

**Division 36: Communities—Services 10 and 11, Disability Services, \$431 407 000 —**

Ms S.E. Winton, Chair.

Mr R.R. Whitby, Parliamentary Secretary representing the Minister for Disability Services.

Ms M. Andrews, Director General.

Mrs R. Green, Deputy Director General, Community Services.

Ms M. Hailes-MacDonald, Assistant Director General.

Mr N. Wijayadasa, Chief Finance Officer.

Mr M. Richardson, Director, Management Accounting and Financial Analysis.

Mrs L. Holding, Chief of Staff, Minister for Disability Services.

[Witnesses introduced.]

**The CHAIR:** This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available tomorrow. The Chair will ensure that as many questions as possible are asked and that both questions and answers are short and to the point. If an adviser needs to answer from the lectern, will they please state their name prior to their answer. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. Members should give these details in preface to their question. If a division or service is the responsibility of more than one minister, a minister shall only be examined in relation to their portfolio responsibilities.

The minister may agree to provide supplementary information to the committee, and I ask the minister to clearly indicate what supplementary information will be provided. I will then allocate a reference number. Supplementary information should be provided to the principal clerk by Friday, 30 October 2020. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge that through the online questions system.

Member for Carine.

**Mr A. KRSTICEVIC:** I refer to the nineteenth bullet point under significant issues impacting the agency on page 521. It refers to a functional review of the department. I want to get an understanding of whether that review has been completed.

**Mr R.R. WHITBY:** The department has a number of agencies and responsibilities. That is not directly connected to the matters before us today. The review is underway, but if we could stick to issues under this division, that will be helpful.

**Mr A. KRSTICEVIC:** Is the parliamentary secretary saying that there is no review currently going on for disability services?

**Mr R.R. WHITBY:** There is a functional review of disability services going on, but that is with cabinet and there is a cabinet-in-confidence situation with that at the moment.

**Mr A. KRSTICEVIC:** Is the parliamentary secretary saying that the review has not started yet; or that the review has finished and the report is with cabinet? What decision point is it at? I am not asking for the details.

**Mr R.R. WHITBY:** I can give the member some elementary information. There is a phase 1 involvement assessment of the disability services and functions that were to be provided and funded by Communities in 2019–20. Further, the future role of the state government and Communities in administering disability services was considered, given the transition of a lot of services to the National Disability Insurance Scheme. Further, there was the development of a submission to the Expenditure Review Committee outlining recommendations for services based on the findings of the independent expert report and the state government's response. The submission was considered earlier this year by the ERC, and the outcome of that is still very much pending before cabinet.

**Mr A. KRSTICEVIC:** Will the outcome of the review be made public at some time in the future? Is that the intention?

[2.50 pm]

**Mr R.R. WHITBY:** It is still before cabinet so I cannot sit here and give the member a date. It will depend on cabinet's progress on this matter and when the minister decides that it is timely to make an announcement. I am sorry, but I would only be guessing or taking shots in the dark on that.

**Mr A. KRSTICEVIC:** Can the parliamentary secretary tell me who was consulted as part of the review process?

**Mr R.R. WHITBY:** Again, I have to reiterate that cabinet in confidence applies here. It is before the cabinet, and I think we have to respect that process.

**Mr A. KRSTICEVIC:** Is the parliamentary secretary saying it is cabinet in confidence to know which members of the disability services community sector were spoken to prior to the review being put together and the outcomes of the review being written and given to cabinet? Can we not even know who the government spoke to?

**Mr R.R. WHITBY:** The process is that things go before cabinet and issues are put to the community, and there is a lot of transparency around that. We are not at that point in the process at the moment.

**Mr A. KRSTICEVIC:** I do not want to know what has gone to cabinet. I do not care what the report is or what the submission is. All I want to know is who was spoken into the disability services sector before anything was put together as part of this review? I am not asking what they said or what parts of what they said made it into the final document that has gone to cabinet. I am just asking whether the government spoke to anybody and who it spoke to? I do not want to know anything that is cabinet in confidence and I do not want to know anything about the review. I just want to know: did the government consult with people and who did it consult with?

**Mr R.R. WHITBY:** There was consultation, but it is before the cabinet.

**Mr A. KRSTICEVIC:** Is it cabinet in confidence to know who the government spoke to before it wrote the document and before it put anything together? Is that cabinet in confidence information?

**Mr R.R. WHITBY:** The decision to have a functional review came out of the ERC process, which is part of the cabinet process; therefore, this matter is still very much in cabinet. The normal provisions apply.

**Mr A. KRSTICEVIC:** Does that mean that there is some government legislation or restrictions on the people who were consulted? Are they allowed to talk to people in the sector? Are they allowed to talk to other people and say “We were consulted as part of this review” or have they been sworn to secrecy as part of this cabinet process? Are they not allowed to say that they have spoken to government?

**The CHAIR:** Member for Carine, I think your questions are really starting to get repetitive.

**Mr A. KRSTICEVIC:** This is the last question.

**The CHAIR:** I understand where you are trying to go, but I think the parliamentary secretary is giving you the same answer each time, I do not think you are going to get anything different. I am just giving you the heads-up.

**Mr A. KRSTICEVIC:** Have they signed a confidentiality agreement or something to say they are not able to speak to anybody?

**Mr R.R. WHITBY:** Member, we are not in the business of making people swear secrecy agreements. This is a process that has happened many times before. Matters before cabinet are confidential so that there can be a fair and reasonable assessment of policy and legislation. I am sure that this is no different from any other process that occurred in cabinet during the previous government. This government is very much interested in transparency and consultation with stakeholders, and that will always be the case. There will be a point when cabinet makes a decision. Until cabinet makes a decision, there is not a policy to put to stakeholders down the track. There has been some input, but there will be full and thorough consultation in the future at an appropriate time once cabinet has reached a decision.

**Mr A. KRSTICEVIC:** Okay.

**Dr D.J. HONEY:** I refer to the full-time equivalent employees on page 532. I understand that is decreasing because of the NDIS. What roles will be still carried out by the department with the implementation of the NDIS? It looks like a fairly substantial reduction.

**Mr R.R. WHITBY:** What is the member referring to?

**Dr D.J. HONEY:** I am referring to “Supporting People with Disability to Access Services and Participate in Their Community”.

