



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

24 March 1993

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MADAM SPEAKER (Ms McRae) took the chair at 10.30 am and read the prayer.

PAPER

MR WESTENDE: I seek leave to present a petition which does not conform with standing orders as it does not contain a request.

Leave granted.

MR WESTENDE: I present an out-of-order petition from 387 residents protesting about restricted parking facilities at Oatley Court, Belconnen.

DISCRIMINATION (AMENDMENT) BILL 1993

MR MOORE (10.31): I present the Discrimination (Amendment) Bill 1993.

Title read by Clerk.

MR MOORE: I move:

That this Bill be agreed to in principle.

Madam Speaker, in introducing this Bill I would like, first of all, to make clear the consistency of my approach now and in 1991. I shall do that by quoting from *Hansard* of 27 November 1991, when an amendment similar to this was presented by Mr Stefaniak in this house. In the very first paragraph of that speech I stated:

... I make it quite clear that I agree with Mr Stefaniak, in principle, that it is now inappropriate to have such a thing as compulsory trade unionism. I make no bones about my position on that.

In my speech that followed, in opposing Mr Stefaniak's amendment at the time I stated, again and again, that it would certainly be entirely inappropriate for me to support the legislation - and at that time I said "at this stage" - and to pass an amendment that could well be overturned due to the relationship that the ACT has with the Federal Government and the overriding power of Federal legislation. I said:

That is something ... I would ... look into further.

I went on to say that it was an issue that needed some debate - - -

Mr Connolly: Wriggle, wriggle, wriggle.

Mr Cornwell: "I would like to look into further".

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MADAM SPEAKER: Order! I have called for order, Mr Moore. I expect order. Continue, Mr Moore.

MR MOORE: Thank you, Madam Speaker. I went on to say that it was an issue that needed some debate in the public arena instead of being slipped into a piece of legislation without any public airing at all. After raising the issue of choice and the ability to choose whether or not to be a member of the union, I stated again, on page 5124 of the *Hansard*:

I make no bones about it; I oppose compulsory unionism.

At that time Mr Berry interjected to say, "It does not exist", and no doubt he will continue to take that type of approach; but, of course, anybody who has been involved in unions knows that there is more than one way to deal with compulsion. Mr Stefaniak was not re-elected. I even went on to say:

If Mr Stefaniak can convince me by the middle of next year -

to put it into perspective, that is six months ago -

and after some debate in the public arena on this, that this is the appropriate place, then I would reconsider it; but at this stage ... I feel obliged to oppose this amendment.

I gave the Liberals a clear indication that I would reconsider the Bill. They have had over a year to do that and have still done nothing, and that is when I decided that I would take action to see what I could do to end compulsory unionism. The press release that Trevor Kaine put out, which was entitled something like, "Moore does Back-flip", was not only churlish but also wrong.

Mr Kaine: It was dead right.

MR MOORE: It was wrong. Madam Speaker, apart from the mirth in the Assembly, people feel uncomfortable, for their various reasons, about my doing the deal. Labor members are uncomfortable because they know that they are going to lose this; Liberal members are uncomfortable because it was very clearly set out that I would support their position, and they did not get around to doing it. I hear a chuckle from, of all people, the ex-shadow Minister for Industrial Relations who had the opportunity for over a year to put this up and to win it. He did not do it, Madam Speaker, and we can see what has happened. Perhaps with their new shadow Minister for Industrial Relations something might be done.

Mr Kaine: You opposed us then and you have given no indication until now that you have changed your mind, Michael. Do not equivocate.

MR MOORE: Madam Speaker, Trevor Kaine interjects that I gave no indication that I had changed my mind. Just that minute, Madam Speaker, I quoted from the *Hansard* to show Trevor Kaine where it was recorded. That man now finds that he has remained in ignorance. He was not prepared to do something about it. That indicates his lack of ability to do anything. He is the victim of lack of concept, and he will probably continue with it.

Madam Speaker, I was a trade union member all my working life prior to joining this Assembly. In fact, at Ingle Farm High School in South Australia I was the staff representative for the South Australian Institute of Teachers, the teachers union in that State. The difference between that union and many unions that operate now was that it required, at that time, a secret ballot for any form of industrial action; and, in fact, at the staff level all decisions were made by secret ballot. My introduction to unionism was in a union which was a particularly democratic organisation. The other interesting part about the South Australian Institute of Teachers was that it was entirely voluntary to be a member of the union, and as an organiser and a staff representative I spent a great deal of time convincing people of the advantages of joining a union, and I convinced them without having to fall back on tactics that are only a little short of blackmail and coercion. When we have that form of tactic to force people into unions, or for them not to be able to work or to be promoted, what we have is compulsory unionism.

It is appropriate, Madam Speaker, that this is an amendment to the Discrimination Act. The Discrimination Act is, I believe, inappropriately named. Some members will recall that at the time we debated whether or not the Act ought to be called the Human Rights Act. I believe that it should be called that. We should deal with an amendment to that effect. This is an issue of human rights, Madam Speaker. If Australia is ever to adopt a Bill of Rights, and that is another debate, there will be no doubt in my mind that it should include the freedom to associate, because most of us recognise our basic human right to associate with whomsoever we choose. Coercion, Madam Speaker, to associate with someone we choose not to associate with, or to prevent this association, would be entirely inappropriate under any such Bill of Rights. Article 20(1)(2) of the Universal Declaration of Human Rights adds as a rejoinder to its right to associate a requirement that no-one be compelled to belong to an association.

In voting against this amendment put up by Mr Stefaniak in 1991 there were two major issues that were raised that would not allow me to support it then. The first was the fact that there had been no public consultation whatsoever on his amendment. The public consultation process will now begin, and the earliest that the Assembly, as I see it, should bring it back on will be at the next sitting in May. The second point, Madam Speaker, was an argument that was presented by Mr Berry, and no doubt he is presenting it again - I have heard him doing so publicly - that because Federal law overrides ACT law this amendment will have no impact whatsoever. Having had the opportunity to take legal advice, I now believe that it is not such a clear-cut case. It was an effective political rather than legal argument at the time. Because the amendment is made to the Discrimination Act -
- -

Mrs Grassby: It is just a medium rabid situation.

