



Full Day Hansard Transcript (Legislative Assembly, 11 May 2010, Proof)

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Extract from NSW Legislative Assembly Hansard and Papers Tuesday, 11 May 2010 (Proof).

CARERS (RECOGNITION) BILL 2010 Agreement in Principle

Debate resumed from 21 April 2010.

Mr ANDREW CONSTANCE (Bega) [4.38 p.m.]: I speak on behalf of the Liberal-Nationals on the Carers (Recognition) Bill 2010. I acknowledge Laraine Toms from Carers New South Wales, who is present in the gallery this afternoon. I acknowledge that Laraine has been instrumental in advocating on behalf of carers to both the Labor Government and the Liberal-Nationals Opposition for the passage of such legislation. The bill was introduced by the Government because on 12 March 2010 the Liberal-Nationals introduced their Carers Recognition Bill 2010 and although I recognise that they are two different bills, in essence they achieve exactly the same result.

When I introduced the bill on 12 March I made reference to the difficulties and challenges that carers around the State face.

There is no doubt that we test the heart of our community with the response by Government to community needs and the recognition of carers. For too long in New South Wales both sides of politics could have done better in recognising the enormous contribution that carers make. In this spirit of bipartisanship we will not oppose the legislation introduced by the Government in response to the Liberal-Nationals' bill. I hope that in the same spirit of bipartisanship all members of Parliament will get behind legislation that better supports and recognises the role of carers in New South Wales.

Every day some 750,000 carers across the State provide care, love and support to a vulnerable member of the community. I also note that carers provide support and care not just to loved ones but also to the wider community, and also support to Government. The economic contribution of carers in this State has been recognised by Carers New South Wales as amounting to \$10 billion in unpaid care. It amounts to about \$30.5 billion nationally. This is an enormous contribution and yet as a society we are not giving enough back in return for the care that is being provided.

On 12 March I said that I had hoped the Government would in a bipartisan way support the legislation that we introduced. Unfortunately that was not the case. The Government indicated in recent weeks that it would oppose the bill, but having said that the Government has brought forward its own legislation. In that regard it is very pleasing to see a carers charter in the Government's legislation that sets out a number of key provisions that I will refer to shortly. It also establishes an advisory council to Government, which one would hope would provide direct input into government decision-making and bring about better accountability in the way in which government agencies treat carers in New South Wales. As I indicated earlier, I will seek to amend that advisory council process and strengthen it so that there is direct input from primary carers. In doing so I recognise that the Government has put an advisory council in place similar to that which was contained in the legislation we brought forward on 12 March 2010.

When I introduced the Carers Recognition Bill 2010 in March I made specific references to a number of individual circumstances involving carers in New South Wales. It is important to recognise the enormous challenges that beset carers in their everyday lives. All too often as we went around the State conducting carers forums over the past two months—in my capacity as shadow Minister for Disability Services, and Ageing, and Kevin Humphries in his capacity as shadow Minister for Mental Health, and Aboriginal Affairs—carers everywhere spoke of the challenges they face in trying to enjoy the same quality of life as the majority of people in society. All too often we heard of instances of social isolation and financial hardship, and all too often we heard of the difficulties associated with carers who are ageing. Too often carers have to fight the system of service provision that is designed to assist the vulnerable person they are caring for. All too often we saw and heard about the challenges and frustration people have in dealing with service providers, particularly government service providers. We have plans to improve on that beyond the carers recognition legislation. The bill is a first step. This is an evolutionary process: the legislation can be built on into the future.

We need to make the service system more responsive and more in tune with the mindset of carers around the State. We met one carers group at Gunnedah that had some wonderful ideas and initiatives that they wanted to bring forward, but they were getting no response from Government about how they could improve services for carers in Gunnedah. There has to be a way forward by allowing carers to have input into the decision-making of Government so that rather than have a blanket policy approach around the State we can look at individual communities and get local decision-making back into the process. We have to devolve decision-making back into local communities so that carers can respond to the unique circumstances they might find in their country town or suburban community and be able to better care for the person for whom they have responsibility, and also improve their own quality of life.

We heard from carers in towns such as Dubbo, Maitland, Kiama and Queanbeyan. It was great to be able to work closely with a number of key people on the ground in organising those forums. I again acknowledge the work done by Carers New South Wales to promote consultation on the legislation. Whilst that consultation was designed around the Liberal-Nationals' bill it will ultimately benefit the Government's bill. During the past couple of months since the introduction of the bill the Federal Government has also introduced carers recognition legislation. I hope that out of that process we will see much better outcomes in relation to the financial welfare of carers. All too often we heard of the many financial challenges that carers are facing. I am alarmed at the number of instances of carers being so financially stricken that Government will be required to step in to deal with some of their hardship. In particular we heard of an instance of people's great concern about an increase in electricity prices. I do not want to hear more stories such as those I heard at Bathurst recently where carers are doing it so tough that they are unable to turn on the heating in their homes because of the increase in electricity prices. I flag that because it is vital that both the State and the Commonwealth look closely at the costs of providing care and, importantly, that they look at the impact of some utility price rises on carers.

As I said when introducing the Liberal-Nationals' bill, it is worth noting some figures produced by the Australian Bureau of Statistics. Forty-four per cent of all carers are of workforce age and not in the labour force, compared with 34 per cent of the total population. The gross household weekly income of 41 per cent of all carers is less than \$453, compared with 28 per cent of the general population. It is also important to acknowledge the additional costs associated with caring—everything from medical costs to transport costs. Kevin Humphries and I heard firsthand about those costs.

<24>

Those things impact financially on carers. The average income for carers is more than 25 per cent lower than it is for non-carers, and it is estimated that carers lose earnings in excess of \$4.9 billion a year.

Through the introduction of national and State legislation we will establish better ways to support carers financially in their role. That is against a backdrop in which carers in New South Wales alone are providing more than \$10 billion worth of unpaid care. State and Federal governments must address some of these financial hardship issues. I place on the record the concerns of members of the Liberal-Nationals Coalition relating to ageing carers. Many carers in our community who are aged 70, 80 or 90 are caring for adult children with mental illnesses or disabilities. They are concerned as there is no future security for those for whom they are caring. We must put better structures in place to support ageing carers.

Some ageing carers are happy to continue caring for their loved ones for the next five or 10 years, but they want to know whether they will receive support in the future and whether their loved ones will receive guaranteed support services, for example, State management, guardianship, finances, and the like. The right structures must be put in place to support ageing carers. This legislation will implement an important assessment process. Carers should not reach crisis situations before they receive support for themselves and their loved ones; they must receive adequate responses from the Government.

I refer, next, to disability services. It is inhumane and unacceptable to think that all too often in New South Wales one has to declare one's child homeless in order to get the Government to provide the necessary services. Carers go through an enormously heartbreaking and inhumane process when they make the difficult decision to relinquish to the State responsibility for caring for their loved ones. We must address that issue and tackle it head on when we are making changes to our support system. When dealing with these support systems carers often are frustrated, as they have to go through different people to gain entry to and support from the Government. Carers fight hard over a long period in order to gain such support.

In our travels around the State many carers raised concerns about the lack of supported accommodation for people with disabilities or mental health issues. Carers are worried about the lack of supported accommodation throughout the community. According to the Australian Institute of Health and Welfare, about 8,000 disabled people in this State require supported accommodation. In 2008-09 the Government's register of disabled people in this State revealed that 1,771 people applied for supported accommodation, but only 64 people, or fewer than 4 per cent, were given a place. Carers in particular are worried about what the future holds for them and their loved ones. We must ensure that the right processes are put in place to better support people through the service system.

Over the next 10 months the Liberal-Nationals Coalition will announce some of its proposals in the lead-up to the next State election, which hopefully will assist carers and those for whom they have responsibility and improve their quality of life. This type of legislation will ensure that the health and wellbeing of carers receive greater attention from government. Carers New South Wales provided me with information relating to the Deakin University national survey of carers health and wellbeing. It is important to note the findings of that survey, which showed:

... carers have the lowest levels of wellbeing of any Australian group. More than half reported some level of depression, and one-third were found to be severely or extremely depressed. More than one-third are experiencing severe or extreme stress. Caring does not get any easier with time, and caring compounds the effects of other factors that lead to reduced wellbeing. The survey also found any level of consistent, daily, immediate caring responsibility is sufficient to severely damage wellbeing. Wellbeing decreases the number of hours spent caring increases. The presence of a person in the household who requires care severely compromises the wellbeing of other family members, whether they have primary carer responsibility or not.

That research is incredibly telling. Once an advisory council is in place that issue will require specific attention to detail. I urge the Government to do more in the provision of better support services and, in particular, to address issues of wellbeing and meet the needs of carers. Over a long period Carers New South Wales tried to impress upon the Government a number of key issues relating to social isolation. Carers do not enjoy the same quality of life that we enjoy. Most of us are able to go out on Friday or Saturday nights. There have been a great many marriage breakdowns, high levels of depression, and financial hardship among carers.

I hope that, as a result of this process, we see significant changes that better support, recognise and maximise carers opportunities in this community. We must ensure that carers do not get into crisis situations—an important principle that must be spelt out and acknowledged. This bill was introduced in this House to get us onto a proactive footing in meeting the needs of carers across this State. There are a lot of similarities between the Government's bill and the legislation introduced by the Liberal-Nationals Coalition. One observation that I wish to make relates to the advisory council. As I indicated earlier, I will amend the Government's legislation to ensure that the majority of members on that council are primary carers.

I pointed out earlier that the charter in this bill is pretty much the same as the charter in the legislation introduced by the Liberal-Nationals Coalition. However, a couple of issues are worth noting. When I introduced the Liberal-Nationals bill I said that assessments formed part of the charter. I am glad that the assessment process is referred to in paragraph (d) of the Government's charter. In my introductory speech I said that the assessment process should involve carers establishing guiding principles around the assessment process, and looking closely at how such an assessment process might be managed and worked through. Following the introduction of the bill I received emails from people who expressed concern about the assessment process and about how information might be used throughout that process.

<25>

It is important to have well-established guiding principles particularly for the protection of privacy and to ensure no unintended consequences result from the assessment process. Carers aged in their eighties or nineties often refuse to relinquish responsibility of their loved one to someone else. The benefit of an assessment process is to ensure protection for the vulnerable person and the carer. It also enables voluntary carers to request an assessment of issues with which they are struggling. At this stage it is unknown how the assessment process will work. I ask the Minister in reply to outline what consultation process will take place and how the assessment process will be administered. An assessment process will reduce the crisis cost in this State. It is important to note that the proposed New South Wales Carers Charter recognises the valuable social and economic contribution of carers, that the health and wellbeing of carers should be given due consideration and that their views and needs as well as those of the persons for whom they care must be taken into account in the assessment, planning, delivery and review of services. In my experience,

particularly in the non-government sector, many service providers proactively engage carers. Obviously, this important aspect of the charter will ensure that government agencies do the right thing.

The charter refers to children and young people as carers and acknowledges that they have the same rights as other children and young people. Specific attention must be paid to reducing the number of children and young people in caring roles. It is important to note also that the charter recognises the individual needs of carers within and beyond their caring role. Over a long period the Government has often considered carers as being nothing more than an extension of service provision to vulnerable people. Carers are individuals who want to enjoy the same quality of life as the rest of the community and to maximise their opportunities. It is important to include those aspects in the charter in order to achieve those goals. Schedule 1 to the bill sets out the particulars of the New South Wales Carers Charter, and the Opposition notes the important wording of paragraph (f), which states:

(f) Carers are to be acknowledged and recognised as having their own individual needs within and beyond their caring role. This acknowledgement and recognition is to take into consideration Aboriginal or Torres Strait Islander culture, age, disability, religion, socio-economic status, cultural differences, gender identification and place of residence.

The Opposition will seek to amend the bill relating to the establishment of the Carers Advisory Council and asks for the Government's support in that endeavour. If we achieve that support, the Liberals-Nationals bill and the Government's bill will be almost exactly the same. The Opposition foreshadows that it will move the following amendment:

Page 5, clause 11, lines 5 to 19, omit all words on those lines and insert instead:

1. Carers Advisory Council is to consist of the following members:

(a) the Minister administering this Act;

(b) such other Ministers who in the opinion of the Minister administering this Act are responsible for the provision of key support services to carers;

(c) persons appointed as members by the Minister administering this Act who in the opinion of the Minister have relevant knowledge of and experience in matters relevant to carers;

2. The Minister is to ensure when appointing members to the Carers Advisory Council that the majority of members on the council are persons who the Minister considers are primary carers;

3. Meetings of the Carers Advisory Council are to be co-chaired by the members of the council who are Ministers; and

4. Subject to this section, the Minister may determine the term of office and remuneration of members in the procedure of the Carers Advisory Council, including the procedure for the appointment of deputies of members.

It is important that carers are involved directly. This in no way reflects on peak organisations or academics who might be involved in the advisory process. It is important for primary carers to be involved in consulting Ministers directly about the challenges they may face. It is important that carers from across the State are engaged. We have heard of differing views about caring in communities with different circumstances. For instance, a carer in Gunnedah and a carer in Coogee have different experiences. The advisory process must be consultative and far reaching. For that reason, the Opposition will move the amendment I have foreshadowed and hopes that the Government will support it in the same spirit of bipartisanship with which we approach this legislation.