**Mr R.R. WHITBY:** So we are on page 532?

**Dr D.J. HONEY:** Yes.

**Mr R.R. WHITBY:** Which table is it?

**Dr D.J. HONEY:** There is only one table on that page, and it is the full-time equivalents.

**Mr R.R. WHITBY:** Right. That is the employee numbers.

**Dr D.J. HONEY:** Yes.

**Mr R.R. WHITBY:** Is the member talking about the out years or this year? What is the member’s main concern?

**Dr D.J. HONEY:** In 2020–21, the budget target was 162, versus 234 in 2019–20. I am just wondering what those resources are required for, given that a large amount of the work is transferring to the NDIS?

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**Mr R.R. WHITBY:** The state will certainly still have residual responsibilities. We will not walk away from disability services. The vast majority of Western Australians with a disability will not be part of the NDIS. A range of people will still need to seek services, and the state is very keen and interested to provide a whole range of services, including advocacy for people with a disability. The member will notice a reduction, which is, as he pointed out, is part of the transition process to the NDIS. However, it is also the case that we are not going to walk away from the sector entirely. Not everyone will be captured by or be part of the NDIS process; therefore, they will still require services and attention from the state.

**Dr D.J. HONEY:** What budget will be devoted to providing services to people who are not covered by the National Disability Insurance Scheme?

**Mr R.R. WHITBY:** There will still be a budget for disability services. If the member looks at page 532 and 533, he will see that there is a budget in the spending table for 2021–22 of \$90 million. Going forward to the next financial year it will be \$80 million. In the subsequent year, it will be another \$80 million. That will be the budget for the residual disability services that the state will still have responsibility for.

**Mr R.S. LOVE:** The member has raised the issue of the transition situation. I wonder whether the parliamentary secretary could outline for the known clients at the moment who the department has access to, how far does the department think the transition is through in terms of the percentage of potential persons; and when does it think the transition of existing clients to the NDIS will be complete?

**Mr R.R. WHITBY:** What would be the total and how far down the track are we?

**Mr R.S. LOVE:** Yes, what percentage are we at now in terms of the transitional process?

[3.00 pm]

**Mr R.R. WHITBY:** This will give the member an idea of how we are progressing. As of January 2020, 7 537 participants had transferred to the NDIS in WA from the WA NDIS, and as at 15 September 2020, 14 357 people with a disability known to the Department of Communities have now transitioned in total to the NDIS. A further 1 500 potentially eligible people have yet to transition.

**Mr R.S. LOVE:** Are there not many left?

**Mr R.R. WHITBY:** No, there are not many. A total of 35 145 participants in WA have an approved NDIS plan, which includes new participants who are funded for the first time.

**Mr R.S. LOVE:** Could you repeat that figure, please?

**Mr R.R. WHITBY:** 35 145 participants in WA have been approved an NDIS plan. That is as of 15 September.

**Mr R.S. LOVE:** That would indicate that there are a considerable number of cases that were not known to the Western Australian sector who have signed on, given that the department thinks there are only 1 500 known cases left and about 22 000 have already signed up. By my guesstimate, 11 000 or 12 000 extra people have come forward for some sort of support, which I am sure is a good outcome. Does the department have any idea of how long a person is typically waiting now if they are, let us say, a young person who is new to the service and needs it? How long do they typically have to wait before they can access NDIS services? Did the government always anticipate providing some sort of transition program? Does the government think that will become unnecessary as time goes by because the great bulk of the approvals will have been done under the other program so the approval system was much quicker?

**Mr R.R. WHITBY:** I think we might have conflated a few figures earlier. I will set the record straight and answer the member's subsequent question. He made a point about new people entering the system who are younger. They will always be provided for; there is no doubt about that. I think I will refer the member to the deputy director for some clarification on those figures, what will happen with new entrants in the future and whether they will go straight into the NDIS or whether there is a transitional period for them as well.

**Ms M. Hailes-MacDonald:** The people who are new to the system have to prove their access and their eligibility. The time frame is set by the National Disability Insurance Agency. The state has no lever over the time between access met, eligibility and the approval of a plan?

**Mr R.S. LOVE:** We are funding the scheme, so I guess we have a fair bit of discussion with the NDIA and a good understanding of how it works. The department must have an idea of what the expectation is for how long NDIA approvals take.

**Mr R.R. WHITBY:** Deputy director.

**Ms M. Hailes-MacDonald:** Figures are provided. I would have to take the actual figure for today on notice. They are for a point in time and they are held by the NDIA. At this stage, I am unable to comment, but we can provide

the member with that information. It is on the National Disability Insurance Scheme's website and they provide all their numbers on there.

**Mr R.R. WHITBY:** Perhaps I can assist as well. The operation of the NDIS is a federal government responsibility so we are not in a position to respond. If the member really wanted to get into the detail of that, it would probably be more appropriate that he approach the NDIA.

**Mr R.S. LOVE:** The point of the question is the need for the state government to continue to have some footprint in the area. The department will have to plan expenditures to provide some sort of level of service to these people while they are waiting. The department must have an expectation of how long that period will be because that will directly affect the operations of the agency. That is why I am asking.

**Mr R.R. WHITBY:** It is also pertinent that the NDIS is quite transformational. It has opened up assistance to people who did not fit into any disability services that were previously there at the state level. That is a good thing because it means that Western Australians can get services that were not there previously. Anyone in need certainly will be catered for and we are very cognisant of providing services to people with disability. There will always be a level of involvement in the disability sector at the state level. However, I think the member should know that it is broadening the spectrum for people who never received anything previously and are now going to get something.

**Mr R.S. LOVE:** I think I pointed out that a considerable number of people appear to have come onto the scheme, so I am aware of that. I wonder what effect that will have on the cost of the state's contribution to the NDIS, given that the known cases were at a certain level of persons, and now there are more. Does that mean that at some point the contributions will have to increase commensurate with the numbers of persons receiving a service through the NDIA?

**Mr R.R. WHITBY:** We are paying less as a state than was forecast because the federal government estimate of what the requirement would be in WA was less than in reality. I am going to pass the member on to Mr Richardson to give him some details on that.

