confirm that for you.

**Ms Hayward**: I will give you some dates and numbers of people who have undertaken training so far. In the first quarter of 2017-18 we have had 53 employees attend Aboriginal and Torres Strait Islander cultural awareness sessions. This brings the total for JACS to 591 staff who have completed awareness training.

**THE CHAIR**: Sorry for my ignorance, how many staff are there?

**Ms Hayward**: In JACS?

**THE CHAIR**: I am just trying to understand what proportion that is of the total staff.

**Ms Hayward**: It would be about a third.

**THE CHAIR**: Taking into account turnover and things?

**Ms Hayward**: Yes. That training is provided by the ACT Council of Social Services and it is a regular feature on our program. We have got training scheduled for March, May, August and November.

**MR MONAGHAN**: Is it compulsory for senior officers to be involved with this, the whole caboodle, within the AMC?

**Ms Playford**: Yes, it is part of our mandatory training schedule. And, as I said, for executive officers we very much try to build it into our regular executive planning days et cetera that we have. It is something that we also emphasise through our performance agreements. For executives that I am responsible for, certainly, a component of the performance agreement that I have with them is around their commitments in these areas. And commitment to diversity in the workforce is very much built into our performance agreements through the executive.

Our reconciliation action program is the other way for all our staff. We very much base it around days of significance. Our committee have committed some funds that they can allocate across the various days across the year for events. Some of those events are internally for JACS staff, some of those events are for particular business units and some of those events we very much open and invite the community to. We have some very key ones around NAIDOC week. We have one that the elected body always comes to, a large community event based around a barbecue. We have had music; we have had people speaking at those sorts of events. We have the family day out at the AMC.

Some of the sorts of things we do through our event schedule through the year, which is very much under the auspices of our reconciliation action plan—that is how that gets driven out—are also a key way that we ensure not only that our staff are both culturally proficient and have a good understanding but also that we are very much an employer of choice for Aboriginal and Torres Strait Islander people, who feel welcome and feel that we appropriately recognise their culture.

**Mr Peach**: Going directly to the question with regard to the AMC, we are, as you are probably aware, currently undergoing a structural review. We will be appointing a number of key positions to that over the next few months. The intent is that all of those senior leaders will go through an induction package. That includes the senior leadership team that already exists, and it is part of the induction package to ensure that this training will be provided to all of those new leaders at that level.

**MR MONAGHAN**: Going on to question 3, can you please provide us with information on what measures you have put in place that have increased access to diversionary programs for Aboriginals and Torres Strait Islanders in the ACT?

**Ms Playford**: We have a range of programs that are very much aimed at diversion.

**THE CHAIR**: I know you have a lot of things. This is particularly about the information you can give us on how that has increased access.

**Ms Playford**: We might need to take on notice getting some of the statistics on how it has increased access. The key diversionary program we have is the restorative justice program, which allows an alternative to a court pathway. We are very much focused on Aboriginal and Torres Strait Islander people through our Indigenous guidance partner. We have definitely seen increased access for Aboriginal and Torres Strait Islander people through that program. But it is probably best if we come back to that.

The driver’s licence program that I spoke about in my opening statement is very much intended to be a diversionary program. That program is relatively new. An Aboriginal and Torres Strait Islander person has recently been accredited as a driving instructor so that we can ensure that there is culturally proficient delivery. I understand that we are commencing in a real sense in April. That is one where we do not have the outcomes at this stage, but we are very hopeful and will very much work with the AMC and through care around ensuring appropriate access for people who are exiting the AMC to skill sets, because clearly driving is a key thing.

The Yarrabi Bamirr trial that we are doing with Winnunga is very much intended as a diversionary program. It is family-centric and it is about very intensive case management. That is everything like, if they notice that the kids are not going to school et cetera, ensuring that there are strategies to get the family functioning better. Working with a family on a whole range of things that are not traditional justice things is, to me, really key diversionary stuff. It is around that family operating effectively and those kids having the opportunities of education et cetera. So that family-centric approach is not just supporting an individual who is going through the justice system and providing them with support and advice but also very much about support for the family unit and ensuring that the family unit is working effectively.

We have the night crew program, which operates in the city on Thursday, Friday and Saturday nights. That program to date has not had a specific focus on Aboriginal and Torres Strait Islander people but we are putting a proposal to government to expand the program. In fact I think we are doing it on a pilot basis pretty much without any kind of funding at the moment, just to kick it off and see how it goes to actually have two Aboriginal and Torres Strait Islander people be part of that crew. Again, we will have to come back with the statistics but that program has been very effective in terms of diverting people who otherwise might have ended their night badly and ensuring that they get appropriate support, appropriate ways to get home, appropriate contact with friends et cetera to deal with situations that might be arising in the Civic area.

We have the bail support trial. Again, you might query why that fits into the diversion program but, for me, it is diversion in that providing somebody with appropriate support structures so that they can meet their bail conditions is a way of keeping them out of incarceration. Again, that program is relatively new. The early feedback is positive. It is very much modelled on the program that was implemented in the ACT very successfully for youth justice. It is around assuring the magistrates that there is somebody there who is looking out for this person. But it is also the really practical stuff of making sure that people comply with their bail conditions, turn up where they have to turn up—physically picking them up and taking them to appointments—keep to their curfews and that sort of stuff through maintaining a relationship with individuals. I would very much put the bail support program, which the Aboriginal Legal Service is undertaking on our behalf, into the category of diversion programs. Again, it is early days in terms of knowing access, but they have been telling us some stories around cases with Aboriginal people in the past few weeks where they think they have made a difference. That is a positive.

Another set of programs that at the moment we have a contract with the Aboriginal Legal Service to provide is the front-up service, the interview friend service, the Galambany court support and the through-care program. The first three of those very much, I think, fall into the diversionary category of providing people support and hopefully helping them have strategies which will help them avoid incarceration.

**THE CHAIR**: It would be good to see what the impacts of those have been.

**Ms Playford**: We have had some evaluations of a couple of those programs, such as the Galambany court one. Not all of them have been formally evaluated but we can give you some numbers about access to those programs et cetera.

**THE CHAIR**: Thank you.

**Mr Pryce**: We also manage the policing arrangement. I know that you will ask questions of them after us, I understand of the Chief Police Officer, but we specifically include in their performance agreement contract increased support for early intervention and diversion. They can talk more to that. We made sure that it is in there up-front. It has been an enduring thing in their agreement.

**THE CHAIR**: One of the things in unpacking the data is that we can set up the referral through the police but if there are not spots to send them to then there is no point. So we are asking every directorate this question.

**Mr Pryce**: I underline everything the director-general said, in that we know through over‑representation in the numbers in our prison system and the whole criminal justice system that it is too late at the back end to try to fix the problem. Preventing people coming in in the first place and doing everything you can to slow down the frequency or the impact—even if they have been through this and come out again, slow down the frequency with which they return or the level of impact: the harm that it is causing them, the community or their family—is the focus of what we are trying to do. Unfortunately we have got a number of, I think, very innovative works at the moment that the director-general described but we have not yet got the full evaluation to describe the impact. But the anecdotal evidence from the service providers and our partners is positive, so we are hopeful.

**Ms Playford**: The other one we have is the Outward Bound program, which was funding for camps for Aboriginal and Torres Strait Islander people. It was essentially aimed at young people, the 18 to 25 group. It was essentially a response to calls from the Galambany court panels around alternative options to incarceration that they might have. These camps are being trialled again, with relatively small numbers at this stage.

Outward Bound is delivering those programs at the moment. They are a five-day sort of camp that we have had, some for woman, some for men. They are mostly for men, but we have had one for women at this stage. They are very much aimed at giving people life skills and again very much fall into that sort of diversion category. As I said, there are relatively small numbers going into those programs, but they are intended to provide an option to incarceration and to provide a program which will have positive life outcomes for people.

**MR MONAGHAN**: Going to question 4, how was the justice reinvestment program designed, and who was involved in that?

**Ms Playford**: I might get Nova Inkpen to answer that. She has been one of the key staff members very much instrumental in the design of the different components of that program. That program is very much made up of a series of work components which are intended to ensure that we have a better evidence base about the value of these programs. The other thing is to continue to pilot some of these things. Yarrabi Bamirr, for example, is very much an actual pilot that is part of the justice reinvestment package.

**Dr Inkpen**: As Alison has said, justice reinvestment consists of two big streams of work. One is about building an evidence base on which to make good, sound decisions about programs and funding options to support reducing over-representation and reducing recidivism in the ACT. The other program of work has very much been about understanding what our justice priorities are and what are the operational activities that we need to engage in. The question was: how have we devised the justice reinvestment program?

**THE CHAIR**: And who designed it, and who was involved?

**Dr Inkpen**: With respect to the broad design, there are seven projects. We are looking at developing costing models. We have been understanding the mapping of the services and programs in the ACT. We have gathered some data in terms of a data snapshot which we are due to publish shortly. That snapshot has two pieces. One is an ACT overview of the contact points that vulnerable Canberra citizens have across the human services system and the justice system. Another part of that snapshot looks specifically at Aboriginal and Torres Strait Islander people. That is our evidence‑gathering work.

The operational work has been done through extensive consultation, again, in relation to a co-design process of understanding what our justice priorities need to be. The Yarrabi Bamirr trial was born from a very strong consultation process that was initiated where ACTCOSS partnered with JACS and brought together over 50 critical stakeholders across the justice system, the community sector and academia, and those with lived experience in relation to the justice system, to help us understand what critical trial options we should take. The most fundamental one was providing family‑centric support to Aboriginal and Torres Strait Islander people in contact with the justice system.

**THE CHAIR**: In those 50 people or organisations that were involved, how many were Aboriginal or Torres Strait Islander?

**Dr Inkpen**: I would have to come back with the specific number to you, but we had, I would say, approximately 10 across, with the elected body invited, and our critical workers in the community, as well as in the—

**THE CHAIR**: That is okay. I am happy to get that on notice.

**Dr Inkpen**: Not a problem. It has required extensive consultation. We have used a really strong governance structure. The justice reinvestment advisory group has a broad range of individuals, across the justice system but more broadly across government, community and academia, supporting the work that we are doing with the justice reinvestment work.

**MR WALKER**: I want to go to question 5. It talks about which members of the Aboriginal and Torres Strait Islander community were involved in this discussion around this reinvestment.

**Dr Inkpen**: It included Winnunga, Gugan Gulwan, the Aboriginal Legal Service, the elected body. It has been a very broad range. I do not know if I need to take it on notice to really do it justice.

**THE CHAIR**: You might. This is particularly about the design of it. Our advice would be that something was designed and taken to those people to see if they would sign up or not. I am happy if that is not correct, but that is what I would like to understand.

**Dr Inkpen**: May I ask for a clarification? Are you talking specifically about the operational work, the Yarrabi Bamirr trial or the ngurrambai trial? Or are you talking about the whole—

**THE CHAIR**: I am talking about the whole lot.

**Dr Inkpen**: Okay.

**THE CHAIR**: I am happy for you to tell me which parts were the trials and which parts were the others, but I would think that one would not live separately from the other.

**Dr Inkpen**: Yes.

**MR MONAGHAN**: I will continue on to question 6. What time frames for development were there for justice reinvestment?

**Ms Playford**: Again, it might be best to take that on notice, in the interests of time. There were various different stages. Our co-design work did take a relatively long period. That was because we were ensuring that we had appropriate engagement and appropriate community consultation as we went through the process.

**Mr Glenn**: There has been an ongoing conversation, of course, with the service providers and others on the JR trial, to continue to talk about how the project is rolled out and how the trials are conducted. We have very regular liaison with Winnunga, for example, around the Yarrabi Bamirr trial, because we are learning as we are doing; we are doing something that is new both for us and for them.

**THE CHAIR**: Much of the question is trying to understand that return on investment for all parties.

**Ms Playford**: Yes.

**MR MONAGHAN**: Questions 7 and 8 are relevant to the discussion. What has been the impact, and what is the future of the initiative?

**Ms Playford**: In terms of the impact, we are still at the stage of being about to commence evaluation, particularly of the Yarrabi Bamirr trials. We are just finalising arrangements with the ANU in terms of that evaluation. It always was intended that there would be a formal evaluation, but as part of the justice reinvestment work, there were a number of other evaluations that were conducted. Some of those have been finalised, and some of them are being finalised at the moment.

One that has been finalised was the one around the Galambany circle court. That has provided us with very strong information. It basically suggests that for every dollar spent, there is three dollars economic value for the government in terms of outcomes. I think most of these evaluations are publicly available if you are interested.

We also evaluated the high density housing program. That program had previously been funded in a non-ongoing way. It has led to ongoing funding for that program. The through-care program that corrections ran was evaluated. Various recommendations from that evaluation, including that we should have a greater focus on Aboriginal and Torres Strait Islander people, have led to an outcome where in the last budget there was an allocation for a specific Aboriginal and Torres Strait Islander team member to be part of that through-care team.

One of the things in terms of getting the evidence base was making sure some of the things we had been doing for some time actually did have formal evaluations so that we could provide advice to government that it was worth continuing or that they needed to be tweaked in some way to provide better outcomes, particularly for Aboriginal and Torres Strait Islander people.

**MR MONAGHAN**: I probably can connect 9, 10 and 11 in a package. In the justice partnership, there are several referrals to culturally appropriate services provision. Can you explain to us what are the standards set by the directorates in this regard? Going to question 10, how is this standard met internally? And, going to question 11, is this used in the procurement of services by the directorates?

**Ms Playford**: Others might be able to add to my answer, but in terms of the cultural proficiency in the services we deliver, that goes back to a lot of what I talked about in my opening statement around our staff and some of the programs that we have under our reconciliation action plan, but also the training that we provide to our staff in some particular areas where there is a particular need, particularly in corrections, where we have a more intensive part of the regular induction process.

We also have protocols around how we do various ceremonies, et cetera. Welcomes to country are a regular feature of JACS events, when we open new facilities, for example, such as our emergency services facility. We opened a new SES facility just last week down in Tuggeranong. We have smoking ceremonies for many of those sorts of opening-type events for facilities. For me, all those things are important components in ensuring that we are culturally appropriate in the way we deliver our services.

We provided some funding to the court to allow them to do a day of community engagement with Aboriginal and Torres Strait Islander people, which has led to them developing their strategic plan for how they want to improve their service delivery and make it more culturally appropriate. They are doing some work with law schools around giving priority access to associate positions for Aboriginal and Torres Strait Islander law students. That is a program that they have commenced and is now underway. They are also looking at options for trainees et cetera within the court system.

**Mr Glenn**: If I might just add something, in relation to the Aboriginal justice partnership itself, there is not only your presence on the advisory board, but also the Aboriginal caucus which we have, which involves members from the elected body, from Aboriginal and Torres Strait Islander staff from across directorates and from the service providers that we are engaging with.

We have essentially established that as a mechanism to test propositions that are coming from the partnership and to ensure that there is consideration of cultural appropriateness in the things that are being discussed so that we have a richer sense of advice when we are thinking about which way the partnership should work and where investments should go and so that there is a better set of advice about whether something is going to be culturally appropriate and be a suitable thing to bring forward. And there is the constant, repeated test: is it still going on in the way that we envisage it? Is it being rolled out in a way that is culturally appropriate as we see it occurring on the ground?

That has been an innovation that we have ruthlessly lifted from Victoria, and it has been, I think, a successful element of the partnership process.

**Ms Playford**: To me, it is a key part of the governance process that holds us to account in the way we are delivering the activities. Many of those programs that I talked about, like the expansion of Galambany, the bail support program, et cetera, are initiatives that have come out of that Aboriginal justice partnership conversation and have had the benefit of the insights. It really has been a valuable way to better utilise the understanding that our Aboriginal and Torres Strait Islander staff have, and also the community members together, to hold to account the action officers who are implementing various services.

**THE CHAIR**: Part of the intent of the question is that—there is no doubt that in the activities that you have described we think that is starting to set the tone for what you want in the directorate—we are keen to make sure how that is being embedded into your systems so that should the goodwill that exists at the moment, or the personalities, for want of a better word, change, it is embedded and it does not go away just because someone is not in a certain role.

**Ms Playford**: Again, there are two answers to that question. First, I do think that it is about getting the culture of the organisation right. That is how you make things sustainable: you embed them deeply in the culture. We all know that it is hard to change culture; if you get a good one, it is hard to change that as well.

**THE CHAIR**: We have had a good one for a few thousand years.

**Ms Playford**: The really big challenge is to get it embedded so that it is part of business as usual. That is what we are striving towards. We also, through our business, have various designated positions where we ensure that we have Aboriginal and Torres Strait Islander staff in particular positions. John can talk particularly around the various designated positions within corrections, but we also have some positions within, for example, our restorative justice program. We have an Indigenous guidance partner; that is a designated position.

**THE CHAIR**: Are those positions permanent, not contracted or short-term positions?

**Ms Playford**: These are permanent positions. Virginia can let you know the full number of positions that we have, and maybe do a quick run-through of the different parts, because they do cover a range of parts of our organisation.

**Ms Hayward**: We have 16 identified positions, of which five are in legislation and policy—

**THE CHAIR**: They are permanent, long-term positions?

**Ms Playford**: Yes, these are all permanent.

**Ms Hayward**: There are nine in Corrective Services, and two temporary within the Human Rights Commission. So there are 14, with two temporary within Human Rights. Would you like me to list—

**THE CHAIR**: No, I am sure we can find that through—

**Ms Hayward**: I can provide those on notice. We have a table here.

**THE CHAIR**: The point I am trying to make is that, as you start to generate these things, RAPs can come and go. It is about getting it to that next-step change, so that we do not go back from where we are now.

**Ms Playford**: Absolutely.

**THE CHAIR**: I think you have given us some evidence on that; thanks.

**Ms Playford**: Another one in emergency services is, of course, the strategy we had in our last recruitment round to ensure that we recruited two Aboriginal and Torres Strait Islander firefighters. We took them straight off the New South Wales course into our program. They obviously had to go through all the tests, and it is a pretty rigorous process. We envisage for future recruit colleges that will now get embedded in the way we run a recruit college—that we will work out a portion of the positions.

**THE CHAIR**: Of those two recruits, you mentioned that you got them out of New South Wales. That is more about the process. They are actually local people, or at least one of them is. I know you have at least had some success with locals; that is all I am trying to say.

**Ms Playford**: Yes.

**THE CHAIR**: Not just stealing from Sydney, and that sort of thing.

**Ms Playford**: I might get Mark to answer that.

**Mr Brown**: The two recruits who are currently undertaking training are not local people from Canberra or the surrounding region. There were two potential candidates who came through the New South Wales program but, unfortunately, they were not able to get through the final stages. With the two people, one is from the mid-north coast of New South Wales. He expressed an interest in moving his family to Canberra. The other one is from Batemans Bay, and has some family links with people in Canberra. For the next IFARES program in 2018, we are particularly focused on getting local applicants. There will be a lot of information going out through various local community groups to ensure that we get local applicants for the next program.

**THE CHAIR**: We certainly saw that for the last effort. I was trying to make the point that whilst the training may have occurred somewhere else, you are trying to get some local—

**Ms Playford**: Yes. When we say the training has occurred, this has been the precursor. They still go through the recruit college, which is the key part of their training to be a firefighter. There are a lot of steps in becoming a firefighter. It is a pretty rigorous process. These two that we are talking about were part of the January intake.

**Mr Pryce**: Chair, just going back to the question from Fred and the point that you made around the co-design and the development of the strategy, it is important to note that the current partnership is in its final year and consultation on the next strategy will be undertaken in partnership with the elected body. We will work closely with you and with the Office for Aboriginal and Torres Strait Islander Affairs. We are currently negotiating the time line for that with that office.

We hear loud and clear the importance of that. Each time we do something innovative in this space, we learn something, and it is about maintaining that continuous learning. Part of it is about increasing our culture through having stronger Indigenous employees and greater representation there, engaging with our partners such as Winnunga, the elected body and the United Ngunnawal Elders Council, to give us their learned experience over many thousands of years. We hope to take on board those points. They are very valid points, and we hear you.

**MR MONAGHAN**: Going on to question 12, could you provide an update on the use of community reporting centres? I think this is to do with people being able to do their bail conditions reporting outside the police station; that is my understanding.

**Mr Peach**: Yes. At the end of last year, as you would be aware, we started delivering a community-based service out of Winnunga. As far as I am aware, at the moment it is operating effectively. We are looking continuously at opportunities to do something further north in Canberra, but as yet we have not been able to establish a base to be able to do that at this point.

**Ms Playford**: We would appreciate any advice you have for us about where a suitable base might be—a suitable organisation to partner with.

**Mr Peach**: There are a couple of organisations that we are liaising with, but so far they have not come to fruition.

**MR MONAGHAN**: Going on to question 13, could you outline the strategies and activities undertaken in the past 12 months by the directorate to design Aboriginal and Torres Strait Islander community intervention and engagement strategies?

**Mr Pryce**: To me, the experience that I have had over the past 12 months has been very much with the trial with Winnunga.

**Ms Playford**: Yes, that has probably been the key one that we have been focused on. It has been very much an innovative thing for a justice agency to work to deliver a justice program through a health service. There have been lots of learnings as we have gone through that.

**THE CHAIR**: This is the family-centric—

**Ms Playford**: That is the Yarrabi Bamirr trial. That is probably the biggest one, and that very much was a co-design process. There are also the various programs being delivered through the Aboriginal Legal Service. We can just go to them and say, “Here’s a program.” Part of the reason that it took us a little while to get the bail support program going was because we had extensive work in co-designing with the Aboriginal Legal Service exactly what that program would look like, to make sure it had the greatest chance to be successful. Corrections probably have some examples as well.