I acknowledge all carers, Carers New South Wales and the Parliamentary Counsel, who has drafted the two bills—albeit that they are almost the same. This critical legislation has been a long time coming, but it is the first step. Laraine Toms from Carers New South Wales, who is in the public gallery, is shaking her head. I am pleased that the Liberals-Nationals introduced this legislation and the Government then replicated it in its bill. Ultimately, we are here to serve the community holistically. From this process, it is anticipated that the social and economic wellbeing of carers in this State will improve. International experience, particularly in the United Kingdom, has been evolutionary. I trust this legislation will be the first of many to improve the plight of carers in New South Wales. I believe there is not a member in this House, regardless of political persuasion, who has not seen first hand in the communities in which they live and represent the many challenges that carers face. I hope that through this process carers in New South Wales will be treated with the respect and the dignity they deserve.

Dr ANDREW McDONALD (Macquarie Fields—Parliamentary Secretary) [5.08 p.m.]: I am pleased to support the Carers (Recognition) Bill 2010. I am pleased also that the bill has bipartisan support, notwithstanding the Opposition's foreshadowed amendment. This is one of the most important pieces of legislation introduced in this Parliament. Very few pieces of legislation directly involve the lives of 750,000 citizens of this State. In supporting this bill each of us in this Parliament will be committing to recognising that the 750,000 carers in New South Wales make valuable and vital social and economic contributions to the community and to the people for whom they care.

<26>

Carers most commonly are a spouse or another family member who provides assistance and support to a loved one because of their loved one's need for care. That need may be due to disability, such as mental illness, a developmental disability, substance dependency or other chronic conditions and sometimes just general frailty. I have spent much of my life speaking to carers. My wife was the chair of Mater Dei, which is a school for children with developmental disability. Modern paediatrics is the care and treatment of disability. Children with disability survive at a much greater rate now than at any previous time. At one of the meetings of Mater Dei I attended, a speech was made by a professor of developmental disability who said that the systems in which disability care works best are those in which society recognises disability as being everyone's problem.

It is likely that many in this place will be carers at some stage during their lives. One in three people over the age of 85 has dementia, but one in three people over the age of 85 will be a carer for someone who has dementia. Disability is everyone's problem, and that is why this bill is so vital. The need for care of people with a disability varies from time to time and their needs increase with advancing age. Some people who may require care may be fairly independent and require assistance only with managing their finances or with transport. But others may need constant supervision or support with a range of daily living tasks. Last week in my office I saw a person aged 17 who required two full-time carers to manage her behaviour.

The New South Wales Government delivers a broad range of programs and services to recognise and support carers and the contribution they make to our community. The programs and services are detailed in the New South Wales Carers Action Plan, which was released in 2007. Caring has never been more complex. People with disabilities are surviving longer and often need increased support because of changes in technology. The role of carer often requires very sophisticated knowledge of highly technical equipment that is difficult to use. The bill addresses those issues, which is why it is so important for it to be passed.

The Government's introduction of the Carers (Recognition) Bill 2010 is the next step in ensuring that carers have the support and recognition they require to enable them to continue with their caring role. The bill recognises and supports the valuable social and economic contribution that carers make to the community and to the person for whom they care. It will raise awareness of the role that carers play in our community, ensure that the interests of carers are protected in relation to their caring role and as individuals, and guide government agencies on issues to be taken into consideration in ensuring that the interests of carers are respected when decisions are made and policies are formulated that will affect carers.

The bill's objectives will be achieved through the introduction of a New South Wales Carers Charter and the establishment of the Carers Advisory Council. The New South Wales Carers Charter sets out 13 principles with which human services agencies will be expected to comply. These important principles include recognition of the role and contribution of carers; taking into consideration carers' health and wellbeing; referring carers to appropriate services; taking into account in the planning and delivery of services the views and needs of carers, together with the views, needs and best interests of the person being cared for; and recognition of the additional burden that certain carers face, including young persons and carers in rural and remote areas. The charter referred to in the bill will be a strong and comprehensive instrument that will increase awareness of the role that carers play in the community. It will guide government agencies in the delivery of services and support to carers.

The charter is particularly strong in relation to children and young people who are carers. The charter acknowledges that children and young people who are carers have the same rights as other children and young people. Carers who are children and young people are a hidden category of carers and, importantly, the charter recognises their rights. The charter also states that these carers should be supported in overcoming the additional difficulties and burdens they face. Other important aspects of the charter include its recognition of the diverse needs of carers, which may be influenced by factors such as their culture, place of residence or age. Another important aspect

of the charter is that it articulates the importance of ensuring that carers will be able to access the services they require, and it recognises the importance of carers being able to make choices in their caring role.

The bill has been drafted so that the charter will have broad application to all agencies within the New South Wales public sector. This includes statutory bodies that do not represent the Crown, such as the area health services, which provide a range of important services to carers and those in their care. The bill provides that all public sector agencies will be required to take reasonable steps to ensure that their staff and agents have an awareness and understanding of the charter, to consult with bodies representing carers when developing policies that impact significantly on carers, and to ensure that their internal human resource policies are developed having regard to the Carers Charter. Additional obligations will apply to a subset of public sector agencies that provide services directed at carers or persons for whom they provide care. The additional obligations are that the agencies must ensure that they take action to reflect the principles of the charter and report annually, through annual reports, on their compliance with the legislation.

The second important part of the bill is that it establishes a new Carers Advisory Council to give carers a voice on major legislative or policy proposals that impact on carers. The advisory council will be tasked with reviewing, and making recommendations to the Minister about, any legislative or policy proposals, or other matters having a significant effect on carers that have been referred to it. Members of the Carers Advisory Council will be appointed by the Minister and will include representatives from key carer groups and other representatives of carer interests who have recognised expertise on issues affecting carers, such as academics. The functions and composition of the Carers Advisory Council have been modelled on other councils that provide advice to Ministers and are intended to provide a structure that enables the council to operate effectively and efficiently in the formulation of independent advice and recommendations to the Minister.

The New South Wales Government has a strong record of investment in services to support carers and those for whom they provide care. I was involved in the work on developmental disability in 1989 when the major support given to carers was developmental disability teams that were removed by Health from the Department of Community Services. The Department of Ageing, Disability and Home Care is a creation of the Labor Government. The New South Wales Government's recent investments to improve services for carers include an additional allocation of \$1.3 billion over five years under Stronger Together, which is the Government's plan for disability services in New South Wales. The allocation will strengthen support provided to families, carers and people with a disability and includes more than \$69 million in additional funds for vital respite services to give carers a break from their caring role when they need it.

For carers of people with a disability, this support includes more flexible respite places and additional centre-based respite. As recently as last week I was speaking to Anna-Maria Wood of the Macarthur District Temporary Family Care centre at Minto about precisely those services for people with a disability. Anna-Maria has been working with me in the field of disability in Macarthur for more than 20 years. She is well qualified to say that services for carers have improved significantly over that time, notwithstanding the substantial increase in the demand for support of carers who provide care for people who have a disability. It also includes the introduction of Teen Time services, which provide after-school and vacation care services for parents of secondary school students with a disability. The Teen Time services are vital because they are designed to support carers in their pursuit of employment and study.

The New South Wales Government currently invests more than \$260 million annually in services that provide respite for older people and people with a disability. This allocation includes more than \$125 million in disability respite services and more than \$140 million in respite centre-based day care and social support services through the Home and Community Care Program. In 2009-10 the New South Wales Government will spend more than \$7 million on the New South Wales Family and Carer Mental Health Program. The program will provide a comprehensive range of supports and services for families and carers of people with a mental illness. That will be achieved through strengthening existing partnerships between families and carers, non-government organisations and mental health services. This is a significant and genuine investment that supports families and carers of people with a mental illness by responding to their needs.

<27>

The Government Carers (Recognition) Bill 2010 builds on this investment as well as the broad range of other programs and services being delivered through the carers action plan to support and recognise carers.

This bill is a comprehensive legislative response to the needs of carers. It includes a strong Carers Charter and an effective Carers Advisory Council. It applies broadly to all relevant public sector agencies, including those that do not represent the Crown, such as area health services, and it applies more stringent requirements to agencies that have a direct involvement with carers and the people they care for. This is an important bill for the people of New South Wales. I am proud to commend the bill to the House.

Mr KEVIN HUMPHRIES (Barwon) [5.20 p.m.]: I thank the Parliamentary Secretary for his bipartisan support for the Carers (Recognition) Bill 2010. It seems like we have been here before. It is great to have Carers New South Wales represented in the gallery today. Members might think that Laraine lives here, but I welcome her back. At the end of last year we gave the Government notice that we intended to introduce the Carers Recognition Bill. Since then, as the shadow Minister indicated, the Government has introduced its own bill. The aim was always to elevate the position of carers in New South Wales in terms of their status, recognition and, most importantly, wellbeing. Groups that were consulted and played a key role in putting this bill together included the Mental Health Association, the Association of Relatives and Friends of the Mentally Ill [ARAFMI] and the Schizophrenia Association. I will put some comments on the record on behalf of ARAFMI, which comprises friends and relatives of those living with mental health issues, because we still need to deal with some issues.

While the bill aimed to target carers and elevate their position, it would also lay a framework that could be built on in the future for carers, people living with disabilities and those living with mental illness in New South Wales. Those people are some of the most vulnerable in our community. We welcome the Government's support and the comments made to date. As we moved around the State, the shadow Minister, the member for Bega, colleagues and I always said that we welcomed bipartisan support for the introduction of a Carers (Recognition) Bill and, most importantly, a carers charter because New South Wales was lagging behind on that front. I will not repeat the statistics mentioned by the member for Bega, but some key points came out in our discussions. One point was that carers in the community want to be front and centre in any decision-making that affects not only their lives but also the lives of the people they care for. Literally hundreds of thousands of people are caring for people living with disabilities in New South Wales but their voice is not always heard, or is not always encouraged to be heard. That was the idea behind developing a charter.

We know that if people are more involved in the decision-making process at a community or grassroots level the results of that decision-making usually, and most likely, lead to a much better outcome. The days of governments telling people what they will get, and that is the end of the discussion and their expectations, are gone. The idea for introducing the bill and the New South Wales Carers Charter was to put the people who are delivering services or who are intricately involved in service provision at the front of the decision-making process to ensure that the vulnerable people are not taken for granted by governments and large institutions, which often happens. The fact that we have got to this point is a success. This legislation will lay a foundation for the future for carers in New South Wales. Another point that was made during the consultation process was not only the involvement of the community and volunteers but also the issue of ageing carers, which the shadow Minister alluded to.

A considerable percentage of carers are older people. Without doubt, the number one issue for ageing carers is the lack of accommodation options for their loved ones. We believe that this legislation will lay the framework for this issue to be dealt with much more seriously in the future. Some community groups support pooled funding to provide assisted accommodation for people living with disabilities and mental health. The Government is not exploring all the options. Whether care is provided by a family member, a loved one, a non-government organisation or a government agency, everyone agreed unanimously that they want more innovation and flexibility in the delivery of services. They want to be more innovative and flexible in terms of looking at community-based accommodation options, supported by the Government, for people living with disabilities and mental health. I believe we can derive something from this legislation.

I believe we are only at first base in a 10-step process; accommodation must be a driving issue in the next step, particularly to support ageing carers. In terms of mental health, it was clear that many carers of people living with mental health issues have basically reached the end of their capacity to care and are very frustrated. I believe that is reflected in a higher level of homelessness, the number of people living with co-morbidity issues, and increasing dysfunction that has resulted in some people ending up in jail. Too many people living with mental illness are either homeless or incarcerated. That is based on the premise that many of their carers are worn out and no longer have the capacity to look after their loved ones. Another issue relates to

communication, particularly when people living with mental illness are discharged from hospital. The protocols relating to primary carers and carers generally are still not tight enough—I have a letter from ARAFMI to illustrate this point.

Many people are being discharged back into the community with little consultation or communication with their carers. That leads to safety issues and dysfunction. People have entered the system in good faith, knowing that they would be looked after and will potentially get back on track. However, the system falls down because the level of consultation and communication with carers that is required is not maintained. We wanted to establish a ministerial council to protect people's rights and to encourage them to speak up and make a contribution. I note that the Government has taken that on board. Any advisory group—a Coalition government would still put a ministerial council in place for other reasons—must be largely made up of carers. It would be dominated not necessarily by agencies or non-government peak bodies but by carers. The point is that government-funded agencies or groups are often at the behest of the Government and are not necessarily able to speak freely, although they do fantastic work. There must be representation front and centre from those who actually deliver the services on the ground. I note that the Government has also taken that on board. ARAFMI, which is the mental health carers group in New South Wales, wrote a letter to Coalition members, including the shadow Minister, about this bill. The letter stated:

In the first place ARAFMI notes that the Charter does not specifically take account of the episodic nature of much mental health caring and the unpredictability of the needs to the mental health carers loved ones from day to day. This has a very significant impact upon the carer's capacity to plan their life or attend to routine activities such as work from time to time. It can also be very traumatic personally for the carer.

Worse for the mental health carer is the fact that their loved ones may sometimes lack insight into their illness and so be resistant to anyone attempting to help get them treatment. If the carer wants them to have treatment which they do not believe they require the consumer will sometimes attempt to exclude their carers from information about the treatment process in order to help frustrate this treatment.

<28>

So what are we asking the Government to do? The Mental Health Act has recently been amended to try to remedy this situation by creating the role of the primary carer, which has the potential to resolve some of these issues. It allows a nominated carer to receive otherwise confidential information about the treatment of the person they are caring for and prevents the patient from excluding a carer if the authorised medical officer or director of community treatment believes they lack the capacity to make such decisions or their action would expose any person to unnecessary risks. However, some of this legislation is unclear about the extent of the carer's rights and a more explicit description of the primary carer's rights would be welcome.