**Mr M. Richardson:** I thank the member for the question. Just to expand on what the parliamentary secretary said, during the first phase of transition, the way the payment relation worked with the NDIS was that the state government paid on the number of people who were supposed to join the scheme. It is probably also worth clarifying at the start that although we classify those people who were not getting a service from the former disability services commission as new, it is not as though there was not an expectation or a forecast. In many cases they were receiving support from other government agencies such as the Department of Health—medical equipment or some assistive aids—so those numbers were factored in. Even though they are technically called “new”, they were not unknown, or not receiving any service. For the last three years, as I said, we have been paying on the actual number, because of delays incurred by the National Disability Insurance Agency in bringing people on board with the scheme. We were paying less than we had budgeted because they had fewer people in their scheme than we thought they would. On the contrary side, we paid more on our state ledger to maintain services to people before they transitioned. When we reach the end on the transition period, there will be a chance to negotiate a new agreement with the commonwealth and that would be the one we would work out how much would be paid for each year in an ongoing way.

**Mr R.S. LOVE:** One of the questions I think I started off the discussion with was when that transition period will come to an end. When will the transition period end?

**Mr R.R. WHITBY:** The initial bilateral agreement for the transition period expires in 2023. As Mr Richardson has explained, there will need to be a new bilateral agreement to negotiate a set contribution by the state.

**Mr R.S. LOVE:** Thank you.

[3.10 pm]

**Ms C.M. ROWE:** My question relates to the fifteenth dot point on page 521. It refers to the \$23 million investment that the state government has made into the sector transition fund. I seek clarification from the parliamentary secretary on the status of that funding program.

**Mr R.R. WHITBY:** The government has, as the member said, invested \$23 million into the sector transition fund. I think it is very important to know that the sector needs support as we transition to the NDIS. The NDIS has dramatically broadened the scope of the disability sector in Western Australia. The member has heard me say before that a lot more services are being provided than existed previously, so there is that opportunity for local providers to get involved in that as a business and to get those opportunities. We want to ensure that Western Australian companies are very much there. Those services have to be delivered locally and it is important that we get it right. In some parts of the state, such as remote parts of Western Australia, we have a very thin market where there is some difficulty in finding service providers, so we have discussed with the federal government about how much funding can be allocated for those services, which are more expensive to provide in remote parts of Western Australia, compared with inner Sydney, for instance.

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Last month, the Minister for Disability Services announced \$14 million to continue assisting the WA disability services sector to move to the NDIS operating environment. In the 2020–21 financial year, \$14 million was invested, with a further \$9 million in 2021–22, totalling that \$23 million figure. It is designed to safeguard the sustainability of the Western Australian disability sector and the success of the national disability service scheme in WA because we need providers to provide those services as part of the packages that everyone who is eligible receives. We have had some positive feedback from the sector about the government's support, which is good to hear. Over the past few weeks there have been a number of sector consultation forums, so we are getting out there to let providers know how they can benefit from this funding, and also to determine priority areas for this funding round. Prior consultation with the sector has identified a number of key focus areas to ensure sustainable growth of the market while promoting choice and control for people with disability, their family and their carers. The outcomes of the recent forums will help direct funding as we continue to look at the successful transition. I know that in my own electorate there is a service provider called Maxima, which has just started. It is very keen to engage with people with disability in the local area around Rockingham and Baldivis and down to Mandurah.

**Ms C.M. ROWE:** I think I have one in my electorate as well.

**Mr R.R. WHITBY:** Yes, I think it is a national organisation, but it is certainly operating locally. It is an employer itself. Whether it is in Baldivis or Belmont, it is good to see another local business. It is important to get the message out there, because quite often people with a disability do not realise that this service is available to them and that it is not a service that is charged to the client. It is able to help find employment.

This scheme is about providing the range of jobs that we can find in the disability sector. Obviously, there are a lot of roles for carers and many others that provide services. It is an area of growth and one that we should embrace because we want to have a broader job market in Western Australia. We want diversity of jobs, and it is important to provide a real quality of life for people who live with disability. I think the \$23 million over the two financial years is very well spent and will be returned to the state in terms of having successful service provider businesses flourishing in Western Australia.

**Dr D.J. HONEY:** In relation to that, one of the criticisms that has been made to me by people is that people with very high needs are happier with the NDIS service, but people who have very moderate needs are not. I have been given the example of a pensioner or retiree who lives home and has someone help them with their garden. Under the old home and community care scheme a local person would assist. It was very low cost—they paid \$12—and the person would come in and do the gardening and get paid. Now, if someone lives in a regional town such as Harvey, all of a sudden that service has to be delivered from Bunbury. It is more difficult to obtain and it has been put to me that under this scheme it is far worse than it was for people with low needs for assistance to help them live at home. Has the government looked at that; and is it dealing with it? I understand that it is still an ongoing issue.

**Mr R.R. WHITBY:** I am not sure that it is something that has been impacted at all by the NDIS. The HACC scheme is administered under the Department of Health, and, as I understand it, still continues. It is a program for people over 65 to receive additional support at home. It does not really fit in with the disability sector in terms of what previously would have been covered by disability services or what would be covered by the NDIS. It is a very worthwhile scheme, but it is something that, as an item in the budget, is in the health department's area of responsibility.

**Dr D.J. HONEY:** I am always happy to be educated, but my understanding is that people who were receiving that support were directed to the NDIS to obtain support for services and, in fact, went through an extensive application period and the previous service was taken away.

**Mr R.R. WHITBY:** It depends on what age group the member is talking about. If someone is over 65 years, they are part of the aged-care system. Those people would possibly be making use of the HACC system. If someone is under 65, that is where the eligibility goes up.

**Mr A. KRSTICEVIC:** It goes up at 65 years.

**Mr R.R. WHITBY:** It goes up at age 65, for the NDIS.

**Mr A. KRSTICEVIC:** Can the parliamentary secretary tell me whether the department keeps a record of the number of homeless people with disabilities; and how it keeps them engaged in the system with this funding support? Does the department have a special register for them?

**Mr R.R. WHITBY:** It is an interesting question and I am sorry that there is not a simple and straightforward answer. The issue of homelessness obviously sits elsewhere in terms of a different division and another minister's responsibility. Is the member asking whether we can narrow down who is receiving NDIS support and is also homeless?

**Mr A. KRSTICEVIC:** More importantly, who is not on NDIS support but should be, and is homeless; and how does the department get them onto the system?