**Mr Peach**: Our examples really are about working more to bring services into the AMC as opposed to actually in the community. In the past 10 months, particularly around the recommendations of the Moss report, we have made significant inroads into the relationship with Winnunga, in two ways. The first one is that, when we moved the female detainees, back in November last year, we were very quick to engage with Winnunga in terms of providing support to females in that area, both from a spiritual point of view and to start looking at what options we would have to embed the health program that is discussed under Moss.

In addition to that, we have now been successful in getting funding for the service delivery model for Winnunga to start looking at how we deliver an Aboriginal health service within the AMC. Work is progressing between us, ACT Health and Winnunga to deliver that service. That continues as we speak.

**Ms Playford**: The other key focus this year has been on restorative justice. We are looking to expand that program into phase 3, which will include a greater range of much more serious offences. We have been through a co-design process in developing what that looks like. Part of that has been thinking carefully around the role. We got some funding for an Aboriginal and Torres Strait Islander position for the rollout of phase 3. We have been doing some thinking about exactly how we use that person—perhaps differently to how we have used the person in phase 1 and phase 2.

**THE CHAIR**: That is based on some of that feedback?

**Ms Playford**: Based on some of the feedback. Amanda Lutz, who is the head of that unit, can probably provide a little bit more insight into that process. I think it is a pretty significant one that hopefully will be implemented this year. It has been very much in a development phase because we want to make sure we get it right, given some of the complexities.

**Ms Lutz**: We received funding, after we had moved into phase 2, to engage an extra Indigenous full-time permanent person. We currently have two Indigenous guidance partners in the unit, as we are moving into phase 3, our final stage. That is where we accept matters for domestic violence and sexual offences. We are in a big training and learning curve at the moment.

At the moment we are also piloting engaging one of those permanent officers as an Indigenous convenor—looking at the fact that it is the convenors who make decisions and have power in the conferencing process. That would be a very interesting elevation of that position which previously has been ancillary. It also creates pathways for development and opportunities further up the line.

**MR MONAGHAN**: Question 14 pretty much explains itself. How have they been used? You were talking about Winnunga being your main focus.

**Ms Playford**: That Winnunga process was to develop that. We went through an extensive process of working through what the program would look like and how it would be delivered. We had a couple of different starts. There were insights for us around how we work and what our expectations are. We come from a traditional justice background, and traditionally we have worked just with justice partnerships, so it is about understanding their context. At the end of the day, it came down to trust and providing a level of trust that they would deliver, but perhaps in a different way to what we originally thought they would deliver. Around that framework of trust, there will be a formal evaluation.

That has been a real learning curve for us. I think, for Winnunga, there were some learnings as well. I think they thought they would be able to sign people up to consent to be part of the project much more easily than they found. I think that is because this intensive case management, probably from a family perspective, could be seen as intrusive in people’s lives. It took them a little while to sign up the families—

**THE CHAIR**: For the families to trust in that process as well—

**Ms Playford**: I was going to say, again, I think it came back to a trust relationship. That has been a big learning for the directorate: a risk appetite taking some trust. The other thing, which I mentioned earlier, is the Moss steering committee. In some ways, while it was a governance committee, it really was a kind of co-design in terms of our governance structure. In JACS, normally when we get a report, and we have had a number of reports in corrections, we have a little steering committee—

**THE CHAIR**: On a very difficult matter; it is not easy.

**Ms Playford**: We might have a committee which involves some other justice stakeholders. For this committee, we realised that the issues were not just justice issues. So, the director-general of Health, the director-general of Community Services and I are the three government representatives. Then we structured a committee that had the elected body, a community member—Julie ended up being the community member, from Winnunga—and someone from a justice service from an Aboriginal perspective. Anthony Longbottom from the Aboriginal Legal Service—

**THE CHAIR**: Don’t you just pick six people who are going to agree with you?

**Ms Playford**: No, we did not pick people who are going to agree with us, I think Jo can attest to the robust conversations.

**Mr Pryce**: And the minister appointed an independent chair.

**Ms Playford**: And then we appointed—

**THE CHAIR**: I do not say that lightly. I think it is quite important to have everyone in, at the table—

**Ms Playford**: Absolutely. It was a very deliberate decision and we knew we were taking some risks. From my perspective it was a bit of a co-design process. I remember having conversations with Jo about what it should look like et cetera. Then the minister appointed the independent chair, so it was actually led by an Aboriginal person. Within the committee structure there were three government people and four Aboriginal people. We have all had some self-reflections and learnings. I think there have been learnings from the Aboriginal members of that committee as well as the government members. It really has had a much broader focus than just a corrections report about something that went wrong in corrections. We have had deep discussions around particularly the health issues but we have also had deep discussions around issues relevant to the Community Services Directorate, issues around child protection and issues around youth justice, which obviously falls into that directorate’s responsibility. Those kinds of areas have all been considered as part of that committee.

**MR MONAGHAN**: Moving on to question 15, could you describe the work that is being undertaken to develop sustainability delivery models for coordinated support services for Aboriginals and Torres Strait Islanders?

**THE CHAIR**: Just so we do not get confused, that is sustainable, not environmental sustainability.

**Ms Playford**: Yes, I know: we are talking about ongoing. We are a very diverse directorate, so I will just pick a couple of examples. One of the challenges of a directorate like mine is that it is so diverse. The pure justice area is, I think, of most interest to this committee in terms of the services we deliver. Through the designated positions for things like the Galambany Court, the staff position is very much a support person. They work with the Galambany magistrate but very much support that program and support the community panel members. To me, having that as a permanent full-time position very much ensures the sustainability of that program and driving it forward in an appropriate way. It is the same with the structures in relation to restorative justice. The Indigenous guidance partner was very much to provide support to Aboriginal and Torres Strait Islander people to access that program, and that has been successful. And, as I said, we are now looking at trialling different methods in that program. In corrective services, again, we have embedded particular designated staff positions to provide the Aboriginal case management et cetera in those areas.

**Mr Peach**: One of the things we have done this year, and we are in the process of recruiting for it, is make a new position of Indigenous services coordinator. That position has a couple of roles but it is in recognition that previously in the AMC the people who were actually involved in dealing with Aboriginal offenders were at the ASO5 or ASO6 level. So they were relatively junior and not able to effect, perhaps, all of the changes that we would like. This position is coordinated for those roles. It does two things. It gives some progressive ability for junior staff to progress and develop in that space, with a responsibility to develop the staff that are under that position. But it is also there to make sure that the services we provide and the programs we provide are both effective and efficient in delivery and allow us to evaluate them. It also allows us to engage better with the community. So the sustainability model is there, because we now have someone who can actually drive some of the program delivery. It has previously been part of a wider scale and wider position in terms of fitting in the detainee services model, which is just another program, whereas now we have a dedicated resource to make sure that the specific needs of Aboriginal peoples in the AMC are both advocated for and addressed.

**Ms Playford**: I should have mentioned that, at a more generic level within the directorate, about two years ago, I think, we created a permanent full-time position of social inclusion officer. That person has, under their direct responsibilities, ensuring that we as a directorate meet our diversity targets. That person has also helped us to develop a specific Aboriginal employment plan, which is not just about our targets but also about developing our Aboriginal staff. The social inclusion officer generally has a role in ensuring social inclusion across the directorate and in terms of ensuring our cultural proficiency. We have a number of executive champions in different areas but the social inclusion officer works closely with the executive champion for Aboriginal and Torres Strait Islander people, who is also the executive champion for our reconciliation action plan.

Creating that position two years ago has meant that we have now got a number of policies, procedures and plans that are just part of our business and ensure that that is a sustainable part of how we work. But they also provide support to particular business units to ensure they can better think about different strategies to enhance things in their directorate. To me, that position has been key to ensuring that the way we do things across the directorate is sustainable. Rather than just having someone who has a project to do something for a particular point, that person brings it all together.

**THE CHAIR**: That also gives all of your staff a clear line of sight of what is expected regardless of what role and what part of the organisation they sit in.

**Ms Playford**: Yes. The person who permanently holds that position is an Aboriginal and Torres Strait Islander staff member. It is not a designated position; it just happens to be so. That person is on secondment to another directorate at the moment. Our current person, Stephen Carter, who is in the position, is not an Aboriginal and Torres Strait Islander person. But that is certainly very much part of his responsibilities and that is very clear in his duty statement et cetera.

**Mr Pryce**: And it links across. Mark Brown is the champion for Aboriginal and Torres Strait Islander matters under our inclusion statement, which is a directorate commitment from the director-general and senior executive. We have a network for our Aboriginal and Torres Strait Islander employees and there is the broader Muranga Aboriginal and Torres Strait Islander network in the public service, which we encourage them to also participate in. We recognise that, while we strive to increase our overall representation of employees who identify as Aboriginal and Torres Strait Islander, we need to support them because they still are a small group. Especially in some business areas where there are only one or two or a few of them, they need strong mentoring, coaching and support, as well as networks, just to survive and to make sure they have got that support as they work through their careers and hopefully progress.

**Ms Playford**: That is a key part of our employment action plan for Aboriginal and Torres Strait Islander people. It is very much around creating mentor relationships, their performance agreements and showing that they have strong performance agreements which are around their development, progression et cetera.

**Mr Pryce**: We do not want just to attract more Aboriginal and Torres Strait Islander people to join our service; we want to retain them, skill them and hopefully have them become part of our leadership group.

**THE CHAIR**: Excellent.

**Ms Playford**: What we have been finding is that they are quite attractive to other directorates.

**MR MONAGHAN**: Moving on to question 16, which recommendations of the *We Don’t Shoot Our Wounded …* report have been implemented by the directorate?

**Ms Playford**: It might be better to take this one on notice. I think we have been asked this question before. The *We Don’t Shoot Our Wounded …* report has been addressed by a number of statements that the government has made as part of the justice reimbursement. Can I just take it on notice?

**THE CHAIR**: If you could take it on notice—

**Ms Playford**: I just want to make sure I am consistent with the advice.

**THE CHAIR**: Thank you.

**MR MONAGHAN**: Question 17: how many of your senior leadership team direct reports have (a) undertaken cultural awareness training in the past 12 months and (b) attended ACT Aboriginal and Torres Strait Islander community events in the past 12 months?

**Ms Playford**: Of my direct reports I think it is 100 per cent but I will have to go back and check.

**MR MONAGHAN**: Okay.

**Mr Pryce**: I can give an example in my space. As the deputy director-general, community safety, the involvement with Aboriginal and Torres Strait Islander people’s issues over the past 12 months has been profound. Obviously, the Steven Freeman death and the Moss review process have been a particular focus, as well as general over-representation issues.

Working through those Moss report issues and cross-cutting, for me, the answer is: every day. Every day, I am engaging with someone in the Aboriginal and Torres Strait Islander community on one level or another. Each week, I reflect deeply, especially having regard to my experiences with Winnunga, in particular through the Moss review. But it is not just Winnunga; that is an example because we are doing the trial with them as well. We were just discussing the other day the reflections we have had about how we have actually changed our thinking and approach, having had deep and meaningful conversations with you, through our regular catch-ups and just through the work we are doing on a day-to-day basis. You have to have a relationship, but a relationship has to be built on trust. Trust cannot be won quickly or easily; you have to earn it. That then develops respect. Once you have the respect, you can engage.

**THE CHAIR**: David, I appreciate everything you are saying, but I am mindful of the time. What you are saying is correct; I do not mean to underestimate that. Is the response that the senior leadership team have all done cultural awareness training and are going out to community hosted events?

**Ms Playford**: Yes. There are things like the Yarramundi markets, the Winnunga Christmas party, the various NAIDOC celebrations—

**THE CHAIR**: In general, you are confident that you are getting out not just to your own directorate’s events—

**Mr Pryce**: The reconciliation walks—everything we can.

**Ms Playford**: With the reconciliation walk, we always have a contingent who are part of that. If there is something going on around town, generally, because of our relationships, we know about it and we encourage ourselves and our staff to be there.

**THE CHAIR**: Excellent.

**MR MONAGHAN**: Moving on to question18, what strategies do you have in place to reduce recidivism through the through-care program?

**Mr Peach**: As you would be aware, we are currently in the process of changing the criteria for through-care, which will come into place from 1 April. One of the things that came out of the evaluation previously was the inability to meet the needs particularly of Aboriginals and Torres Strait Islanders and female detainees. One of the challenges we had, under the old criteria for through-care, was that anybody that came into custody was pretty much, from an Aboriginal and Torres Strait Islander perspective, able to access through-care. We were in the position where somebody would come in to custody for one or two days and then they were able to access the through-care. We have targeted it far more so that those people who actually need the services are assisted.

For example, the new criteria are women who have served greater than 30 days, and men who identify as Aboriginal and Torres Strait Islander and have served greater than 91 days in custody. It is not necessarily remand or sentenced; it could be either. Also, men who do not identify as Aboriginal and Torres Strait Islander and who have served greater than 182 days in custody.

The system has changed so that we target those people who need the through-care services. Across those services are things like transport and engagement with employers. There are referrals to counselling and continued support in the community to try to embed and assist with the reintegration needs as people are discharged.

**MR MONAGHAN**: Elaborating on that, would accommodation be an issue, as part of through-care?

**Mr Peach**: Accommodation is in terms of referral to appropriate providers. As we all know, achieving accommodation is extremely difficult for people. It is one of the services that we offer through the through-care program in terms of attempting to identify appropriate providers for accommodation.

**MR MONAGHAN**: Question 19: one of the recommendations from the Moss review relates to contacting families where there is an incident involving Aboriginal and Torres Strait Islander detainees. As this is a priority, how is this recommendation progressing?

**Mr Peach**: It has progressed very well. We did, unfortunately, have an incident late in 2017 where two Aboriginal detainees were assaulted and the notification policy was not followed. We addressed that very quickly. I spoke to the mother of the two individuals personally and expressed our apologies.

The policy has been in place for a considerable period of time, since the Moss recommendation. So far, apart from the one incident where it did not happen, that has happened on every occasion where there has been an incident. Fortunately, the incidents are not so regular that it is tested every week. But it is an express intent that, where people are registered as next of kin, in the event where somebody is subject to an assault and hospitalised, the next of kin is contacted directly. That policy has been reinforced by the general manager of the AMC since the incident that happened last year. So far, as I say, we have met the requirements of the policy, and intend to do so on an ongoing basis.

**Mr Pryce**: The government also, in the supplementary budget, has invested a further $8.8 million over the next three years to improve security arrangements at the AMC. This is all about reducing violence within the centre and making it safer for detainees.

**THE CHAIR**: Was that a direct result of the findings from that—

**Ms Playford**: Yes.

**Mr Pryce**: It is linked directly to Moss. That is a supplementary budget measure that the current process is going through. The government is still considering other aspects of the Moss report. Announcements may be made through that process in due course.

Some of the work that has had the biggest impact is the increase in CCTV coverage and the quality of the cameras, so that the footage is actually sufficient to support a police investigation and then a prosecution. While we did have an unfortunate incident involving two Indigenous brothers, that has led to a prosecution and a number of people are currently before the court. It is our view that the changes made from Moss have enabled that outcome. It may have been different pre those changes.

**THE CHAIR**: Thank you, David; that is important to know.

**MR MONAGHAN**: Question 20 probably follows on from question 19. What are now the policy and procedures regarding contacting families and next of kin?

**Mr Peach**: As I said, our policy very clearly states that where a detainee is subject to any sort of incident where they require hospitalisation as an inpatient, the next of kin is notified automatically. If it is not something where they are necessarily hospitalised, obviously we discuss the contact with the detainee, because they can contact their own next of kin as appropriate.

**Mr Pryce**: We acknowledged, and have apologised, that there was an incident not too long ago where we failed to follow our policy. That should not have occurred, and Jon has spoken directly with the family.

**THE CHAIR**: It was followed up very quickly, yes.

**Mr Pryce**: The government appointed a new inspector of correctional services who commenced yesterday.

**THE CHAIR**: Yes, Alison mentioned it in her opening remarks.

**Mr Pryce**: One of the functions that that role has is to investigate critical incidents that may be referred. If someone was seriously harmed or an injury resulted, that could now be investigated by the new inspectorate. That role would have a function to report to the Assembly and to the minister.

**Mr Peach**: I can reinforce what I said there. Any serious incident that happens in the AMC comes directly to my desk within a matter of 30 minutes. If we were to ever have such a position again—whether it was me as the executive director or anybody else in the future—they would be acutely aware of the need to notify the next of kin. So the process has that fail-safe because any serious incident is elevated to that level directly.

**MR MONAGHAN**: Question 21: there is an initiative called prison to work, developed between the University of Canberra and the Alexander Maconochie Centre. Will there be places for Aboriginal and Torres Strait Islander people exiting the AMC?

**Mr Peach**: I will have to take that one on notice, only because the prison to work program that I am acutely aware of is the commonwealth program. I am not aware of the details directly of the specific one between the University of Canberra and the AMC.

**MR MONAGHAN**: Okay. Going on to question 22, are the proposed ngattai—“ngattai” means “listen”—reports to be used for the ACT Supreme Court proposed to be used for young offenders, for young people at Bimberi?

**Ms Harvey**: At this stage we are looking at those reports really being focused in the Supreme Court. I understand that there have been some discussions already and they have been very useful in our thinking about this. Very shortly we expect to have some much more detailed discussions about what those reports would look like and the process for developing and using them.

As you would perhaps be aware, the Warrumbul court will be set up from 1 September this year. The legislation to do that passed in February. That court is designed for youth offenders, so it is a similar concept to the Galambany. I understand there used to be circle sentencing for younger people and that came to an end. This has put it on a very firm legislative footing. That will come into effect on 1 September. We will then effectively have different mechanisms in the Supreme Court and the Magistrates Court for adults, as well as in the children’s space, for bringing before the court that really important information, as well as those different options for sentencing and engagement. It will be really good to have those three options in place.

**MR MONAGHAN**: I think you have just spoken about 23.

**Ms Harvey**: Certainly.

**MR MONAGHAN**: I want to go to the Warrumbul circle sentencing process. You just raised that.

**Ms Harvey**: The time between now and September is to put in place necessary practice directions to recruit and train panel members, putting in place all of those kinds of practical things that we already have in place for Galambany. That would commence then.

**THE CHAIR**: Do you have an idea already about the type of experience or qualifications that you will want for panel members?

**Ms Harvey**: I do not have that information with me, but I expect, given that we have been doing the Galambany court for quite a long time and we have built up quite a lot of information, we would be using that and then perhaps looking at the particular children aspect as well.

**THE CHAIR**: Okay.

**Ms Playford**: Mel might be able to add something.

**Ms Tew**: Training has been a key focus for anyone that we have spoken to, that the appropriate training is put in place. Certainly, it would be around youth-specific, childhood development, trauma-informed practice, and we would be looking to use the panel members who have the most experience and transition them, through the training, into the youth court, also looking at other Aboriginal and Torres Strait Islander people who have youth experience and experience working with children.

**THE CHAIR**: Thank you.

**MR MONAGHAN**: I want to go to question 24. Is your directorate considering diversionary models to assist ACT Policing, by Aboriginal and Torres Strait Islander offenders being able to access diversionary options? If so, what are they?

**Ms Playford**: We are working very closely with ACT Policing and talking to them as they have been going through their process of community consultation around how they might improve their diversionary models.

I understand Policing are coming up next, so you can probably get more detail from them, but I understand that they are considering a range of different options. They have been looking at programs that have been running in other parts of Australia and starting to engage around what an ACT program might look like. Going to another area, I have had discussions with the Chief Police Officer around their current cautions policy and whether they need to do some tweaks around that; and also training et cetera for their workforce. They are the sorts of things that we have engaged on.

The Chief Police Officer attends a number of key meetings that the government has, for example, the subcommittee of the strategic board that deals with Aboriginal and Torres Strait Islander matters, which Katrina is also a member of. The Chief Police Officer is part of that. That is a place where there are discussions around what each organisation is doing in relation to programs for Aboriginal and Torres Strait Islander people. There was a meeting, I think just last week, that the Chief Police Officer attended where she discussed some of those issues around different ideas that they have around those diversionary programs.

We have also worked very closely in the restorative justice area with ACT Policing, and we have a formal arrangement with them around that diversion program. That has been very successful over the past number of years, with an increasing number of referrals that we have had from Policing to that program. And we are looking at what the threshold is for referral and, again, working with police to ensure that that lines up with their cautions policy.

One of the limitations has been access to restorative justice for people who have admitted the offence and want to go through a diversionary track in terms of how it is dealt with. We are doing some active work in considering whether that is the appropriate threshold.

**THE CHAIR**: Thank you.

**MR MONAGHAN**: Let me go to 26. What impact does methadone have on detainees in the AMC, from a corrective services perspective?

**Ms Playford**: I will let Jon answer that, but I assume that the elected body is aware of the report of the Health Services Commissioner that was released very recently, this week or last week. I have a copy of that report. It addresses these issues in a lot of detail. I might let Jon speak to the matter.

**Mr Peach**: I will direct to Ian Robb, who is the general manager of the AMC, because he has the everyday practical experience of dealing with it as opposed to the more strategic sense I have.

**Mr Robb**: In answer to your question, it has quite a significant impact. Obviously, correctional services do not dictate who gets methadone on a daily basis. That is a medical decision, and we will accommodate that, as we do.

The impact—given the numbers, the complications and the medical implications of that—is that, as that needs to occur at certain times, it does have an impact on our operational day. We are driving to develop the structure of days so that detainees in the Alexander Maconochie Centre have a firmer idea of what is going to happen during the day, and also to give them some structure and some decision-making around how their day will go, giving them access to different opportunities around education and programs and the employment that they undertake within the centre.

With the number of detainees that we have, that will then have a disruption, given that sometimes they will have to come back from their different programs or different education programs in order to get that prescription.