In addition, ARAFMI would also be very keen to see the Charter mention the right of carers of all kinds to retire from the caring role when they become too aged and infirm to continue.

In practical terms this requires the State and/or Commonwealth governments to step in before their situation becomes unsustainable and transition their loved ones into appropriate, supported accommodation in the community, funded partly or entirely by the State and/or Commonwealth governments.

I note that many carers are prepared to pay themselves. The letter continues:

There would be some budgetary implications with the adoption of such a law, however, the alternative is inhumane and inequitable. All too often carers are condemned by lack of facilities to keep caring for their loved ones until they are physically incapable, at which point their unfortunate loved ones may be transferred into inappropriate acute hospital beds or aged care facilities, (in spite of their actual age or support needs) causing unnecessary suffering to the people in need of care and placing an unnecessary burden on these facilities.

As I said earlier, they end up on the streets or in gaol. The letter continues:

In the case of people living with severe and persistent mental illness, support such as that offered by the Housing and Accommodation Support Initiative (HASI), to help people with a severe psychiatric disability maintain independent or semi-independent living arrangements also needs to be greatly expanded to meet the needs of those whose carers cannot continue their supporting role (or who have no carers at all). Homelessness is too often the alternative and with it much poorer physical and mental health outcomes.

The lack of appropriate support and ultimately residential alternatives for many people being cared for by their families in private homes is unacceptable from a humanitarian perspective, making the

expansion of arrangements to help support people in the community a priority for reform in this sector. Appropriate support in the community can greatly reduce pressure on expensive acute facilities and provide much better outcomes for the people needing long term care. NSW should not be prepared to accept a shortfall in the necessary facilities or large numbers of people with unmet needs in this area.

ARAFMI would therefore warmly support the addition of such a principle to the Charter and would greatly value any opportunity to provide input into policies to ensure that appropriate services and facilities are made available to allow carers to end their caring role before death or age related incapacity obliges them to do so.

The provision of such alternatives would also greatly reduce the mental suffering of many carers who are approaching this time in their lives with no apparent alternatives available to them or their loved ones.

I would be happy to discuss the issues in this letter further with you, should you wish to do so.

Ms CLOVER MOORE (Sydney) [5.32 p.m.]: I strongly support the Carers (Recognition) Bill 2010, which recognises in legislation the vital and often challenging work of carers. The bill will improve support for carers and ensure that they are involved in decisions that affect them. Similar legislation exists in Queensland, South Australia, Western Australia, the Northern Territory, the Australian Capital Territory and the Commonwealth. The bill defines a carer as someone who provides ongoing care to a person with a disability, mental illness, terminal or chronic illness, or who is frail. The bill introduces a Carers Charter of Principles with which certain government agencies must comply. This includes considering carers' health and wellbeing; that carers should have the same rights, choices and responsibilities as others; the need for timely, responsive, appropriate and accessible support; and the need to acknowledge and recognise their individual needs within and beyond their caring role.

The bill creates a Carers Advisory Council, made up of carers and their representatives, to provide recommendations to government and work to advance carers' interests. Carers' contributions go beyond the assistance they give to the person they care for, be it helping someone feed, bathe, dress or administer medication, or the emotional support they provide to vulnerable and often isolated people in our community. Carers also contribute to the wider community by reducing the burden that would otherwise be placed on our already stretched health system. In fact, the annual saving to New South Wales taxpayers has been estimated at \$10 billion. This contribution is often at the expense of a carer's own health and economic wellbeing. Carers in the inner city understandably share widespread support for legislative recognition of their vital role, as a few examples will show.

One woman who facilitates meetings with carers of people with a mental illness said that carers always feel they have to be superhumanly patient, and have to sacrifice everything, including their rights, to ensure the needs of the person they care for are met. She said that while their lives are deeply affected, she is always amazed by their ongoing resilience and patience for their loved ones. A carer support worker in aged care who is one of my constituents pointed out that legislative recognition could help protect carers who sometimes have to make quick decisions about the care of their loved ones that could have legal implications. A woman who has been dealing with breast cancer herself is also mother of a child with autism, and she has devoted time and effort to getting the best possible educational support for him because she knows that this will make the difference to his need for care in future. Amazingly, on top of this, she also campaigns to get better disability services.

I also think of a 76-year-old woman who has been coming into my electorate office since 2002, seeking help with respite care for her adult son, who she alone cares for 24 hours a day, six days a week—she is able to get respite care for him on the seventh day. She has had to fight each six months or year to get this one day of respite care, and understandably remains very concerned about her son's future when she is no longer here to help him. Another constituent has watched his partner of many years deteriorate mentally, with the loss of continence and the associated embarrassment, caring for her at home until it became too much and he was able to find her a place in an aged care facility where at least he could visit and see her.

The Carers New South Wales president notes in "Carers News" that carers have no grounds to challenge their neglect from public authorities, or to demand basic human rights because Australia has no Bill of Rights. Legislative recognition will help ensure carers are not treated as just a resource but that they will get opportunities for education, social life, work and community participation. Carers New South Wales has proposed establishing a parliamentary friend of carers group to inform members and encourage action to value and support carers, and I support this approach. I acknowledge the courage and devotion of so many carers, and I support this

legislation to help improve their quality of life. I commend this bill and I commend the initial bill introduced by the shadow Minister.

Mr JONATHAN O'DEA (Davidson) [5.37 p.m.]: Having supported the Carers Recognition Bill 2010, introduced by the Opposition, I do not oppose this recently introduced Carers (Recognition) Bill 2010. This is an important bill that acknowledges carers who work tirelessly for others without the recognition they deserve. Caring for an ill, disabled or elderly person is one of the most difficult jobs one can perform. Carers sacrifice their own desires in order to devote themselves to helping, another get through the basic everyday tasks able bodied people take for granted. This bill is a welcome and important initiative and has been the subject of numerous recent correspondence from my constituents. However, governments at all levels must back words with actions to ensure carers receive the financial and emotional support they need.

In May 2009 the Commonwealth Standing Committee on Family, Community, Housing and Youth released a report entitled "Who Cares ...?" which examined how carers could be better supported. It recommended that the Federal Government develop a nationally consistent carer recognition framework, comprising national carer recognition legislation, which complements State and Territory carer legislation, and a national carer strategy which builds on and complements State and Territory carer policies. The bill ensures that New South Wales forms part of this national framework. It has been welcomed by Carers New South Wales, which stated, "This is very exciting news for carers in New South Wales! It has been a long time coming".

<29>

Australian Bureau of Statistics data from 2004 indicates that New South Wales has approximately 748,000 carers, 149,700 of whom are the primary carer of an individual. Most of these carers are women and most care for their partners. Not only do carers enhance the lives of those for whom they care, they also make an enormous contribution to the economy. Access Economics estimated that in 2005 informal carers provided a total of 1.2 billion hours of care Australia-wide. If unpaid carers were replaced with paid carers it was estimated by Access Economics in 2005 that it would cost \$30.5 billion, with the income foregone due to caring estimated to be \$4.9 billion.

A carer's role has a substantial impact upon his or her physical and mental health. Carers Australia, Australian Unity and the Australian Centre on Quality of Life at Deakin University investigated the wellbeing of carers and found that carers have the lowest collective wellbeing of any group they have discovered. The research found that "far more carers, approximately double the proportion found in the general population, have high levels of pain" and that "carers are highly likely to be carrying an injury". More than one-third of carers were found to be severely or extremely severely depressed. More than one-third of carers were found to be experiencing severe or extreme stress. The research also found that caring could be one of the leading causes of depression in Australia. Carers often experience financial difficulties. Following the release of the "Who Cares...?" report, the Chair of the Federal Standing Committee on Family, Community, Housing and Youth, Ms Annette Ellis, MP, stated:

Carers have told us they desperately need more financial assistance to cope with the additional costs of disability and caring, as well as greater access to respite for time out of the caring role.

The aforementioned research on the wellbeing of carers found that "carers are almost twice as likely as is normal to worry that their income will be sufficient to meet their expenses". Good intentions must be backed by action. A pat on the back does not put food on the table. Both the Federal and State governments must take seriously the concerns of carers and provide increased support where needed.

Last year I spoke about motor neurone disease in a private member's statement. Motor neurone disease is an extremely cruel disease. What may start as weakness in the hands or feet, a swallowing difficulty, slurred speech or muscle twitching and cramps, eventually develops into paralysis. Patients eventually become completely immobilised and are able to move only their eyes on their own. I mentioned a constituent and sufferer of motor neurone disease, Mr Phil Brady, and his wife, Trish, who provides him with constant care, with support from their children. It is these people, along with many others, who are recognised by the bill. I could mention many other wonderful carers from my electorate of Davidson who likewise are to be greatly admired. I also acknowledge the selfless broader sector leadership demonstrated by various carers in my electorate, including Katrina Clark and Vanessa Browne. "Thank you" to them and others like them.

The objects of the bill are to enact a New South Wales Carers Charter to recognise the role and contribution to our community of persons who care for other persons who have a disability or

medical condition, a mental illness or are frail and aged, and to require certain public sector agencies to take action to reflect the principles of the New South Wales Carers Charter when providing services that affect carers. The bill also establishes a Carers Advisory Council, which has been spoken of previously so I will not go into its details. I note that the Government, in the same way as the Opposition's foreshadowed amendment to that council, could have amended the earlier bill introduced by the Liberals-Nationals if it had concerns or suggested changes.

In closing, I commend and congratulate the shadow Minister for Ageing and Disability Services, the member for Bega, and those he acknowledged in his speech, as well as the Government for belatedly coming to the party. I hope the Government accepts the foreshadowed amendment in the spirit that the Coalition supports the bill. The bill provides overdue recognition to people who sacrifice their own wellbeing to support the most vulnerable people in our society. However, Federal and State governments must now back up in their words with concrete action by providing carers the material support they deserve.

Mr GEOFF PROVEST (Tweed) [5.43 p.m.]: I contribute to debate on the important subject of carers recognition, as contained in the Carers (Recognition) Bill 2010. As members know, I am 100 per cent for the Tweed, which has a large number of elderly people. In fact, we rank second in the State, behind Port Macquarie, for residents aged over 65 years. I acknowledge that the member for Port Macquarie is present in the Chamber. Recently I attended the Tweed Valley kin care, a support group of carers consisting mainly of grandparents who look after children. They do a fabulous job. I am always impressed with their care and dedication, which at times lacks recognition within the local community.

The bill recognises and supports the vital role that carers play in providing selfless support to the persons for whom they care by acknowledging that they are individuals in their own right, with separate needs and rights. As a number of members have spoken in support of the bill I will not reiterate their fine contributions. However, I make particular note that the member for Bega, the shadow Minister, foreshadowed an amendment so that the majority of the membership of the Carers Advisory Council would be primary carers. Carers need that consideration and support. In the Tweed all carers are fairly senior, and they are very concerned about the future.

In know from the Tweed Valley kin carers that a lot of children have issues—either a learning disability, emotional issues or drug dependency. Previously I have spoken about the young kids on the streets of the Tweed, and this is a major concern for them. As they mature, adequate arrangements will have to be made for them. Fortunately, I have been able to assist a number of them, but one matter that should be addressed in the bill is the cross-border issue. I ask the Minister to provide some feedback on this matter. It is significant that a number of kin carers have pointed out that they often take their children—their wards of the State, et cetera—over the border.

If the child is only 20 metres over the border into Queensland and is involved in an incident or an accident that requires transportation by the Ambulance Service of New South Wales to the Tweed Hospital, a distance of 400 metres, a bill for \$800 will be incurred. That happens time and time again, even when a person is just on the other side of the street. Another concern is legal recognition of those carers; perhaps the New South Wales Carers Charter will address that. Many carers are grandparents who have taken over responsibility for the child, and some have been awarded that responsibility by the State and the child becomes a ward of the State. Others have assumed that responsibility. In a number of cases the natural parents have appeared out of nowhere many years later, and often that results in a fair amount of legal tussle. The carers need legal protection and certainty, particularly the senior carers. This bill has been a long time coming. Along with those who have contributed to the debate, I support the bill.

Mr PETER BESSELING (Port Macquarie) [5.48 p.m.]: I welcome and support the Carers (Recognition) Bill 2010. It is extremely important to recognise the role and contribution in our communities of persons who care for other persons who have a disability, a medical condition such as a terminal or chronic illness, a mental illness, or are frail and aged. I acknowledge the Opposition for bringing forward this debate, particularly the member for Bega. It is great that all parties of this Parliament are working together, for once, to try to bring forward some substantial changes to legislation that will be of benefit across the community. As is said, the rising tide lifts all ships. This bill is a great example of that. Both the Government and the Opposition are to be commended for their efforts.

<30>

I am sure every member of this Parliament recognises the unique situation in which carers find themselves. Often carers have to look after someone 24 hours a day. It is difficult enough to look after someone for a limited period of time. As a father and having raised children I know how

difficult that is, but having to care for someone 24/7 is especially difficult. Carers need all the support they can get. It is important that we look at respite options and, in particular, the need for short-term respite. I notice that there are a number of recommendations in the New South Wales Auditor-General's performance audit report entitled "Access to Overnight Centre-based Disability Respite". I draw the attention of the House to the second recommendation, which states:

To ensure people with the greatest need receive respite we recommend that ADHC should expedite its current efforts to:

a. direct growth funding to the areas that need it most

Certainly that funding should be directed within regional areas, such as Port Macquarie. I note that \$1.6 million has been provided for the Home and Community Care centre at Port Macquarie. That is a combination of Federal and State funding and it has been provided after consultation with the local council. Governments are working together for the benefit of the community. That is much appreciated but more needs to be done to provide respite for carers rights across the State, particularly in regional areas. The Auditor-General's report continues:

b. establish consistent criteria and implement a common approach for prioritising and allocating respite according to need

A lot of long-term respite is offered—one-week or two-week periods—but sometimes all carers need is respite for a day or only an evening, just to get a break from the constant 24-hour care they have to provide. That will enable them to provide a better level of care to the people they are looking after. The report continues:

c. work collaboratively with NGOs to coordinate ADHC and NGO services.