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**Mr R.R. WHITBY:** The question about who would be receiving NDIS support and is homeless is something that we as a state would not be able to answer because we do not administer the NDIS; that is a federal government responsibility. If someone is in need of NDIS support, they are either eligible or they are not. They have to be in the right age group and meet the other criteria. I do not know that there is any way we could have that number of people who are not eligible and then also fall into the category of homelessness, because, as I say, that is a responsibility for other agencies. The member is asking the wrong estimates session. I am not sure that there is an easy answer, or, indeed, whether the member is asking the question of the right government.

**Mr A. KRSTICEVIC:** What supports does the state government provide to people in this space who have disabilities? If it is all the federal government, why does the state department even exist if it does not actually do anything?

**Mr R.R. WHITBY:** I do not want to be misquoted. Of course we have a responsibility to people with disability and we continue to provide many services. The state government provides services in a range of ways to a range of people with a range of needs.

**Mr A. KRSTICEVIC:** Yes.

**Mr R.R. WHITBY:** If someone has a disability and does not meet the NDIS eligibility criteria so requires assistance at a state level, they will receive that. If they are homeless, they will be seeking support from other agencies of government. I do not have a computer to magically cross-reference everyone and spit out a number for the member, but that is not to say that services are not being provided to people who are in need, given their circumstances.

**Mr A. KRSTICEVIC:** Did the parliamentary secretary indicate that the homeless do not get disability services?

**Ms C.M. ROWE:** I have a point of order, Madam Chair.

**The CHAIR:** Member for Belmont.

**Ms C.M. ROWE:** I think that this line of questioning is related to a different portfolio.

**Mr A. KRSTICEVIC:** It is disability services.

**Ms C.M. ROWE:** Thank you, and there is no specific budget line item that is being referred to any of the member for Carine's questions.

**The CHAIR:** Thank you, member for Belmont. Member for North West Central, member for Carine, I am sorry, the point of order is to me, not to you two; I am in the chair. It is not a point of order, but I would ask the parliamentary secretary to continue with the answer, and I would I tend to agree that it is not in this division.

**Mr A. KRSTICEVIC:** Can I just reframe that?

**The CHAIR:** Sorry, I am just going to give the call from the parliamentary secretary and he can proceed.

**Mr R.R. WHITBY:** I am going to be very lenient with, and understanding towards, my friend from the opposition and give him an opportunity to ask one last question.

**Mr A. KRSTICEVIC:** Parliamentary secretary, can I just clarify what I mean?

**The CHAIR:** No, the member cannot clarify; he can just ask. Sorry; have another crack at it.

**Mr A. KRSTICEVIC:** There are people out there with disabilities who are homeless. They are in the streets and we see them all the time. I want to know how the ones in the system and the ones out of the system are being looked after. If I go to the street now and I see someone with a disability and say, "Are you being supported by the state in this disability area", and they say, "No, and I do not know how to do it", who is helping them engage in the service? I am not criticising the parliamentary secretary; I am just trying to understand. Who is helping those who cannot help themselves to take advantage of the services that the parliamentary secretary is offering and/or take advantage of the commonwealth government services? That is really my point.

**Mr R.R. WHITBY:** That is a fair question.

**The CHAIR:** I think the member has asked a number of times; I think he will get the same response, but let us see how it goes.

**Mr A. KRSTICEVIC:** Nobody. The response is nobody.

**Mr R.R. WHITBY:** Member, for people in that position, the state funds a number of service providers who provide wraparound help and link up people with the services they require. It can be problematic, because, as the member knows, people who are homeless are facing all sorts of challenges, and often disengage. But if they are eligible for NDIS, they are eligible for NDIS; it is as simple as that. If they are eligible for state services, they are eligible for state services. We need to always ensure that people who are in that unfortunate circumstance of being homeless are also going to get their needs met. To say that they simply miss out is just not correct. But that is not to say that it is always easy to connect with these people and have them engage. But, certainly, there are service providers out

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there that are funded by the state that are there to help people through that process. We engage with them often, and the services are there. Do we have a magic wand to connect everyone up automatically and, indeed, encourage people to connect when sometimes they do not even wish to do that? I do not have that and it is a difficult thing. We are dealing with complex matters and with people who often suffer mental health issues. We know how people can be helped, but sometimes it is very difficult; nevertheless, the services are out there, and I think I have been pretty lenient, given that these areas are outside this portfolio. But I think the member also knows the answer. He knows the answer. The services are there. We do as much as we can to connect with people. If the member happens to know someone in need, I am sure we will respond.

**Mr A. KRSTICEVIC:** Or maybe service providers need more funding.

**Mr R.R. WHITBY:** Well —

**The CHAIR:** Thank you, member for Carine.

**Mr A. KRSTICEVIC:** Yes, new question.

**The CHAIR:** I have the member down for a new one. I am looking forward to it.

**Mr A. KRSTICEVIC:** I refer to page 522, paragraph 21. At the top of the page there, reference is made to a new centre of excellence called the Office of Disability. Can the parliamentary secretary tell me what the new structure of this Office of Disability will look like?

**Mr R.R. WHITBY:** Certainly. I have two files and they are often difficult to navigate, so bear with me.

**Mr A. KRSTICEVIC:** While he is at it, to make it easier, how many staff will be employed as well?

**Mr R.R. WHITBY:** Okay. Member, a lot of what we are talking about today is around the transition to the NDIS and how the landscape will look as we get fully embedded with that service and what is left of the state responsibilities. The government has decided that it will establish an Office of Disability to provide a more strategic overview of the disability sector in Western Australia. The office will work to improve services across government. We were just speaking about that, were we not?

This is a way to be strategic and look at how services across government can ensure that people with disability have their voices heard. There is also that advocacy element of making sure that people with a disability have not only their physical needs met, but also their desire to be active members of the community met. We want to promote more inclusion and have a more equitable society in which people with disability exercise their rights the same as any other member of the Western Australian community. We have had some engagement sessions, which looked at how this new role would exist or would be made up. A number of sessions have been held across WA and written submissions have been provided. Communities staff have travelled the length and breadth of the state to look at community input in this, and there have been a couple of thousand individual comments or pieces of data obtained during the consultation process.

The feedback is currently being looked at, but we anticipate the office being established in 2021. I think this is something that might exist in other states, but it will be quite a positive for this state. The office will have a strategic view of what is needed across government for people with disability and it will look at their full needs, including advocacy, and how they are engaged with, and included in, Western Australian society.