There is also the fact that, just as a consequence of being medicated, that has an impact on their demeanour at times. We need to tailor how we service them in order to make sure that their everyday experience is still as appropriate as it should be or still lets them try to achieve what they want to achieve while they are there.

**Mr Pryce**: Alison mentioned the report from the Health Services Commissioner, which the government is seriously considering now and will respond to in due course for the Assembly. That goes to the methadone opioid replacement therapy program. This is also a matter that is of relevance to the coroner in the inquest into the death of Steven Freeman. The findings of that are due to be released on 11 April. Again, we will look very closely at whatever comments the coroner makes. We are working closely with Health and Winnunga about introducing Winnunga. But that process, because it came up in the Moss report, is around the whole health services model at AMC.

All of this is converging together and will inform a revised approach going forward, but we have only just got that report and we are yet to see the coroner’s interest. That will inform future strategies and actions.

**Mr Peach**: In terms of other impacts, one of the things we have to do is make sure that we supervise the administration of methadone within the centre, which can be time constraining given the numbers that we have, and also we have to make sure that it is not easily distributed as contraband.

The other thing that does play for us is that, obviously, when we talk about access to employment programs et cetera, we have to take into consideration whether the detainees are on opioid replacement treatment, because there are clearly employment opportunities that may be affected by their prescription. That is equally important for someone on release. Someone placed in the AMC who is on methadone or on ORT may not be as eligible to take on employment upon release as someone else. It can have a profound effect on rehabilitation and reintegration if we do not manage it carefully.

**THE CHAIR**: Thank you.

**MR MONAGHAN**: It would be very interesting to read the Moss report in terms of their views on methadone. In the community, we have a lot of our young women and men, and older people, who are on the methadone, and once they go into that prison—I am thinking about if there was a reduction program within the AMC, where we reduced these people off this methadone. It is totally just another form of drug. For me, it is for them to come back into the community. They are not really achieving anything by staying on the methadone for six months in the AMC and then coming back into the community. They are just on a form of drug. It is an issue where, hopefully, the review and the Moss report will have some sort of indication of how to approach that.

**Ms Playford**: I am not sure whether you have, as yet, had the Health Directorate appear before you.

**THE CHAIR**: No; they are last.

**Ms Playford**: You may want to direct some questions to Health Directorate. I understand that since the Steven Freeman matter, there have been a number of changes to the way that methadone is delivered through the health system using the iDose approach.

**THE CHAIR**: Yes; we have submissions.

**Ms Playford**: In some ways, the decisions around assessments about eligibility for the program are very much ones for the Health Directorate.

**Mr Pryce**: And it was a specific recommendation of the Health Services Commissioner. That is why I was saying that although Health are leading the response, that is being considered by government now.

**MR MONAGHAN**: Let me go to 29. How many Aboriginal and Torres Strait Islander clients does the Indigenous transition officer manage within the through-care program?

**Mr Peach**: The answer is that their responsibility is to manage them all, but how many are in case management at this moment in time specifically I would have to take on notice. They are there as a main key contact for all Aboriginal and Torres Strait Islander detainees that we have—within the program, not necessarily across the jail.

**Mr Pryce**: Do you assign the funding to a specific position?

**Mr Peach**: Yes. Last year there was funding provided to Corrective Services through the end-of-year profile which allowed us to appoint a transition officer, which is the through-care position that you are talking about. They are always very much around us at the through-care support end, but the intent is also to start working with the community and with their families. So that position is there. But again, as to the specific number—

**Ms Playford**: We were looking to extend that program very much—

**Mr Peach**: Absolutely.

**Ms Playford**: To that family-centric style approach that we have trialled in Yarrabi Bamirr for people exiting the AMC, so that there is some support provided to their family, not just support to the detainee. That is a next step for us.

**THE CHAIR**: If you could just get those numbers to us, that would be great.

**Mr Peach**: Yes. I apologise; I thought I had the number of people assisted in the through-care program.

**THE CHAIR**: I am conscious of time, so I am going to be a bit ruthless.

**MR MONAGHAN**: I want to refer to the ACT courts. Has the action plan for the courts cultural diversionary committee been published, and have the changes identified been implemented? If not, what is the time frame for these changes?

**Ms Playford**: Yes, it has been published, and it is on the courts website. We are happy to provide a copy to the committee.

They have implemented a number of components of that report. The program of engagement with the universities around identifying associates from the law schools has commenced, and I understand that a number of current associates have been employed under that program. They have commenced their engagements with community organisations. I understand that there was a lunch with the judges and people from Winnunga last week, and they have a sort of program for engagement. I understand the Chief Justice and Chief Magistrate are meeting with the elected body, that that is being organised.

**THE CHAIR**: I am meeting with them next week. I do not know if we have got a full body. I cannot remember. Yes, almost.

**Ms Playford**: I understood that they were meeting, and that was partly to discuss where they are going with their action plan. The other thing they have organised is a schools expo. They are doing that in conjunction with the DPP and Legal Aid. That is very much to showcase the law and careers within the law to Aboriginal and Torres Strait Islander kids through the school system and to encourage more Aboriginal and Torres Strait Islander kids to consider pursuing careers in the law.

**MR MONAGHAN**: I will read both of the next two questions. They are to do with the Galambany court. The first question is: what effect, if any, is the Galambany court process having on the incarceration rates of Aboriginal and Torres Strait Islander offenders? The next question is: has the report from the Galambany court evaluation been finalised, and what are the outcomes from this process?

**Ms Harvey**: If I might start, the evaluation report, which Alison referred to earlier, is in the process of being finalised at the moment. We have pulled out quite a few of the key highlights that we have been looking at in a preliminary way, but we are still working through finalising the report. It was delayed a bit through some of the difficulties that go along with getting some of the data to show the benefits. I think that some of that high-level figure about a return of investment of three dollars for every one dollar spent will be a really key finding. Mel, is there anything you want to add?

**Ms Tew**: Certainly it was worthwhile waiting for the data, because it is showing a positive impact. We even had a police contact ring us and say, “Wow, the results are beyond what we expected.” We have been asking around return contact with the police and return contact with the courts and corrections, and it was showing that we are making gains and that it is a positive impact. For the specifics, we will need to get you the data, and it will be in the reports.

**Ms Playford**: We do intend that that report will be published and publicly available. We will provide a copy to the elected body.

**MR MONAGHAN**: The next question is about something I think you spoke about earlier: the Outward Bound program. Is it still operating, was it evaluated and what did you learn?

**Ms Playford**: Again, I will let Mel answer this one.

**Ms Tew**: It is still operating. We have needed to extend the contract period to make sure that we are getting numbers coming through the program and that we are getting best value for money under the contract. We have done a lot of work with our referral points to expand that and ensure that we are really having that program well utilised. There has been a big emphasis on the cultural component within the program. They are working with four different Aboriginal and Torres Strait Islander consultants to mentor people through the process, to work with them on the initial engagement and intake process, to support them the whole way through the program and to deliver the cultural content within the program. We are not at the point of evaluating it, but we are having ongoing dialogue with Outward Bound and with all the agencies connected to that program.

**Ms Playford**: With these sorts of pilot programs, part of our approach has been not to wait until the point of formal evaluation but, as we have met challenges, to try to be flexible about adjusting the program as we went along. One of the challenges from Outward Bound very much was around the uptake of people. We thought we had a great program, but it was getting people to commit to go on the camps and actually turn up and attend the camps for the full five days. That has been a challenge. Rather than wait for a period and then do an evaluation and say it is not working, we have very much been trying to engage with Outward Bound about how we can provide the supports to the appropriate people who should be attending those camps.

**MR MONAGHAN**: Going to the restorative justice unit, can you outline what is being done to support closing the gap between the participant rates and agreement and the compliance rates for Aboriginal and Torres Strait Islander people in restorative justice?

**Ms Lutz**: Participation is the key to success in restorative justice. We are disappointed that the participation rate for young people has dropped over that past financial year. The participation rate for adult Indigenous people has risen, which is reassuring. However, we are trying different things in the unit at the moment to try to increase that participation. Participation in conferences leads to agreements, and then monitoring and supporting the success of those agreements leads to strong compliance rates, which means that everybody is satisfied in the process. If it has been a diversion, the matter can go back to the police as completed, and that has been a successful experience.

It is a concern for us. Part of our response to that is to look at the nature of that Indigenous position and whether moving towards them being convenors and being empowered in the decision-making processes in conferencing might raise the profile of that position in the community and the trust in that process. That is something that we are looking at monitoring closely now.

**THE CHAIR**: Can I just clarify that? I get that the participation rates are doing what they are doing. Can you, though, tell us about the gap between people who participate and how compliant they are with the agreements that they make? Of the people who are participating, how well are they doing?

**Ms Playford**: Overall, well. I will give you the stats.

**THE CHAIR**: Some of the participation stuff has variables you cannot manage as well once people start. Is that working for you?

**Ms Playford**: Overall, we find that when we do get people to participate fully through the program, our compliance rates are pretty good.

**Ms Lutz**: You get a bit of a drop, from 100 per cent to 90 per cent.

**Ms Playford**: But that is one person.

**Ms Lutz**: And it is very small. It is a small sample, so it is hard to draw conclusions.

**Ms Playford**: But with our numbers, that percentage drop, last year we had 100 per cent compliance with the agreements from people who did participate. This year there was one case where somebody did not comply.

**THE CHAIR**: Something tells me that in a survey where 100 per cent of people were satisfied, they probably did not ask the right questions. I am not worried about 10 per cent; it is just knowing what that number is.

**Ms Playford**: Yes, and that is consistent with all people who go through restorative justice. The process is such a sort of strong and rigorous process that if you can get all the way through the process, you have a pretty good chance of compliance. The trick is that the process is pretty rigorous and it is pretty challenging for people. There is a lot of self-reflection that needs to happen. It is helping to support people to participate.

**THE CHAIR**: Getting them through pre-season.

**Ms Playford**: Exactly.

**MR MONAGHAN**: The next five questions are in relation to female detainees. What programs are being offered to Aboriginal and Torres Strait Islander women detainees? What is the directorate planning to do to review the therapeutic program for females? Can you tell us, in the past 12 months, how many pregnant Aboriginal and Torres Strait Islander women have been detained? Are there facilities in place to support Aboriginal and Torres Strait Islander detainees who are pregnant in the AMC? Can the directorate explain how they are handling accommodation of Aboriginal and Torres Strait Islander women in the AMC?

**Mr Peach**: I can answer some of those; some I will take on notice. Very broadly, first of all, programs are an ongoing feast. As you know, back in November last year, as referred to earlier, we moved our female detainees, all of them, to separate accommodation or a different accommodation area within the AMC. What that has allowed us to do is to enhance the number of programs and opportunities for work for all female detainees within the AMC. So now there are more programs and access to employment and industries than there were previously. For example, in terms of industry, the female detainees now work in the bakery, which was not available to them before.

We have in recent weeks managed to hit, for the first time, 100 per cent of work for female detainees, of those eligible under what is the whole-of-government services criteria. Essentially, that rules out people who are unable to work due to mental health issues et cetera. That is the first time that the AMC has managed to do that. Of course, that cohort includes Aboriginal and Torres Strait Islander detainees. The specific programs we could provide on notice. They are various. Just to give you an idea, today we have started a number of programs with Winnunga or counselling sessions with Winnunga. We have also implemented a yarning circle once a week with the female detainees within the female unit.

In terms of therapeutic programs, I am assuming that is a reference to the Karralika program that is available to male detainees at the moment.

**MR MONAGHAN**: Yes.

**Mr Peach**: One of the research pieces that we have done indicates that the Karralika program would not be the most effective to deliver to female detainees. We recognise specifically the issues around trauma for female detainees and we are looking currently at what programs we can resource that can deliver a similar therapeutic outcome to the male program at Karralika, which has more of a trauma-based background and criteria. That is still ongoing at the moment in terms of research. I cannot give you, off the top of my head, the Aboriginal and Torres Strait Islander female detainees in the past 12 months, but we will take that on notice.

In terms of the supports to detainees who are pregnant, the mother and baby policy—notion, should I say; probably that is the best way to describe it—is still in place. We have the facility to house mother and baby. The problem we have is that the nature of the AMC and the complexity that is the AMC at the moment means that it is very unlikely that we would. When I say that, it is because the first assessment that we make in any assessment around access to mother and baby facilities for cohabiting within the AMC is very much around the risk to the child. Because of the population pressures that we have at the AMC at the moment and the location et cetera, I would have to be 100 per cent sure about safety, that I would be able to guarantee safety for that child. That does not say we cannot do it—there is a room available for us to house mum and bub—but we do have very stringent criteria and we work extensively with child protection to assess those.

Obviously, we still facilitate appropriate access to the baby. We make special arrangements for new mothers to have contact, with the baby brought in daily so they can breastfeed and express milk et cetera. Those policies and procedures are still there, and again a risk assessment is in place so we can maintain that contact.

In addition to that, we are working with New South Wales corrections to progress a memorandum of understanding that would allow us, again where appropriate, where the detainee was accepting of that, to move them over to Jacaranda house, which is their purpose-built unit. That is a difficult negotiation only because of the population pressures New South Wales correction services has as well as our own.

We have provisions, but the ideology behind it is probably not there for us to be able to deliver in a way where I would be completely comfortable around safety. There are some exceptions. If we had a detainee who was highly responsive, if there were very few, if any, risk factors around, the baby was travelling well and there were no associations negatively, there is the facility for us to be able to do that. But we have not had that, certainly in my tenure. I think it has happened perhaps only once, maybe twice, in the history of the AMC.

**Ms Playford**: I might just add that we have had experience of female detainees who are pregnant. Obviously, apart from housing them at the AMC, there are options around release and reconsideration of their parole conditions. Some of those things have been real. We have had examples where we have had mums who have been breastfeeding. It has not been a policy that we have had it, but we have facilitated that on occasions. But it is relatively small numbers.

**THE CHAIR**: I am conscious of time. The only other thing with the programs is this: rather than just giving a list of the activities, could we have an understanding of the eligibility and participation rates of those eligible for those programs? That would be useful.

**Mr Peach**: Absolutely. What I can say is that, again, across the AMC, not just with the females, the uptake in programs that are specific to Aboriginal and Torres Strait Islander detainees is exceptionally high.

**THE CHAIR**: That is good to hear.

**Mr Peach**: Yes. We will make sure you get those, but they are high.

**THE CHAIR**: They are the formal questions for this collective. We have some questions for ACT Policing next and then for the children’s commissioner. I am not sure, Alison, if you want to stay for those.

**Ms Playford**: I am happy to go to the back stalls unless there is something I can assist you with.

**THE CHAIR**: I thank the officers for their evidence today. We look forward to receiving some of those other responses soon.

## Short suspension.

Appearances:

ACT Policing

Saunders, Assistant Commissioner Justine, Chief Police Officer

Walters, Commander Mark, Deputy Chief Police Officer

**THE CHAIR**: We will move on to ACT Policing. Welcome, Justine and Mark. You were not here when we commenced this morning, I am not sure how many times you have been to these hearings. We work collectively to put questions together. The questions that we have pre-set are delivered by the member who has the directorate portfolio responsibilities. Member Monaghan will start the questioning. Are there any opening remarks before Member Monaghan starts with questions?

**Asst Commissioner Saunders**: No, but I make a general comment. I want to say that certainly since our last hearing there have been significant developments in terms of ACT Policing’s engagement with the Aboriginal and Torres Strait Islander community. I want to express my appreciation for the support I have received personally and that ACT Policing has received from the body in actually making some inroads to improve those relationships with local communities. Thank you.

**MR MONAGHAN**: This is my first question: are there any diversionary programs being offered to non-Indigenous offenders that are not being accessed by Aboriginal and Torres Strait Islander offenders?

**Asst Commissioner Saunders**: I guess the first point to make is that we do not have responsibility for delivering diversionary strategies in the ACT, although we do provide support to and in some instances funding for some of those diversionary strategies. Certainly, we work closely with those programs. As members of the body would know, we have been asking questions as to whether those diversionary strategies are appropriate and whether there is scope for reform in that space.

Our observations have been, and the feedback from your community has been, that whilst some diversionary strategies exist, there is scope to develop more specific diversionary strategies aimed at youth, in particular, that are culturally appropriate. We are keen to work with the body and the broader community in identifying what those programs might be and delivering those into the future.

But if your question is about what is occurring currently, obviously one of the programs, which is key in terms of youth, has been the PCYC program. My understanding is that about 24 per cent of the participants in those programs are Aboriginals and Torres Strait Islanders. That is obviously one that we fund directly.

Of course, we provide support through the front up program. That is another key initiative. I see this as being our biggest vulnerability. If we look at the actual numbers of Aboriginals and Torres Strait Islanders who find their way into the justice system through apprehensions, it is often to do with breach-of-bail conditions and court conditions. So the front up program is critically important. Obviously, on a weekly basis we provide a list of those who are the subject of court conditions to the Aboriginal and Torres Strait Islander legal aid officer so that they can ensure that appropriate support is provided.

We have a youth liaison officer in community safety who engages with youth in Canberra. We support referrals through the restorative justice program. I do not have figures in regards to the number of Aboriginals and Torres Strait Islanders who go into the restorative justice program. We might have them. I will check.

Of course, in terms of engagement the directions program traineeship is critically important within the AFP. We have Aboriginal liaison officers who provide support in terms of diversion and other interventions to avoid the need to go into the justice system. We work closely with the Yurauna Indigenous education centre, Winnunga Aboriginal Health Service and the PCYC, which I have mentioned. That gives you a snapshot.

**THE CHAIR**: The background to the question is this: we are interested in knowing whether there are any programs for Aboriginal and Torres Strait Islander people. Obviously, many of the ones you have described are specifically for Aboriginal and Torres Strait Islander people. We are trying to make sure that the mainstream services that are available are taking a fair share of Aboriginal and Torres Strait Islander people. Are there any places that do not take Aboriginal and Torres Strait Islander people?

**Asst Commissioner Saunders**: Not to my knowledge. I will hand over to Mark Walters, who is the Deputy Chief Police Officer.

**Cmdr Walters**: Our data shows that there has been a 100 per cent increase in the number of Aboriginals and Torres Strait Islanders who are being referred to the restorative justice program for diversionary conferences. In 2016 there were eight referred to restorative justice. In 2017 there were 16; so there is a 100 per cent increase there.

**MR MONAGHAN**: The next question is about the services that are out there. The other ACT directorates can assist with diversionary programs. I think you just hinted at that in referring to options for Aboriginal and Torres Strait Islander offenders. I am looking at whether other directorates are able to offer any assistance with the diversionary process for youth.

**Asst Commissioner Saunders**: There is a whole-of-government commitment to making sure we have the right diversionary programs. There is a number, some of which I am not even familiar with, Mr Monaghan, to be frank. We work very closely with JACS and we met only very recently to talk through what diversionary strategies exist within the ACT and what might need to change there. My observation during the time I have been in Canberra is that there is significant effort, although I think there is probably some benefit in better coordinating some of those efforts.

**MR MONAGHAN**: I will go to the next question: what strategies do you currently have in place to engage with Aboriginal and Torres Strait Islander youth in the community? What has been the impact?

**Asst Commissioner Saunders**: We have touched on a number of the programs that currently exist that we partner in, in terms of supporting Aboriginals and Torres Strait Islanders. I guess the key one that we directly support, as I mentioned, is the PCYC program. Not only do we provide funding; we also provide direct support to that program through the commitment of police officers and providing mentoring and other support to the program.

I do not have any tangible measures for you in terms of success. I guess the key measure over time will be what the data is telling us in regards to the numbers of youth who find themselves in the justice system. I think that it is going to take some time to get a better picture of how effective those programs are in preventing and reducing the number of youth going into the system. Did you want to say anything else, Mark?

**Cmdr Walters**: The only other thing I add is that last year we commissioned a company, Noetic, to assist us with a project looking at youth engagement; ACT Policing’s engagement with youth. That involved surveys and working groups with youth, with police and also with organisations and other government directorates so that we got a cross‑section. We have that report. It made a number of recommendations. Whilst it was not specific to Aboriginals and Torres Strait Islanders, I think the outcomes from that particular project will enable us to look at other opportunities to engage with Aboriginals and Torres Strait Islander youth.

**Asst Commissioner Saunders**: But what we have identified as key, through all our consultation and through that piece of work, is that what the community expects of us is more face‑to‑face engagement. That seems to be the key. That is obviously a conversation I will have with government in the future because if you are going to have face‑to‑face engagement and the community gets to know the people behind the uniform, that requires an investment, and more people, to be frank.

**MR MONAGHAN**: I move on to the next question: how do you work with the Justice and Community Safety Directorate to encourage them to develop diversionary models to assist ACT Policing and Aboriginal Torres Strait Islander offenders to access diversionary options?

**Asst Commissioner Saunders**: How do we work with JACS?

**MR MONAGHAN**: Yes.

**Asst Commissioner Saunders**: You made the point about encouragement. There has certainly been no encouragement. I work very closely, hand in glove, with Alison Playford and her team. They are actively engaged in and very supportive of all the work we are doing. We meet regularly and share what our observations and experiences are. I know that Alison is also then working with other directorates in regards to what we learn from the experiences we have had in order to build a better framework for the future. I think it is very positive in terms of how we are working with JACS and other directorates.

**Cmdr Walters**: I add that there are also several formal mechanisms by which we engage, committees et cetera, on restorative justice and other programs. So ACT Policing, with other directorates, has membership on those particular committees.

**MR MONAGHAN**: I will move on to the next question. What is your definition of “culturally appropriate services provision”? What are the standards set by you in this regard? How are these standards met by ACT Policing?

**Asst Commissioner Saunders**: We do not have specific standard within ACT Policing and, to be frank, I will be guided by you and the community as to what is appropriate in terms of those standards. I am probably not in the best position to comment. Probably Alison and others could in terms of what the government’s position and definition might be in that space. But in terms of our engagement with the community, I am heavily dependent on the support and guidance you give me.