Again, it is important that we keep working together for the benefit of the community. As the member for Tweed recognised, Port Macquarie has the greatest number of people aged over 65 of any electorate in New South Wales. Ageing of carers in our community is a real concern. A number of people have come to my office to express their concerns and the stress and anxiety they feel about the future of caring. Often they provide care for younger males. It is often a son who is being cared for and the mother is getting older and more frail. Often the sons are physically strong and the carer faces a physical challenge in dealing with loved ones. It is hard enough looking after someone 24/7, but to also face physical challenges as well as uncertainty about how they will look after their loved ones as they age is a major problem.

I have a letter from one of my constituents regarding the difficulties she is having. This woman cares for a frail husband aged 83 and her ageing parents. She has not been able to leave her husband on his own for the last six months unless respite care was available. It has been difficult to access services and she is unable to wait on the phone for periods of time or visit government offices. She says it has been difficult to find information about what services are available, although she is very positive about the support received through Carers NSW and the local carer support group. They have no other family to support them. We see that time and again. The report says:

Ageing carers present a growing challenge for government as their capacity to provide care diminishes over time. At least 13 per cent of carers in NSW... are over 65 years old. ADHC's ability to plan for ageing is reduced because it doesn't know how old 25 per cent of carers are.

The trauma, strain and financial hardship for carers are evident. I have received a letter from Gillian Devine, which states:

In reference to the Carers Recognition Act being introduced to NSW Parliament.

My son had a car accident in 1988 at the age of 17, leaving him with severe brain injury.

He was in a coma for 3 months and when he came out of the coma he was discharged from the hospital to come home with me and his step-father.

The trauma for myself and his step-father cannot be explained, watching your son fight for his life in hospital and then when at home, watching his life change forever.

My son never received a payout and is in a wheelchair permanently with the use of only two fingers.

This had a big strain on us financially, having to purchase wheelchairs, equipment, drinking cups plus

eating utensils and over the years we lost contact with our family and friends and you feel very isolated, because people do not know how to cope when something like this happens. As time went on my husband had to retire from work with illness, trauma related, being part of his sickness and as the years pass, my health is suffering also. We are both in our sixties. I have also had to look after my foster mother for the past 5 years as she has chronic illness and is 84 years old. Just recently she has gone into an aged care facility.

For all the carers which is 750,000 approx this bill is an important step forward in better supporting their needs.

Carers provide a vital service. They save millions of dollars for our community and it is appropriate that we recognise this during National Volunteer Week. They are truly the most giving of the volunteers in our community. When Parliament last sat we heard stories about carers from Alzheimer's Australia NSW—Margaret Allen does a terrific job at Port Macquarie; the Schizophrenia Fellowship, with Sheila Openshaw; and Hastings Headway, where Belinda and Andrea do a terrific job. I was there yesterday chatting with them. They are terrific people who give freely of their time. Grandparents as Parents Again was recognised, and I commend Paul Bickford and his crew. This is an important bill and it should be supported.

Mr BRAD HAZZARD (Wakehurst) [5.56 p.m.]: Obviously as a member of the Liberals-Nationals Opposition I strongly support the Carers Recognition Bill 2010. In my period of service as a member of Parliament I have also served as the shadow Minister for Disability Services. During that period I had many opportunities to visit families who were caring for people with disabilities— young people and older people, and those with various health issues. There is no question that carers in New South Wales provide an invaluable service for their family members, friends they support and those that are in need. What I find disturbing is that it has taken so long for the State Government to wake up to the need for some formal recognition of carers.

I well recollect visiting Carers NSW in Sydney and seeing the various activities that are undertaken there. I have to say it is a standout service, but it is also a critical service because so many people who care for those with disabilities feel right from the word go, as soon as they have a child with a disability, that life becomes a massive struggle. They are constantly trying to access services and support. A number of members have spoken about the difficulty of accessing services. Even today, and despite the charter contained in the bill and the fact that the bill is before the House, I dread the fact that the State Government, currently the Labor Government, has yet to connect with the real needs of those tens of thousands of people who are caring for those in need of care.

One of the issues that disturbs me a little is that I often hear numbers being tossed around in this place. We are all very good at numbers in Parliament, but the reality is there are massive numbers, thousands more, who do not register for services because they have given up any hope of getting them. I well remember a visit to a particular family in the Lismore electorate with Thomas George. We drove quite a way to an isolated farmhouse where there lived a man, who was in a wheelchair, and his wife. She had been the victim of a late onset disability and was quite incapable of looking after herself. I remember very well the sense of despair in that household and I recollect wondering as we drove away how this couple would ever get the services they needed. They had not even bothered to put their names down because they knew there was almost no chance of getting the support services they needed.

This legislation is a good start and the charter is a good start. I congratulate the member for Bega on introducing his bill, the Carers Recognition Bill 2010. However, unless the Carers (Recognition) Bill is backed up with services it will be nothing more than an empirical statement that—gee whiz—the Government has woken up. It needs to be far more than that.

<31>

There are differences between the Government's proposed advisory council and that proposed by the member for Bega. I hope that the Government listens seriously to the advisory council, notwithstanding the fact that there are membership issues. The Government must provide the advisory council with new resources and not take resources from services in the disability area that are already stretched. The Government must ensure that additional money comes through to support this advisory council. Fair dinkum resources must be provided to back up its efforts.

There must be accountability and transparency in the Government's response to the advisory council's recommendations. If the council makes recommendations, they disappear into cyber space and there is no response from the Government as to what it is doing, it will be a pyrrhic victory. I understand the problem. It might not be possible for the Government to meet this need for resources, but we need honesty and transparency in the process. People want to know that the Government will be fair dinkum in its delivery of those services.

Pursuant to resolution business interrupted and set down as an order of the day for a later hour.



Full Day Hansard Transcript (Legislative Assembly, 11 May 2010, Proof)

Proof

Extract from NSW Legislative Assembly Hansard and Papers Tuesday, 11 May 2010 (Proof).

CARERS (RECOGNITION) BILL 2010 Agreement in Principle

Debate resumed from an earlier hour.

Ms LYLEA McMAHON (Shellharbour—Parliamentary Secretary) [7.34 p.m.]: I speak in support of the Carers (Recognition) Bill 2010, which articulates and expands the Government's undertakings to recognise, value and support carers in their caring role and as an individual. This undertaking is currently being delivered through the whole-of-government Carers Action Plan, which includes a comprehensive range of actions to increase the respect and recognition of carers, to reach out to family members who may not see themselves as carers, to improve services for carers and the people for whom they care, to encourage agencies to view carers as partners in care and to support carers to combine work and caring. Significant achievements have been made over the past 3½ years since the Carers Action Plan was launched. Since this time there has been a significant change in the way government agencies interact with carers and respond to their specific needs.

The Carers (Recognition) Bill will take the recognition of carers one step further by formally recognising the valuable social and economic contribution carers make to the New South Wales community. It will also give carers a voice through the advisory council that will be established to review and make recommendations to the Minister on legislative or policy proposals, or other relevant matters that affect carers. The bill also ensures that bodies representing carers are consulted when policies that affect carers are developed. It provides that carers who are employees of government agencies are considered in the development of human resources policies. The core of the bill is the New South Wales Carers Charter, which will set out in legislation a comprehensive set of principles to guide how government agencies interact with carers. One of the important principles in the charter is principle (f), which states:

Carers are to be acknowledged and recognised as having their own individual needs within and beyond their caring role. This acknowledgement and recognition is to take into consideration Aboriginal or Torres Strait Islander culture, age, disability, religion, socio-economic status, cultural differences, gender identification and place of residence.

This principle recognises the diversity of carers as a group. This diversity strongly influences carers' needs and the Government's response. Older parent carers are one group of carers that we acknowledge as having particular needs. The New South Wales Government has invested \$18.5 million in recurrent funding to services for older parent carers. This includes flexible respite, centre-based respite, day program and case management services. The New South Wales Government also acknowledges the specific needs of Aboriginal carers. In 2008 the Aboriginal Carers Support Guide was developed and distributed across the State. The guide provides Aboriginal carers with information on improving their physical and emotional wellbeing. It also provides Aboriginal carers with tips about how to get information about respite services and carer support groups. Over the next three years, five non-government organisations will receive funds to support carers in communities that historically have been difficult to reach.

Another important group of carers are hidden and isolated carers. This group includes carers who may not identify with the term "carer", who may be unaware of supports available or who cannot access a service appropriate to their needs. The hidden carers outreach project has developed a profile of hidden or isolated carers and their needs. Two partnership projects are currently being planned to provide outreach services for hidden or isolated carers and to link these carers to services in their local area.

Children and young people who are carers are another group of carers with particular needs. This group is specifically recognised in principles (g) and (h) of the Carers Charter, which state respectively, "Children and young people who are carers have the same rights as all children and young people" and "Children and young people who are carers face additional difficulties and burdens and should be supported in overcoming these difficulties." These principles in the Carers Charter will complement and build on the Young Carers Action Plan 2009—2012, which outlines strategies for key agencies to work together to identify and support families where children or young people have caring responsibilities.

As an initial strategy to improve young carer identification and referral, New South Wales Health and the Department of Ageing, Disability and Home Care are currently piloting young carer tools and assessment questions. A young carer pilot project recently commenced at Maitland Hospital and Royal North Shore Hospital. The project will deliver focussed resources and training to healthcare professionals who interact with young carers. The project aims to ensure that front-line staff are better able to identify young carers, provide them with relevant information, and refer them to appropriate support services. A similar pilot is underway in Ageing, Disability and Home Care, with tools being piloted by front-line staff at a number of intake points for home care and disability services.

The New South Wales Government is also contributing funding to a major national research project on young carers, a project being led by Professor Bettina Cass at the University of New South Wales. This research, to be completed this year, aims to identify appropriate, accessible and supportive policies for children and young people who provide care for family members and friends. As I have stated, the Carers (Recognition) Bill, through the New South Wales Carers Charter, will guide how government agencies interact with carers.

The Carers Charter will complement action taken by this Government to ensure that staff of public sector agencies are well equipped to work with carers. For example, in 2008-09 and 2009-10 Carers New South Wales was funded to deliver a series of half-day orientation workshops on the Working with Carers Training Package to Government and community care staff and healthcare professionals. The Working with Carers Training Package is designed to enhance the skills of front-line staff in working with carers. The training highlights the value of working in partnership with carers, including ageing carers, Aboriginal carers, young carers, and parents of a child with a disability. These workshops were so popular and effective that over 30 additional workshops were offered across the State in response to demand. The Government's Carers (Recognition) Bill is an important piece of legislation that signals and expands on the Government's commitment to recognising and supporting carers.

Ms PRU GOWARD (Goulburn) [7.42 p.m.]: It is a pleasure to speak in support of the Carers (Recognition) Bill 2010 and to acknowledge the tremendous efforts of my colleague the member for Bega in developing the original legislation that the Government has so impressively lifted and adapted, with the addition of brackets around the word "Recognition". I hope that makes all the difference. It is a very important piece of legislation. As the Australian population ages, it will become increasingly important that we recognise not only the role that carers play—and certainly a great deal of effort is now put into supporting carers, given the allowances that are provided—but also the fact that the majority of carers remain women. The bill is one way in which the role of women in society can, and should, be recognised. As the House would be aware, many women do not have the working lives of men, often because they are the principal carers for family members with disabilities or the aged in their families. The bill recognises the role of women as carers and gives it some status.

As the country's population ages it will become increasingly important that we do more for carers. The alternative to having carers would be to pay full market price for such care, or to have to rethink our whole approach to people with disabilities, those in aged care facilities, and those who are of an age that they need significant assistance. This is not about whether one believes in human rights or about whether one is an economic rationalist. An economic rationalist who does not believe in supporting the role of carers has to accept the fact that if we do not have carers his or her taxes will be increased and the Government's role in supporting the frail elderly and those with disabilities will be expanded. At the same time, this will deny the beauty and wonder of voluntary care and the love and affection that is part of a voluntary caring relationship.

Regardless of whether people believe in the rights of those with disabilities and those who are in need of aged care, and regardless of whether people believe in the importance of recognising those who engage in that caring and who contribute so much social capital to Australian society, there are good economic reasons for supporting this bill and acknowledging that it is the beginning

of an evolution in the way we view carers. I believe the bill inevitably will lead to greater financial assistance for carers and greater engagement of them as part-time and casual workers. We are so grateful to carers for the work they are doing, not just because it saves the State from doing so but because it also gives the people they care for that wonderful sense of being cared for, with a small "c", and of being loved and tended by people who do it voluntarily. I do not suggest that people who are paid to care for others do not care—of course, they do care—but it is quite a different relationship, I think we would all agree, and such care is of great benefit to the fragile members in our society.