MR MOORE: Madam Speaker, the interjections from Mrs Grassby are really quite cacophonous and are making it quite difficult.

Mr Connolly: You need protection from Mrs Grassby?

Mrs Grassby: He does, yes. I apologise, Madam Speaker.

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MR MOORE: It was an effective political argument rather than a legal argument at the time. Because this amendment is made to the Discrimination Act I believe that the court may find that the two are not inconsistent. In order to determine that outcome, this law would need to be tested in court, and no doubt will be. In the process of testing it the courts will raise again in the public domain the issue as to whether or not we need, or find acceptable, compulsory unionism. We certainly know that Mr Berry argues that there is no such thing as compulsory unionism, but I would argue that if you cannot work unless you become a member of the union it is a rather compelling reason to join a union. That is compulsory unionism.

What is important here is that the tone be established. There is certain conduct in our society that is unacceptable in principle. The conduct that is unacceptable has to do with the question of basic human rights, and that is the human right of freedom to associate and freedom to choose. Many argue that the difficulty with this legislation is that unions can achieve their goals only if they have collective strength, and of course there is some merit to that argument; but you do not get collective strength Stalin-style by forcing people. If you want a union to operate on collective strength, it can be achieved not by forcing people to be a member of the group, as has been done in some of the right-wing and left-wing fascist states, but by encouraging people, by showing them the advantages of being in the union. Should I leave this job tomorrow to return, for example, Madam Speaker, to teaching, I would immediately become a member of the union because I see the benefits of that particular union.

Mr Kaine: No, you have 18 months to go yet, Michael.

MR MOORE: Mr Kaine interjects that I have 18 months to go. It is becoming more difficult for people to see thee. I remind you, Madam Speaker, that we had interjections from the Liberals to that effect in the last Assembly, and many interjections from the now defunct Residents Rally to that effect.

As the unions amalgamate and grow larger, there has been a great distance between those in control of the unions and their membership. That is probably what is making Mr Berry particularly uneasy at the moment. I think the union movement is at a point where it must reassess its position and try to understand why it is that people are leaving it in droves. People will not be forced or coerced into unions, but can be convinced when they can see the benefits of being part of the union. There is a little temptation here for me, Madam Speaker, to sing a song about, "You can't touch me, I'm part of the union", and Mr Lamont might join me; but since singing is not my strong point I shall spare the ears and the difficulty *Hansard* may have trying to put that into the text.

The other argument against this legislation, which also has some strength, is that members of unions have won advantages in the workplace over the past 100 years or more, so why should non-union members take advantage of those workplace reforms? There is some strength in that argument. Once again I argue to members of the union that what you need to do is to convince people of the importance of the union and to encourage them to join a union rather than to force them. What the argument fails to take into account is that some people have very good reasons for wanting to exercise their democratic right not to join.

All women today, for example, enjoy the fruits of the suffragette and subsequent women's liberation movements, but they are not forced into joining organisations that support their principles today. They do so voluntarily. The unions could perhaps learn from the women's movement and continue to educate and encourage rather than to force and condemn.

The questions many union reps should ask of themselves - and incidentally, this was raised by a member of a particular union here - are: "How can we make our union an organisation worth joining?. What can we offer each member in return for joining our union?". There are many accounts of workers being forced to pay union dues before they are allowed to work, with absolutely nothing offered in return. Madam Speaker, I am going to give a couple of examples. The first example is this: A young casual worker covered by the Storemen and Packers Union was told that she had to pay up front \$180, which was more than a week's pay, in case she was retrenched before the union could collect a full year's dues. She was told, "No union, no job".

I do not intend to give incident after incident of what I consider bully tactics and thuggery by some union reps, as this amendment is not attempting to address industrial relations but human rights; but they do exist, Madam Speaker, and I have heard of quite a few of them over the last few days. The main employers of young people in the ACT include people like Woolworths, Coles and other supermarkets. It appears that the unions concerned there have made, effectively, enterprise agreements with the employers of those organisations. The agreements amount to no choice; no job if you do not join the union, even as a casual. The same union demanding fees and membership could not offer any support to the casual worker when threatened with the loss of the job or the conditions under which he or she was employed.

Why do unions believe that they have the right to deny people their democratic right to choose? As a teacher, Madam Speaker, I watched a young maths teacher complete her first year of training and her first year of teaching. To get off probation, to be able to become a permanent member of the work force, this person, whom I considered to be a particularly competent teacher, had to go through a process of peer assessment. She objected to joining the union on principle. As I recall, she was a member of a political party - I do not remember whether it was Liberals or Democrats - and did not want her funds to go to the Labor Party via the union. That was her reason for not wanting to join the union. Her immediate peers who were entitled to carry out the peer assessment refused to do so until she joined the union. Madam Speaker, I am sure that you are conscious of these things. She refused and our children lost her services to this society. We lost the services of a particularly competent mathematics teacher.

Mr Lamont: The Teachers Federation is not affiliated to the Australian Labor Party and never has been.

MR MOORE: Madam Speaker, I hear a cacophony coming from Labor about who is affiliated with what. The amendment that I propose, if you have a look at it, is a very broad amendment, Madam Speaker, that says that an act of discrimination applies to "membership or non-membership of an association or organisation of employers or employees". The Teachers Federation is part of that.

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Mr Connolly: But it is not affiliated with the Labor Party, so your argument about the fees is nonsense.

MR MOORE: I do not give a stuff whom they are affiliated with. Many stories of this type are flooding into my office. It seems to me that, had the result of the most recent Federal election been different, with John Hewson at the helm and John Howard looking after industrial relations, many people would have recognised the need to flock to join unions. They would have seen a very good reason to join the unions. Perhaps people may see things differently now that a Labor government is reinstated.