**MR MONAGHAN**: How is cultural awareness training delivered to the ACT Policing officers?

**Asst Commissioner Saunders**: Once again, as the body knows, I am looking to change that. Historically, that has been predominantly pulled together by our MION programs. That is our Aboriginal and Torres Strait Islander group within the broader AFP. That training has been provided to all new recruits. Last year, from recollection, between July and late August I think we rolled out that cultural awareness training to 150 of our front-line officers in the ACT.

That is, I will be frank, a very generic type of cultural awareness training. Since that time we have we have also rolled out a new program. It is called the triple I program. I do not know whether you can remember what that standards for, Mark.

**Cmdr Walters**: Integrity—

**Asst Commissioner Saunders**: Bear with me; it is called the triple I program. It explores your own biases, unconscious bias et cetera, and it touches on culture as part of that program. We are rolling that out across the entire organisation. The whole senior group have undertaken that program. But as to the intention going forward, I have been working with our learning and development area to develop locally-based cultural awareness training for our front-line officers, in fact, for the whole organisation.

My intention with that program is to make sure that it is locally based. I want to partner with the local community in delivering that program. My experience in coming into this role and meeting with many within the community is that I found the stories that people have told me and their experiences have been particularly powerful. I see great benefit if the community is prepared to partner with me for them to share those stories with my front-line officers so that they get a better appreciation of how they are being perceived when they are engaging with the community.

**MR MONAGHAN**: The next question is relevant to that. Does the cultural awareness training include Ngunnawal and traditional custodian content? Is it delivered by a local provider?

**Asst Commissioner Saunders**: It has not been but certainly my intention would be for it to be in partnership in the future.

**MR MONAGHAN**: How many of your senior leadership team—your direct reports—have undertaken cultural awareness training in the past 12 months and attended an ACT Aboriginal and Torres Strait Islander community event in the past 12 months?

**Asst Commissioner Saunders**: In terms of cultural awareness, as I said, all the executive have undertaken that triple I program, which I cannot explain to you.

**Cmdr Walters**: It came from our cultural change report.

**Asst Commissioner Saunders**: The entire team has undertaken that training. Now we are rolling it out. I really want to get it out to the front-line officers, because it really is a great program in terms of getting you to explore your own biases, something which you often do not do or even acknowledge. I think it is a very useful program. It goes for about two days. Our executive team has done that.

In terms of participation in events, as some of you would know, all my senior executive team have participated in the community forums we have held, three of which we have had since October of last year. Not only do our senior executive participate, but also I encourage other members of ACT Policing to come. I do not want them to come in huge numbers, because I think that that would change the dynamics in the room, but we certainly have at least two or three others from other parts of ACT Policing who participate in that face‑to‑face engagement.

**Cmdr Walters**: In a previous role I was deputy champion for our MION network—I have carried that on—Reconciliation Day and other events that the AFP more broadly holds and attends. We also attend those at AFP headquarters. Reconciliation Day is a big event that the commissioner supports. We have representation at those events where the community is involved as well.

**Asst Commissioner Saunders**: There are community forums but obviously there have been other events that I have been invited to and have attended. I recently met with the nannies. I have met with the heads of the various Aboriginal and Torres Strait Islander programs in Canberra. I welcome invitations and we attend as an executive as much as we possibly can.

**Cmdr Walters**: And NAIDOC week as well, yes.

**MR MONAGHAN**: I will turn to the next question. As you are aware, we recently had the reach your potential presentations. Will the ACT please give an undertaking to explore opportunities in the short term to consider a fee-for-service arrangement for our young people?

**Asst Commissioner Saunders**: I am sorry. What was the latter part of that question?

**MR MONAGHAN**: I think there was discussions around having some of our youth having access to these programs.

**THE CHAIR**: Fee for service.

**MR MONAGHAN**: Yes, fee for service.

**Asst Commissioner Saunders**: Based on the conversations that we had and the various programs that are offered, I am now in the hands of the community to tell me what programs the community would like us to be seeking support for. I have set up a meeting with the chair in the next couple of weeks to talk about next steps in that regard. Once I have that feedback, noting that I do not have the funding for these diversionary programs, I will then be talking with Alison Playford and JACS more broadly. If this is where the community is saying we should be investing and our young people should have opportunities, how do we then facilitate that? I see that as being the next step.

**THE CHAIR**: So it is not a no.

**Asst Commissioner Saunders**: No, it is not a no, absolutely. My view is that if we can support the implementation of diversionary strategies that are going to work for our youth, you have my full support in doing what I can within my position to make that happen.

**THE CHAIR**: Beautiful.

**MR MONAGHAN**: Does the ACT Policing domestic violence team have any Aboriginal and Torres Strait Islander staff? If not, are you intending to create this opportunity?

**Asst Commissioner Saunders**: We do not have anybody working directly in the team. I cannot remember the funding source now, but we have a female ALO who does a fantastic job. Her primary role is working with young families. Certainly, a big part of her role has been supporting families who have been a victim of, witnessed or been involved in family violence. I know that is a big, key part of her role.

**Cmdr Walters**: Our victims of crime team sits under our officer in charge for family violence. Kenny Nagas, who would be known to some of you, is a member of our victims of crime team. He has been working in that space for a couple of years now.

**Asst Commissioner Saunders**: As we have spoken about before, I am really keen to engage the community further in supporting the work we do in ACT Policing. Certainly, I have had great support from JACS in putting forward a proposal whereby I can potentially engage directly with the community. Based on what we know about the risk of family violence in the community, that would certainly be an area of focus if we were successful in that bid.

**MR MONAGHAN**: What procedures do ACT Policing undertake to ensure that they are compliant with the recommendations of the Royal Commission into Aboriginal Deaths in Custody?

**Asst Commissioner Saunders**: The question is about how we ensure that we are meeting those obligations?

**MR MONAGHAN**: What processes do ACT Policing undertake to ensure that they are compliant with the recommendations?

**THE CHAIR**: For a period of years after the royal commission, there were reporting requirements on implementation of those recommendations.

**Asst Commissioner Saunders**: That is right.

**THE CHAIR**: Obviously, that no longer occurs. We are wondering how you ensure that you are still compliant with those processes, even though there is not necessarily a direct reporting requirement.

**Asst Commissioner Saunders**: I did follow up where we are actually at, in terms of reporting against that. Firstly, I should point out that of the 77 recommendations that were relevant to ACT Policing, 46 have been fully implemented, 25 are in progress and five have not or are yet to be implemented. That is the first point. I am happy to talk through those that have not been, and why.

With respect to all of those that have been fully implemented, obviously the requirements have been embedded into all of our policies, practices and procedures. Therefore I guess it is by exception rather than the rule that we would then check to ensure that that has been complied with. Obviously, if we identified any anomalies, we would respond appropriately. In general, I have not seen any complaints to suggest we are doing anything that is not in adherence with those recommendations.

I have to say it has taken some time for the government to respond. Certainly, I understand that we have provided our response as part of the AFP and broader government. I know that is actually being pulled together currently, but we still do not have a time frame for when they will report back. So that is a general overview, and how we generally ensure exceptions. Would it be useful for me to flag those that we are not implementing?

**THE CHAIR**: Those five—

**Asst Commissioner Saunders**: One was recommendation 129, which was the use of breath analysis equipment to test blood alcohol levels at the intake of Aboriginal persons. This arose when cases were cited of Aboriginal persons being detained and charged with public drunkenness when they were not in fact intoxicated. The key point is we do not do that because there is no offence of drunkenness in the ACT. Intoxication in the ACT is assessed by very experienced staff. We also have nursing staff available, to ensure that they are being treated appropriately. What also needs to be taken into consideration is the fact that often it is very difficult to determine whether we are dealing with someone who is intoxicated from alcohol or is drug affected or both.

Our intention is that, when we have an Aboriginal and Torres Strait Islander person in custody, it is because we are concerned for their safety. Therefore the position is that there has not been a requirement to use the breath analysis equipment for those circumstances.

**THE CHAIR**: The medical checks are undertaken that would cover any concerns in that area?

**Asst Commissioner Saunders**: That is right; absolutely. We have that support there. The second recommendation was recommendation 142, which was the discontinuation of use of padded cells. Once again, we do retain the secondary option of using padded cells in order to minimise the likelihood of a detained person committing serious hurt to themselves. I would be very reluctant to remove that capability. It is not used as a matter of course. Certainly, if we are concerned about them causing harm to themselves we will use that facility.

**THE CHAIR**: Within the facility that you have, my understanding is that, at the time of the royal commission, the problem with the padded cells was around hanging points and those that could be created because of the padding in the structure. With the facilities that you use, is there a way of checking that? It has been a long time; maybe the infrastructure has improved so much that that is no longer relevant.

**Asst Commissioner Saunders**: Absolutely. My understanding is that there was a holistic review of the watch house procedures and facility. I certainly do believe that the facilities have been upgraded since the time of the recommendations. Of course, we have more technology in place now for ongoing monitoring, both physical and electronic surveillance of those people within the padded cell, to ensure their security. I think it is relevant to the fact that we have not had any serious injury or death in custody in recent years. It is a reflection that that is in place and working.

**MR MONAGHAN**: In the past there was a watch house visit by the Aboriginal Justice Centre. There was contact with the watch house sergeant, to have a look around and view the situation and what was happening. Is that something that could be revisited?

**Asst Commissioner Saunders**: I would prefer to take that on notice. I do not know. I am not too sure what the current arrangements are in those circumstances and what the benefit would be. But I am happy to take some advice and come back to you.

**MR MONAGHAN**: Yes. I think it is something that happens in a lot of other states and territories. I am not certain whether the ACT has a similar program.

**Asst Commissioner Saunders**: I stand to be corrected; generally speaking, when we have an Aboriginal or Torres Strait Islander person in custody, an Aboriginal friend will be contacted. That is general practice.

**MR MONAGHAN**: Yes, I am aware of that.

**Asst Commissioner Saunders**: I want to confirm what the practices are within the watch house. Particularly if we have someone who is in custody for being intoxicated, for example, I am not exactly clear on what the current procedures are. Generally speaking, the policy is that we contact an Aboriginal friend when we have somebody in custody. But I will confirm that.

Recommendation 144 relates to the watch house facilities upgrade. Once again, that is underway. ACT Policing are committed to diverting Aboriginal people out of custody wherever possible, and persons in custody are always kept in the ACT watch house for as little time as possible prior to being transferred to the AMC. That facility is still in place and we use it as we need to.

Recommendation 149 was about flexible custody arrangements, including detainees’ ability to sit with family members. ACT Policing are committed to ensuring persons in custody are always kept in the ACT watch house for as little time as possible prior to being transferred to the AMC. The current watch house facility does not provide the ability for detainees to sit with their family. However, box visits are facilitated. I do not know how often that occurs, but it probably gets back to your point, Mr Monaghan, about what sort of support can be provided to them when they are in custody. I will come back to you on that point.

The final recommendation, recommendation 230, was about making available bridging courses to allow Aboriginal persons of an insufficient level of education to pass through recruitment intakes. Whilst we have not done bridging courses, we have the directions traineeship, which indirectly delivers that same service. Over that 12 months we provide them with training and education, which then equips them after the end of that 12 months, if they choose to apply for other positions in the AFP, including sworn positions. That has been quite an effective program.

**THE CHAIR**: In wrapping up, Justine, thank you for making the time to come in today. We have asked every directorate about what their commitment is regarding that service gap, as we see it, for the diversionary aspect. You cannot divert people where there is not a bed or a program. We have followed that up. We will continue to work with you, particularly in that youth focused area, because I think we are now at a critical point. We have had good engagement but we have built an expectation of something and we need to get that across the line. We look forward to working with you on that.

**Asst Commissioner Saunders**: Likewise.

## Short suspension.

Appearances:

Human Rights Commission

Watchirs, Dr Helen, OAM, President and Human Rights Commissioner

Griffiths-Cook, Ms Jodie, Public Advocate, and Children and Young People Commissioner

**THE CHAIR**: Thanks for making time. We have a few questions that have come either from the community or through our own work. Member Monaghan has the responsibility for this portfolio, so he will ask those questions. If we have some follow-up questions, they could come from any of us. Thank you for appearing here today. You have an opportunity to make any opening statements that you might want to make.

**Dr Watchirs**: I do have one prepared but in—

**THE CHAIR**: In the interests of time?

**Dr Watchirs**: Yes. I think we might leave it.

**THE CHAIR**: Okay, thanks, Helen.

**MR MONAGHAN**: First question: as you would be aware, the rate of removal of Aboriginal and Torres Strait Islander children from their families in the ACT is very high. Can you describe to us any work you have undertaken or are undertaking on behalf of the children in care and protection systems?

**Ms Griffiths‑Cook**: From the moment I stepped into the role in 2016 it became fairly apparent to me that that over-representation was not just an issue in terms of numbers but was equally an issue in terms of some of the systems and the responsiveness of those systems to children and young people and the needs of both them and their families. In particular a matter that was brought to my attention in the middle of 2016 prompted me on two levels to instigate action. One was at the individual level. I am still actively involved in that particular matter and continue to monitor where that is at. But what it prompted me to look at what was also the systemic level and what needed to happen in that space.

I worked with Gugan Gulwan, with Kim directly, as well as with Jill Kelly, who was at Uniting at that point in time, and with Sal Cooper, who was part of RA at that point in time, to develop a strategy for responding to those systemic issues. What we focused on was the opportunity that existed with the changes to the care and protection system. We brought together initially all of the non‑government agencies involved in that system to look at how we could work with them to improve their cultural competency and, even more so I guess, their responsiveness to ensuring the cultural safety of the children and young people in care and their engagement with the families of those children and young people. That piece of work is ongoing. It garnered the direct engagement of all of those agencies immediately, which was really pleasing. Since that point we have equally engaged you, the elected body, and government in those discussions to ensure that we are approaching that in as robust and cohesive a way as possible.

Do I think we are there yet? No. But I think it is a solid process that certainly, from my perspective, is making some gains. Where we are at at the moment with that is trying to identify what opportunities exist for that group to learn from not only things that are happening within the Aboriginal and Torres Strait Islander community but also things that are happening within government; and, equally, not just to learn from what is happening but also to provide feedback back into those systems, reforms and initiatives that are underway so that, ideally, we are working toward a far more cohesive system.

Alongside that are a number of different things that I do in my everyday role. It is very much about making sure that I am engaged with and open to engagement from the community, hearing directly from individuals who have concerns that they perhaps would like some advocacy support for; and, equally, identifying matters that are raised by the community and working with the community to identify the best way to respond to those.

Another initiative that I initially took upon myself and then raised with the commission, and we ended up jointly submitting a letter to the Community Services Directorate about, was the idea of using Gladue‑type reports in care and protection matters. You would be aware that Gladue reports have their origins in the criminal justice space. What we did was advocate for the use of those in care and protection matters. It came up out of looking at what the nature and basis of those reports are and their function: to generate a level of understanding about the person, the impact that they have experienced and things that they have experienced throughout their lives—to ideally take that into account, as well as to take the intergenerational impact of things that they have experienced within their family and community circles into account in care and protection matters. Unfortunately it has not yet been actioned, but it is certainly something we retain on our radar.

**Dr Watchirs**: The impetus for that letter is that all four commissioners attended the Royal Commission into Aboriginal Deaths in Custody seminar at Yarramundi Reach and the issue of Gladue reports came up, and Jodie said, “Why can’t we use that in care and protection?” On the human rights side, section 27(2) is an obligation to protect cultural rights, so there are actually obligations on directorates to implement that. We thought that that was a good angle.

**THE CHAIR**: Excellent.

**MR MONAGHAN**: The next question is around community engagement by you over the 12-month period. What has occurred there? You have just described a few of those engagements, but could you elaborate a bit more?

**Dr Watchirs**: That was something in the opening statement, so I am happy to give it now. On three occasions we have celebrated the UN Declaration on the Rights of Indigenous People jointly with the elected body, firstly in 2014 with *Charlie’s Country* and then in 2016 with *Putuparri and the Rainmakers*; and last year, the tenth anniversary of the declaration, we did *Zach’s Ceremony* at Old Parliament House, following the SNAICC conference. We had Katrina and Jacob as speakers; the new Social Justice Commissioner, June Oscar; and Geraldine Atkinson, the deputy of SNAICC. To us, that is a really good way of implementing section 27(2) in practice. We have two Aboriginal officers at the commission, both on contract. We would love that to be something ongoing, and that will be discussed with the new Victims of Crime Commissioner, Heidi Yates, when she starts on Monday.

There is a project on breathing life into section 27(2) by Natalie Brown, and she has developed a resource. It would be great if the elected body could have a look at the resource before we roll it out, for feedback about how appropriate it is for the community. It is looking at good practice, positive initiatives and practical case studies, such as: “Can you have a smoking ceremony in public housing?” and “Can you gather ochre from public spaces?” and that kind of thing.

One of the other things we regularly have is NAIDOC Family Day. We are on the stall this year. The most recent one was at the University of Canberra; before that there were other locations. We participate in the Sorry Day bridge walk in May every year. Elders come to our staff meeting: Matilda House attended last year; Violet Sheridan came the year before. On Close the Gap Day we have had events. Last year we showed Aunty Agnes’s film *Footprints on Our Land*. In NAIDOC Week we do fundraising: things like book swaps for the Indigenous Literacy Foundation. Certainly we attend events.

On 17 November we had a smoking ceremony at the commission. We did not have one when we first relocated because we were told we were not allowed to have one in the building, but this time, with Nat on board and also Tanya, we found out that if we paid for the air conditioning and the fire alarms to be turned off for $2,000 we could do the ceremony, so we did. Adrian Brown did that as a Ngunnawal local, which was great. Tanya Keed, the Aboriginal liaison officer in victim services, has been holding yarning circles for the women at AMC on a fortnightly basis. From Monday week it will be also for men, a separate circle. She held one for the victim services team at the commission just this month, and that is something we would like to do with the whole of commission staff.

In terms of things we have attended in the four months, I have attended the Sorry Day apology concert, and I think Karen Toohey may have too, but the other ones are more things that happened last year.

**Ms Griffiths-Cook**: One of the pieces of work that I undertook at the end of 2016 and into last year was a direct consultation with Aboriginal young people who had a lived experience of the care and protection system. I worked with them to get the information directly, in their words, from them about what that experience was like, the things that they would like to see improved and the things that they felt were a strength within that system. The original idea behind that was to have at least one of them co-present with me at the Child Aware Approaches Conference in Brisbane. Unfortunately, all of the young people got cold feet when it came to that one, so I ended up presenting their words on their behalf. I did check with them in the process of developing that presentation by making sure that I had their words accurately represented as to what they had told me. I also did some checking around the appropriateness of what I was presenting and the way that I was presenting it with a number of people within the adult Aboriginal and Torres Strait Islander community.

Fortunately, in working with those young people over a period of time last year, I was extremely lucky, I think, to have three of them nominate themselves to jointly present with me at the SNAICC conference last year. It was absolutely fantastic to see their own pride and the way that they held themselves and responded to a fairly packed house at the time and, equally, their ability to articulate themselves and to publicly put out there the things that were working and the things that were not in a forum where there were people that they knew but also a heck of a lot of strangers in that room. That is just a particular piece of work.

I was invited to, and agreed to launch, the event for Tjillari Justice’s bill of rights on the children of parents inside, which was an initiative on Tjillari Justice’s part that is something to be recognised. I was really proud to have been asked and able to do so with them.

**THE CHAIR**: Commissioner, is the work you did with listening to our kids’ voices available publicly? How do we know what our kids have already said?

**Ms Griffiths-Cook**: There were two things that I could put out there. We did a snapshot one-pager—I think it ended up being two pages, because I could not help myself—that captured some of those direct quotes. And there is the PowerPoint presentation itself, which was centred around the five elements of the child placement principle and drew in the comments and clustered those against those five elements thematically. I would be more than happy to make that available and to discuss ways that perhaps we could put that out there in different formats to make it more readily accessible for the broader community.

**THE CHAIR**: Has that been made available to the Our Booris, Our Way steering committee that is looking at the rate of kids in out of home care?

**Ms Griffiths-Cook**: It has not as yet, but it is a good idea. I did meet with the chair—I think it was the week before last—but I had not thought of that.

**THE CHAIR**: I know they are very focused on making sure the children’s voices are part of what they are doing, so it would seem that if you have collected some of the voices—

**Ms Griffiths-Cook**: I would be really pleased to do so.

**Dr Watchirs**: Nat, the deputy, has that presentation.

**Ms Griffiths-Cook**: Good. I will provide it formally to the chair, though, as a follow‑up to this as well.

**MR MONAGHAN**: One more question: have you provided any advice to the government over the past 12 months specifying the improvement of service delivery to the Aboriginal and Torres Strait Islander community? If so, what was that advice?

**Ms Griffiths-Cook**: I guess we have provided advice in two ways, and/or advocacy which takes the form of advice, both through individual matters that we have been involved with and through the course of our advocacy, where we have highlighted concerns, particularly in terms of cultural plans, both their content and their implementation. That is also something that is a particular focus area for us. We have worked up a project that we would like to pursue in that space. At the moment I have put that project on hold, mainly because of the broader review that is taking place. I would like to speak with the chair before we progress anything, because my biggest concern is not to interrupt the course of that review in a way that could be detrimental to its progress.

On the types of matters that we have seen within our work and that we advocate in relation to—which is a form of advice—while these may come across as happening everywhere, what I need to put forward first and foremost is that the primary issue is probably one of a lack of consistency. There are some people who in the course of their work operate extremely well and with appropriate regard and consideration. Unfortunately, that is not consistent: there are other areas where we do not see that as strongly.