Of course, there is a great return for carers. I have known many carers who get enormous personal satisfaction from what they do. They genuinely—quite rightly—believe they are making a significant contribution not only to the person or people for whom they care but to the broader community in which they live. I am thinking of a wonderful carer in my community called Heather who had a husband and three children who were all born with a terrible genetic disease that eventually killed all three children. The last child died in terrible circumstances in Goulburn after the community fought very hard—and I was very involved in that—to have him brought back to Goulburn to be allowed to die near his mother. Heather had been going back and forth to hospital in western Sydney to visit him as often as she could, but that was becoming very difficult for her and she believed that she could do a much better job for him if he were brought back to Goulburn. In the end, that is what happened, and that was a very important thing for Heather and for her son. Extraordinarily—this is really the point of the story—when he died Heather did not stop caring. She then picked up with her foster child, with whom she had a wonderful relationship. I met him on the morning of the funeral—a lovely young man who obviously blossomed under her care. I see Heather occasionally at the cathedral, where we both attend church, and she is always busily involved in community activities. That is the nature of that woman.

It is wonderful that Heather, along with the 750,000 other carers, can be recognised under this bill. The bill will be an important step in getting the broader community to focus on the role of carers. As the public policy debate on this issue develops and matures, particularly given the demographic changes Australia is now experiencing, we will have to face a whole lot of other issues regarding caring. I turn to one in particular, that referred to in part 2 of the bill, which deals with the additional obligations of human service agencies, and that is carers as employees. We have long focused on the rights and needs of mothers to have access to family-friendly working arrangements, including part-time work, working from home, and so on. That has been possible because we have had international treaty powers under the Convention on the Elimination of All Forms of Discrimination against Women, and this has given the Federal Government authority in that area. With the increasing role of the Federal Government industrial relations, that has been a very necessary linkage.

<36>

There is nothing quite like that for carers, who perform a similar role. It is just that they are not necessarily mothers of underage children. They may be mothers of children under 18 with disabilities, but they might be family members, extended family members and sometimes their own partners who require that sort of help.

The Carers Charter and the obligations of human service agencies mirror the sort of arrangements we now make available for mothers in particular and parents generally. We need to recognise that such arrangements should be extended to carers for the same rational reason that we extend them to women, that is, it is better to do this than to lose women, with all their skills, gifts, training and experience, from the workforce. It is better to keep them engaged in the workforce and contributing to the richness of family life and the upbringing of their children. It is better to do this than to see women either leave the workforce or leave children not always in desirable circumstances. The same thing applies to carers. We need to recognise that it is all on a continuum—interestingly, it mostly involves women, although I understand that carers in older age are about 50/50 male/female. Certainly, at younger ages it is predominantly a female role to be both carer and a mother seeking family friendly arrangements. Obviously the same must and should apply to carers.

The difficulty for carers is that they do not have the same legislative backup as mothers in the workforce. This legislation makes some reference to it, but members would agree that the reference is fairly vague. The rights of carers to negotiate working arrangements that suit their caring responsibilities are far from clearly spelt out or established in the legislation. I suspect that is probably where this State will have to go over the next few years, given the emerging role of carers and the extension of that role as Australia ages. Again, I commend the legislation. I commend the member for Bega, Andrew Constance, for his tremendous role in consulting carers throughout New South Wales, for the great heart he showed in the many meetings he held and for his

personal engagement with and commitment to carers. That sort of passion and belief should drive the very best of legislation in New South Wales, and they should be part and parcel of being a member of this House. We are all the better for the efforts of the member for Bega in this area. I commend the New South Wales Government for so adroitly adopting his legislation.

Mr TONY STEWART (Bankstown—Parliamentary Secretary) [7.52 p.m.]: I strongly support this bill. I recognise that the consensus approach being taken is important. The bill is beyond politics, and I commend and thank the Minister for Health for bringing this much-needed bill to the House in a timely fashion. The Government's Carers (Recognition) Bill is a significant advance for New South Wales and signals the Government's increased commitment to recognising and supporting carers. This bill will provide protection for the interests of carers by establishing, firstly, a Carers Charter, which will increase awareness of carers and guide government agencies in the delivery of services and support to carers; and, importantly, a Carers Advisory Council, which will provide carers with a voice on major legislative or policy proposals that impact on carers and their needs.

The Carers (Recognition) Bill is modelled on similar legislation in place in other States and Territories. Importantly, the bill also aligns closely with the Commonwealth Government's Carers Recognition Bill, which was introduced by the Federal Government in March this year. The Commonwealth bill was introduced as the first step in the development of a national carers recognition framework. In light of this, it is timely that the Government introduces carers recognition legislation in New South Wales as part of our contribution to the development of this national framework. I am sure members will agree that it is appropriate to develop nationally consistent legislation as far as it is practical and relevant.

The New South Wales Government's Carers (Recognition) Bill is consistent with the broader principles and provisions of the Commonwealth bill, as well as a number of important details. For example, both bills contain the same definition of "carer", both require Government agencies to give regard to the Carers Charter when developing human resources policies, and both establish a distinction between agencies that are closely involved in the provision of services to carers and the people they care for and agencies that have little to do with carers. This distinction is important because it ensures that stronger requirements will be imposed on relevant agencies, and it avoids creating an unnecessary and irrelevant burden on agencies that do not have an interface with carers or people being cared for.

Under both bills, all public sector agencies are required to take reasonable steps to ensure that their staff and agents have an awareness and understanding of the Carers Charter, to consult with bodies representing carers when developing policies that impact on carers and to ensure that their internal human resource policies are developed having due regard to the Carers Charter. Both bills also impose additional obligations on human service agencies. Human service agencies are defined as those public sector agencies that provide services directed at carers or persons they care for. This will include, for example, the Department of Human Services—including Ageing, Disability and Home Care, and Housing New South Wales—and public health organisations, such as area health services. These agencies will also be required to ensure that the agency and its employees and agents take action to reflect the principles of the Carers Charter and to report annually, via their annual report, on their compliance with the legislation.

The requirement that compliance reports be included in agencies' annual reports is also included in the Commonwealth bill. This approach was considered more appropriate than an alternative mechanism, such as the creation of a separate standalone compliance report, as it avoids creating an unnecessary administrative and cost burden but achieves the same outcome. One way in which the Government's Carers (Recognition) Bill goes further than Commonwealth bill relates to carers' needs for government services to assist them in their caring role. The Carers Charter in the Government's bill includes a principle that carers should be referred to, and made aware of, appropriate services to assist them in their caring role. Such referrals should be made after an assessment of the needs of carers or as part of the assessment or provision of services to the person being cared for. This principle is important as it recognises the need to ensure that carers are referred to, and receive, available support services that they may require.

The principle also recognises that this referral might result from an assessment of the carer undertaken as part of a holistic assessment of the needs of the person for whom they are caring or, in some instances, as a separate carer assessment. If the assessment identifies that carers themselves need support, information will be provided to them about available support services and referrals made where appropriate. This principle clearly articulates the outcome that carers have stated that they want delivered by this principle. It is also tailored to the different ways in which different agencies can ensure that carers' needs are met. This is obviously preferable to a

blanket requirement that any agency should conduct an assessment of carers' needs. This principle is consistent with work that is already underway to ensure that we better meet the needs of carers.

For example, Health and Human Services agencies are currently piloting resources to assist front-line staff to identify and assist young carers. These pilots are training front-line staff so that they are better able to identify young carers, provide them with relevant information and refer them to available support services. The Department of Human Services also funds support coordination services that provide support for older parent carers of people with a disability.

<37>

Those services help older carers to develop and implement transition plans for the ongoing care of the person for whom they are caring, which is very important.

The Government's bill also differs from the Commonwealth bill in relation to non-government agencies aimed at carers or persons they care for. The Commonwealth bill includes a requirement for non-government organisations funded by Commonwealth agencies to comply with the bill's Carers Charter. Many of these non-government organisations are also funded by New South Wales agencies. Application of the New South Wales charter to all non-government organisations would mean a duplication of obligations at both State and Commonwealth levels imposed on these bodies. As a consequence, New South Wales will implement a more targeted approach so that when a non-government organisation funded by a New South Wales agency is not covered by the Commonwealth bill the New South Wales agency will negotiate with that non-government organisation to include an obligation to comply with the charter under specific funding agreements.

The Government recognises, and applauds, the important role that carers play in our community. I know the trauma carers go through from firsthand experience with my sister Carol-Anne Stewart, who is a carer for my niece Jessica who is partially blind, unable to walk and intellectually impaired as a result of a car accident. This bill will make it a lot easier for people like Carol-Ann Stewart and many other carers who need assistance and recognition through such legislation so that they can achieve their goals and, most importantly, look after those in their care adequately and properly and with love. This bill formally recognises their role and will ensure that carers' needs and voices are carefully considered when agencies make decisions that impact on carers. I strongly support the bill and commend it to the House.

Mr ROB STOKES (Pittwater) [8.01 p.m.]: I speak to the Carers (Recognition) Bill 2010, which the Opposition does not oppose, frankly, because imitation is the greatest form of flattery. Indeed, as other members have reflected, this bill bears an uncanny resemblance to the Carers Recognition Bill 2010. In my previous life when I taught law I had access to an academic plagiarism detection program called Turnitin. So I ran both bills through the program. It was horrible—and I will have to pass this on to the academic senate—because I found that 55 per cent of the Carers (Recognition) Bill 2010 is a direct copy of the Carers Recognition Bill 2010. I advise the Deputy Premier, and Minister for Health of the warning that flashed on my computer screen when I input the two bills. It said, "Warning: a significant amount of this paper is unoriginal. You may need to check your sources and perhaps revise or rewrite your paper." I understand why the Minister for Health is a little agitated, but the computer does not lie.

I commend Parliamentary Counsel, which must have given the thesaurus a good workout when drafting this bill by looking for phrases similar to those in the earlier legislation. But I remember that when I was a lawyer it was very useful to have a template from which to work. Clearly, Parliamentary Counsel's job was made a little easier because what had been prepared by the member for Bega could be copied. I thank the Minister for Health because much of my analysis of the first bill is also relevant to the second bill. The last thing I noticed from the Turnitin program is that 86 sections of text in the bills are an exact match. That is a lot, considering that the substantive section is only three pages long!

Mr Alan Ashton: I'm going to check out his doctorate.

Mr ROB STOKES: I got that off the Internet too. As I said, imitation is the greatest form of flattery. The Minister has agreed with the member for Bega that the recognition of carers is fundamentally important and that their recognition in New South Wales legislation is long overdue. For far too long the 750,000 carers in New South Wales have been without the recognition, assistance and support they deserve, which makes this legislation a real opportunity to set things right. As many members have already reflected, we, as a society, can no longer continue to take for granted the invaluable and selfless contribution that carers make to our communities. We must recognise the magnitude and significance of their roles and ensure that their voices are heard. And we must

ensure that New South Wales does not fall behind on yet another important social indicator.

Like other Opposition members, I acknowledge the contributions of the member for Bega and the member for Barwon, who have worked tirelessly alongside the State's carers to ensure that this legislation is debated today—albeit it is the second bill introduced by the Minister for Health that is the subject of debate. Both the member for Bega and the member for Barwon are legislators dedicated to improving the lives of those with severe illnesses and disabilities and those who care for them. We have already heard much debate about the New South Wales Carers Charter, which is an important, effective and well-devised initiative that will help to ensure that carers are treated with dignity and respect and that their individual needs and wellbeing are regularly assessed. I notice that there is an area of difference between the bill introduced by the member for Bega and that of the Minister in that sections of the charter use the word "should" rather than "must". Its principles are expressed much more strongly in the bill introduced by the member for Bega. But having a charter and also an advisory panel will ensure that the knowledge and views of carers are considered and valued in the planning, review and delivery of programs and services impacting on those under their care.

The legislation will also make it a legal requirement for the first time that all government agencies have an understanding of the charter and take action to reflect its principles when providing services affecting carers. This will help to ensure that all programs and services provided to carers in New South Wales are responsive, co-ordinated, flexible and appropriate—which is a huge step forward for our State and for the support of carers within our communities. There is no doubt that the changes enshrined in the bill are wanted in communities throughout New South Wales, and that they are needed. We need to ensure that the aspirations expressed in this bill are subsequently expressed in the delivery of services by government agencies. I know certainly that residents in my community of Pittwater, which I am proud to represent in this place, are particularly reliant upon the contribution of carers. With more than 20 per cent of Pittwater's residents over the age of 60—and this number is expected to soar in coming years—there is an increasing need to ensure that our ageing population is cared for.

Currently, more than 6,000 residents in the Pittwater and Warringah local government areas, which make up the Pittwater electorate, receive assistance under the Home and Community Care Program. However, this figure of course includes only those residents who have put up their hands and asked for assistance. So there is no doubt that many more people in our community are in need, and there is no doubt that this number will increase. In fact, an article that appeared in the *Sydney Morning Herald* in February this year reported that 282,000 people are receiving home, community care or disability support services in New South Wales, with evidence suggesting that this number will soar by approximately 26 per cent, to 356,500, by 2014.

<38>

In light of that prediction and the increasing shortfall in the number of disability services and community care workers in New South Wales, there is little wonder that enormous concern exists that more and more people across the State will be thrust into the role of carers. Furthermore, an Alzheimer's Australia report released in September 2009 revealed that New South Wales is likely to see a massive increase in the number of dementia sufferers over the next 40 years, which will also impact on the role of carers. New South Wales already has about 88,000 people suffering from dementia, with that number expected to reach 341,000 by 2050. My community of Pittwater, like many other areas with an ageing population, is expected to be particularly hard hit, with a projected 277 per cent increase in the number of dementia sufferers over the next 40 years—no doubt presenting enormous challenges to our community and the carers within it.