Whichever way we look at unions, the bottom line is that we live in a democracy and we should use democratic processes wherever we can. The unions, although I have a great deal of respect for them in many cases, are not democratic. They are not democratic in this issue - the issue of being able to force people to join a union because people do not have the freedom to choose. That basic right, that basic freedom to choose, is why I oppose compulsory unionism. They are also often denied one other basic democratic right. Our democracy works because we have a secret ballot. Decisions made by union members as a whole should always be by a democratic secret ballot. That is an issue for another day. Madam Speaker, I commend this Bill to the house.

Debate (on motion by **Mr Berry**) adjourned.

SCHOOL CLOSURES

Debate resumed from 24 February 1993, on motion by **Mr Cornwell:**

That this Assembly urges the ACT Government to deal flexibly with the problem of school closures in the ACT in the interests of educational fairness and equity.

MR CORNWELL (10.50): Madam Speaker, in concluding my opening remarks to this motion I would like to mention that in a final attempt by this Government to wriggle out of its responsibility to close Griffith Primary School it went so far as to promise that a survey would be conducted in October this year to see whether the school could be reopened. I do not wonder why Pam Cahir called this Government morally bankrupt, because who really is going to be interested in a closed school, except, perhaps, vandals? I do not know why you held out this misleading carrot to the parents and the children from Griffith Primary who are already distressed.

The Government's behaviour in this sad affair has been less than responsible and, I believe, shows a contempt for the social justice principles it continually purports to support and espouse. It is to be hoped that it will take a different and more courageous approach in the interests of government school pupils and their parents in the future. It is for this reason, Madam Speaker, that I ask that the Assembly urge the ACT Government to deal flexibly with the problem of school closures in the ACT in future in the interests of educational fairness and equity.

MR WOOD (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (10.51): Madam Speaker, Mr Cornwell's motion calls on the Assembly to urge the ACT Government to deal flexibly - I emphasise "flexibly" - with the problem of school closures in the ACT in the interests of educational fairness and equity - and I emphasise "fairness and equity". It really is an astonishing motion. I am flabbergasted that a member of the Liberal Party would stand up and propose such a motion. Mr Cornwell was not in the First Assembly - - -

Ms Follett: He was in the gallery.

MR WOOD: He was certainly very well aware of what went on. As Ms Follett points out, he sat among the benches just beyond that little wall day after day; now he stands up and proposes such a motion. The Liberal Party is saying one thing, but it did something entirely different. The wording of the motion reads all right. If someone wandered in from the street and read that, they would say, "What is wrong with it?". It is not the motion to which I and the Labor Party, and maybe other people, object; it is the total intention behind that motion. We heard that when Mr Cornwell was speaking some little time ago in this adjourned debate. What did the Liberal Party do when they were in government? Did they deal flexibly with the problem of school closures?

Mr Humphries: Yes, that is right. We changed our mind.

MR WOOD: You did not. Mr Humphries said that he changed his mind. He did not change his mind. The Alliance Government did not change its mind. The community forced that change on the Government. The whole community, in association with the ALP and other members of this Assembly, forced that change of mind. What did Mr Humphries do as a representative of the Government in relation to school closures but walk out one day and say, "We are going to close up to 25 schools"?

Mr Cornwell: He did not say that at all.

MR WOOD: I thought you were there, Mr Cornwell. Maybe you did not sit in on the joint party meetings.

Mr Humphries: An ambit claim.

Mr Moore: An ambit claim. But he can be honest now that he is not in government.

MR WOOD: Exactly. I will acknowledge that, Mr Moore, and we will get that on the record. I think it says a lot. Mr Humphries went on - in a spirit of flexibility, I wonder - to say, "We are not going to discuss the decision. That is not up for debate. We are not going to argue about that. We will talk about the criteria for closing the schools and which schools they will be, but we have made the decision and that is it". That is the flexibility that Mr Cornwell now starts to argue about. That is flexibility. What nonsense we have coming from the other side of the Assembly!

I do not take a very favourable view of this motion, certainly not of the intentions behind it. It was only the strong reaction by the community and the ALP and others that prevented Mr Humphries and the assault of the Alliance Government; so it did not work out. But that was your intention. It did not work out.

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It was your intention to close all those schools. You were not successful, but you wanted to be successful and it was a great failure on your part. In fact, your approach on that occasion was, "We have made our decision. You cop it".

Mr Cornwell: What about Fisher and Page?

MR WOOD: I have said this often in this chamber. I joined a picket. I joined the community protest on Page and that was the same thread that you picked up when you came into government. It was the same influence with the Federal Government, that then ran this show, to close schools that you accepted when you came in. We rejected that and we always opposed that notion. You promised, when you made that statement about closing up to 25 schools, to be quite inflexible. You said, in effect, "We have made our decision. You cop it".

Madam Speaker, the next point I want to raise is the need to deal with schools with fairness and equity. Yes, I agree. Let us deal with schools with fairness and equity. We all say that. But what are schools? Schools are collections of students and you need to deal with students with fairness and equity. You must not forget, as your Government did, that when you are talking about a school you are not talking about a building. I am sure that that is all you could see. You are not talking about a building. You are talking about bodies in that building. You are talking about young children, older children, adolescents and quite mature young people. That is what you are talking about, and we need to deal with those people with fairness and equity. The Labor Party does, but the Liberals do not.

Let me come to the case that prompted Mr Cornwell's motion - Griffith Primary School. In that situation the Government dealt flexibly, it dealt with fairness and it dealt with equity.

Mr Cornwell: What about this 13 February quote, "Griffith Primary will remain open for at least the term of the current ACT Labor Government"? Mr Wood said that.

MADAM SPEAKER: Order!