In the development of cultural plans, there is the extent to which family and community are directly involved in the development of those plans and in articulating the way that they should be implemented. Equally, there is the extent to which children and young people are involved in and the way that their voices are represented in those plans in terms of their own views and wishes about what they would like to see form the basis of their engagement and maintenance of contact with community.

There is the lack of follow-through in terms of having an agreed case plan and those things being articulated, often in writing, and yet not necessarily being implemented in the way that was committed to in the course of developing the plan. There is ineffective case management in terms of meeting goals that are important for children and young people. Often they are very adult-centric. This is not something that is only relevant to the Aboriginal and Torres Strait Islander community; it is equally relevant to non-Indigenous children and young people—the importance of recognising what children and young people themselves are saying about what they would like as goals within their life and how they are going to get there. In line with that, the views and wishes of children and young people are not necessarily always at the centre of decision-making or even acknowledged in the course of decision-making. Again, I am speaking in a general way about things that are not necessarily about every person within that system.

Probably what we see more often than not is a lack of integration and coordination of systems. Often in very complex matters, and often they are the ones that are brought to our attention, there are a number of different systems and agencies that need to be involved in creating the space for sustainable outcomes for a child or young person. You might get some elements of the system very heavily engaged but other elements not yet there or not even willing to come to the table. That is where we see many of our challenges. That is certainly an area that we strongly advocate for change within: the need for cohesive and integrated systems that work together effectively in achieving what is recognised as a shared outcome, to achieve the best for a particular child or young person.

**Dr Watchirs**: The commission, in its mainstream work, looks at legal policy and scrutiny of legislation, as any other body does. But we also have access to draft cabinet submissions. So routinely we will draw directorates’ attention to section 27(2) about Aboriginal cultural rights, and I must say that we have had a big success in that. They have incorporated it on each occasion. But the fact that they do not know about it to start with is a concern, because it has been there for two years. Certainly for policy we will draw attention to the disproportionate impact on the Aboriginal community of certain measures in terms of legislation and policy. A good example would be Karen Toohey’s report on the review of the opioid replacement treatment program at the AMC. That was released on Friday. I would be happy to provide copies if you do not already have them.

**THE CHAIR**: The directorate have undertaken to provide that for us, but thank you.

**MR WALKER**: Who is your minister? Are they aware of the stuff that you just said?

**Ms Griffiths-Cook**: We have got a number of lines, but our primary accountability is to Minister Rattenbury. “I don’t know” is my response to the second one. I would hope so. Certainly I would like to think that the activity that I have been driving in this space has been recognised and is being seen. Have I overtly had that discussion with Minister Rattenbury? No, I must admit that I have not.

**Dr Watchirs**: We do have regular meetings with the minister, and certainly these issues have been raised with him, so my understanding is—

**Ms Griffiths-Cook**: At the depth I have just given you, perhaps not though.

**THE CHAIR**: We thank you for your time and, from my perspective, the proactive nature of your engagement with our community. It has not come after a critical incident; it has come because you have seen your jobs as important and that we are an important part of the community. We value being able to hear some of that advocacy advice that we can take on board in some of our leadership roles as well. Thank you.

## Hearing suspended from 1.40 to 2.07 pm.

Appearances:

Transport Canberra and City Services Directorate

Thomas, Ms Emma, Director-General

Edghill, Mr Duncan, Deputy Director-General, Transport Canberra

Corrigan, Mr Jim, Deputy Director-General, City Services

McGlinn, Mr Ian, Director, Transport Canberra Operations

Wright, Mr Steven, Director, People and Capability

Little, Ms Vanessa, Director, Libraries ACT

McHugh, Mr Ben, Director, Capital Works and Development Support

**THE CHAIR**: I am just going to run through a few introductory things and then give you an opportunity to make any opening remarks. As is the process for elected body hearings, we work together to put the questions together in a defined way, particularly when we have had questions coming from the community, and the member with the portfolio responsibility will ask those questions. Once we get through those, time permitting, if members have other follow-up questions, we will go to those.

This morning we did start, as we do on any of our meeting days, with the acknowledgement of country. But for each of the directorates, we want to make sure that people are aware of the passing of one of the founding members of the United Ngunnawal Elders Council, Laura Bell. Her service was held today in Tumut. The other reason that is important is that we are one member down, in a family member, Member Hughes; hence her inability to be with us today.

Thank you for your responses to the generic questions. We try not to cover too much of that ground unless someone from the community specifically asks us for a question. If you hear a double-up, it is just about our transparency back to the community on the role we are supposed to be playing.

We are really happy to have you with us today. As I have tried to manage with other directorates—we will see how we go with you—with our questions about outcomes and impacts, can we stick to that rather than the breadth of activity it has taken to get to there? Otherwise we can lose track of time very quickly, notwithstanding that answers may require some context.

Before starting with our questions, are there any opening remarks you would like to make?

**Ms Thomas**: Thank you for having us here today. I acknowledge the traditional custodians of the land, the Ngunnawal people, and acknowledge and respect their continuing culture and contribution to our city, and also their contribution to TCSS and the contribution of all of the Aboriginal and Torres Strait Islander people that are within the TCCS directorate that helped us to contribute to this discussion today.

I do not come here alone, obviously; I have a team of fantastic people who all share our vision, which is largely celebrated around the initiation of our reconciliation action plan that was launched in September 2016. It was one of the first significant things we did as a directorate when TCSS was formed. It was a very important ceremony that was conducted that day, and I think it created and set the standard for how we look at what our contribution is to reconciliation and to the broader ACT government requirements.

I have with me today my two deputy directors-general, Jim Corrigan and Duncan Edghill, who look after City Services and Transport Canberra. I also have with me today Ben McHugh, who is the chair of our reconciliation action committee. He will be able to answer some questions on that. Also, there are a variety of very talented people who work across the directorate to provide the services that we do.

I have enjoyed renewing my relationship with the elected body this year. I had a bit of an absence from work last year. I really appreciate the access and the meetings that I have had so far with the elected body. They have been a positive contribution to some of the thoughts that we have had in moving forward with the directorate, including how we approach Reconciliation Day, which is coming up very soon. We are looking forward to that.

We are proud of the reconciliation action plan and the extent of the actions that we have actually done. It is my absolute mission to say that this is not just a plan that looks pretty on paper but something that we measure ourselves on, like a project. We have completed 61 of the 82 deliverables and we have another 14 in process at the moment. So far, 91 per cent of our actions are either underway or have been completed.

**THE CHAIR**: Ninety-one per cent?

**Ms Thomas**: Yes. We are about to start the process for refreshing and rejuvenating that. We have just put out a message to the whole directorate for people to be involved in the next iteration of our reconciliation action plan, hoping to step it up again to another notch as to how we can make practical changes. I would say that in a directorate like TCCS, where we really do contribute to the livability of the city, we have to have a big role to play in reconciliation.

I will finish soon. The bus that we wrapped this year was a very visible sign for the directorate and also the ACT government. The design that was done by Lynnice Keen is absolutely beautiful but also is very symbolic for the directorate. It has become part of the way we do business within the directorate, and people really see that symbol as being part of who we are as TCCS. The bus wrap itself, driving around the city, has been a substantial thing for us in TCCS to demonstrate not just our support for wrapping a bus but our core support for reconciliation. I will hand over to you for any questions.

**THE CHAIR**: I will hand over to Member McGrady.

**MS McGRADY**: Does your cultural awareness training cover Ngunnawal and/or traditional custodian content, and is the program delivered by a local provider?

**Ms Thomas**: I have done the cultural awareness training and participated in that. Yes, it does cover Ngunnawal content. The two ladies that gave us our cultural awareness training at the time definitely talked about traditional custodian awareness and also more contemporary Ngunnawal issues. As to whether it is provided by a local provider, I will ask Steven Wright, who is my director of people and capability, to answer that question.

**Mr Wright**: Thanks for having me here today. In response to your question, yes, absolutely. We have our general cultural awareness training, which is mandatory for all of our senior officers, SOGC and above, in the organisation. We have had that in place now for a couple of years as part of one of our RAP deliverables. There is content related to the Ngunnawal people in that, but also one of the deliverables that we have through the reconciliation action plan—and Ben might talk to this a bit more—is that we now have on-country tours as well. We launched that on 30 November last year, and they have now been incorporated in our training calendar. So absolutely, in response to the question, we do.

**Ms Thomas**: And it is delivered by local agencies.

**Mr Wright**: Yes, it is.

**Ms Thomas**: If I can just add to that, the on-country training is largely in response to the directorate, who wanted more education past the cultural awareness training. We will continue that, and in consideration of our next reconciliation action plan we will look at what else we can provide people with to keep growing the understanding so that it is not just a one shot: “Here’s your cultural awareness training and that is all you need for the rest of your career in TCCS.”

**MS McGRADY**: What Aboriginal and Torres Strait Islander events has your minister attended in the past three years?

**Ms Thomas**: Past three years? I might have to take that on notice. I can give you the events that she has attended in 2017. We both attended the launch of the reconciliation bus on 30 May 2017. The minister attended the 1967 referendum event that was held through Libraries ACT. We organised that event to celebrate the 50th anniversary of the 1967 referendum; she attended that event on 2 June 2017. I will have to take on notice what the minister has participated in over the last three years, because I think we had a different minister over that period as well.

**THE CHAIR**: What we are particularly interested in is what events, of the events that our community have run, you might have come along to.

**Mr Edghill**: Depending on how wide the question is, we had a smoking ceremony at the commencement of light rail construction, for example, which was delivered by the local community. And very definitely our minister attended that.

**Ms Thomas**: But we will take on notice your question about what events.

**MS McGRADY**: Could you provide a summary of the accomplishments with programs and service delivery over the previous term that have been implemented in relation to Aboriginal and Torres Strait Islander residents?

**Ms Thomas**: Yes. I might get Ben McHugh to come up and talk to us about that. A lot of them are contained within our reconciliation action plan that is specific to that.

**Mr McHugh**: I am the RAP executive co-chair, with Jacob, in TCCS. I joined Jacob and the team in about the middle of last year. Could I please ask for the question to be repeated?

**MS McGRADY**: Yes. Could you provide a summary of the accomplishments with programs and service delivery over the previous term that have been implemented in relation to Aboriginal and Torres Strait Islander residents?

**Mr McHugh**: If we are referring to items that are contained within our RAP deliverables and actions, because there are such a significant number—there are over 60 that we have delivered, and a lot of those we will have touched on in the local community—probably the best way to cover that comprehensively would be for us to provide a list of what we have delivered and how it has actually touched base. Otherwise we might do an injustice to the broad range of things that we have actually delivered.

**Ms Thomas**: There are a couple of programs that are specific, though, that would be worth focusing on. One is for our libraries, who have delivered a really great suite of programs for the community. Vanessa, are you able to talk to that?

**Ms Little**: Thank you for the opportunity to come and talk to you today about the many programs and activities that we do. In the last 12 months we ran a number of language story-time activities for International Mother Language Day. We were quite enthusiastic participants in the tracks to reconciliation programs organised by the child and family centres here in Canberra. We have a fabulous new program called deadly digital, which is a digital skills and cybersafety program for young people. We piloted that at the West Belconnen Child and Family Centre and then delivered it for the Koori kids program in term 2 of last year.

As Emma has said, we had a very special event—sadly, I was away overseas—when Dr Anita Heiss came and spoke to about 80 people about her 50 selected achievements since the 50 years of the referendum. That was a highlight. Jacob, I understand, was the MC for the evening, so that was an extra highlight.

You might know that there has been a fabulous online exhibition called *Right wrongs*. That was an exhibition that was curated between all of the national and state and territory libraries across Australia. We did not have a lot of material, but we did contribute to that program. We did a lot of stuff during NAIDOC Week. We went to the NAIDOC Week celebrations and participated in those sorts of things.

We have done a lot of work in the last 12 months on engaging with some of the parent groups around the community to try and get the message across about the importance of reading, singing, doing finger plays and those sorts of things with your kids. A very special one for me was an exhibition that was held here at the Civic library called *Serving country*. It is an exhibition of portraits of Aboriginal and Torres Strait Islander people who served Australia in the armed forces. It was very special to me because my cousin was actually the artist who took the photographs, so it was a bit of a family thing happening there.

We have also been involved, through our Heritage Library, in the link-up program. Again, we do not have a huge number of resources in our collection that are relevant to the stolen generation, but we do have some material that relates to the archaeological reporting of Aboriginal sites in the ACT. We are part of that program that I am sure you know about, with AIATSIS and other libraries and institutions around the country, where we not only make access to those materials free—they are freely available to everyone—but we make any copies available to Aboriginal and Torres Strait Islander people for free where we would normally charge other people.

Of course, we have our regular collections. We make sure we have what in the library world are called standing orders. That means that any time a publisher or an author brings out an item, brings out either a digital or a hard-copy item, we automatically buy that for the collection. We have relationships now with Aboriginal and Torres Strait Islander publishers so that as soon as something is published by one of those publishers or one of those authors it automatically becomes part of our collection and is made available to the community. I could keep going on. There are a lot of things that we do.

**Ms Thomas**: We have a specific coordinator role, too, that is helping to bring all this together.

**Ms Little**: Sadly, Brian Demmery, our Aboriginal and Torres Strait Islander coordinator, is unable to be here today.

**THE CHAIR**: I was not sure why you were starting with “sadly”.

**Ms Little**: Sadly because he is not here.

**THE CHAIR**: Yes, I have got it now.

**Ms Little**: He is very passionate and he is very funny. He would be a much better storyteller than I am.

**Ms Thomas**: The other part of the important contribution that we make is in our transport area. We have our specific community bus. I will ask Ian McGlinn to talk to that, because that is the other important contribution that we are making as a directorate.

**MS McGRADY**: I do have a question around that. How are you engaging with the community to measure the access, demand and usage of the Aboriginal and Torres Strait Islander community bus service?

**Mr Edghill**: The headline measure, which is the same measure that we use across the entirety of our public transport network, is patronage. There is no truer guide as to how popular or otherwise a particular service is than the number of people actually using it. Since June 2017 we have had 5,500 passenger trips on our two Aboriginal and Torres Strait Islander dedicated buses. On average, we are running at about 500 trips per month. Based upon past usage, we are certainly happy with that uptake of the service.

**THE CHAIR**: Do you have any business intelligence around the purpose? What are those services more commonly used for?

**Mr McGlinn**: No, I cannot detail that. I can tell you that the buses have been used around 80 times for community use, where people are actually borrowing the vehicles to go to different places—as far as Cherbourg in Queensland. We also supplied a vehicle in January for a netball team to go up to the Gold Coast for the championships. We put an article in our internal newsletter about the community bus being used, and that seven of the girls were picked for representative honours out of that. That is a very good achievement for us to acknowledge. I could certainly come back to you with some data out of our booking system about the predominant pick-up locations and what the destinations are.

**THE CHAIR**: It is not like you are surveying everyone who gets on the bus. Is that usage rate within the targets that you have set for the service—high usage, low usage?

**Ms Thomas**: What we would target for the service is for it to be used to full capacity, as much as we can, to get as much use out of it as we can. That is something that we want to keep promoting, and also look at the times when it might not be used as well as it could be, to see what else we can do with it. That is a body of work that Duncan and the team are looking at, as part of all of the flexible bus services for transport for Canberra.

**THE CHAIR**: I am just trying to get my head around what the scale is.

**Mr Edghill**: Anecdotally—I am sure Jacob can, from his past life, correct me if I am wrong—we see usage for interstate funerals in particular, attendance at social events and attendance at sporting events as some of the more frequent reasons for usage of the bus. In terms of where exactly it is going to, it is unique within Transport Canberra in that it is the one part of our operations that operates beyond Canberra. I have certainly been aware of instances of it being used in Queensland—more generally, the Canberra region but out as far as Jervis Bay, Goulburn, Yass and Cooma. So it does have a fairly wide regional footprint.

**THE CHAIR**: That Cherbourg trip included a return to country for people who had not been able to access that type of thing and to meet with people who were separated from families at a very young age. The support stuff is good and it is important, but it has been used for some important long trips as well.

**Mr McGlinn**: With respect to one of the ones on Thursday night that was organised, at about 8 pm I received a call asking whether we could send a vehicle to Tumut, to take Aunty Agnes to see relatives. It was very timely. We approved that on Thursday night and they were able to go down and back on Friday.

**THE CHAIR**: That is exceptional.

**MS McGRADY**: What strategies have been implemented in regard to employment for Aboriginal and Torres Strait Islander residents of the ACT?

**Ms Thomas**: I might ask Steven to come back up and talk to us about the specific things. A lot of elements of the RAP are specifically focused on that. I think the next level of the RAP will include how we bring about leadership training and specific requirements for us as a directorate to build on our capability.

**THE CHAIR**: We are familiar with the sorts of things that are in a RAP, and it is good that 91 per cent of things are started. How well are you tracking against the targets that you gave yourselves?

**Ms Thomas**: Really well. Out of the 91 per cent that are started or done, 60 of the 82 items are complete, so it is a pretty significant percentage that is actually complete. We are over our employment targets for the directorate. I have numbers here. As of 21 February this year, we had 44 people, against our target, which was 40.

**THE CHAIR**: Is that target for permanent employment? Given the type of workforces that you are dealing with, which have some uniqueness to them, is that 44 permanent positions?

**Mr Wright**: I do not have that specific breakdown in front of me. I might start with employment strategies and then come back to the classifications, if that is okay.

**THE CHAIR**: Yes.

**Mr Wright**: It might be useful to give you the broader overview. Transport Canberra and City Services have a comprehensive employment strategy in place that combines both Aboriginal and Torres Strait Islander employment strategies and our people with disability employment strategies. We also have the reconciliation action plan in place.

**THE CHAIR**: Are those strategies together—the disability and the Aboriginal and Torres Strait Islander?

**Mr Wright**: They are combined in that document. They focus on key areas, particularly as a strategy to improve our employment of Aboriginal and Torres Strait Islander people. There is leadership and planning, particularly around establishing a culture in the workplace that is safe to disclose and safe to participate in for our Indigenous employees. There is attracting and recruiting a diverse workforce. That looks at some practical elements, including statements, including how we go out to market in our recruitment activities to attract Aboriginal and Torres Strait Islander employees. There is developing and retaining a diverse workforce. With some of those strategies that we have under the development component, we have a scholarship which is available to our Indigenous employees as well as our people with disability.

**THE CHAIR**: How many scholarships are there in any one year?

**Mr Wright**: We have a budget of approximately $10,000 in total for the scholarship fund. At the moment we have one Indigenous employee who has applied for and been granted approval to undertake study as part of that scholarship program. We have also been through a process of career development with that individual employee.

**THE CHAIR**: With the scholarship amount of $10,000 a year, that is, I am assuming, for fees, tuition and things?

**Mr Wright**: Absolutely.

**THE CHAIR**: There is also in-kind support for time off and those sorts of things?

**Mr Wright**: Yes, absolutely. We provide support in terms of study assistance and relief from the workplace to undertake studies. The primary aim of that particular strategy is to provide a qualification that enables employees to achieve those qualifications which might take them to the next level. We are looking for promotional opportunities and support for our employees who come in at entry level to gain those qualifications with our support and to move up through the workforce.

The fourth area of the strategy under our employment targets is improving workforce diversity data. What we know is that we bring on a lot of employees and the information in our central payroll system or human resource management system stays static for many years and we do not have a true representation. On a regular basis—generally about twice a year—we ask people to consider updating their diversity profile. That is a really important thing for us and we share that information back out to the workforce as part of our strategy to establish a culture where we say it is acceptable for all cultures. The Aboriginals and Torres Strait Islanders are a specific cohort we are targeting in this, to come forward and say, “Disclose, identify in those groups,” and to recognise and celebrate that. That is where it flows through into our RAP strategy in terms of our reconciliation processes. These are primarily focused on employment and how we can break down some barriers.

**THE CHAIR**: Each six months when you go out, what sort of bump in numbers do you get?

**Mr Wright**: I would have to take that on notice.

**THE CHAIR**: Seeing how effective it is.

**Mr Wright**: We do know that it has been very effective. Since we came together as TCCS, we have seen quite a significant growth in employee headcount, both through recruitment and through existing employees self-identifying.

To return to your other question, in terms of the workforce make-up, in TCCS we have a very operational workforce and front line, so necessarily we have a lot of employees at lower levels in the organisation. That means, in determining who is at a supervisory level, for example, it can be a little bit complicated and we do not have a human resource management system that readily identifies that. But it is from about the GSO5 level—

**THE CHAIR**: Doesn’t their pay level indicate if they are a manager or not?

**Mr Wright**: No, it does not necessarily. For example, at about the GSO5 or 6 level, we would expect those employees to be going out and leading small gangs, doing municipal services around town. When we look at that, from anywhere above the GSO5 classification—and we have one executive who identifies as Aboriginal and Torres Strait Islander—we are looking at about 32 per cent of our current 44 employees who identify and who could be in that supervisory capacity. So we have seen some growth in that over the years and we are very pleased to see that. We think that that reflects the strategies we have put in place.

Your specific question, though, was around the temporary versus permanent nature. I am happy to take that on notice, but I will provide you with some understanding about where our Aboriginal and Torres Strait Islander employees are. In general service officer or equivalent classifications, which largely sit within the city services division, we have a reasonable amount of temporary work in that space. In that group, 45 per cent of our employees are within the general service officer classification. I am, however, pleased to say that under Emma’s instruction we are undertaking a review at the moment to establish what the appropriate proportion of permanent and temporary employment is—broader than just looking at our diversity employment targets. That will have a positive impact as well in that space.

**MS McGRADY**: That leads on to a couple more questions. You spoke about the diversity data profile. Does that capture female and male Indigenous employees?