That is another reason why—and I put in this plug while the Minister for Health is at the table—we need delivery of health services in Pittwater, particularly the new hospital at Frenchs Forest and the required upgrades and maintenance to Mona Vale Hospital. Pittwater is exceptionally fortunate to have a number of local groups, including churches, community organisations and councils, willing to assist in the challenge confronting carers by providing them with advice, assistance and respite opportunities. However, the State Government must step up to the plate with proper legislative recognition of the role of carers. Two specific instances in my community deserve to be commended in this place. First, the Chesalon Day Centre at St John the Baptist Anglican Church, Mona Vale—my local church—provides a respite program for elderly residents with dementia. It has recently relocated from Avalon to Mona Vale. The Rector of St Johns, Reverend John Reid, is very excited about the partnership. Recently Anglicare's website stated:

We hope not only to provide access to church property, but also care for the carers and their aged relatives.

Being Christian is about caring in practical ways, says Mr Reid.

"This is where we put theology into practice—where the rubber hits the road," he explains.

"We're here to serve, even if it may cost us ... "

That is my point in talking about the role of carers. They serve us and they serve our community, even though it costs them. I note also the contribution by Brian Robinson, who is holding a dinner at Miramare Gardens, Terrey Hills, on Saturday 7 August 2010 to raise awareness of the plight of young people in nursing homes and to raise money for Lifehouse at the Royal Prince Alfred Hospital, the Chris O'Brien Cancer Centre. Brian's lovely wife, Tina, passed away after being well housed at a nursing home in Terrey Hills through the latter part of her illness. Brian and their daughter cared for Tina during an extraordinarily difficult time. Tina was only 36 years old when she was afflicted by a series of strokes. Brian and their daughter went through a great deal to provide Tina with the quality of life she deserved. That is an example of why carers are so important and why they deserve the recognition that this bill provides, albeit belatedly.

Mr GRANT McBRIDE (The Entrance) [8.13 p.m.]: I support the Carers (Recognition) Bill 2010. I congratulate the member for Bega on his interest, and, dare I say, on his hound-dog pursuit of this issue. It is good that members on both sides of the House are absolutely committed to doing the right thing by the community rather than playing the banal partisan politics that we often witness in this Chamber. An object of the bill is to recognise the valuable contribution of carers, which is an important issue. That is what all members want, and later I will outline my personal experiences. The NSW Carers Charter recognises the benefits of carers, including social and economic benefits. I do not like reducing their contribution to an economic benefit because there is also a social, or community, benefit. It is about building a stronger community that has the structures available to improve everyone's quality life. That should be our objective in designing any policy.

Unfortunately, in our economic system the economic parameters often override social parameters in decision-making. Later in my contribution I will address the provision of necessary services in the context of my experiences on the Central Coast. Through carers' assessments the bill will provide for the interests, needs and choices of carers to be considered in decisions about service provision. It is interesting to note that very sensitive relationships develop between carers and those being cared for. If carers do not know the needs of the people for whom they are caring, they are not in touch with the job. That is a critical aspect. Too often in the medical system the hierarchy dictates what should happen and does not listen closely to the people at the coalface.

The most complicated aspect of being a member of Parliament is dealing with people. People are not straight up and down; they do not adhere to a formula. Members must listen to people. When I became a member of Parliament I realised that people came to their local members only after they had tried to resolve their problems themselves. I am sure all members would agree with that. When a problem got out of control, they tried to solve it and in the process moved further away from achieving an outcome. So they eventually came to me to solve it. It is my experience that people want to tell their story. Even if you realise immediately the solution to their problem, you cannot advise them of it; you have to listen to them. I am not a doctor; I cannot write a prescription. Instead, I have to act as a counsellor. It is possible that we are the first people to listen attentively to some constituents.

Carers play an important role, and they should be respected for the knowledge that they have gained. Carers might not have the same academic qualifications as others in the field, but they have a special attachment to the people they are looking after. They actually give them love while treating them. It is not just a process—"How many do we knock out today?"—but about improving the quality of people's lives. Every member who has a retirement area in his electorate or who, like me, has been confronted by the need for recognition and support of carers has had first-hand experience of the issues at the coalface.

The member for Bankstown spoke of his sister looking after his niece. I have had similar experiences. Last year a community award was given to a grandfather who was looking after seven children. The guy was the most welcoming, open, spirited and joyful person I have ever met. He was not what one would expect: he was a rough and tough grandfather with a heart of gold, looking after his seven young grandchildren. It was wonderful to talk to him and appreciate the contribution he is making to our community. More importantly, he is making a wonderful contribution to the lives of the young people he is looking after. He is aged over 70 years, but is prepared to give his life to those young people.

We should acknowledge also that carers are ageing. Other members have mentioned cases

involving an adult child who, for whatever reason, goes home to live with his parents.

<39>

Often the parents are not capable of dealing with this, especially when the adult child has mental health issues and related issues. Many a time parents have come to me asking, "How can I deal with this situation?" Unfortunately in some ways, if a person is using their medication and doing the right thing they can remain at home and do not have to go into an institution for observation. However, the parents are often in fear of that person in their house because they know that the person's level of medication may be lowered gradually. The person being cared for gets the idea that can be expressed as: "I'm in society now and capable of looking after myself. I don't need the assistance of other people; look how well I am behaving." Then they get the notion that they are well, their condition gets out of control and there is an incident at home. That is a very difficult situation for elderly parents to deal with. First, they love their child; and, secondly, they feel threatened by their child. Those are the sorts of complex relationships I referred to in my earlier comments.

I also had the wonderful experience of visiting a man who was a quadriplegic. He was living at home with his wife and two of his children in a house that had been redesigned and reconstructed to accommodate him. There was also a caring arrangement although I cannot remember the number of hours involved. As members of Parliament we have fantastic opportunities that are not afforded the rest of the community. We can go into a person's home, in the circumstances I have just outlined, and have them show us around and tell us about their situation and the commitment they make to looking after their partner, father, or whatever the relationship may be, 24 hours a day, seven days a week. One aspect that I was unaware of is that breathing becomes a huge issue for people with some types of health problems. There is a whole range of activities that they have to do, such as exercises in a hospital-style gym where there are pulleys and ropes everywhere. The carers have to move that person around to enable them to do the exercise. Some of the people being cared for are able and some are disabled. The man I am referring had physical disabilities, not mental disabilities. Then there are categories of people with mental disabilities.

Another case I want to refer to involved an indigenous grandfather who came to see me. He wanted to keep his grandchildren within the indigenous culture—that is, he wanted them raised with indigenous people. It was a very tricky situation and reaching a decision required a sensitive approach. These are the skills that carers must have in order to deal with these types of issues. That is why those skills should be recognised. Another type of case that I am sure all members have experienced is one that goes to litigation. A person I knew was in a difficult situation because his granddaughter's parents were under the influence of drugs. They went to rehabilitation and then came out and resumed taking care of their child. He had to go to court to get custody of the child. This man had recently retired, he was 65 years old, and now he has had to become a father again. Again, people in those situations make a contribution to our society.

When the Department of Ageing, Disability and Home Care [DADHC] moved to the Central Coast it expanded its office and the number of services enormously. All the different services were co-located, as other members have said, in the same building but on different floors. This is a very good illustration of the Labor Government's priority over the past 15 years of improving the situation for disabled people. I went around that facility and met the service managers and a number of the service providers. It was inspiring to meet them and to see that their organisation was working like a military unit. It was totally coordinated and there were not the usual barriers between different sectors. One of their commitments was to provide better services for people on the Central Coast. Other speakers have mentioned the fact that the population is ageing. One of the ways of dealing with an ageing population is to make people fitter and healthier. I am sure the member for Dubbo agrees with me. This is really important legislation. For people who are carers and for those who work in the industry this is a breakthrough. They will get the recognition and esteem that is given to people who work in other areas of service provision to society. I commend the bill to the House.

Mrs DAWN FARDELL (Dubbo) [8.25 p.m.]: I will speak briefly on the Carers (Recognition) Bill 2010. It is obvious from listening to previous speakers that this is an issue for which all members of Parliament have enormous compassion. I also acknowledge that, following consultations with Carers NSW, the member for Bega, Andrew Constance, announced in Parliament his intention to introduce a Carers Recognition Bill. I thank him for bringing the Opposition's bill to the House and also thank the Minister for introducing the bill now before us. It is a very important issue for all of us. I do not think there is anybody in this House whose family or friends have not been affected by this issue or who has not had constituents come through their electorate office door to raise these matters.

The first person who approached me in my capacity as a local member, in November 2004, was Marianne, who was concerned about her daughter Julie. She had lots of issues with caring for Julie. Her marriage broke up, as unfortunately occurs in many cases. Family relationships are often badly affected when someone needs constant care. It is very hard on the main carer. In my family I am aware that my uncle cared for my aunt, who had a stroke at 46 years of age, and he had to give up work for nine years. They lived on a very meagre income from the Government and his support and care for her for nine years after her stroke was extraordinary. That is the case with many other carers. Recently an old school friend returned from the United States, where she had lived for 40 years, so that she can care for a sibling who can no longer care for himself and whose parents have passed away.

As local members cases constantly come across our desks and people ask for support. They often relate to the simple things in life. I refer to Peter, Val and Adam Cannon who live out Peak Hill way. Peter and Val's son Wade is now past school age—he is about 19—and they have struggled to get support to look after him since he was born. He needed to go from their property to Peak Hill to pick up a taxi or bus to go to Kurrajong, and every year it was a constant battle for them. When I first became a member of Parliament, the case of Helen and her son Matthew came to my attention. After five years of caring for Matthew, Helen found it all too hard and had to put Matthew in a facility at Mudgee. She does not criticise the local DADHC staff in Dubbo, who are absolutely marvellous; rather, she had to give up the son she loves to the Government to be cared for and then found she still had to care for his basic needs. He was put in a home at Mudgee with adults and he is still a teenager. Having to give up a child is an horrific thing for any mother. Helen needs support. Carer recognition is very important for people such as Val and Helen, and Marianne and her daughter Julie, whom I met on 9 November 2004. It has been a continual struggle—not a fight—with the Department of Community Services and DADHC for them to get some justice and respite.

Among the 13 key issues mentioned in the bill introduced by the Minister is the establishment of a carers charter and the Carers Advisory Council. The advisory council is a great step forward. It will be appointed by the Minister and tasked with advancing the best interest of carers and reviewing and making recommendations to the Minister about any policy or legislation proposals that are referred to it. This is a marvellous idea.

<40>

That Federal advisory council had no monetary value.

I hope the carers from regional and rural New South Wales who are appointed to this advisory council are given some financial assistance so that they can attend its meetings. I hope that the Minister looks kindly on appointing people from rural and regional areas, rather than people who come only from urban areas. However, carers need financial assistance and respite in order for them to attend those meetings, as they cannot just pack up and leave at any time to attend them. When carers attend council meetings—and this is a great step forward—they should not be out of pocket any more than they are today.

Brianna, who experiences difficulties in getting her children on the school bus, and Carmel, who has a 48-year-old daughter in her charge, have formed a great group and network. Caring for these children expends a tremendous amount of their time and, as a result, carers' relationships break up and they need a great deal of support. I hope that this legislation is not piecemeal. I do not believe that to be the case as the Federal Government has implemented similar legislation, as have other States. New South Wales is now adopting a similar policy. I thank the member for Bega for bringing these important issues to our attention. We must keep supporting the wonderful facilities that are provided in each electorate.

This legislation, which will result in the establishment of a carers advisory council and a carers charter, is a recognition of what carers do. In my electorate carers' loved ones typically are placed in wonderful facilities such as the House with No Steps, Currajong Disability Services and the Westhaven Association. I cannot speak highly enough of Gordan Tindall, the Westhaven Association in Dubbo, and his board. That board is endeavouring to meet with the Federal and State governments to discuss the prospect of establishing a nursing home and obtaining funding to look after carers' loved ones when they are no longer able to cope or they are not medically trained to look after them.

Instead of putting people into the standard nursing homes that are located in our electorates we should try to get some funding to build nursing homes on the same sites on which these people have grown up and know as their homes. I said earlier that the carers who are appointed to the advisory committee would need a great deal of support. Every member of Parliament recognises

the work that they do. Carers do not deal only with placid patients; the member for The Entrance said earlier that they also see the violent aspects of their charges. Sometimes a mother who is at her wits end has to call in the police when an 18-year-old son is too difficult for her to handle, which is not an easy thing to do. People in those situations require a great deal of support. As I said earlier, I hope that this legislation is not just piecemeal legislation to make people feel good. Let us keep the charter going and provide ongoing support for these carers, who also deserve a life.

Mr ALAN ASHTON (East Hills) [8.33 p.m.]: In the 11 years that I have been a member of Parliament—I am sure that this applies to all members of Parliament—I have been touched by many carers who have come to see me. One of the first things that I wanted to do after becoming the member for East Hills was to move out of the old office that was occupied by Pat Rogan, as constituents had to walk up about 20 steps to see that wonderful member. One day I followed an old lady up the stairs. She literally had to crawl up the stairs on her hands and knees in order to visit Pat. When I became the member for East Hills I said that I wanted an office on the ground floor so that people could easily access that office. Constituents have to climb up one step to get to my office, but I put down a ramp to assist them to do so. Sometimes constituents who come in to see me are wheeling their sons or daughters in wheelchairs and, if they are lucky, they are motorised wheelchairs.