[3.30 pm]

**Mr A. KRSTICEVIC:** Am I to gather from that that up to this point none of what the parliamentary secretary just said has been happening and a need has been identified to set up this new structure because the current Department of Communities was not able to achieve any of those objectives?

**Ms C.M. ROWE:** I have a point of order, Madam Chair. Looking at the notes here, the member's question does not relate to any line item, budget line item, again.

**Mr A. KRSTICEVIC:** I am talking about the Office of Disability.

**The CHAIR:** Member for Carine, again, I am the Chair, so I will discuss it with the member for Belmont, if that is okay with you. Member for Belmont, that is not a point of order. I will ask the parliamentary secretary to continue.

**Mr R.R. WHITBY:** The member is always keen to try and score one, are you not?

**Mr A. KRSTICEVIC:** Not at all. I just want to know where we have been failing.

**Mr R.R. WHITBY:** With the greatest of respect, what a puerile question. To suggest that that has not been front and centre of the mind of this government and previous governments is just ridiculous. As I said, we are entering a very different world with the NDIS and it is a better world for people with disability. As generations continue, we get better at things; we improve things. Why not, as we transition into this new world with the NDIS, have a fresh

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look of how that is all going to settle in and embed. To suggest that these things that the office might want to achieve have simply been ignored in the past is a bit silly.

**Mr A. KRSTICEVIC:** That is what the parliamentary secretary said. He said it was going to do all these things.

**Mr R.R. WHITBY:** Yes, I said —

**Mr A. KRSTICEVIC:** I assumed that was all happening already.

**Mr R.R. WHITBY:** Well, to assume that those things did not happen —

**Mr A. KRSTICEVIC:** The parliamentary secretary was saying that it was going to start happening.

**Mr R.R. WHITBY:** — I think it is a bit silly.

**The CHAIR:** Okay, thank you.

**Mr A. KRSTICEVIC:** I have a further question.

**The CHAIR:** Just before you do, I think the member for Cottesloe had a further question.

**Dr D.J. HONEY:** No, I have a question for a new section, Madam Chair.

**Mr A. KRSTICEVIC:** I have one further question.

**The CHAIR:** Thank you. We are looking forward to afternoon tea.

**Mr A. KRSTICEVIC:** The machinery-of-government changes obviously brought the department together and was about breaking down silos. Obviously, by setting up these different centres, the government is now creating silos again. How will the government make sure that the different areas of excellence actually communicate with each other and we are not going back to what we had before?

**Mr R.R. WHITBY:** I am happy for the member to raise the fact that the McGowan government has dramatically cut down the number of government departments in Western Australia. I think we have more than halved it and we have broken down silos.

**Mr A. KRSTICEVIC:** The parliamentary secretary can ask the Auditor General how well that went.

**The CHAIR:** Member for Carine.

**Mr R.R. WHITBY:** It has led to efficiencies.

**Mr V.A. CATANIA:** Not in estimates.

**Mr R.R. WHITBY:** In terms of the office, as I have discussed before, we are not building a monolith. It is not an empire; it is an office. The resourcing of this office, is it someone on a laptop?

**Mr A. KRSTICEVIC:** I did ask, actually, how many staff were going to be in there.

**Mr R.R. WHITBY:** Okay.

**The CHAIR:** Member for Carine—sorry, parliamentary secretary, next time I will call you. We are just starting to get a bit sloppy. Let us be polite.

**Mr A. KRSTICEVIC:** I am just asking questions.

**The CHAIR:** Member for Carine, you can ask all the questions you like, through me.

**Mr R.R. WHITBY:** Member, the office is certainly not going to be a monolith or an empire. It will sit within the agency itself. But I would like to call on, if I can, the director general to elaborate on how the machinery-of-government reform has had positive outcomes so that the member can be disavowed of any fear of ever returning to what existed under our previous government.

**Ms M. Andrews:** It relates to a really important and really fundamental principle underpinning some organisational redesign we have been implementing this year. For us, it is a maturing of the Department of Communities that helps deliver on what was the original intention of the machinery-of-government change. Some of the member's questions around homelessness and disability speaks to that. In the organisational redesign we are implementing this year on the frontline of our services that we deliver, and in fact the broader frontline, the organisations we commission, we want to see better integration of those services, which is exactly the example the member was talking about—homelessness and disabilities and so on. Therefore, the power of this department is how we better integrate on that frontline.

But within the department, supporting that frontline, we do need to maintain, and in fact strengthen and mature, those centres of excellence around some of those core functions—child protection being one of those, and disabilities, housing and homelessness. The information provided in the *Budget Statements* was signalling that change, that

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maturing of the Department of Communities, to establish those new centres of excellence. We have been going through really extensive consultation around those centres, what functions should be in them and what they should not be. It is not creating a new thing to sit alongside or to create silos—quite the opposite. We want to drive and facilitate better integration on the frontline, but also to look at other jurisdictions on best practice, to be a place where reviews are undertaken when they are needed when something happens and we want to learn what went wrong. What did we learn from this? How do we want to change the system to make it more effective?

It also needs to be a place that stakeholders—our peak bodies and our people with disabilities—go. It needs to be a place that they can go when they want to talk about their policy system issues and a place that they know is still advocating for their interests. Again, whether it is disabilities, my interests extend beyond that, of course, to homelessness and child protection. One of the important design principles around our department and the maturing of our department is for it to become even more effective than what was intended by the machinery-of-government change.

**Mr A. KRSTICEVIC:** Thank you. Very good answer.

**The CHAIR:** Members, any other questions? Is it a further question?

**Dr D.J. HONEY:** No, Chair, a new question.

**The CHAIR:** Are there many more to come, or we might go for a tea break now?

**Dr D.J. HONEY:** No, this is my last question.

**The CHAIR:** Sorry, member for Carine?

**Mr A. KRSTICEVIC:** Yes, I have more questions.

**The CHAIR:** I am going to suspend for five minutes or so to have a cup of tea.

*Meeting suspended from 3.38 to 3.51 pm*

**The CHAIR:** Thank you. We are still on division 36, and we have a question from the member for Cottesloe.

**Dr D.J. HONEY:** Thank you very much. Parliamentary secretary, I refer to page 537, income from state government, royalties for regions fund. There is a very substantial ramping up to almost \$125 million over the forward estimates. What does that ramp-up reflect? Is that simply a reflection of the progressive take-up of the NDIS in the regional areas or is it for some other reason?