**Mr Edghill**: Of the 44 positions that Emma identified previously, 36, or 82 per cent, are male, and eight, or 18 per cent, are female.

**Ms Thomas**: That is a broader reflection of the directorate as well. We have about 74 per cent male employees within TCCS.

**THE CHAIR**: So that is fairly consistent with—

**Ms Thomas**: Fairly consistent with the workforce profile that we have, that we are working on as well.

**MS McGRADY**: Is there a specific commitment within the light rail project to employ Aboriginal and Torres Strait Islander people?

**Mr Edghill**: Yes. Unfortunately, I do not have the specific figure in front of me. As part of our light rail contract—it is reasonably complex—one of the matters it goes to is workforce and local industry matters. Within our local industry plan there is a target for Aboriginal and Torres Strait Islander employment. Unfortunately, I do not have the exact figure to hand.

**THE CHAIR**: Will the drivers of the light rail not be directorate employees?

**Ms Thomas**: No.

**Mr Edghill**: It is a PPP—a public-private partnership. We have a contract with Canberra Metro, which is a consortium of builders and operators—John Holland, CPB Contractors—

**THE CHAIR**: You have built in a contract requirement?

**Mr Edghill**: We have a contract with them. Part of the contract involves a number of plans that they have to adhere to. One of those plans is the one that you just mentioned.

**MS McGRADY**: We have touched on this a little bit: what achievements have been made in respect of your RAP and commitment to self-determination for Aboriginal and Torres Strait Islander residents, if you could highlight a few?

**Ms Thomas**: I will ask Ben to highlight some of the work. I will note that Ben and Jacob co-chair the reconciliation action committee for the directorate.

**THE CHAIR**: For the record, again, you are referring to Member Keed.

**Ms Thomas**: Yes, Member Keed.

**Mr McHugh**: I guess some of the key achievements have been spoken about. The first RAP was really establishing some of the day-to-day business activities into our general processes. Some of the big achievements in the first RAP will be there in perpetuity into the future. They are things like the acknowledgement to country as part of our standard meeting templates. Along with that, we have tried to do some training to make sure we get out and educate our staff on what that actually means and how to use those tools that are now available in our day-to-day business.

A big chunk—about 30 per cent—of what we have done in the first RAP is around business as usual stuff and getting things embedded in our processes. Obviously, we have talked about some of the other, bigger programs. We also celebrated National Reconciliation Week in 2017 and supported a range of events—the library events and a range of others. The bus wrap obviously was one of the big visual outcomes, but we have also used that artwork to help brand our RAP program and build recognition of the commitment the directorate has to reconciliation across the directorate.

Again, to support that we have been undertaking what we call roadshows. Jacob and I and some of the other RAP team members get out to the more remote areas of the organisation, to the depots, and meet with the people on the ground and start to talk to them about what this really means. I guess the third major achievement has been around our training and our cultural awareness training.

**THE CHAIR**: They are good achievements for the RAP. But the question is actually about self-determination for Aboriginal and Torres Strait Islander people. We are interested in how, in your processes, Aboriginal and Torres Strait Islander people are having a voice in how decisions are made.

**Mr McHugh**: I guess what we have been trying to achieve with the RAP is providing safe platforms for our Indigenous staff to come forward and have conversations with us about opportunities. A lot of it has been formalised through the employment arrangements, but what we are trying to create is cultural awareness within the cohort of staff that gives people safe and confident places to have conversations about what opportunities might be there.

In terms of the membership on our RAP working group, we have over 25 registered members at the moment. Some of those are from different directorates. The remainder of those are from within the directorate. Eight of those 25 people are Indigenous or recognised as Indigenous. We are trying to provide environments where we can learn together and move forward together. What we are trying to move away from, particularly in the preparation of our second RAP, is what the directorate can do for our Indigenous community to more about how we can do things together through the organisation. That is really where our focus is moving to.

**Ms Thomas**: There are some other things that we are contributing to more. We are about to do some larger consultations. One of the directorate’s primary objectives there is to make sure that we do some specific Aboriginal and Torres Strait Islander consultation.

**THE CHAIR**: That is what I mean.

**Ms Thomas**: That is around public transport or better suburbs. It is one of our things to really understand that, but it is linked to the RAP because, as our people become more confident in their knowledge, it causes them to reach out. We did some engagement in light rail as well in terms of heritage and making sure that where we were building we had interaction with the local community to make sure that we understood the heritage requirements for light rail.

We also try and incorporate acknowledgement to the Ngunnawal people as part of our overall work that we are doing, whether that is planting garden beds or looking at some of the seat patterns for light rail and for our bus fleet. They might seem like symbolic things, but I think they are important symbolic notions to give prominence to the Ngunnawal culture in Canberra.

**Mr McHugh**: To add to that, we have learned a lot about how to build communication lines with the community, particularly around projects like the flower bed. We deliver a lot of things around the territory, both through our day-to-day business and our capital program. I think we have missed a lot of opportunities to communicate with the local Indigenous community in those processes.

In the last six months we have got better lines of communication with the various representative groups. We now have our own staff more confident in approaching those groups to have conversations about things. Just last week I was approached by one of our education people in the NoWaste sector. They are refurbing their education facility out at our Mugga waste transfer station. They are looking to engage, obviously, with some local people to understand the land management relationship between how we manage our resources and our waste these days and to tell that story. So there are more and more of these opportunities coming forward where the local community can be involved and contribute to the outcomes that we are delivering.

**MS McGRADY**: What Aboriginal and Torres Strait Islander businesses have won contracts with you?

**Ms Thomas**: I would have to take that on notice to get you a list of those. I know we have had some specific engagements. Last year we ran a whole-of-directorate communication exercise called the TCCS exchange. We had some specific Aboriginal companies that we engaged with to bring services to that. Do you have any others?

**Mr McHugh**: The obvious one is the training that we do. Through our procurement processes we do write in requirements for minimum participation from both local industry and local Indigenous businesses. Where we can identify broader opportunities then we obviously look at that. There are more and more of those coming to the surface. Just having a better understanding of what is out there and what is available has been a big challenge for us. It is a case of knowing what opportunities there are to engage with local Indigenous businesses. Jacob has been doing a lot of work with us to try to connect us with a lot of these businesses. There is a long list on the procurement website, but you are not quite sure what services they provide. It is about building those connections.

**THE CHAIR**: In providing the information on those outcomes, could you let us know how many of those procurement processes required Aboriginal and Torres Strait Islander outcomes and then how many of those were actually achieved?

**Mr McHugh**: Yes, absolutely.

**THE CHAIR**: Once you let the contract, did they actually do what they said they were going to do?

**Mr McHugh**: Yes, we can follow that up.

**MS McGRADY**: Is there involvement of Aboriginal and Torres Strait Islander people on recruitment panels?

**Ms Thomas**: I will have to ask Steven.

**MS McGRADY**: And also including tender panels.

**Mr Wright**: I cannot speak to the tender panels, but in terms of recruitment, I assume the question relates to recruitment to identified positions specifically?

**MS McGRADY**: No.

**Mr Wright**: Generally, more broadly?

**MS McGRADY**: Yes.

**Mr Wright**: There is absolutely no exclusion and we would anticipate, as I said before, that 32 per cent of our 44 Aboriginal and Torres Strait Islander employees are in supervisory level positions. So they would be considered part of recruitment panels in the normal course of business. When we have an identified position, absolutely we seek to have an Aboriginal and Torres Strait Islander person present on the panel.

**THE CHAIR**: Perhaps there are two things you could get back to us on: where you have an identified panel, at what rate have you been able to achieve having an Indigenous person on the panel? Then, in what other capacities have you used Aboriginal and Torres Strait Islander people on panels?

**Mr Wright**: I will see if I can get that data. The second question, in particular, might be difficult, depending on what systems are available in Shared Services, but I absolutely undertake to do that.

**MS McGRADY**: And something similar on tenders?

**Ms Thomas**: We will provide you with what information we have on tenders. That is a really good, interesting question for us to consider.

**MS McGRADY**: Has the community been consulted on changes to ACT public transport that affect them? Has there been any consultation or feedback from the Aboriginal and Torres Strait Islander community in regard to bus route changes that possibly affect them—for example, to get to medical appointments?

**Mr Edghill**: You have touched upon what is going to be a very large process for us coming up. There are three main pieces of community consultation which we are about to embark upon over the coming months. The first one relates to light rail stage 2 and our engagement with stakeholders who are pertinent to the Woden mass transit corridor.

The second area will be broad community engagement in relation to our broad transport planning processes. It also will have a very specific element focused upon the Aboriginal and Torres Strait Islander community. The ACT government has a policy at the moment called transport for Canberra, which was implemented in 2012. The directorate is going through a process internally at the moment of working through a potential refresh to that policy.

The world of transport and public transport has moved quite markedly over the last five years. I will come back to that in a moment. That is one of the next big pieces of consultation that is coming up over the next few months. The third one will be the largest piece of consultation which we undertake. It is in relation to our bus network, in our public transport network.

We began a very general and high-level community consultation process towards the end of last year, which is really about garnering general ideas about what the community may want from their public transport network. But what we know is that light rail is due to become operational later in 2018. By necessity, we need to change the bus network so that light rail and buses are properly integrated.

As part of that process there is the potential for bus routes to change from what they are today. So a very big focus of Transport Canberra will be to discuss those potential changes with the Aboriginal and Torres Strait Islander community as part of a broader piece of engagement.

Within that there are, I think, some really interesting and exciting possibilities for what we can be doing within the ACT government. If we were to look at five years ago, for example, the idea of on-demand or demand-responsive transport was not really there. But what we are seeing today is that in places in New South Wales, for example, it is already underway.

There are bus services which have been put in place which are not necessarily a fixed route that leaves every two hours from this point in time, which is maybe not the most convenient thing for everybody. The services are moulded to where people want to go and when people want to go. You may phone a call centre or do something on your phone and you will know that the bus will turn up within half an hour and get you to where you want to be.

It is a better outcome potentially for operators. Rather than running empty buses, we are actually running buses to where people want to go, but also there are potential benefits for our community and for the Aboriginal and Torres Strait Islander community as well.

**MR WALKER**: The community member that brought that question in was concerned about the absence of bus route No 5 that goes through Narrabundah. It goes right past the medical service. The alternative bus route drops them off somewhere else now. We have put in the question about Gugan Gulwan, obviously Winnunga, AMC and Bimberi because sometimes that is the only transport our community has, especially to AMC, Bimberi, the medical service and our youth program.

Because the medical service is located in Narrabundah, that was the concern. Who did you talk to when people decided to change that bus route? We get that light rail is going to change a lot of things, but light rail is not over in Narrabundah. However, it has taken away a crucial bus route where people could get off right next to the medical service.

**Mr Edghill**: So acknowledged, and thank you. One of the great challenges that we have in the Transport Canberra network across the entirety of the community is that whenever we change a route, always by definition somebody has the route further away from them and somebody else has the route closer to them. What we are trying to do at the strategic level is increase patronage as best as we can and deliver a service that will attract as many people as we can.

In the community consultation that we are about to embark upon, there will very definitely be an opportunity for that feedback to be provided to us ahead of the network being implemented in 2018. In respect of some of the examples that you gave then, if we do things a little smarter we can actual come up with a better outcome for everybody.

You mentioned AMC. That is a great example. We run buses out there at the moment. Sometimes we run them out of visiting hours. I think we average about one person a service. I think at various times of the day there might be two hours between buses coming. Okay, we are running a service, but is that the best service that we can be running? Possibly not.

This is where I think there might be an opportunity for us to be looking at some of the new technologies and the smarter ways of doing things, like this demand-responsive transport where we recognise that there is a very definite need. It is our life; we want to move people on public transport. Maybe there is a way that we can do it that actually is better for the entirety of the community and more sensible for us too.

**MR WALKER**: You should try to sit in a waiting room over at Winnunga when they know that elected body members are sitting there. They say, “Why did they change the bus route? I have to walk a hundred metres.” They are a little bit angry at the moment. I get the point that the consultation that is coming up is six months, 12 months away from producing results. But now—

**Mr Edghill**: Yes.

**THE CHAIR**: To build on the member’s point, I get that you have got to get a network that is as efficient as it can be. It is public money. I would like you to consider, though, that things like Winnunga and people not accessing a health service have a similar cost to the ACT government, maybe not to your directorate. So, whilst those numbers might not be big in the broad juggle that you need to do, there are some other impacts that will have bigger considerations for government as well.

**Mr Edghill**: Understood, thank you.

**MS McGRADY**: What steps are taken to raise awareness of the different concession cards that our community are eligible for on ACT public transport services?

**Mr Edghill**: I might invite my colleague Ian McGlinn to talk about that. In transport we are not necessarily the ones with carriage of the concession cards. We have MyWay tickets which are available to concession card holders. It is maybe a little outside the realm of our directorate.

**Ms Thomas**: Our library services are very broad in terms of assistance that they provide to people. They often get asked lots of different questions and are able to provide a lot of assistance to people within the libraries network. They not only provide a fundamental information source for all the TCCS information but also often get asked lots of other questions that relate to all of the ACT government. So they provide an important portal too.

**Mr McGlinn**: We have a broad range of concessions that are entitlements across the community that people can use. There is free off-peak travel at the moment for concession holders. If there is a better way that I can inform the community of their entitlements and how to use those entitlements to access the service, I am happy to investigate that or get some feedback from you directly.

**Mr Edghill**: We do have in-bus advertising and we have advertising for those who are using public transport and may have a concession card.

**Mr McGlinn**: It is on the website.

**Mr Edghill**: Through that internal advertising on the public transport network, they will be aware that we have reduced fares, free off-peak travel and other benefits which are available.

**THE CHAIR**: I know that the bus with the wrap on it, which is a funny way to describe it—the wrap with a “w”, not the RAP with the “r”—particularly in NAIDOC Week and Reconciliation Week is used at a lot of community events. Perhaps having some initial information at things you are already doing specifically on that would help.

**Ms Thomas**: We are working with the whole of government at the moment about Reconciliation Day itself this year and what involvement TCCS will have. You are right: that provides an exceptional opportunity to provide further information.

**THE CHAIR**: The crowd is already there.

**Ms Thomas**: That is right.

**Mr Edghill**: While we are in the world of bus livery, we may have flagged at an earlier hearing that the internal liveries, the seat design, will have an Uncle Jimmy Williams pattern. We have had the first light rail vehicle arrive in Canberra. It looks spectacular on the inside. And it is very topical, because yesterday under our new bus contract the first bus arrived, very fleetingly. It is now being driven to Brisbane to serve as the prototype for building the rest of the buses, so it will be a little while before it comes back down here, but we have now physically seen the first of our new blue buses with the Uncle Jimmy Williams seat design.

**THE CHAIR**: Are those in the buses as well?

**Mr Edghill**: This is in the buses as well. As new buses from here on in come into our fleet and old buses are retired, we will have consistency between buses and light rail, with that motif throughout the entirety of our public transport network. It has come up a treat; it looks excellent.

**MR WALKER**: Following up on Ian’s request for our ideas around where to advertise, the elected body has a communique that we send out as a result of our meetings. Every time we have a meeting, the chair sends out a communique to the community about the discussion that has taken place. We have an Indigenous network through—what is that place?

**THE CHAIR**: Through the email system?

**MR WALKER**: Yes, the email network system anyway. I cannot remember the address. Also Winnunga has a newsletter. Gugan has a good newsletter. So there is plenty of opportunity.

**THE CHAIR**: And some social media as well.

**Mr McGlinn**: I am certainly happy to take those on board. I may refer to Member Keed to get those details.

**THE CHAIR**: In this sitting it would be through Member McGrady.

**Ms Thomas**: She is our TCCS representative.

**MS McGRADY**: The last question is: do you have a process or strategy in relation to cemeteries, particularly the removal or exhuming of family, which would include cultural considerations?

**Mr Corrigan**: The cemeteries authority, which is an independent statutory authority which we look after, manages the cemeteries throughout Canberra. That is Gungahlin, Woden and Hall. The cemeteries authority provides a good service for the whole community, for Indigenous and other religious beliefs and things like that. It is very sensitive to those needs. So the answer is yes. The details I can get for you: how they do it and the procedures they follow. Cemeteries is way more than just providing plots and burying people and things like that. A lot goes on in the world of cemeteries. All sorts of interesting requests come through, and special needs and cultural sensitivities and things. So they are very aware of that. They are a small group, the staff themselves, but the key people are very sensitive to that. I can provide those procedures to you. If you want to take it any further, our director of cemeteries, Hamish, would be more than happy to help. I could set up something specific on that. That is particularly sensitive as well.

**THE CHAIR**: The question comes from some media around changes to 25-year plots. We are more thinking forward about how those agreements affect removal and transport of remains.

**Mr Corrigan**: I understand. What that is about is that we are always looking at how best to manage cemeteries going forward. Canberra’s population is growing; therefore we now get more people being buried. The trend is that most people are seeking to be cremated rather than buried. But, having said that, you still have to provide options for burials. The existing cemeteries cover large areas and there is an expense in maintaining them. But, at the moment, when someone is buried it is in perpetuity. There are no changes proposed at this stage.

Discussions have been going on in the standing committee on transport Canberra, city services and other bits and pieces—I cannot remember its full name—of the Assembly here. They did an inquiry last year. Through evidence from various people to that committee they suggested that the government look at tenure for graves, but going forward. The government is currently considering the findings from that committee and making a response to that. But the committee was careful to talk about looking at it going forward, not retrospectively. It would not apply retrospectively, because it is unnecessary.

**THE CHAIR**: Even trying to trace some families may be impossible.

**Mr Corrigan**: That is right. The government is considering its response. If the government were to say, “Okay, let’s explore that,” a pretty mature, sensitive consultation would have to take place with the entire community of Canberra, because—

**THE CHAIR**: Diversity.

**Mr Corrigan**: Yes—things like that. There is no proposal to change tenure at the moment.

**THE CHAIR**: Removal and travel of our remains is a sensitive issue historically. That is the last of the questions. Several of our questions were probably pushing things along a bit. I want to say in closing that the things you have talked about and the progress since the RAP seem to have brought together the whole directorate with a particular focus on Aboriginal and Torres Strait Islander outcomes, which is a good thing. But we will continue to keep pushing you along.

The last comment I want to make—if this helps with selling this within your organisation—is that so much of your workforce is visible to the whole ACT community. The Aboriginal and Torres Strait Islander faces we see in it not only are great role models for our own kids and our community but also help with the rest of the community seeing how active and participating we are in the local economy and doing our bit as well. So if people ever think that it is a bit hard to see where you make a difference, perhaps that is one way to present that.

**Ms Thomas**: I think it is our challenge to become an employer of choice for the Aboriginal and Torres Strait Islander community so that they really want to get jobs with us.

**THE CHAIR**: Especially when you have got so much outdoors.

**Ms Thomas**: Outdoor stuff, driving buses, we have so many jobs in TCCS that people can choose from. I want it to be a great place to work for everyone, including the Aboriginal and Torres Strait Islander community.

**MS McGRADY**: I have not convinced the other members to get their faces on the buses yet.

**THE CHAIR**: I do not want to close on that. Thank you for your time today and the time it would have taken in preparation for joining us.

## Hearing suspended from 3.05 until 3.18 pm.

Appearances:

Health Directorate

Feely, Ms Nicole, Director-General

Murkin, Ms Jane, Deputy Director-General, Quality, Governance and Risk

Kickett, Mr Oliver, Acting Program Director, Ngunnawal Bush Healing Farm

Bracher, Ms Katrina, Executive Director, Mental Health, Justice Health and Alcohol and Drug Services

Richter, Mr Matthew, Executive Director, Policy and Stakeholder Relations

Wood, Mrs Mary, Deputy Director-General, Innovation

Shuhyta, Ms Amber, Director, Mental Health Policy Unit

Bone, Mr Chris, Deputy Director-General, Canberra Hospital and Health Services

**THE CHAIR**: I would like to welcome the health directorate to our hearings for 2018. I will start with some protocol things and then I will give you an opportunity, Nicole, to make some opening remarks. As is the protocol with the elected body, the member responsible for the health directorate—Deputy Chair Chivers—will start with the formal questions that we have agreed upon. Then at the end, if there is time, and if other members have additional questions, we will ask those.

We have started both days with an acknowledgement of country and traditional owners; so I will not repeat that. But as we have mentioned at the start of each of the directorates, I am sure you are well aware of the passing of one of our Ngunnawal elders, whose service, in fact, was held today in Tumut.

I recognise her contribution to this place, to her community and to our culture more generally. That also acknowledges why one of our members is not with us today. She is actually that elder’s niece and has been at home involved with some of those arrangements and the service today.

In the process of putting the questions together, we ask the Aboriginal and Torres Strait Islander community to put forward suggestions and we have a commitment to giving those questions priority. Some of these questions come directly from outside our membership. The main reason for mentioning this is that some of them do cross similar territory to some of the generic questions. Should you feel that we are re‑asking something, it is for transparency back to our community that we have followed up on something that they have taken the time to raise with us.

There is a last thing is to focus on. We have had a little trouble with this with some of the directorates. People get very excited with the activity that is going on. In the small amount of time that we have with you, we are trying to stick, as much as we can, to the impact and outcomes of what is happening, notwithstanding that you will at times need to give some context to things.

**Ms Feely**: So no long monologues.

**THE CHAIR**: You can try, but I am pre-empting why I might interrupt. It is not about rudeness; it is about time management. Your directorate has such an important role to play and is doing so many things across a range of areas. However, we have 55 minutes; that is the reason for that advice. Nicole, I will pass over to you for some opening remarks and then ask the deputy chair to commence questioning once you have finished.

**Ms Feely**: Thank you, chair and members of the elected body. First, I would like to start by acknowledging the traditional owners of the land on which we meet today, the Ngunnawal people, and by paying our respect to their elders both past and present and their continuing contribution to the life of the people in the ACT.