MR WOOD: Madam Speaker, the situation with Griffith was, regrettably, that the local community left it. Its numbers were reasonably steady. There was some obvious long-term decline as the population changed; but, for reasons that I am still assessing, the community decided that it did not want to enrol its children at that school any more. The community made the decision that that school should close. In the end there were under 40 students remaining at that school and the parents recognised - I attended meetings with them - that it was no longer a viable prospect. The decision was taken to cease operations on the Griffith campus of what was actually the Griffith-Narrabundah Primary School for 1993.

Mr Cornwell mentioned the survey that we will undertake later in the year. I believe that that is dealing fairly with the community and it is certainly dealing flexibly with the community. Only yesterday I met representatives of the Griffith campus to talk about the future of the school, to talk about the survey and to maintain contact. So we have not walked out on that school, on those parents and, most particularly, on the students. We have dealt fairly with them. We have been generous in our support of the students who have gone to other schools.

We have looked after them to the best of our ability in the new circumstances in which they find themselves. I believe that, in what was a more than difficult circumstance, an impossible circumstance, for the school, we have dealt in the way that this motion calls for.

I said earlier in my speech that the motion reads quite adequately. I could improve it, I could refine it a little; but in fact I am not going to support it. The Government is not going to support it, because of the spurious intention behind it. It is not a genuine motion. It is simply a vehicle to allow the continuing tirade of the Liberals against the government school system. That is all it is. It never ceases. Mr Humphries lost the battle to close up to 25 schools; but he and his colleagues, with Mr Cornwell now carrying the banner at the front of this small army, are continuing to carry on the fight, the war. You have not given up the war, the attack on the government school system and the attack on the students in that system. It is for that reason that we oppose this motion.

MS SZUTY (11.01): Madam Speaker, I wish to commence my comments on this motion by referring to the ALP policy statement for the 1992 ACT Legislative Assembly election, issued on 29 January 1992 and entitled "Labor's Priorities for the Next Three Years". I quote from the first dot point:

Labor will guarantee that no further schools will be closed in the next three years.

That is the very statement that Mr Cornwell has referred to in this chamber. Madam Speaker, it is my genuine belief that this commitment, given in good faith by the Labor Party at the time, has been valued extremely highly by members of the Canberra community who lived and worked through the Alliance Government's attempts to close 25 Canberra schools. Indeed, the Canberra community witnessed the stand taken by the Cook and Lyons primary schools communities to protect their schools and to build their school communities further.

Members will be familiar with the role that I played during the school closure debate in protecting Fraser Primary School and protecting government schools in Belconnen; in developing with Graeme Evans a paper called "There Are Alternatives to School Closures"; and in serving as a member of the Belconnen Region High Schools Task Force, chaired by Associate Professor Terry Birtles. The Michael Moore Independent Group, in its electoral platform for the 1992 Legislative Assembly election, confirmed our commitment to government schools and stated that "neighbourhood schools be protected and recognised as an integral part of local communities".

However, Madam Speaker, there is no doubt that the question that no-one in the Canberra community has come to terms with yet is: What number of students constitutes a viable school community? It is an issue, Madam Speaker, that we do need to come to terms with as a community, to address and to debate, because I believe that it will remain an issue for years to come. We need to wrestle with the philosophical question of what number of students constitutes a viable school community, and to develop strategies which can assess the enrolment levels of schools on a continuing basis and in a sensitive fashion. I believe that the answer to this question will better assist us in handling situations such as the decline in the Griffith Primary School population which occurred markedly over a two-year period.

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The decline in student numbers at Griffith was an extraordinary and exceptional example of a tragic situation which had been steadily developing over some time. The enrolments at Griffith Primary School had been healthy at around 200 in 1990, but progressively and steadily declined over a number of months to the point where the number was 34 prior to the closure of the school, as Mr Cornwell has also referred to. I reiterate that these were extraordinary circumstances and that no-one could have realistically expected or predicted that enrolments would decline to such a degree.

At the time I made the call on the Minister to intervene at Griffith Primary School I was aware of the extensive work that had been done by the Griffith-Narrabundah community in completing the Griffith-Narrabundah review on 3 August 1992. The signatories to the review are four well-known Canberra women: Sue Murphy, the chairperson of the Griffith-Narrabundah School Board; Joan Kellett, representing the ACT Council of P and C Associations; Margaret Hird, vice-president of the Australian Teachers Union, ACT Branch; and Cheryl O'Connor, executive director of the ACT Department of Education and Training. The review was comprehensive, comprising some 41 recommendations. Of the recommendations which requested the expenditure of government moneys to support the school, the Government supported the majority of them. So what went wrong? It is clear that the work which was done was insufficient in maintaining or enhancing the confidence that the local community had in Griffith Primary School. With 34 students it was obvious at the time that the only reasonable decision the Government could have taken was to close the school. No-one considers this situation to be more tragic than I do - tragic for the remaining students, their parents, the teachers, the Department of Education and the Canberra community generally.

What can we learn from the experience of the closure of Griffith Primary School? We know that in circumstances such as these the well-being of the students and their families must come first. At this time the decision has been taken to close the school. However, the Minister has indicated that he will consider reopening the school if at all possible later in the year. Thus far, neither the P and C Council nor the ACT branch of the Teachers Union has supported this move. However, I would contend that, as extraordinary circumstances prevailed leading to the closure of the school, changes in circumstances may yet enable the school to reopen. The confidence of the local school community will need to be enhanced if reopening is to be at all possible. With dedication and commitment the school could reopen; but, perhaps understandably, students and parents may wish to get on with their lives.

In such situations as the decline in enrolments at Griffith, closure needs to be considered as an option and not backed away from as an unthinkable alternative whatever the circumstances. If closure is the best option for the remaining students and the local community, then the closure option must be taken. We cannot close our eyes and not contemplate school closures under any circumstances. Neither can we refer to euphemisms about school closures, if that is what we are talking about. All that occurs in these situations is an avoidance of coming to terms with the issue. Madam Speaker, I will not be supporting Mr Cornwell's motion, because I believe that the Government's policy regarding school closures is basically right. However, I commend Mr Cornwell for raising the issue. What is needed now and will continue to be needed for some time is an answer to the question I posed earlier, and that is: What number of students constitutes a viable school community?