**Mr R.R. WHITBY:** Member, this is about a construction of services in the housing portfolio, so it is not one —

**Dr D.J. HONEY:** It is not within the disability services?

**The CHAIR:** Sorry, do you have further question to that, member? No?

**Dr D.J. HONEY:** No, I do not.

**Mr A. KRSTICEVIC:** I refer to page 532, parliamentary secretary—fellow music lover.

**Mr R.R. WHITBY:** Yes!

**Mr A. KRSTICEVIC:** I refer to the tenth paragraph, accessing services and participating in the community. This service area is about assisting people with their personal goals and providing them with opportunities. I understand the department released the “People with Disability; Action Plan to Improve WA Public Sector Employment Outcomes 2020–2025”, with an aim to increase the public sector employment of people with disability to five per cent by the end of 2025. Can the parliamentary secretary tell me what actions have been taken to date to meet this plan?

**Mr R.R. WHITBY:** Thank you, member. That is part of the state disability strategy, which is still under development. At the moment, I cannot really give the member details on that because it is still being determined and developed.

**Mr A. KRSTICEVIC:** Does the parliamentary secretary know how many people with disabilities are currently employed in the public sector?

**Mr R.R. WHITBY:** That is a pertinent question, although technically it should be one going to the Public Sector Commissioner. Our understanding is that the rate of employment in the state public sector of people with a disability is currently at 1.9 per cent, and it is one that we recognise is far too low. For the past number of years, the government has been very active in wanting to increase that proportion. We have a target, an aim, an ambition, to get to five per cent of the public sector employing people with a disability by 2025. It is something that is very important to us, and we are lagging behind what would normally be expected.

There are a range of disabilities out there, and there are members of the public sector who may fit into a category of disability who do not identify as having a disability, so it can be a difficult figure to arrive at. Previously, one of the agencies put down people who were wearing glasses as a disability, so we need to refine our assessment of who has a disability, which we are doing. It no longer includes people wearing glasses.

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But we are very keen to get that number up and we are involved at looking at the leaders. Sometimes, not always, people in the commercial sector are doing a lot better than we are. The Crown casino in the member for Belmont's electorate has a project called *CROWNability*. It is very progressive in terms of employing people with a disability. I am sure if the member has been to Crown for a function, he might have seen people who are part of that program. It is very successful, and I have personally had involvement with people behind that at Crown in terms of being inspired by their story. The current rate of employment of 1.9 per cent is far too low and we are very keen to get it, as an initial target, to five per cent by 2025.

**Mr A. KRSTICEVIC:** Parliamentary secretary, back in 2014, it was actually 2.4 per cent, so it has actually gone down quite considerably to 2020. Is the parliamentary secretary planning on making it mandatory for departments to reach that five per cent target by 2025?

**Mr R.R. WHITBY:** Member, I want to clarify what I said earlier. The 1.9 per cent was in relation to Communities, it is not the global public sector figure, so that might account for some of the variation that the member is talking about. But to be more accurate, the member would need to go to the Public Sector Commissioner to seek out what the global figure is for the state public sector.

**Mr A. KRSTICEVIC:** It is 1.5 per cent. That is okay.

**Mr R.R. WHITBY:** But having said that, 1.5 per cent or 1.9 per cent are both too low and we need to get it better. That number has been falling for a number of years, predating the current government, so we are very keen to get it up there.

**Mr V.A. CATANIA:** I had this discussion last night with the Minister for Seniors and Ageing. I asked him questions about whether aged-care facilities did testing for COVID-19 and he was not aware that they did, and I thought: hang on a second; he is the Minister for Seniors and Ageing. You are the Parliamentary Secretary to the Minister for Disability Services. What ways are being looked at to increase the number of people who have disabilities to be in the public sector? I note that yes, the Public Sector Commissioner or the public sector is responsible for it, but, surely, a portfolio holder is the one who drives the goal of five per cent by 2030, so therefore —

**Mr R.R. WHITBY:** It is 2025.

**Mr V.A. CATANIA:** It is 2025. What are the programs or procedures or policies that are being put in place to reach that target, given that that is the parliamentary secretary's portfolio area?

[4.00 pm]

**Mr R.R. WHITBY:** The Premier is responsible for the Department of Premier and Cabinet and the Public Sector Commissioner, so we are talking about a global public sector issue. The actual driving is coming from the Public Sector Commissioner, sitting in the Department of the Premier and Cabinet. But yes, we are certainly very keen to see those numbers get up there. We are very mindful of what we can do with agencies and I am sure there will be advice for various agencies from this agency in terms of how they can do that.

One program that is part of that process is the disability confident recruiter program, which applies to the public sector and private businesses. Last month, the Minister for Disability Services announced that the Department of Communities had joined the Department of Biodiversity, Conservation and Attractions as being recognised as an agency as part of the disability confident recruiter program. That is through the Australian Network of Disability. That achievement will help the department increase the number of people with disability working through the agency.

Communities undertook a disability confident recruiter process to identify and implement improvements, to ensure its practices were accessible to people with disability and to remove barriers so applicants can fully participate in the application and interview process. It is about being able to get people with a disability through the door for an interview. There are all sorts of reasons that someone with a disability might not be able to easily apply for a job. It might be as simple as not being able to type on a keyboard, so there are other ways that those people can apply and get in the door for an interview. WA's largest employer is the state government; it is leading by example so we can give people with a disability the same opportunity as others in the community. But I will defer to the deputy director to elaborate.

I have an update. The Department of Communities is part of the disability confident recruiter program. As I said, the Department of Biodiversity, Conservation and Attractions is also part of it, and the Department of Water and Environmental Regulation is about to join them. Those three agencies of government have stepped through a significant process to ensure that they are able to employ more people with a disability. For the detail of that, I might get the director general, Marion Hailes-MacDonald, to elaborate.

[Mr S.J. Price took the chair.]

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**Ms M. Hailes-MacDonald:** The disability confident recruiter program has and is being promoted through the public sector. The Department of Communities has worked with National Disability Services, which is a peak body, to work with the Public Sector Commission to increase both the awareness of and the need for public sector employment, to develop a range of tools to assist organisations with the recruitment practice, to increase awareness about modifications and grants that are available to support that employment and to inform on the cultural changes needed to recognise the abilities of people with disabilities as they come to be employees. The state disability strategy, which is currently in development, will also have a number of strategies rolled out and promoted through developing the Office of Disability.