Members on both sides of this House have alluded to the fact that often those carers are not looking after young handicapped children. Sometimes 60-year-old and 70-year-old mothers and fathers wheel in children who are aged 35 or 40 to seek whatever help they can get. I do not like to overly personalise these issues, but some years ago I taught a student who, for the last 10, 12 or 15 years was in a wheelchair. That student, who had to undergo all sorts of physiotherapy, was the second brightest student that I taught at Picnic Point High School. Tragically, he suffered a brain injury and his mother had to give up her job and his father had to cut back on the hours that he worked. That went on for years. I used to receive handwritten letters seeking support and respite. Fortunately, like most members of Parliament, I was able to approach several Ministers to obtain assistance and support.

When carers like that come to visit we recognise that the way in which we behave in this place is not what politics is all about. We should be making a difference for carers who are in that position. I do not like using the word "victims" as many carers do not see themselves as victims; they are caring for people with mental and physical disabilities, or combinations of the like. In some ways those carers are "victims" because they have had to give up their careers and much of their family life. Often they find themselves in stressful situations as their partners or other children have to do all the work. I have been assisting a young couple with an autistic son and I am constantly amazed at the role of the father and mother. They are always bright-eyed and enthusiastic when they visit me and they outline the areas in which they need help. I am able to obtain assistance for them through the Department of Education and Training or the Department of Ageing, Disability and Home Care.

Sometimes I cannot obtain any assistance, as the funding pie is not very big. When people say that it is not all about money, this is one area where extra money would help. The equipment that these people need to provide proper care is expensive. I helped an elderly gentleman, a member of the Labor Party, who had both legs amputated because of diabetes. He needed a specially fitted wheelchair that had to be measured and made, which everyone knows is expensive. People bring him to Labor Party meetings, wheel him into the lift and bring him to various other functions. Carers also need respite. Earlier someone said that there were 750,000 carers. I believe many of them are not aware that they are carers. They do what they have to do and look after members of their family, friends and relatives without putting a label or a badge on themselves. More power to them for what they do, but they do need more respite.

I will not go over those aspects of the bill to which other members referred. However, a recent Government census revealed that my electorate is one of the least-changing electorates in New South Wales. My electorate, which is the oldest electorate in East Hills, forms part of the Federal Banks electorate, or soon-to-be Hughes electorate. People do not move out of my electorate and, as a result, need care. Fortunately, some good clubs have established frail-aged villages and nursing homes. Most members are aware of the rising number of people suffering dementia and Alzheimer's disease. My mother's last eight or 10 years were pretty terrible. She could not go anywhere or do very much. She suffered from a combination of illnesses that are too lengthy to mention.

My father, a World War II veteran who was 10 years older than my mother, unquestioningly looked

after her almost every day of the week. However, on two days of the week he let himself and his family down, as he had to get away by going to the bowling club where often he had too much to drink. I was often called on to bring him home. That was his release after caring for my mother. At the age of 85 or 86 he had to get away, go to the bowling club, bowl for a while, and have a schooner or two too many. He did not want to put my mother into a nursing home. When she finally went into a nursing home she survived only one week. My father would never have wanted to be seen as a carer—he was just a husband and a father. All members can recount personal stories such as that.

I congratulate the Minister and the Government on introducing this bill. I give credit to the member for Bega for recognising the need for such legislation and for introducing a private member's bill, which often are not successful. The Government might have scrapped 47 per cent or 55 per cent of that private member's bill, depending on the computer of the member for Pittwater. However, I am happy to give credit where credit is due. I have often brought up these matters with the Deputy Premier and also with other former Ministers for Health. The Hon. John Della Bosca, a good health Minister, provided additional money for carers even though he was faced with a tough budgetary process.

<41>

Anything we add probably is not enough. This bill is a great start and will put the matter into legislation. We can do a lot more after that.

Ms GLADYS BEREJKLIAN (Willoughby) [8.39 p.m.]: Today is an historic occasion for the New South Wales Parliament. Not every day can we contribute to such a significant debate and piece of legislation that finally officially recognises carers in our community. I acknowledge the generous and heartfelt comments of contributors to the debate on the Carers (Recognition) Bill 2010. Irrespective of which side of the House we sit, as members of this place and as community members we all experience daily the plight of carers who have been thrust into the position suddenly through accident, through onset of disease or through other reasons. Whilst we support the Government's bill, I acknowledge the member for Bega who, through his vigilance and relentless lobbying, brought this issue to the forefront. He has done this Parliament proud by forcing the introduction of this legislation.

I acknowledge also the contribution of the many carers in the Willoughby electorate. Only this week a constituent saw me about an unrelated issue. At the end of her interview regarding a local zoning matter she expressed her stress as a carer. I had known her for some time and did not realise she was a carer. Many carers suffer in silence and do not receive the recognition they deserve; many of them neglect their own care because of the care they provide to others. Obviously, carers suffer in silence through social isolation being bound at home to look after their loved one or the person for whom they care. They go through much financial disadvantage and hardship, and many face adverse financial situations because of their role.

We must acknowledge that as the population ages and our lives become more complex, carers will have additional pressure placed on them. None of us knows what life will bring us in the future or what circumstances will come before us. It is important for all of us to share this responsibility and anguish. I was keen to contribute to this debate because of the importance we in this House give to those in the community who give so much of themselves to help others. I support the amendments proposed by the shadow Minister for Disability Services. It is important to ensure that carers have a majority position on the ministerial council advocated by the bill. If we are serious about giving carers a voice and the recognition they deserve, we should ensure that they have adequate representation to the government of the day on the issues that most affect them.

Again, I congratulate the member for Bega and the member for Barwon, who have promoted this issue. I acknowledge the many peak bodies in New South Wales that have promoted the carers' issue over a long period of time. I acknowledge the contribution of all members in this place, as should be done in a bipartisan fashion, in recognising the enormous contribution of carers, the enormous selflessness they display daily and the huge role they play in the community for those far less fortunate. I commend the bill to the House.

Mr MALCOLM KERR (Cronulla) [8.43 p.m.]: I support the Carers (Recognition) Bill 2010. I was pleased to hear the member for East Hills pay tribute to the member for Bega because this bill results from his actions. This Government has been in office since 1995, but it was the efforts of the member for Bega that brought it kicking and screaming to the House to introduce this legislation. On a number of occasions the member for Bega has visited the Sutherland shire and met with local carers and heard their concerns. Those concerns have been echoed by members on both sides of this House during the course of this debate. The ever-increasing problem is that

the parents and relatives who take on the role as carers are getting older, yet no provision exists to assist the person for whom they care.

During the course of this debate we heard stories from both sides of the House of the effects of lack of practical assistance. While this bill is welcomed for recognising carers and for providing a carer's charter, a number of issues are raised. I draw the attention of the House, in particular, to the provisions relating to the proposed Carers Advisory Council, which are set out in clauses 10, 11 and 12 of the bill. Clause 12 is particularly grand and sets out the functions of the Carers Advisory Council as follows:

- (a) to advance the interests of carers,
- (b) to review and make recommendations to the Minister on any legislative or policy proposal, or any other matter, relating to carers referred to the Carers Advisory Council by the Minister,
- (c) to carry out such other functions relating to carers as may be directed by the Minister.

As the member for Willoughby said, we do not know the composition of the council or who will hold the majority positions, the funding arrangements of the council or the status of recommendations it proposes. Recognition of carers is long overdue, but so too is practical assistance. The practical assistance provided by this bill is embodied in the Carers Advisory Council, yet this House has limited information about the effectiveness of the council. I ask the Deputy Premier, and Minister for Health to advise the House of the following: How will the council be funded? What will be the extent of that funding? What will be the council's composition? What will be the status of recommendations it makes? How will those recommendations be carried into effect?

Mr DARYL MAGUIRE (Wagga Wagga) [8.47 p.m.]: The Carers (Recognition) Bill 2010 is an important bill. It is important to recognise carers of all persuasions because they do a wonderful job in our community with their loved ones. No government could ever pay in monetary form the value of carers. I commend the shadow Minister, who has worked tirelessly to bring this bill to fruition. I will not argue about whose bill it is; the fact of the matter is that the bill has been introduced. Whether the Government has mirrored the Carers Recognition Bill, copied it or whatever is neither here nor there. The Carers (Recognition) Bill has been introduced and through the efforts of the shadow Minister we will vote to give long overdue recognition to carers. I note the wise amendments that have been foreshadowed by the shadow Minister. Any reference body that will provide advice should be weighted in favour of those who are tasked with the responsibility of being primary carers.

<42>

That is a very worthwhile amendment. If the Minister accepts the amendment, that will improve the bill and strengthen its relevance.

Carers have had to fight for everything they have received. Parents of children with autism and parents of children with profound physical disabilities have had to fight a continuing battle to obtain some form of assistance. There is no doubt that resources are tight. As a local parliamentary representative, I know that the primary request from parents and carers is for assistance in the provision of care. One of the main issues is the provision of respite care. We had to fight tooth and nail to obtain funding for additional group homes to be constructed. After a very long campaign, funds were made available to provide respite facilities at Budawang Place.

While the Budawang Place respite facility was welcome because of the extreme shortage of respite care facilities, it cost between \$1 million and \$1.2 million to accommodate five people at a time. The facility has been the subject of widespread discussion in Wagga Wagga because of the manner in which the house was selected. The house is part of a housing estate that is situated on a piece of land that has a 30 degree incline. After the house was purchased, basically it had to be gutted and remodelled. The roof had to be raised so that the bus could fit into the garage. The problems experienced by older parents and carers are obvious when they struggle with the terrain while pushing clients in wheelchairs into the centre. For the great deal of money that was spent on ramps and improvements at Budawang Place, the number of available respite care places could have been tripled in a more suitable property.

Wagga Wagga is the largest inland city of New South Wales. Compared with respite services that are provided in other major country cities, Wagga Wagga is underresourced and desperately needs more investment in respite care facilities. Under the Government's new model, Budawang Place now provides less respite care, so again carers have had to take up the cudgel and they are absolutely exhausted. They are so exhausted and tired that I honestly do not know how they find the time or energy to continue the fight. This bill is important because it recognises the enormous

effort and sacrifices being made by carers. I implore the Minister for Health and the Minister for Disability Services to recognise that a city the size of Wagga Wagga desperately lacks sufficient respite care places. I understand that per capita Dubbo and Broken Hill have almost double the number of respite care places of Wagga Wagga. Consequently, Wagga Wagga carers are missing out on respite care services that would enable them to take a break.

I have outlined in detail matters that I hope the legislation will address. I also hope that by mentioning those matters I have in some way encouraged the Minister for Disability Services to examine the issues. The information I have indicates that \$1.2 million was spent on one property, whereas the same amount of money could have purchased three purpose-built facilities on suitable terrain, thereby facilitating access by physically and intellectually disabled people who need assistance and their carers. The competence of the manner in which Budawang Place was managed is questionable. While the facility at Budawang Place was welcome and desperately needed, one would have to describe it as an example of how not to carry out a project. If the project had been managed in consultation with carers, a much better outcome would have resulted.

I petition the Parliament regularly for improved respite care facilities in Wagga Wagga. Today's *Hansard* includes a petition that has been signed by thousands of people. I present additional signatures on petitions relating to this issue on each sitting day. Access to Budawang Place is downright dangerous. At some point the 30 degree incline of the land will cause injury to carers and their loved ones. Wheelchairs are heavy and so are some disabled people. Frail and aged carers experience extreme difficulty when traversing the slope in attempting to access the centre. It is only a matter of time before an accident occurs. It is a pity that more community consultation was not engaged in prior to the purchase of the property.

Having outlined what I hope the bill will achieve, I will not take up any more of the time of the House. In conclusion, I express the hope that the Minister will support the amendment foreshadowed by the member for Bega because I believe that ultimately their inclusion will improve the legislation. Although this legislation has been a long time coming, I know it will be valued by carers in our community. We respect carers for the work they do. We will continue to support them not only because they provide much-needed services and care but also because of their great value to the community.

Ms KATRINA HODGKINSON (Burrinjuck) [8.55 p.m.]: The objects of the Carers (Recognition) Bill 2010 are to enact a New South Wales carers charter to recognise the role and contribution to our community of persons who care for other persons who have a disability, a medical condition such as a terminal or chronic illness, a mental illness or are frail and aged, to require certain public sector agencies to take action to reflect the principles of the New South Wales carers charter when providing services that affect carers, and to establish a Carers Advisory Council. I absolutely endorse the amendment foreshadowed by the member for Bega as it relates to the membership of the Carers Advisory Council. The amendment seeks to provide that the majority of members on the council are primary carers, and that is a very sensible.

A couple of months ago the member for Bega, with strong support of the New South Wales Liberals and Nationals, was instrumental in the introduction in this House of the Opposition's Carers Recognition Bill 2010. He established the website www.caring4carers.com.au. The website requests people to support the Opposition's petition calling on the Labor Government to support the Opposition's bill. The campaign was such a great success that it became quite clear that legislation was needed, not just for the satisfaction of New South Wales carers but also to bring New South Wales into line with other Australian States. While I appreciate that the Government's bill is catch-up legislation, ultimately members of Parliament care about good legislation being introduced for the benefit of carers.

The legislation formalises recognition by society of people who voluntarily care for members of our society who have a disability, a mental illness, a chronic illness or who are frail aged. The most recent specific information that is available from the Australian Bureau of Statistics is dated 2003, which is a matter of concern because the base data that governments work on is more than seven years old. One in five persons in Australia has a disability. As people age, the proportion of disability in the population increases. That factor has been recognised by other members who have contributed to the debate, including the member for East Hills. At age 60, slightly more than half of the population has a disability. The Australian Bureau of Statistics states that there are 2.6 million carers in Australia.