MR HUMPHRIES (11.07): Madam Speaker, it is extraordinary to see what lengths the Government has gone to in this debate to avoid responsibility for what is a very sorry state of affairs. I have to say that I do not think there is any way you could describe this Government as being not directly responsible for the state of affairs which has resulted at Griffith Primary School. Every step in this process is attributable to this Government's own actions. This Government argued against the closure of that school in the first place. The Government of which I was a member argued in favour of that closure and I think that, frankly, circumstances since that time have vindicated the wisdom of the position that we took.

Mr Wood: You started the rot.

MR HUMPHRIES: That is what you claim. The fact of life is that you opposed the closure of that school. You have been the Minister responsible for that school for almost two years since the Alliance Government left office. You had the chance, if you wanted to, Minister Wood - through you, Madam Speaker - to ensure the recovery of that school, to ensure the viability of that school, if that is what you really wanted; but you did not.

The reason you did not is that you know, and the Government of this Territory knows, as well as I do and as well as those on this side of the chamber do, that small schools in this Territory face enormous problems which can be met, can be overcome, only by ploughing into them resources which simply are not available. The Government knows that and it has acknowledged that fact by the reality of not having ploughed additional resources into small schools in this Territory. Griffith Primary School closed not because any government, either a former government or the present Government, decided to white-ant it, but because it was simply too small to remain viable.

Mr Wood: You gave it the kiss of death.

MR HUMPHRIES: That is the basic problem. This Government could have done something about that. Mr Wood says that I gave it the kiss of death. It has been two years since that kiss of death was administered, if there was such a kiss of death.

Mr Berry: And it worked.

MR HUMPHRIES: You cannot keep blaming us for everything that goes wrong in the school system.

Mr Berry: Why not?

MR HUMPHRIES: You might try, but you cannot. You have had plenty of opportunity to rebuild Griffith Primary School if that is what you wanted, but you knew that the only way of doing that was by putting in resources that you just did not have, and you declined to do that. I say, therefore, Madam Speaker, that this Government bears every ounce of responsibility for this decision to close that school.

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Mr Wood said, and this is an extraordinary charge - I could hardly believe it when I heard him say it - "All you", meaning us, "could see, was a building. All you can see is a building when you look at a school". What an extraordinary thing to say from a party that did just that; that looked just at buildings two years ago during the school closure debate. These were the people who were lying in front of bulldozers and chaining themselves to the doors of schools, and saying, "You shall not touch this building". We proposed putting people into schools where there was a viable future for those school communities. "No," said those people opposite, "we want the building. The building is very important. People have to have a building very near to the place where they live. That is the vitally important thing". So do not talk to me about seeing a building. If anybody here concentrates on the question of infrastructure, of school buildings, above what goes on in those schools buildings, it is those people opposite.

Mr Wood yesterday quoted in this house, I understand, some comments from Don Dunstan, and the words, I think, were something like, "A good government has to be about half a step ahead of the people that it leads". I read into that the notion that a government has to do two things: It has to lead, but it cannot lead too quickly and too far ahead of what people actually want. That is the basic idea that I read into that statement. Perhaps Mr Wood can put a different complexion on that at a later time.

Mr Wood: Yes, but you can take quick steps too.

MR HUMPHRIES: "You can take a quick step too", he says. The point is that you cannot lose touch with the people you are supposed to be leading. That is the basic message. Madam Speaker, what has this Government done in this case? Is this not a case of not leading at all? Is this not a case of saying, "We do not particularly want to make a decision. We would rather not lead. We will let the community make the decision for us"? Those are not my words; those are the words of parents at that school. I want to quote what one parent said on WIN television a few weeks ago when this school closure issue was coming to a head. That parent was not named but she said:

The parents wanted the Minister to make the decision, but the Minister didn't want to make the decision, because if the Minister made the decision, he has broken his election promise. I think what he's done is make the parents the scapegoat for the closure. He has got out of it very nicely because the parents, in the end, were forced to make the decision. The parents at Griffith Primary School were done like a dinner.

They were the words of a parent at that school; "The parents at Griffith Primary School were done like a dinner", and, Madam Speaker, indeed they were. Those parents were left in the lurch by this Government. This Government was expected to exercise some leadership. It was expected to say, in the interests of this community, "This school should not stay open", but it did not. It sat back and said, "Oh, we cannot make a decision; we will break our promise. We will sit on our hands and hope that the school bleeds to death before we have to do anything about it". I hope that Mr Wood does not have a dog, because if it gets run over on the road he will probably leave it there until it bleeds to death rather than put it down. That is what he has done with Griffith Primary School.

Madam Speaker, dealing flexibly with school closures is precisely what the Alliance Government did in 1990 and 1991. That is exactly what it did. It put forward plans. It made it clear that those plans had to be debated in the broader community. It sat down to the business of working out how those plans should be implemented. As a result of extensive consultation with the community - consultation the Minister has complimented me on in this place on a number of occasions - we saw changes in the Government's plans. That is flexibility. That is what this motion talks about - dealing flexibly with the problem of school closures.

I might say that the community got a lot more in the way of flexibility from the Alliance Government than it did from the Government which, in the last six years, has closed more schools in the ACT than we ever did, namely, the Federal Labor Government that those opposite worked so hard only a week ago to get re-elected. That Government closed six schools, high schools and primary schools, in this Territory in 1987 and 1988 without a whimper from you people opposite. In exactly the same circumstances we attempted to reproduce that no more than a year-and-a-half later and you bleated like sheep because you were not happy with someone else doing it.