**The CHAIR:** Before the member for North West Central continues, member for Carine, are you staying or going?

**Mr A. KRSTICEVIC:** I will stay a little bit longer and then I will sign myself out again, after I have signed myself in.

**Mr V.A. CATANIA:** That is great that the Department of Communities is pushing to try to employ many people who have a disability, but it is quite concerning that the response is that the public sector is pushing for agencies to employ more people with disabilities, yet only three agencies out of the state government have signed up to this way of increasing the number people with disabilities to work for those departments. The parliamentary secretary said there were just three agencies, I think. The member for Carine clearly outlined that there has been a decline over the years in the number of people who are disabled and are employed by government. Clearly, the policies do not seem to be working.

**Ms C.M. ROWE:** Mr Chair, I have a point of order. This is either a very lengthy preamble or is not really a question.

**Mr V.A. CATANIA:** It is actually quite a serious issue that I am trying to get to the bottom of.

**Ms C.M. ROWE:** There is no line item that is being addressed here.

**The CHAIR:** Thank you, member for Belmont. The member for North West Central is about to get to his point.

**Mr V.A. CATANIA:** That may be inexperience, but the member for Belmont will learn it once she is in opposition.

**Ms C.M. ROWE:** Thank you, member, for the gratuitous mansplaining there.

**Mr V.A. CATANIA:** I am concerned that what is in place at the moment is clearly not working because we are not seeing that number increase. I suppose that is the point I am trying to make. How will the parliamentary secretary try to engage the rest of the departments to participate? I do not know how many departments there are, but there are a fair few. If they were to participate, I am sure the government would quickly move towards meeting those targets.

**Mr R.R. WHITBY:** We have to remember that we are at the start of this process, not at the end, so we should not look at what exists now and then make a judgement call on its success or failure. The drive for this is coming through the Public Sector Commissioner, who is sitting with the Premier. They are driving it, so I have no doubt that agencies across government will take this up. We have mentioned the three departments in this portfolio, but that is the start of the process. The member is right; there has been a decline in numbers in recent years. But when we came to government, Minister Dawson made it an issue to pursue, and we are addressing this at a level that has not been seen in the past.

I will defer to the deputy director in a moment, but I want the member to appreciate the fact that we have come to government; we have seen a situation; we have already begun the process of addressing it; and that process is now beginning. The start of the journey will see, I am sure, many other agencies join, and the time to look at whether we have been successful will be in four or five-years' time when we have reached that target of five per cent. I hope we exceed it. If we fall short, we fall short, but I am very confident that it will be a significantly larger number than we have today. The deputy director will elaborate on that and talk about other agencies. I am sure we have not closed the door in terms of letting other agencies being part of that process.

**Ms M. Hailes-MacDonald:** To be a disability confident recruiter, a department has to go through a process of proving various things. Although three organisations or agencies have been awarded disability confident recruiter status, I am aware of a number of agencies that are currently in the process of doing that and we will be seeking to build on that process. At last count, eight organisations were going through the process at the moment but have not yet achieved the award —

**Mr V.A. CATANIA:** Through the Chair, does the deputy director mean departments when she says “organisations”?

**Ms M. Hailes-MacDonald:** When I say “agencies”, yes, I mean departments.

[4.10 pm]

**Mr A. KRSTICEVIC:** I want to clarify, because the parliamentary secretary gave a couple of examples there. One was a global target under the Department of the Premier and Cabinet and then —

**Mr R.R. WHITBY:** No; there is one target for the whole of government.

**Mr A. KRSTICEVIC:** Will the Department of Communities achieve that target of five per cent minimum by 2025?

**Mr R.R. WHITBY:** That is a target that applies across government, member.

**Mr A. KRSTICEVIC:** Will the Department of Communities achieve that target?

**Mr R.R. WHITBY:** The department is committed to that figure as well, but it is a figure across government, and the director general will be able to elaborate more. I will talk about how this government is grappling with and addressing this issue. The member is trying to characterise a situation as if there has been a failure. We have been in government three years. We have arrived at a situation in which the number is very low, and for the first time we have a target. For the first time we have actually sat down, assessed the problem, assessed what needs to be done and are moving to do something about it. We are at the beginning of the process. I will mention the Containers for Change deposit scheme that was introduced at the beginning of this month, which will come up in another division shortly. About 680 jobs have been created through that scheme and 40 per cent of the 680 are people with a disability, are long-term unemployed or are Aboriginal people. Therefore, the commitment of the minister cannot be doubted in this regard. He is absolutely passionate in achieving gains for people with a disability to get them involved in our community.

**Mr V.A. CATANIA:** Is the 40 per cent a breakdown of Aboriginal people —

**Mr R.R. WHITBY:** Let me clarify: 680 jobs have been created under Containers for Change and 40 per cent of those jobs are either people with a disability, the long-term unemployed, or Aboriginal people.

**Mr V.A. CATANIA:** I find putting Aboriginal people in that 40 per cent quite offensive.

**Mr R.R. WHITBY:** I would not be offended if I am trying to assist a group of people who have been historically disadvantaged for many years and who have high rates of unemployment.

**Mr V.A. CATANIA:** What is the breakdown of that 40 per cent, then?

**Mr R.R. WHITBY:** Let us be honest about this. It is a good thing to pursue inclusion and employment for all people. The member is making a cheap shot here. But we know Aboriginal people have had a rough deal and continue to have a rough deal in this country.

**Mr V.A. CATANIA:** What is the breakdown of that 40 per cent, then?

**The CHAIR:** Member for North West Central, you will get the chance to ask your question. Let the parliamentary secretary finish because the member for Carine is the one who asked the question.

**Mr R.R. WHITBY:** Come on; that is a bit of a cheap and silly shot. It is a good thing to provide employment for Aboriginal people, who quite often struggle to be employed because of their circumstances. We know that the rate of Aboriginal unemployment is higher than that for the general population, so if we can redress that, that is a positive and it is part of the positive responses we have seen out of the Containers for Change legislation. It is a great scheme. It is employing people at a time when we need to create employment. It is employing people who have found it difficult to find employment or who have more obstacles to employment than perhaps other people.