I would also like to take particular time to acknowledge the role of the elected body in the ongoing importance of the life of the people in the ACT, both from the view of the Aboriginal and Torres Strait Islander people but also the wider community.

As Director-General of ACT Health, and I have the majority of the leadership team sitting here before you, I believe there is much that we can be very proud of in relation to how we deliver care, not only to the general community but also to the Aboriginal and Torres Strait Islander community. However, I am very cognisant of the death of Mr Freeman and the outcomes of the Moss review. I think that that has shown us very clearly that there is much we still need to work on and that not everything we do is as it should be. So I think these hearings are very timely. Also, it gives us a good opportunity to take stock and actually, as a team, sit down and review what it is we are doing for the community as a whole.

We were meeting shortly before this meeting. I think we are making some good strides in relation to employment numbers and we are on track, as I keep getting advice, to meet our targets for this year. We have done some very good work in relation to establishing—you will hear more about this; I am not planning to go into details—an Aboriginal and Torres Strait Islander practice centre in our policy division. The reason for that is that we are actually now trying to make sure that Aboriginal and Torres Strait Islander issues are considered front and centre as part of all policy development across ACT Health, which I think will over time actually make a significant contribution in a good positive change way.

I would also like to talk to you about two other things. We are currently waiting for outcomes of a review in relation to Aboriginal liaison services across ACT Health. We have an external individual who is looking at it for us. I understand the reviewer is not well at the moment but hopefully—

**THE CHAIR**: There is an irony in that.

**Ms Feely**: I know. I can assure you that it is not as a result of anything we have done. I am hoping that is the case. When we get that report it will form the basis for our looking at what we need to do with the liaison service.

The final thing is that we are moving towards territory-wide planning across ACT Health. We will be moving to establish a dedicated Aboriginal and Torres Strait Islander centre with all the other centres. The idea of that centre is to make sure that we have culturally appropriate input to the system as a whole but also that the patient journey and the experience for Aboriginal and Torres Strait Islander community people coming into the health service for the whole continuum of care will be appropriate and that we will have the right people looking after you at the right time. We are very excited about that.

**THE CHAIR**: This question is from someone with limited health background. I ask it more for some of our community who may read this record later. When you say “centre”, you do not mean a physical GP centre. You are talking about a centre within the central part of Health to coordinate those things.

**Ms Feely**: Yes, if we are setting up a heart centre, a diabetes centre, a head and neck centre. What we are doing is changing the delivery of how we look at health services. We try to make sure that people can come into the health service and then go back out into the community in one continuum of care that puts the patient at the centre of what we do.

**THE CHAIR**: I was just making sure it did not sound like another AMS; that was all.

**Ms Feely**: No, I use the word “virtual”. People get uptight about that. But they are virtual. It is a governance structure. The main purpose will be to get people who have a responsibility for delivering services to actually meet together as a group with key stakeholders to make sure that we are getting service delivery right.

We think it is a very exciting opportunity and it will also be really critical in making sure that we can have the right input from the community into the diabetes service, into the head and neck service, into the orthopaedic service, into the chronic disease service, particularly because of the burden of chronic disease in the community. We are elevating it and giving it a proper status in the health service. They are the things I want to raise and we will talk in more detail when you ask the questions. Thank you for the opportunity to come today.

**MS CHIVERS**: The first couple of questions I have we have actually asked all of the directorates. What Aboriginal and Torres Strait Islander events has your minister attended in the past three years?

**Ms Feely**: I would have to take that on notice. I do not know about my minister; I know the ones that we attend, but in respect of the minister, I will take that on notice.

**THE CHAIR**: We are particularly interested in the events hosted by our community, not just your internal events but what ACT Aboriginal and Torres Strait Islander community events they may have gone to.

**Ms Feely**: Is that for both ministers—mental health and health and wellbeing?

**THE CHAIR**: Yes.

**MS CHIVERS**: Does your cultural awareness training cover Ngunnawal and/or traditional custodian content? Is it delivered by a local provider?

**Ms Murkin**: In relation to the training, there are three key components that I would like to share with you. First and foremost, there is corporate orientation training. As of today 85 per cent of our staff in ACT Health have completed our online e-learning system. We are also in the middle of developing a face-to-face orientation for staff in relation to Aboriginal and Torres Strait Islander peoples. In respect of the content of that program, I would need to take questions on notice and come back to you.

**Ms Feely**: I just add that the lady who is the executive director for HR, who would normally be able to answer these questions, is on sick leave this week. We have tried to pull as much of the information together as possible, but we may need to take some of these questions on notice for that reason.

**MS CHIVERS**: That is fine. The next series of questions that I have actually relate to the Ngunnawal Bush Healing Farm. In your response to the generic questions, you indicated that ACT Health will be developing a tender in mid-2018 regarding a residential program for the Ngunnawal Bush Healing Farm by the end of 2018. Can you outline what components you envisage that residential program would have? Will it incorporate culturally appropriate residential drug and alcohol treatment as recommended to the ACT government in the elected body’s report on the outcomes of the hearings last year?

**Ms Feely**: I will ask Mr Kickett to give the answers on this, but I will start. In relation to the end-of-year opening of the residential component, I want to stress that it is my plan to have residential treatment or residential services being provided, but the opening will depend on when we go out to tender and who we get applying to make sure we have the right people to run the residential component.

Ideally, we will go out to tender. We will find people who want to run it who have the right cultural background and then we can move through and open a residential component. But I need to be very clear on that front that the opening date will depend on who applies. I will get Mr Kickett to speak on that in more detail.

In relation to drug and alcohol detox medical services, they will not be provided out of the bush healing farm because the permits do not allow that sort of service to be provided out there. It is a different discussion from the issue about where or how those services should be provided. But, just to be clear, they cannot be provided at that bush healing farm centre.

**Mr Kickett**: The planning certainly will be for the duration of this year to put together a proposal to go to a residential mode early in 2019, perhaps in the first half of 2019. Again, that depends on what happens if we go to market and whether there is an organisation that can deliver the type of service that we want to deliver. As Nicole has indicated, there will not be any rehabilitation services being done at the property. It will be a healing framework that will be delivered by the healing foundation, which has a very strong cultural element to it.

**MS CHIVERS**: In May 2017 a spokesperson for ACT Health told the *Canberra Times* that the services or programs that would be offered at the Ngunnawal Bush Healing Farm would be focusing on the behaviour that drives addictions. What is ACT Health’s definition of “behaviour that drives addiction”? What services or programs are currently being provided at the healing farm that focus on that behaviour?

**Mr Kickett**: I think what we are trying to do is deal with issues, underlying issues, that people have in terms of their addiction or the decisions they make around why they drink alcohol or take drugs. What we are trying to do is get people to understand what some of those underlying issues are and to give them some training and tools to be able to make their decisions about their use of illicit drugs or alcohol.

**MS CHIVERS**: In relation to the programs that are currently available?

**Mr Kickett**: At the moment, we have only run a five-week program at the back end of 2017. One of the service providers that was brought on board was a mindfulness program. That was dealing with people’s decision-making as well. That was the one that I think dealt with that sort of issue. The others were more complementary to that particular program.

**MS CHIVERS**: The elected body understands that participation in programs at the healing farm is currently mostly through self-referral. What is ACT Health doing to facilitate referrals from Winnunga Nimmityjah Aboriginal Health Service and Gugan Gulwan Youth Aboriginal Corporation?

**Mr Kickett**: The referral process at the moment is mainly through ACT corrections. I do not think we are allowing self-referrals to the programs at the moment. They need to come through formal processes and they will be assessed by a panel of experts, I think one or two doctors and a service manager. The referral process is still ongoing, even though the programs are not currently running. Staff at the healing farm are currently dealing with potential clients who are being referred from corrections and other places. They are also doing case work with previous people who were on the program at the end of last year who may well return to do the longer program.

**MS CHIVERS**: How many people have participated currently in the program?

**Mr Kickett**: For the program that ran at the end of last year, it was a total of six people that attended.

**MS CHIVERS**: As reported in the *Canberra Times* on 4 September 2017, do clients have to meet a cultural readiness test?

**Mr Kickett**: I would have to take that question on notice. I am not across that particular issue.

**MS CHIVERS**: When you do respond, if the answer is yes, what are the criteria for meeting the cultural readiness test? Who created the criteria? What was the extent of Indigenous involvement on the assessment panel and/or in creating the test? If the answer is no, why was this statement made and when was the decision changed?

**Mr Kickett**: I will take all of those questions on notice.

**MS CHIVERS**: The elected body understands that to date there have been only a relatively small number of clients, which you have just said has been six, undertaking the program at the healing farm. What is ACT Health doing to increase client numbers? What would you say to community members who feel that the money spent on the healing farm could have been used for other projects or programs to benefit more people in the community?

**Mr Kickett**: I think the low numbers are always going to be the situation because of the fact that the programs that are offered out there have some criteria that at the moment we are sticking to. One of those criteria I think will exclude a significant proportion of our community. We cannot have people out there on methadone right now. That limits the number of people that we can have on any particular program. The other one is that people need to be free of their drug of choice for a number of weeks prior to coming out to the program.

The criteria, whilst they are fairly tight, do eliminate quite a number of people from our community. I do not know what the numbers are who are on methadone in our community, but I understand that there are quite a number of those who are. We are hoping to deal with that going forward. We are not quite sure where that will land, but we are optimistic about that particular issue.

I think the other thing that we need to bear in mind is that the bush healing farm is 30 minutes out of town. If we have anything more than 10 to 15 people out there, we have to pick people up from every point in Canberra and try to get them to the farm to start at any time between 8.30 and 9 o’clock. If we have 15 people that we need transport out to the farm, that is a logistical nightmare. Whilst we would encourage bigger numbers out at the farm, I think the smaller number is easier to manage with the number of staff, plus the logistics of getting people to and from the bush healing farm.

**MS CHIVERS**: But how would you justify that to the community who see the dollar amount that was spent on the healing farm and then want to know whether that money could have been spent to greater effect on other projects and programs to benefit more of the community?

**Mr Kickett**: We will certainly take that question on notice.

**Ms Feely**: I am happy to answer that. It is early days. I recognise that the community for a long time have been very supportive of trying to get the healing farm up. There has been a lot of community involvement. I can understand some frustration in relation to the fact that the numbers are low, but we are starting and I think we are moving forward. The response has been positive.

There has been some negativity about accessing the services, so we have put together a communication plan, which I think we need to go back out to the community on, talking about the things that can be done. The whole concept was around a culturally sensitive re-engagement with community, re-engagement with tradition, re‑engagement with land and getting people ready, job ready and all of the sorts of things that people have probably had difficulty with during the time when they were suffering from addiction.

I think the potential of the farm is enormous. It is up to us to show that the people who attend get a good outcome. We hope that we will then be able to build on that and get re-engagement of the community back in line. I understand the frustration, but it has had a rocky road in the past year or so. We are starting, and we are absolutely committed to trying to make it work. I am hoping that in time the community will see that we have had a bit of a rocky start but we are on the right path now.

**Mrs Wood**: There is a very significant amount of interest in participation in the farm and there were a lot more people who expressed interest in going for the first program than were able to attend, because of the criteria. The criteria for participation were worked through extensively with the advisory board. I think Ollie has mentioned that one of the key barriers to participation was that the advisory board did not want people on the opioid replacement therapy program participating, which effectively cut out an awful lot of people who otherwise would have been eligible or enthusiastic. And then, of course, people who got jobs or had family responsibilities who were seeking to participate but were not able to because of personal circumstances drew the numbers down. But there is a lot of interest. It is just the practicalities, including logistics, of supporting everyone’s transport out there that meant the first program was small. We are looking at the criteria to see whether perhaps they were too narrow and could be expanded somewhat to support more participants.

**THE CHAIR**: I understand that when you start up a program it takes some time to get to full capacity, but surely the criteria for selection of people and the transport logistics are not something that you only found out about six months into this program. What has been the planning around addressing those issues over the past few years?

**Ms Feely**: The criteria, as I understand it—please, anyone, jump in if I am getting this wrong—have been set by the advisory body. They were very clear that people were to be drug and alcohol free when they came in. That as a criterion means that the people who can access the service—

**THE CHAIR**: I understand that, but when was that decision made?

**Mrs Wood**: It was last year. The advisory board cranked up—

**THE CHAIR**: So it is not new. That is what I am getting at. So why is there no-one out there now?

**Mrs Wood**: There was clearly confusion, which ACT Health was absolutely contributing to, which the minister has acknowledged, about the purposes of the bush healing farm.

**THE CHAIR**: I am not trying to rehash that; I am genuinely not. What I am trying to say is that, those things aside, the decisions about who was coming out and even what the limited numbers and the transport for that could be have been known for at least six months now. What is the plan?

**Mrs Wood**: The plan is to have a second program that applies the same criteria as the first and hopefully get more people benefiting who will become champions of the program. With consultation with the Indigenous community, we will look at whether the criteria are arguably too narrow. But the advisory board, which was co-led by a member of the community and the head of our policy stakeholder branch, did determine that. So it was—

**THE CHAIR**: I accept that. That is not an issue. I have no health background. That is what works best for that group. When is the next program starting?

**Mr Kickett**: We are about to re-engage the service providers that were on the first program. There are about four or five providers. They will be re-engaged for April and hopefully start in April, May or thereabouts. Whilst we are doing that, we are also going to market for a new group of service providers to add to the current list of five that we have. We are hoping to have them engaged in the middle of this year or thereabouts.

**THE CHAIR**: The first program finished when?

**Mr Kickett**: In December.

**THE CHAIR**: So it is 3½ months between programs?

**Mr Kickett**: Yes. We were planning on putting together a fairly comprehensive tender process. That tender process can be quite lengthy. We have started that process. We have modified that slightly over the past week or two to make sure we get something started sooner rather than later. We are trying to make sure we get something going as quickly as we can and also to make sure we get other complementary service providers to come on board to provide additional support for people on the program.

**Ms Feely**: It is a fair question, Chair. It is frustrating. But I assure you that the team are trying their hardest to pull it together for the next round. It is a fair question. It is frustrating us that we are not able to have it as a rolling process. We could give you all the answers of Christmas and January. I hoped that we would have something up and running earlier, but it is a tender process. I assure you that Ollie and the team are working very hard to try to pull it together. We will get something going.

**THE CHAIR**: I have no doubt about that. The reason that concerns me is that, if those things are not lined up and ready to go at the get go, you will have referral issues for quite some time because of that lack of consistency. That is what I am worried about: that the stop-start will keep happening.

**Ms Feely**: That is definitely not the plan. What we would like to do is put the communication strategy out and then have these sessions locked in with the providers for the rest of the year, at the same time going out to try to find a provider to provide a residential program. Over the next nine months we would like to see a series of these happening.

**THE CHAIR**: Leading into the residential?

**Ms Feely**: Leading into the residential—all things being equal, finding someone who is prepared to and appropriately qualified to run the residential program.

**THE CHAIR**: Understood.

**Ms Feely**: As I said, it is a fair question. It is frustrating but priority is being given to it.

**MS CHIVERS**: Given that the Ngunnawal Bush Healing Farm cannot offer residential drug and alcohol clinical treatment services due to land use zoning regulations, what is ACT Health doing to ensure that places are reserved for Aboriginal and Torres Strait Islander people at ACT and regional facilities that do offer those services?

**Ms Feely**: In relation to the immediate detoxification issues there are two beds that are identified in our inpatient service at Canberra Hospital. There are two Aboriginal and Torres Strait Islander identified beds.

**THE CHAIR**: What is the utilisation rates for those beds?

**Ms Bracher**: I acknowledge the privilege statement. We have a 10-bed inpatient unit. Priority is given across all of the 10 beds to a number of groups of people, one of which is Aboriginal and Torres Strait Islander people. So it is technically not two dedicated beds; it is—

**Ms Feely**: I apologise.

**Ms Bracher**: We have priority for Aboriginal and Torres Strait Islander people but also pregnant women, for example, and a number of other high-priority groups.

**THE CHAIR**: I understand that. I am really trying to get to the question of whether we are using them.

**Ms Bracher**: Yes, we are. Across the previous year, the proportion of people who were admitted that are Aboriginal—I would have to take that very specific question on notice. But we certainly are.

**THE CHAIR**: What we are trying to understand—given the previously stated issues and without wanting to rehash them—is, on a daily or weekly basis, how full it is; if it is not full, what we need to do; and, if it is full, what else we need.

**Ms Bracher**: Our medicated withdrawal unit has a length of stay of about five days. That is under the care of an addictions physician. Bed utilisation there is somewhere between 65 and 70 per cent.

**THE CHAIR**: Aboriginal and Torres Strait Islander people?

**Ms Bracher**: No, generally. We have capacity in that unit to do medicated withdrawal. The people, once they have gone through a medicated withdrawal process, then need to continue their care in a rehab unit. The utilisation in our community-based rehabilitation units is something that I am not aware of. We might be able to take that on notice.

**THE CHAIR**: Could we have on notice both of those. Is the problem that there is no point doing the five days because there is nowhere to go on the sixth, is the problem that they are all full, or is the problem that we are not referring to them?

**Ms Bracher**: The intention is to have from our medicated withdrawal unit a very clear flow for Aboriginal people, if they meet the criteria of the Ngunnawal Bush Healing Farm, to a pathway directly into that.

**THE CHAIR**: This is not about the bush healing farm now; this is about the need of our community for this service. Are we accessing that service, under or over? That is what I am trying to understand.

**Mr Richter**: I acknowledge the privilege statement. In the non-government sector, which I look after contracts for, which works with Katrina’s inpatient areas, we have a range of residential rehabilitation beds. Reporting indicates that around 12 per cent of those beds at any one time are utilised by Aboriginal and Torres Strait Islander people. We do a snapshot survey to try to benchmark that reporting. That is a snapshot survey on a particular day in the year when they go around and look at who is utilising those beds. That was a little while ago. We are hoping to organise another one. At that time around 24 per cent of the beds were occupied by Aboriginal and Torres Strait Islander people on that snapshot day. So there is an indication that there is access happening there. The question is whether we have enough.

**THE CHAIR**: That is my next question: how do you know who is not accessing it who wanted to that night?

**Mr Richter**: That is the difficult question in any sort of healthcare supply and demand equation. We hear from members like you, and the community, that there is a need for further access. So through planning we need to look at the depth of access required. No-one around the country has that answer specifically at the moment. That is something we do need to keep working on.

**THE CHAIR**: Do you have data on turn-aways?

**Mr Richter**: I am not sure. I will have to take that on notice.

**Ms Feely**: If we looked at the data that came through ED we could cross-check that. We will take that on notice.

**THE CHAIR**: It will not be comprehensive; I understand that. But, if that is the best we have got, it is a starting point.

**MS CHIVERS**: What is ACT Health doing to progress the possibility of rezoning the land that the healing farm is built on so that residential clinical services can be provided on site?

**Mrs Wood**: It is a decision for government. I think the minister is aware of the possibilities and the mechanism for zoning. I think she made a statement in the Assembly at the end of last year. At the moment we are doing service planning to get the services that we know there is demand for on the ground.

**THE CHAIR**: So the answer is—and reasonably so—that we are not progressing that?

**Mrs Wood**: We are not currently progressing it.

**MS CHIVERS**: In a press release in October 2007, former Chief Minister Jon Stanhope outlined plans for an Indigenous drug and rehabilitation centre. Given the land use issues with the healing farm, why has ACT Health never developed a budget bid for a drug and alcohol rehabilitation centre for Aboriginal and Torres Strait Islander people?

**Ms Feely**: That was 2007?

**MS CHIVERS**: Yes.

**Ms Feely**: I cannot talk about what happened prior to my starting in 2015. But I can say that, as part of the territory-wide planning we are looking at, issues such as the one you have raised about whether we need to progress recommendations to government on such a building and such a service are active considerations as we look at the drug and alcohol and addiction service process. As to why something has not been done prior to my time, I cannot answer that. I cannot even take it on notice, I do not think there is going to be anyone who can answer it.

**MS CHIVERS**: Has the Ngunnawal Bush Healing Farm advisory board been dissolved?

**Mr Kickett**: The board has not really been dissolved but it has not met since prior to the last program. In any event, I think that what we are trying to do is rebuild or do another governance structure around the bush healing farm, given that it has gone from a project into program management now. The aim is to build a board around the sector so that people can provide input into the organisation. That is a piece of work that we are currently doing as well. But we will consult widely with the elected body and the community on what that will look like.

**MS CHIVERS**: That probably feeds into the second part of my question, which was around what recent engagement there had been with the advisory body. You have answered that, which is good.

I now have a few questions in relation to the Aboriginal liaison unit at the Canberra Hospital. The first question, which was quite strong from the community, is around wanting to know why the dedicated room for Aboriginal and Torres Strait Islander people is so far away from the Aboriginal liaison unit.

**Mr Bone**: I acknowledge the privilege statement. I know where the room is. I will take that on notice, because I cannot answer the question directly.

**MS CHIVERS**: Given that health is a major issue for Aboriginal and Torres Strait Islander people, why has the number of staff in the Aboriginal liaison unit not been increased to meet demand?

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

**Ms Feely**: That is part of what we are looking at through this review. We have actually identified it as an issue. We have commissioned the review. Subject to that, we will look at what the recommendations are, what we need to do to fund them and the requisite numbers that hopefully will come out of the recommendations. We have identified it as an issue and are proactively trying to do something to manage it.

**MS CHIVERS**: At previous hearings ACT Health gave an undertaking to investigate the possibility of extending the Aboriginal liaison service to weekends. What were the findings of that investigation?