The fact of life is that flexibility is essential in these circumstances. Nobody can expect to face these problems without having some degree of flexibility, and the question of fairness and equity must be an integral part of any decision making on our school system. There is no equity or fairness in leaving small schools to struggle on without proper resources. There is nothing fair or equitable about that at all. In fact, social justice cries out against that kind of situation continually. There are small schools in this community now that simply do not have the resources to offer their students a proper range of educational opportunities.

Mr Wood: Not so.

MR HUMPHRIES: That is so, Mr Wood, and that is why Griffith Primary School was bled to death. Parents left that school because they knew that the opportunities were not there. Those small schools, for example, very often cannot offer their students any language training, whereas larger schools can - often in more than one language. What small schools in this Territory offer that language training at present? I know of only one or two. They can often offer only one or two streams in any particular subject - maths or whatever it might be. Sports opportunities are very limited. They simply do not have the range of teachers to teach a number of sporting activities. The stress on teachers in those circumstances is very great.

Mr Berry: How many sports would you like the schools to teach? All of them?

MR HUMPHRIES: No. But one - - -

Mr Berry: One sport per child?

MR HUMPHRIES: No, Mr Berry. But one weekly game of volleyball is hardly adequate training in sport for students in our schools, is it? You are the Minister for Sport. You go to a small school, Mr Berry, and ask them what kinds of sports they are offering to students in that school. I will tell you. They offer only one or two options to the students in those schools. You have shrugged your shoulders. "Who cares?", says Mr Berry. I certainly care.

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Mr Berry: I do not know. I do not believe you, so I do not know.

MR HUMPHRIES: Go and check and see whether I am right. It is a fact of life. If you have only four or five teachers in a school you cannot be sure of offering a full range of sporting opportunities.

Mr Berry: What do you call "a full range"? Twenty sports?

MR HUMPHRIES: A reasonable range.

Mr Berry: How many?

MR HUMPHRIES: Even 10 sports. I think 10 is a reasonable range.

Mr Berry: So you need 10 teachers for 10 sports?

MR HUMPHRIES: Can you offer that in small schools in the ACT? I will tell you now: You cannot.

Mr Wood: Mr Humphries, you teach skills.

MR HUMPHRIES: You teach skills. You do not bother to teach sports; you teach skills. Okay. Madam Speaker, the stress on teachers in small schools in this community is very great. Those teachers, for example, will end up spending a lot of time doing playground duty. A school of only four or five teachers obviously will have to roster at least two teachers on every time. (*Extension of time granted*) I wonder whether the Minister is aware of the pressure on teachers in small schools.

Mr Wood: I have been in them.

MR HUMPHRIES: Then he knows what teachers have to go through. He knows that teachers are probably the strongest advocates of closing small schools in this community. He knows what the Australian Teachers Union has told him. Would he tell this Assembly? I doubt it.

Mr Wood: That is the union.

MR HUMPHRIES: It is the union; that is right. The union has something to say about members' conditions in these cases and I have to say that I agree with what they have to say about union members' conditions in these circumstances. They are bloody awful in the circumstances of small schools. Those teachers are out there twice or three times a week on playground duty because they cannot get relief. That is not fair. It puts pressure on teachers that they should not be under. There are all sorts of pressures on small schools in that way. This Minister needs to face up to that.

Madam Speaker, I will come to the Minister's defence on one question. He has been accused of white-anting that school, and I think that is an unfair charge. It is also unfair in our case as well. Nobody has white-anted those schools. Those schools have had to face the reality of the fact that with small numbers they get small resources. The Minister could have reversed it,

I suppose, and said, "Okay, we are going to give you special resourcing because you are small". He did not make that decision. I have to say that that was a wise decision not to make. He was not consistent, particularly with his earlier statements, I might say, about wanting to support small schools; but at least it was not unreasonable. Those small schools do not have the students to warrant additional resources. If they are small they face the consequences of that. There are two ways of going in these circumstances - either you increase resources, which we do not have, or you close the school. It really is as simply as that. The third option of letting them plod along as best they can, trying to cope with a lack of resources, really is not good enough.

Madam Speaker, the bottom line is that we are saying to this Labor Government that party promises during an election campaign, particularly ones that were foolishly made and foolishly delivered, should be discarded if that is in the interests of the broader community. You, fortunately, have had the great good fortune not to have formally broken your promise to close no school in the life of this parliament so far. You have had the good fortune to be able to do that.

Mr Connolly: You are saying that Labor sticks to its promises.

MR HUMPHRIES: No, I am not saying that. I am saying that Labor desperately wants to get out of its promise. It had to contrive a way of doing that by effectively letting a school bleed to death so that it did not have to break its promise. You might not have that luxury next time. You might next time be faced with a situation where the only way of dealing with a small school in crisis is to act, and to act decisively. That is the option facing this Government.

Mr Lamont: Like you did, Mr Humphries.

MR HUMPHRIES: Yes, that is right; to act decisively. I wonder whether this Government, when the crunch comes, when it has to make that big decision, will have the courage to make a decision which might go against the promise it made to the electorate some time ago. You have our commitment that, if you close schools that are required to be closed because of circumstances, you will have our support, because we have argued, as we argue in this motion, for flexibility. I hope that those in this Assembly such as Ms Szuty and Mr Moore, who also, I gather, argue for flexibility, will support this motion. The problem is that next time a small school is faced with this dilemma we might find a government once again paralysed in inaction. In those circumstances it is not we in this chamber who are going to suffer; it is the students of that small school and their parents.

MR MOORE (11.22): Madam Speaker, I support this motion on its face value. I realise at the same time the tone that is attempted to be established here, which is to undermine what is being done by the Government and the approach that the Labor Party has taken. Therefore, I think it is appropriate that I carefully explain my position. It is only on its face value that I support this motion, not the attempt of Mr Cornwell to tell the Labor Government that in some way it is not doing what it was supposedly trying to do. The motion is:

That this Assembly urges the ACT Government to deal flexibly with the problem of school closures in the ACT in the interests of educational fairness and equity.