**Mr V.A. CATANIA:** I want to get some clarification, since the parliamentary secretary brought it up. What is the breakdown of that 40 per cent? My disappointment is that the parliamentary secretary is categorising Aboriginal people with unemployed people and people with a disability. How about separating that 40 per cent and saying that we have X number of Aboriginal people employed and X number of unemployed people who are taking up these roles and X number of people employed who have a disability? Lumping everyone into the one basket means that that 40 per cent figure means nothing because it could mean that one per cent Aboriginal and one per cent disability are in that 40 per cent. Therefore, can the parliamentary secretary breakdown that 40 per cent for me? I think they need to be separate, rather than being lumped together. That is my point.

**Mr R.R. WHITBY:** Yes. I do not take issue with that. That is a fair point. I can assure the member I am not trying to be tricky by knowing that one of those categories is one per cent and the rest are 38 per cent or whatever. To be honest, I just simply do not have the breakdown, but I would assume it would not be just one per cent of any particular category. I do not think that is reasonable to assume. But this is part of a future division. I am happy to go into this further after we have dealt with this issue.

**Mr A. KRSTICEVIC:** I understand the department is going to release a state disability strategy and I was just wondering when will this strategy be released?

**Mr R.R. WHITBY:** The state disability strategy will be released by the end of the year.

**Mr A. KRSTICEVIC:** By the end of the year—what, 31 December?

**Mr R.R. WHITBY:** By the end of the year.

**Mr A. KRSTICEVIC:** Can the parliamentary secretary tell me, unless it is cabinet-in-confidence, who was actually consulted as part of this strategy?

**Mr R.R. WHITBY:** The government undertook wide consultation on the state disability strategy to create a vision of an inclusive Western Australia over the next 10 years for the people with disability. It involved significant consultation across five stages with input from a range of stakeholders and included workshops with individuals, service providers, businesses and local and state government agencies on the themes of housing, health, rights and justice; transport, support services, employment, education and local community. There was individual consultation with groups of people including Aboriginal communities, people from cultural and linguistically diverse backgrounds, people with specific needs, families and their siblings, the state disability strategy reference group with members from the Ministerial Advisory Council on Disability, and the Disability Services Commission board contributed and provided guidance on the development of the strategy. There is also ongoing input and contributions formally from the Disability Services Commission board and MACD.

**Mr A. KRSTICEVIC:** Is their feedback going to be available for us to access and review?

**Mr R.R. WHITBY:** This is a big consultation process and it will lead to the release of the strategy. I think this is sort of the process for similar types of strategy documents. The member just heard me talk about the consultation and the input; I do not think it could have been wider, and that is not done for no reason, it is done to inform the strategy and to get the best document we can. That will be part of the final strategy.

[4.20 pm]

**Mr A. KRSTICEVIC:** The parliamentary secretary actually has not answered my question about whether or not the feedback will be available. So if we think about other strategies that were put together, whether it was local government and the feedback that came from that, through the sector, through individuals, that was available for us to look at online, available to the broader public and MPs; likewise, with puppy farming, all of that was available online so that people could access the feedback and commentary that people were doing. I am not sure why disability is all of a sudden being discriminated against by not being available for individuals, the public and members of Parliament, to have a look at that feedback. I was just re-emphasising that when we did the local government review, the feedback and the input from the community and the sector was available online for everybody to look at. When we did puppy farming, there were thousands and thousands of submissions. Again, we could see those submissions and we knew what submissions the different stakeholders had submitted. I am just wondering why with the disability strategy the information is being held back in terms of the input from the sector and/or individuals and why that is not being made available as well. The parliamentary secretary has avoided the question.

**Mr R.R. WHITBY:** I think we are dealing with different types of issues.

**Mr A. KRSTICEVIC:** Of course we are. These are very serious issues.

**Mr R.R. WHITBY:** We are dealing with review. This is a strategy document; it is not a public review or an inquiry where that might occur. I do not think a strategy document is the type of document in which we would see individual names and comments mentioned. It is a document to drive a policy and a strategy over 10 years. We are trying to compare apples with pears here.

**Mr A. KRSTICEVIC:** So if nobody can see the commentary and feedback from the sector and from the stakeholders and from people with disabilities, how do we have confidence in knowing that the strategy is reflective of the potentially thousands of comments that have been received?

**Ms C.M. ROWE:** This is just a general statement, Chair.

**The CHAIR:** Parliamentary secretary.

**Mr R.R. WHITBY:** I will take the question again, but this is about a strategy setting out a direction for government for 10 years. Of course the government is going to be mindful of community input. But the document is very deliberate in its intent to be driving policy and strategy, so it is not the same kind of process that may have commentary or input mentioned.

**Mr A. KRSTICEVIC:** Fair enough. The last strategy we saw from the Department of Communities was the homelessness strategy. It had no funding attached to it per se. That required two action plans to then be developed, of which one has been developed which had no funding mentioned in it. So this document is not the beginning of action, it is just the beginning of words in terms of where we are heading? Because obviously the strategy is where we are going, but then we need money attached to the strategy, we need a plan, a process, everything else. How long will it take for this strategy to start being implemented and how much money is going to be attached to this strategy to actually achieve its outcomes?

**Mr R.R. WHITBY:** Having a strategy as a document is better than not having one, okay? We need a long-term plan, vision; we need to know where we want to head over a 10-year period. I might refer the idea of the strategy and how

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it will help guide the government to the assistant director general, if I can, but to suggest that talking about a strategy is about admitting failure and that we are not going anywhere —

**Mr A. KRSTICEVIC:** It is a good starting point.

**Mr R.R. WHITBY:** It is a starting point.

**Mr A. KRSTICEVIC:** But it needs some money attached to it and some action.

**Ms M. Hailes-MacDonald:** The disability strategy is about an inclusive Western Australia so it is about everybody being involved in developing an inclusive Western Australia. Hence, the actions will not all be the remit of the Department of Communities, it is everybody's responsibility, so other departments as well. Throughout the development of a disability strategy has been that it will have action plans associated with it, with the intention that there will be two-year building blocks of action plans to actually reach 10-year outcomes. So it is the intention that the disability strategy, when launched, will have the first action plan associated with it, which will identify across different departments and different commitments how that will be the foundation to build on the outcomes that are expected over the next 10 years.

**Mr A. KRSTICEVIC:** Thank you very much. That is a very good answer.

**The appropriation was recommended.**