I will highlight the circumstances of people in my electorate who are interested in this legislation.

Mrs Betty Barrett from Young is 69 years old. She is the sole carer of her husband, Max, who is 79 years old. Max had a stroke seven years ago and is partly disabled. He needs assistance in getting around outside the home. He also suffers from severe depression and becomes very moody. Max is a former builder and in 1986 Betty and Max lost everything, including their home. Because of financial difficulties, Max refuses to go into respite care. Over the past seven years, the longest break that Betty has had from caring for Max was a five-hour period when she drove into Canberra to visit an art exhibition.

<43>

When she got home she found that Max had had a fall. The only other break Betty has had was when she was in hospital for treatment of her breast cancer. Like many other carers, Betty's health needs are subordinated to those of the person she cares for. Betty's breast cancer remains under treatment and is not in remission. The only respite she had was to take a short break to look at an art exhibition and in that time the person she was caring for had a fall. She has felt guilty ever since.

I highlight the case of Debra Hoffman. Many carers suffer extreme frustration because of the need to deal with different government departments that among themselves have differing policies or approaches to caring. Debra Hoffman cares for her severely disabled brother. Because of his care needs, she is unable to work. They must survive, as so many people do, on a disability pension and carers payments. She came to me when the Department of Ageing, Disability and Home Care was trying to transfer responsibility for her brother's care to the Department of Health. Debra's brother has very specific and expensive support requirements that, if not met, make him extremely prone to life-threatening infections. The Department of Health was unable to guarantee that his needs could be met within its budget by the Program of Appliances for Disabled People scheme, which is notoriously underfunded and on which I have made numerous representations to successive Ministers within this portfolio area over the past 11 or so years. Debra keeps being told that the transfer of responsibility will go ahead but no-one will guarantee that all of her brother's needs can be met. How distressing for the carer! To Debra, that is a death sentence for her brother.

I raise the case of Rohan White. Rohan is six foot five inches tall, weighs 110 kilograms and is about 22 years old. He has a developmental delay, which means that he has the abilities and understanding of a four-year-old or a five-year-old. He has a four-day-a-week community participation package at the local service in Yass, known as Andalini. The additional costs involved in his care equates to about \$200 a fortnight. Before he turned 21 his disability pension was little more than \$330 a fortnight. That meant that his parents had to house, clothe and feed a young adult on little more than \$65 a week—a young adult who would never have the capacity to go out to work. He is very tall and heavy, and obviously is a handful. Now that he is over 21 he is on the full disability pension, but this still does not go anywhere near meeting all of his needs.

Because of Rohan's disability, only one of his parents can work full time, which limits their earning capacity. Rohan's parents are not getting any younger. Time and time again we hear about cases of carers ageing. Both of Rohan's parents have struggled with depression as a result of his disability. That is also common amongst carers, as is a significant increase in marriage breakdowns. Most of the carers who come to me for assistance are separated or divorced, and the day will come when they are unable to care for the person who needs them the most. Currently, in Rohan's case, all supported accommodation in Yass is fully utilised and disabled adults living with their parents must wait until an existing client either moves out or passes away.

I turn now from Yass in the south to Cowra in the north of my electorate. Yass is in a better situation than Cowra, where currently there is no supported disability accommodation. Recently the Minister announced funding for one house, but it has taken more than three years of my representations to achieve this. In Cowra there are at least nine parents—and I predict up to as many as 14 or 15—aged over 64 years who care for their disabled children. There are at least another nine, probably more, parents aged between 50 and 64 who also care for disabled children in their Cowra homes. Cowra is just a country town; it could be an average country town in any part of New South Wales.

There is no supported disability accommodation in Cowra. Indeed, a group home was not even under consideration by the Department of Ageing, Disability and Home Care until I started making representations on behalf of these parents. It is difficult for carers to attend community meetings. It is difficult to get them into a room away from the people they are supporting; some of them must bring the people they are supporting to the meeting. Obviously they must take time out of their program to get to the meeting. One can gauge the importance of these meetings to carers by their response, because we know how difficult it has been for them to attend. There are about 750,000

carers in New South Wales. The work they do is almost always unpaid. We know that they save taxpayers about \$10 billion a year, yet because they are usually caring for a family member their ability to earn an income is severely curtailed.

At the same time that their income earning capability is severely affected, the additional costs that they might face over and above those associated with normal life are obviously much more extreme. They are much higher. Medical expenses, specialised equipment, activities and respite care do not come cheap. The financial support they receive from government does not reflect the financial contribution they make to this State. The financial support they receive from government is nowhere near full compensation for the work they do and all the additional costs they incur. I have received several letters about the Carers (Recognition) Bill 2010. Several of people wished me to reflect in this House their support for this legislation and most particularly the work of the member for Bega in getting this legislation drafted in the first instance. I received correspondence from Kevin Sheedy, who wrote:

... as a 66 year old carer, of my wife who needs the use of a wheelchair. We live in the small village of Koorawatha, in the south west slopes of N.S.W., twice a year I take my wife to a specialized respite centre at LIDCOMBE, in the metropolitan area of N.S.W., I have not found any disabled toilets that have the grab rails that are perfectly designed for my wife to comfortably transfer to use the toilet ...

These things are part of everyday life for these people. The smallest things take on the most enormous importance. Mr Sheedy continued:

... most of the rails are too short before they angle upwards, some are also too close to the wall, I realize that public toilets have to be designed so that they can suit the majority of users. Some of the pans are placed too close to the side wall, also a lot of toilet pans are NOT DISABLED Pans, just the normal height pans. These minor problems all add up and make life that little bit more difficult for my wife as well as myself as her carer.

I am sure it is embarrassing as well. Mr Sheedy continued:

At times we have used Home Help, to allow me some free time to carryout modifications to our home, home help ladies came to shower my wife when I requested emergency respite care, it took TWO Trained Healthy Ladies to do the same work that I have to do on a 24 hour on call basis AND they only work an 8 hour day!

Although he has used an exclamation mark, I am sure he appreciates the work that those ladies do to provide emergency respite care. He continued:

When we travel I have to carefully plan our trip to make sure that our planned rest stops have suitable access for refreshments, meals, toilets, parking and overnight accommodation when required.

Parking can be a problem, especially when there is no suitable designated disabled parking spaces available, I have to be sure that no other vehicle can park too close to the left side of my care, as I need the door to be wide open to be able to get my wife into her wheelchair, this is also a problem when parallel parking.

Grocery shopping has its own little problems, we are unable to use a shopping trolley with the wheelchair...

Shopping for clothes and or personal items for my wife has caused some problems for me, because female shop assistants seem to object to a male trying to buy goods for women ...

Our home is congested with mobility aids, so everything has to be in a certain place for ease of access, we have had frozen meals on wheels, which means that we have leftover containers which requires more trips to the local tip ...

And so on. Carmel Croker of Yass and Ted McReynolds also support the Carers (Recognition) Bill. I received a long and involved letter from Geoff Fisher, who is the father of Lauren. Many of us in Yass have known dear Lauren for a long time. Lauren gets about in a wheelchair; she does not have the use of any of her limbs. She is always with a carer or with one of her parents. I imagine she would be about 20 years old now. Lauren is the face of a disabled child in Yass.

<44>

Lauren now attends the Andalini Community Participation Program. Three issues that currently face Geoff that impact on Lauren's daily needs are the need to gain independent accommodation, the funding band that governs her involvement in the community participation program in Yass and the timely funding for the purchase and maintenance of essential equipment such as a new wheelchair. Geoff outlines in great detail in his letter those matters, for which I thank him.

I know that many other people right across the electorate of Burrinjuck have to deal with such

matters on a daily basis. I think of them when they come into my office because we still await the installation of a permanent ramp to enable ease of access, which we have been requesting for more than 10 years from this House, and also assistance to open doors for those people in wheelchairs. I imagine funding will come forward in due course. People with disabilities are well recognised across the State but the people who care for them deserve formal recognition. That is why I support this bill and the amendment foreshadowed by the member for Bega. Once again I congratulate the member for Bega on his efforts in relation to this bill. I hope that his foreshadowed amendment will have the support of this House.

Ms CARMEL TEBBUTT (Marrickville—Deputy Premier, and Minister for Health) [9.10 p.m.], in reply: I thank all members for their support of the Carers (Recognition) Bill 2010, which provides formal recognition of the important and valuable roles played by carers in our community. More than 750,000 carers in New South Wales provide care, support and assistance to people with disabilities, the frail, the elderly and many others. We are indebted to those unsung heroes for the role they play in our society. Many members have related moving stories about their personal family experiences of carers or carers in their electorates who have come to see them.

In recent years advances have been made towards a formal recognition of carers, notably amendments to the Anti-Discrimination Act in 2000 to ensure that carers are not discriminated against at work due to their caring responsibilities and the recent introduction of the Mental Health Act 2007, which formalises the important role carers play in mental health. This Government has a proud history of supporting and recognising carers and, importantly, improving the services relied upon by those being cared for. Whether it is increasing funding for health and mental health services, for disability services or community services, we can always do more.

I remember that in 1995 one of the first decisions of the newly elected Labor Government in New South Wales was to increase supported accommodation for people with a disability. It was a proud decision that it believed had to be made because of the lack of supported accommodation. Since then the Labor Government has gone on to do many things for people in our community who need care and has given formal recognition to carers in this bill. It is true no formal legislative recognition has been made of carers. I am pleased that this bill, which aims to formally recognise the role and contribution carers play in our community, is supported by this House.

I note the issues raised by members regarding the impact of this bill on other important matters, particularly carers' assessments and privacy, and the interaction with the Mental Health Act. This bill will not affect the operation of New South Wales privacy laws. The Privacy and Personal Information Protection Act and the Health Records and Information Privacy Act will continue to protect personal and health information held by public sector agencies. In relation to mental health, the Mental Health Act will continue to apply and recognise the role of primary carers in relation to notification of certain events, such as a patient being involuntarily detained, and the discharge planning of patients.

In relation to the amendment foreshadowed by the member for Bega relating to the constitution of the Carers Advisory Council, the Government will support this amendment. I thank the Opposition for its support for this bill. I acknowledge the work of the member for Bega in introducing an earlier bill that recognised carers. For the benefit of the member for Pittwater who remarked on the similarity between the two bills, I point out the similarity between the bill introduced by the member for Bega and legislation in other States, which is not surprising, but is proper. These sorts of bills take a certain form and structure. I acknowledge the work of the member for Bega. I also acknowledge the role of Carers New South Wales in bringing this issue to the forefront of our minds. I acknowledge the vital role that all carers in New South Wales play in our community. I applaud their contribution to our community. The passage of this bill will provide carers in New South Wales with the formal recognition that they so wholeheartedly deserve. I commend the bill to the House.

ACTING-SPEAKER (Mr Thomas George): I thank all members for the spirit in which they conducted this debate.

Question—That this bill be now agreed to in principle—put and resolved in the affirmative.

Bill agreed to in principle.

Consideration in detail requested by Mr Andrew Constance.
Consideration in Detail

Clauses 1 to 10 agreed to.

Mr ANDREW CONSTANCE (Bega) [9.17 p.m.]: I move:

No. 1 Page 5, clause 11, lines 5–19. Omit all words on those lines. Insert instead:

- (1) The Carers Advisory Council is to consist of the following members:
 - (a) the Minister administering this Act,
 - (b) such other Ministers who, in the opinion of the Minister administering this Act, are responsible for the provision of key support services to carers,
 - (c) persons appointed as members by the Minister administering this Act who, in the opinion of the Minister, have relevant knowledge of and experience in matters relevant to carers.
- (2) The Minister is to ensure when appointing members to the Carers Advisory Council that the majority of members on the Council are persons who the Minister considers are primary carers.
- (3) Meetings of the Carers Advisory Council are to be co-chaired by the members of the Council who are Ministers.
- (4) Subject to this section, the Minister may determine the term of office and remuneration of members and the procedure of the Carers Advisory Council, including the procedure for the appointment of deputies of members.

I thank the Deputy Premier, and Minister for Health for her support for this amendment. It is important to have primary carers making up the majority membership of the Advisory Council and having input into issues that directly affect them. It is also important that the Minister, if he or she is not able to take the chair during Advisory Council meetings, can delegate that role to another person, which is something that we also discussed earlier. I thank the Deputy Premier for her remarks in reply. It is important to note this historical occasion on which both sides of the House have worked together in a spirit of bipartisanship towards this legislation. I know the office of the Deputy Premier and my office have been heavily involved in meetings with Carers New South Wales and carers to get to this point. I am grateful that the Deputy Premier has agreed to this amendment on behalf of carers in New South Wales.

Ms CARMEL TEBBUTT (Marrickville—Deputy Premier, and Minister for Health) [9.19 p.m.]: The Government supports the amendment and agrees that a majority of members of the Carers Advisory Council should be made up of carers and that the Minister responsible for the administration of the legislation and any other Ministers who are members of the Advisory Council or their delegates will chair the Advisory Council.

Amendment agreed to.

Clause 11, as amended, agreed to.

Clauses 12 to 15 agreed to.

Schedule 1 agreed to.

Consideration in detail concluded.

<45>

Passing of the Bill

Motion by the Hon. Carmel Tebbutt agreed to:

That this bill be now passed.

Bill passed and transmitted to the Legislative Council with a message seeking its concurrence in the bill.