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The Minister has said that it causes him no problem. The motion, on its face value, causes him no problem at all. That is how this will be recorded and in a year's time or two years' time, when somebody looks back, they will not look at the tone and so forth; perhaps they will not even look at the explanations that Mr Wood has given. They will just point the finger at Labor and say, "You opposed wanting to act in the interests of educational fairness and equity". We saw the same sort of approach this morning, Madam Speaker, when I introduced a Bill.

Mr Connolly: You are voting for a motion that they want us to close schools here.

MR MOORE: Mr Connolly interjects that I will be supporting a motion that says that they want them to close schools. The motion does not say that at all. That is how Mr Humphries is interpreting it. I am getting on the record that I disagree with that interpretation, and I do not see why the Government sees this motion as particularly threatening on face value. Having heard the speeches of Mr Cornwell and Mr Humphries, yes, I can see why you see those as threatening.

Let me now offer some supportive comments to the Government. It seems to me that the issue of the closure of Griffith Primary School goes way beyond what we have had in the last few minutes and in the last few months. What we had under Mr Humphries was a set-up that undermined schools and the way schools operated. Mr Humphries indicated clearly that he would put no blame on this Minister for letting the school bleed to death. He said that in one breath but then in another breath did put that blame on, and then took it upon himself to say that he ought not have any blame. Of course he deserves the blame because he was Minister at the time and was responsible for removing the principal from that school and putting it into a twinning situation. It was part of this whole process that he put into place to undermine the neighbourhood school.

If we follow Ms Szuty's advice and in the future we look at the number of schools, it will never be enough to look at the number of students in a school in any given year. We also need to look at the projections for the future and the impact they are likely to have, as far as we can judge, on the school and on the neighbourhood because huge planning issues come up. Mr Humphries may remember that they came up in the debate on the issue of closing the 25 schools that he wanted to close.

Madam Speaker, in supporting the motion I make it very clear that what I am supporting is the fact that the Labor Government has the flexibility to deal not with school closures but with the problem of school closures. The problem at Griffith - I think I must congratulate the Minister - has been handled with flexibility, educational fairness and equity. At the end of the process, realising what Mr Wood had to deal with, thanks to what Mr Humphries did, it has been. It seems to me that it would have been appropriate to have provided a principal to that school.

It seems to me that, if you are considering educational fairness and equity, that also means that Mr Wood should continue - he indicated that he met with parents only yesterday - to pursue equity and fairness in assessing whether or not to reopen that school. Just as closure is part of this motion, the spectre of reopening is also part of this motion. If there is a possibility of reopening the school, perhaps with years 1 and 2 or kindergarten and year 1 in the first year, and we can project a major building up of that school and a revitalisation of the

heart of Griffith through that process, and the Minister can see his way clear to supporting that in the interests of educational fairness and equity, then, Madam Speaker, he should do so, and he should be able to operate within that flexible position. That is why, Madam Speaker, in supporting this motion, in fact I am supporting a position that Mr Wood has taken.

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (11.27): On the face of it, as Mr Michael Moore has said, the motion may be interpreted to mean one thing, but we got the interpretation of what it means from the Liberals opposite. Despite what the motion says and despite the way it has been crafted, we just heard Mr Humphries get up and talk about a self-justification of the vandalism that was committed on the school system in the ACT by the Alliance Government and for which he was responsible. There is no excuse for that. That was a philosophical position that - - -

Mr Humphries: You have done it yourself. You have now closed a school. There are circumstances where it has to happen.

MR BERRY: The philosophical position of the Liberals is clear. Do not try to hide it. We understand and expect that you would take that position in relation to the public school system, and we would expect the same of Mr Cornwell. Of course they would prefer a different sort of public education system. Of course they would prefer the market in most cases to provide for education. The problem for the Liberals is that the marketplace has failed when it comes to issues of social justice to the community. That is why you require - - -

Mr Humphries: That is an interesting statement.

MR BERRY: The marketplace has failed; otherwise there would be no public system. We see, behind this motion, the Liberals trying in a churlish way to justify past mistakes. Mr Humphries is a classic when it comes to churlish speeches, because he went on to criticise the better points of what happened in relation to the school which is the subject of interest in this matter. The parents made the decision. It was not a decision that all of the parents liked but those parents recognised the inevitability of the decision and made it. I can understand that some of the parents would have been angry, having been forced to a decision which was inevitable; nevertheless, they were given the opportunity to make that decision - something which never happened under the Liberals. Mr Humphries argues that we should be decisive. Who would want to be decisive like him?

Mr Humphries: What would you have done if they had not made that decision?

MR BERRY: You had 25 schools. Who would want to be decisive like Mr Humphries and say, "We are going to close 25 schools"? If that is the sort of decisive action that he is talking about, I want no part of it. Whilst it would have been unpleasant for some of those parents to have to come to that decision, I accept that; I accept that there is an element of pain which you would prefer not to happen. But it happened. It was inevitable, and the parents made the decision. I think that is the most important part about this whole process. It was a fair decision because they came to it themselves; they did not have it imposed. There was no necessity to have it imposed on them because it was clear to them what the outcome must be. I think it is part and parcel of our compassionate approach to dealing with education. That establishes the clear contrast, the stark contrast, between us and the Liberals.

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I heard Mr Humphries talking on public service matters the other day, saying that they have to have a different approach to the public service in the ACT. I bet that it would not go to saying to people, "If you want to protect the public service in the ACT in a Federal election you should vote Labor".

Mr Humphries: No, because it would not work.