**Mr Bone**: It would be part of this Aboriginal review. Until we get that—

**MS CHIVERS**: So you never actually undertook that investigation when you gave that undertaking at the previous hearings?

**Mr Bone**: I am not familiar with the undertaking; my apologies. But it will be included in the review.

**MS CHIVERS**: At the 2017 elected body hearings the ACT Health Directorate undertook to look into the possibility of ensuring that an Aboriginal liaison officer be part of the crisis assessment team and be available in those situations where the police are called in. Can you advise the outcome of that undertaking?

**Ms Bracher**: I manage the crisis assessment team. We do have an Aboriginal liaison officer who does go out on occasions with our crisis assessment team to see people in the community. Our crisis assessment team, as I am sure you know, works quite closely with police. On occasions police are involved in those—

**MS CHIVERS**: I think you did tell us that last year, but it was about looking into making someone a permanent member of that team.

**Ms Bracher**: That has not happened at this point in time. The ability to establish a position has not been able to happen. Increasing the number of Aboriginal liaison officers within our division is actually a commitment but we have not been able to fund those positions.

**MS CHIVERS**: Is that something that you might look into?

**Ms Bracher**: With the establishment of Dhulwa we did put forward in our business case the establishment of an additional position, and that was successful. We have been looking at an Aboriginal liaison position in the University of Canberra hospital into the future. We are currently scoping up a position in the adult mental health unit that can work more actively with people in the unit and then through the discharge process back into the community.

**MS CHIVERS**: Other than the daytime sessions on 12 December 2017, what means were available to the general community to provide feedback on the review of the ACT Health Aboriginal and Torres Strait Islander liaison service model of care, and how were these promoted?

**Mr Bone**: I think we should take that on notice. I am not familiar with the feedback mechanism from that process.

**MS CHIVERS**: How does ACT Health ensure that the community is represented on selection panels for ACT Health jobs, especially those that impact on Aboriginal and Torres Strait Islander people?

**Ms Feely**: If we were recruiting to an Aboriginal and Torres Strait Islander designated job we would definitely make sure we had the appropriate people on the panel from the Aboriginal and Torres Strait Islander community. As to more generally, it would depend on the nature of the role and availability. I am not saying to you we would have a member of the community on every interview panel, but if it were right we would make sure that that was part of the HR process.

**Mrs Wood**: There are several HR forms in people and culture. For the purposes of today there is the selection report, delegate selection report checklist and contact officer guide, which has information on representation required. It is included in the mechanisms.

**MS CHIVERS**: At the 2017 elected body hearings you indicated that the directorate was exploring opportunities to formalise a link between the ACT public service Muranga Muranga employee network and the ACT Health Aboriginal and Torres Strait Islander health workforce support network. Has this occurred and, if not, what are you doing to finalise this?

**Ms Feely**: I think we are getting caught without a HR person. May we take that on notice?

**MS CHIVERS**: Yes. In your response to last hearing’s generic questions you indicated that the recruitment of many new senior executives had resulted in low levels of completion of your Aboriginal and Torres Strait Islander cultural awareness training for executives. Have all of your senior executives now completed this training and, if not, what are you doing to ensure that they do? Is there a time frame?

**Ms Murkin**: Again, we might need to take that question on notice. We are clear about the corporate induction number but I have not got any statistics here to tell you whether all our current executive cohort have been through that. As I said, the e‑learning package—85 per cent of our staff today have completed that component of training. And we are in the process of developing, as I mentioned earlier, some face‑to-face training.

**MS CHIVERS**: Can you specifically outline what services for Aboriginal and Torres Strait Islander people are supported through ACT Health service funding agreements with Winnunga and Gugan?

**Ms Feely**: Are you asking for the amount of money for the contracts, or the—

**THE CHAIR**: Just the services that you are contracting.

**Mr Richter**: At the Gugan Gulwan Youth Aboriginal Corporation we provide funding to deliver the street beat youth outreach services. I will just list them if you want more information.

**THE CHAIR**: That is probably easier, yes.

**Mr Richter**: They are an alcohol, tobacco and other drugs harm reduction service; a healthy lifestyles and chronic disease prevention program; and an early intervention for mental health and wellbeing service. These services are scoped around the needs that we see with Aboriginal and Torres Strait Islander youth in particular. These are the top four focus areas.

At Winnunga we provide funding through a service funding agreement for a range of primary health services. Primary health services are the first access point services with GPs and other allied health. We have a midwifery access service; a hearing health program; a dental health program; a correctional outreach service; mental health and wellbeing programs; an alcohol, tobacco and other drug harm reduction program, which is a whole program in itself where they provide, under our funding, information and education, support and case management; and a tackle smoking program.

**MS CHIVERS**: What services funded through mainstream providers are specifically for Aboriginal and Torres Strait Islander people?

**Mr Richter**: When we contract we ask in the mandatory criteria how respondents will engage with Aboriginal and Torres Strait Islander people. It is listed in the contracts as Aboriginal and Torres Strait Islander people being a target cohort to provide services to. That is in most contracts. But we try to get the organisations themselves to reflect how they are going to provide culturally competent care and how they are going to provide access pathways. We also promote the employment and training of Aboriginal and Torres Strait Islander people where we can with our contracts. We do not write that specifically in but we do ask them to demonstrate best endeavours towards those goals. That is a criteria weighting of five per cent when we tender.

**THE CHAIR**: If you are doing that for your general contracts, that is commendable. I think that that is a good thing to do regardless of what the program is. But are there any programs like the ones that you have funded for Gugan and Winnunga that are only for Aboriginal and Torres Strait Islander outcomes that you fund non-Aboriginal organisations to deliver?

**Mr Richter**: No.

**THE CHAIR**: That is what the question was about.

**MS CHIVERS**: How is ACT Health contributing to the development of the Aboriginal and Torres Strait Islander component of the regional mental health and suicide prevention plan?

**Ms Shuhyta**: I acknowledge the privilege statement. ACT Health is working closely with the Capital Health Network on the entire regional mental health and suicide prevention plan. It looks at primary mental health reform and also the secondary and tertiary mental health services run through ACT Health, and it looks at the continuum of care across community agencies as well. It follows the priorities that are set in the fifth national mental health and suicide prevention plan. It has not fully been developed yet but it is well underway. We are in quite a good position, as a jurisdiction, in comparison to other jurisdictions nationally. We have made good headway in the regional mental health and suicide prevention planning for the ACT with Capital Health Network. In the interim, until that is fully developed, ACT Health have particular implementation actions against the fifth national mental health and suicide prevention plan, particularly for priority four, which is for improving mental health of Aboriginal and Torres Strait Islander people. I have a few local strategies that—

**MS CHIVERS**: In relation to the current plan, have you done any analysis or evaluation that might feed into the development of the new plan?

**Ms Shuhyta**: There is ongoing analysis and evaluation. The evaluation to date has been an in-depth needs analysis that Capital Health Network led, with significant ACT Health contribution towards that. They engaged the ANU Centre for Mental Health Research, which did quite an in-depth, evidence-based mapping and atlas of the services and the population needs of ACT Health. That is due for briefings to ACT Health and the minister and for public release soon after—I am told very shortly. The analysis has also taken into account the population projections in the national mental health service planning framework that was developed by the University of Queensland. The National Mental Health Commission is advocating for that to be rolled out to inform regional mental health and suicide prevention plans.

**MS CHIVERS**: Based on all of that work, do you think that the current actions are the appropriate ones, or are you looking to change those for the next plan?

**Ms Shuhyta**: I think the development of the plan has not established the final actions and recommendations for the territory.

**MS CHIVERS**: But there have been discussions around that. I am actually on the working group, so I know there have been discussions. How are you feeding into that, given that capital health are already looking at doing that?

**Ms Shuhyta**: I represent ACT Health on the strategic reform group. We have people from my colleague Katrina Bracher’s service delivery area also on that strategic steering group, and we both have representatives on the working group. So we are highly involved in that space to develop an integrated and coordinated approach to planning for suicide prevention and mental health. I would hope that that integrated approach comes out in the final recommendations and actions with that plan.

**MS CHIVERS**: But would you not be looking at some of that now? You obviously do not want to be in the situation, as the chair raised around the healing farm, where you have known something for six months and you have not fed it into the process. You do not want to be told, “We’re now finalising the plan,” and not be a position to say, “We know that there are things that have to be changed”—not having the opportunity to do it. Would some of that work not have already commenced?

**Ms Shuhyta**: Sorry, I may have misinterpreted your question before. What we are doing in the interim until the finalisation of that plan is that we have some targeted actions under our local implementation of the fifth national plan. They address the issues that we know exist, and we do not need to wait for an outcome of a formalised regional mental health plan to start work on them now.

ACT Health has led the establishment of a working group that specifically looks at improving the mental health of Aboriginals and Torres Strait Islanders in Canberra. We have a few actions that have come out of that working group to do with embedding a cultural responsiveness framework that has been developed by mental health, justice health and drug and alcohol services. It looks at increasing the access to Aboriginal health professionals at different points of the clinical pathway. It looks at the importance of the interface with Winnunga and Gugan Gulwan for the mental health consumer journey. It looks at further implementing trauma-informed and recovery-oriented care as part of service principles to do with ACT Health provided mental health services and also for the community-managed mental health services that we contract. And it looks at engaging the broader sector in terms of implementing a suicide prevention framework. We are engaging the Black Dog Institute life span framework. That will look at cross‑government and cross-agency work to provide a systems approach to suicide prevention. That work is already starting to happen.

**MS CHIVERS**: Thank you for that response. Are you seeing an increase in admissions to the mental health unit of Aboriginal and Torres Strait Islander people? If so, how are you ensuring that those services are being delivered in a culturally appropriate way?

**Ms Shuhyta**: The ACT has a similar rate to the national rate of hospitalisation for mental health conditions. It is twice the rate for Aboriginal and Torres Strait Islander people as opposed to non-Indigenous Australians. The data says that we have 1.9 times the rate of mental health hospitalisations for Aboriginal and Torres Strait Islander people than for non-Indigenous Australians. Whether that is an increase over the years, I do not have the information in front of me. I will check.

**Ms Bracher**: I can speak to Dhulwa, which is our other inpatient unit; two of the nine current patients are Aboriginal men. That has been consistent since we opened. That was about 15 months ago, so we do not have a long history in that space. That is Dhulwa. I do not have a sense, either, of a shift year on year for the adult mental health unit at the Canberra Hospital.

**THE CHAIR**: But someone will be able to get that for us?

**Ms Bracher**: Yes, I think we can do that on notice.

**Ms Shuhyta**: I would be able to find that increase for you.

**MS CHIVERS**: Fantastic. The second part of that was around ensuring that those services are being delivered in a culturally appropriate way.

**Ms Bracher**: To go back to the withdrawal unit, since December last year there have been four Aboriginal and Torres Strait Islander admissions to that unit. We do have very small numbers in there. It is a small unit with small proportions of people. That is the other inpatient unit that is managed through the service.

**THE CHAIR**: Are we still talking about mental health?

**Ms Bracher**: No, that is the withdrawal unit. That goes back to the question—

**THE CHAIR**: That is what you thought before were two beds in the facility?

**Ms Bracher**: Yes.

**Ms Feely**: Well, apparently not—

**Ms Bracher**: At certain points there are more.

**THE CHAIR**: Just to clarify, is that four people for a five-night stay each?

**Ms Bracher**: Yes. And sometimes, if there is no immediate rehab bed to go to, our length of stay increases.

**THE CHAIR**: What time period was that?

**Ms Bracher**: That was from December 2017 till February.

**THE CHAIR**: About three months.

**Ms Bracher**: That is about two of 10, taking into account the 65 per cent bed occupancy rate.

**MS CHIVERS**: We have asked this question of several directorates: is your directorate considering models to assist ACT Policing to offer Aboriginal and Torres Strait Islander offenders access to diversionary options? If so, what are they?

**THE CHAIR**: What we are getting at is that the police have been doing some consultations. We have been pressuring them about the diversion rate for Aboriginal and Torres Strait Islander people through police. One of the things that has been raised with us is: where do we divert them to? We are asking the directorates, in your sphere of influence, what that looks like.

**Ms Bracher**: Clinically, my service does work with police on a number of diversion programs. There is a court drug and alcohol assessment program, where we assess people for suitability and make recommendations to the courts for diversion into therapeutic programs as opposed to the criminal justice system. There is a lot of work underway across government with the current government initiative on the alcohol and drug court. So that piece of work is in progress.

**THE CHAIR**: It is great to have a court that understands the issue, but in understanding it, you might need different places to send people post that. That is what we are getting at. We are getting smarter and better at understanding what is happening for these people, but do we have a place for the next step?

**Ms Bracher**: There is some strategic work in terms of the model for the alcohol and drug court.

**THE CHAIR**: That is included in that?

**Ms Bracher**: Yes, that is included in that. There will obviously be a lead time with regard to that. Certainly, the model of care for the alcohol and drug court, which is cross-government, does fully acknowledge the impact of diverting people out of the criminal justice system and having sufficient and appropriate—

**THE CHAIR**: And where it is appropriate to do it?

**Ms Bracher**: Yes.

**MS CHIVERS**: The next question that I have is: how many Aboriginal and Torres Strait Islander detainees are currently on methadone?

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

**MS CHIVERS**: The next couple of questions are also in relation to methadone. What is the percentage of Aboriginal and Torres Strait Islander detainees currently on methadone compared to the non-Indigenous detainee population of the AMC?

**Ms Bracher**: We will have to calculate that and bring that back to you.

**MS CHIVERS**: Are detainees who are not illicit drug users prior to coming in to AMC being offered methadone? If so, can you explain why that is happening?

**Ms Bracher**: Our medical staff at the AMC advise me that they prescribe for illicit drug use—opiate dependence. There are some people who have an opiate dependence that is around non-illicit opioids, so they will prescribe methadone as an alternative maintenance program for that dependence. Sometimes that is around people having significant chronic pain and who have been on opiate in community. That is not only in the prison; in our alcohol and drug service, at building 7 at the Canberra Hospital, the pain service refers a number of people to our addiction specialists for alternative pain therapies, which can include methadone as an alternative.

**MS CHIVERS**: What is the measure of success for the methadone program at the AMC?

**Ms Bracher**: Methadone opiate replacement therapy is a harm minimisation strategy, so it depends on what your definition of “success” is. We know nationally that people on a methadone program are less likely to die from overdose. We know of people in prison who, when on a methadone program, are safer with regard to overdose and illicit drug use.

**THE CHAIR**: Coming from a level of ignorance, it is not necessarily right to say that a measure of success for a methadone program is people exiting it?

**Ms Bracher**: That is very clearly right.

**THE CHAIR**: That is my misunderstanding.

**Ms Bracher**: That is why it is called a maintenance program. You could compare it to a person with diabetes being maintained on insulin. Obviously, biochemically it is not the same but it is a similar principle. Sometimes people can reduce their dose of methadone to the point where, over a very long lead time, they can be opiate free, but that is not the goal.

**THE CHAIR**: There are other things happening—

**Ms Bracher**: It is certainly not the goal. It is to keep people safe from injecting illicit drugs. It is to keep people safe from the blood-borne virus risks associated with that and the other illicit activities that go along with drug-seeking behaviour if it is not readily available.

**MS CHIVERS**: Are you aware of the impact that methadone has on detainees when they are released into the community?

**Ms Bracher**: Our intention when people are released, and our discharge planning, release planning with corrections, for people who are on the methadone program, is that they continue in community, and they continue dosing either in collaboration with Winnunga Aboriginal health service or at our building 7. We have been asked previously about the proportion of people who are on methadone in the prison who, when they leave prison, continue for more than three months with the methadone program in community. It is very hard for us to actually capture that data because people then go to see their GP, they fail to attend or they might go interstate. Monitoring people in the community really poses a challenge for us, to be able to answer that question with data. We do cross-referrals to community GPs, to building 7, to Winnunga, for anybody who is on the methadone program in the prison.

**THE CHAIR**: That is the last of our formal questions. I thank you for your patience; we are slightly over time already. I need to check with other members whether they have any further questions.

**MR MONAGHAN**: Yes, I have a question. In relation to those four people who were in detox, how successful were they in getting into rehab from that detox?

**Ms Bracher**: I would have to take that on notice. Our model of care is that people are admitted to detox when they have a very clear, already established pathway into a rehabilitation unit. We actually do not start the medicated detoxification in our inpatient unit unless they have a discharge destination. I could say that our intention was for all four of them to have rehab, but I would need to check specifically whether that is the case.

**THE CHAIR**: It is not involuntary, is it?

**Ms Bracher**: No, it is a consent-based, voluntary admission.

**MR MONAGHAN**: Just on that point, are the rehabs ACT based or interstate?

**Ms Bracher**: We use some interstate-based rehab centres.

**MR MONAGHAN**: Basically, are a lot of our people going interstate?

**Ms Bracher**: That is done in conversation with the individual. We do not send a person interstate if they do not want to go there. But they might have family; there is a rehabilitation unit in south-western New South Wales, and some people have family around there, and that is what their choice is.

**MR MONAGHAN**: Over the years, it has been pretty well documented that a lot of our people are leaving those programs. There is no real sustainability there with them being in those rehabs because you are taking them away from their families and their support and basically setting them up to fail.

**MR WALKER**: Member Chivers asked about the position in the CAT team. That question came from us last year and the year before that, from a community member. Are you able to gather data and measure the contact with Aboriginal and Torres Strait Islander people so that, based on evidence, we will know that a position within the CAT team is needed?

**Ms Bracher**: The short answer is yes. If we do not already capture whether somebody identifies as an Aboriginal and Torres Strait Islander person when the crisis team is in contact, I am sure from here forward we can.

**THE CHAIR**: How many members of the CAT team are Aboriginal and Torres Strait Islander?

**Ms Bracher**: I would have to take that on notice.

**THE CHAIR**: Granted that there is a particular skill set for that and that might not be readily available, it would still be possible to ask at least for a couple of those positions to be given over to work experience for Aboriginal and Torres Strait Islander people, as an interim solution. Can we see if that has been the case?

**Ms Bracher**: Yes.

**MR WALKER**: Can you explain the interim governance that is guiding the advice from the Aboriginal and Torres Strait Islander community for the Ngunnawal Bush Healing Farm, in light of the steering committee not being convened? A follow-up question from Member Chivers was: were the former members advised about it not functioning? As you know, I am a former member of the advisory body. I was not informed that I was no longer needed on that body. Can you explain what the governance is now regarding advice from the community?

**Mr Kickett**: My understanding is that there was a workshop planned for the end of last year to deal with a few issues around the program. It was organised. It was planned for all the board members. Unfortunately, the meeting was postponed due to issues around members not wanting to attend the workshop. From that point on there was a decision made to say that the steering committee was—I think the word used was “disbanded”. But no official notification had gone out to any member about that.

**MR WALKER**: The rumour mill was that advice from one person to the Health Directorate was to disengage that committee.

**THE CHAIR**: The question is: does the committee still exist?

**MR WALKER**: It is a formally constructed group of people and there was no official ceasing of those duties. Nobody has been notified. In actual fact, the committee still exists as it was formed. As I said the rumour around the community is that you are receiving advice from one person.

**Mr Richter**: You are exactly right about the communication with the community. As it stands, I am a member of it as well. It has not been formally disbanded. That was a recommendation; that is for sure. What we are trying to do at the moment, led by Ollie and my team, is to provide some advice to the current committee on what the governance arrangements should look like going forward. Should we have a skill-based governance board that sits there? It is about coming up with some governance options, to help to establish a long-term governance framework going forward.

**THE CHAIR**: Is that to say that in the past three months there has not been one piece of communication to that group?

**Mr Richter**: I think there has been communication with certain members of that group but not the group as a whole, which, I acknowledge, is a failing.

**THE CHAIR**: Nicole, in wrapping up, is there anything that you wanted to say?

**Ms Feely**: No, thank you.

**THE CHAIR**: There are obviously a few areas where there is still some progress to be made. In your opening remarks you admitted that. What is encouraging, those things notwithstanding, is that we need to find a way forward, because all of the services and programs that we have talked about are important, and no doubt they are important to you, as the providers of health to our community. We particularly have a huge priority for youth. With respect to some of the programs that you talked about that are being delivered, it seems that if they are Aboriginal and Torres Strait Islander-specific, they are going through an Aboriginal and Torres Strait Islander organisation. You stand alone in that respect having regard to the last two days of hearings, if that is the case that you are presenting. It is good to see their expertise in delivering that being recognised by this directorate.

Having recently sat on the panel in relation to the clinical director’s role for the centre for Aboriginal and Torres Strait Islander health, I am very encouraged about that, and by the way it is being established in partnership with and not in competition with our own community provider. It is a whole-of-sector thing. I think it is starting on the right foot; it has the right focus and it will help with some of the other barriers that get in the way at the service delivery end. It creates options and opportunities for our community to have a choice in where they seek their health provision, which is vitally important.

**Ms Feely**: Chair, I think the key word there is “partnership”. From the ACT Health perspective, we need to get our act into gear and make sure that we can stand side by side in the appropriate manner. But we cannot do this by ourselves; it must be in partnership.

**THE CHAIR**: That is exactly right. I agree with that. There are things that, from a community perspective, need to align with that as well. I look forward to the opportunity, through our representative or more broadly, for us to be involved in that modelling and the framework that you talked about, and to look at not only what the people accessing the service look like but also who we are missing with some of those service provisions. I am glad to hear that that work is happening. I note also not just the evidence provided today but some of the responses and work that you have done, particularly in response to the Moss review, with Winnunga out at the AMC and some other activities you have done more broadly. Those have been very positive steps. There are hard lessons for us to learn, but it is worse if we do nothing with them. So I want to congratulate you on that.

Thank you, officers and director-general, for your time today and for the preparation in order to be with us.

## Hearing adjourned at 4.31 pm.