MR BERRY: No, never. Their approach is, "We will still sit here in the ACT and bleat about the effects that a Federal Liberal government might have on the public service here, but we would never urge you to vote Labor to protect it". That is double-dealing. That is the same as your approach in this matter - it is a whole heap of double-dealing on this issue of education. You are not fooling anybody. Nobody will be fooled. They have had an experience. They have seen your agenda and it is our job now to keep it alive. I intend at every opportunity to keep alive the Liberals' agenda which has been exposed. On many occasions when you were mixed up in the Alliance Government you showed how you operate in health and education. You continue to show your antagonism towards the public health and education systems, and you will continue to be exposed for it. This mindless bashing of the education system and sensible decision making processes like the one that was taken in relation to the school in question shows the hypocrisy of the Liberals.

This motion, as I said earlier, is, on the face of it, okay; but it will be opposed because of the sentiment behind it. We know that you never really mean what you say. The Federal Liberals never really mean what they say; the Victorian Liberals never really mean what they say. Look at Kennett. What did Kennett do? Look at the Kennettesque group opposite. I think you are on safe ground if you oppose everything the Liberals say, because it never really is clearly what they mean. So, Madam Speaker, this is to be opposed. The Liberals have been duplicitous on public education. This motion, in effect, is duplicitous because it does not say what they mean.

MR CORNWELL (11.35): I am sorry, Madam Speaker, that the Chief Minister did not participate in this debate.

Ms Follett: I will, if you like. I am happy to, if you allow me the courtesy.

MR CORNWELL: Yes. Thank you.

MS FOLLETT (Chief Minister and Treasurer) (11.35): Madam Speaker, I have had the great pleasure this morning of attending the twentieth birthday celebrations of Weetangera Primary School. I am sure that members opposite will squirm to know that Weetangera Primary School was on the Alliance Government's hit list for closure. I am sure that members opposite will also squirm to recall the extreme reaction of the community in that area against that unilateral decision by the then Minister, Mr Humphries, on the future of their school. I recall also the fact that one of the Alliance's then members, Dr Kinloch, was effectively ejected from the party room over his stand on Weetangera school. But the then Minister never varied in his view that Weetangera school should close. That is how flexible he was.

Anybody who goes out to the Weetangera Primary School and sees the enormous support that it has within the community would, I believe, consider the then Minister to have departed from his senses in making a recommendation like that. Anybody who knew about the cultural program, the sporting program, and in particular the hearing impaired program that is conducted at Weetangera school would consider this former Minister to have been lacking in all compassion and lacking in any vestige of commonsense in trying to close that school. That is how flexible he was.

This motion that has come before us today is the height of hypocrisy. It is an attempt at doublespeak. Members may also recall, to their horror, a statement by Mr Humphries when he was Minister for Education that in an ideal world there would be no need for public schooling. This is the true colour, Madam Speaker, of the members opposite. They have been opposed to government schooling all along. When they were given the chance in government their action in relation to government schooling was completely unilateral. It was based purely and simply on ideology and on what they regarded as budgetary imperatives. They had no regard whatsoever for the educational needs of the children who are attending those schools; they had no regard whatsoever for the community needs of the area surrounding those schools. Their record on public education in the ACT is an absolute disgrace and they paid a very high price for it. I am sure that members will be aware that it was the Liberal stand on schools which was their ultimate undoing. Now we see them trying to pull the wool over this Assembly's eyes and over the community's eyes in regard to their stand on schools. It is an absolute nonsense, Madam Speaker.

On this side of the house we will oppose their motion, for the absolute hypocrisy that is contained in it. Mr Humphries and his colleagues may have a short memory but we on this side do not. We recall all too clearly what their agenda was on public education, and flexibility had nothing to do with it.

MR LAMONT (11.38): Briefly, before the debate is closed, I suppose that this really sums up the entire debate that has been had this morning. The hypocrisy, particularly from the former Minister - I quote from *Hansard* of 24 November 1992 - - -

Mr Humphries: Madam Speaker, has not "hypocrisy", attributable to a member, been ruled unparliamentary in the past?

MADAM SPEAKER: I believe that it has, Mr Lamont.

MR LAMONT: I withdraw that, Madam Speaker. I refer to the different standards that he now adopts. I quote from *Hansard* of 24 November 1992, when Mr Humphries said:

Well, I am honest now that I am out of government.

I think that ends this debate, Madam Speaker.

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MR CORNWELL (11.39), in reply: I am delighted that the Chief Minister did join in this debate because I would remind her that she was the one who made what I regard as the cynical and politically expedient promise before the February 1992 election that no government school would be closed in Labor's first three-year term of office. This was repeated by the Minister for Education, Mr Wood, as recently as 13 February 1993 in the *Canberra Times*. I quote:

The Griffith campus of the Narrabundah-Griffith Primary School will remain open for at least the term of the current ACT Labor Government ...

Mr Kaine: Maybe that is prophetic.

MR CORNWELL: Perhaps it is prophetic, indeed, Mr Kaine. Perhaps the Labor Government has not much longer to run, because Griffith Primary School certainly has not - it has gone already. It is very interesting that this comment was made. Then the Government decided that the most effective way that they could retain the promise but still see the closure of this school was to allow it to bleed to death. In the words of the president of the Council of P and C Associations, Pam Cahir, the school "has suffered death by a thousand cuts". Pam Cahir also described the action of the Government in allowing the school to run down and subsequently to close because it had only 34 pupils as reprehensible. She also said that this Government, in relation to Griffith Primary - and she is the president of the Council of P and C Associations - was morally bankrupt.

Ms Follett: She also took her children out of the school, long before.

MR CORNWELL: Thank you. I acknowledge that interjection from the Chief Minister, that Pam Cahir took her children out of the school before it closed. What business that is of the Chief Minister's I know not. I certainly do not believe that it is any business of mine. We on this side of the house do believe in freedom of choice, Chief Minister. It appears that the Labor Party does not, and presumably is prepared to attack the president of the Council of P and C Associations here in the ACT. But it is on the record and we will leave it at that.

May I say that Mr Moore's suggestion that somehow Mr Humphries was responsible for the closure of Griffith Primary due to the twinning is absolute nonsense. We also know that Melba and Spence primary schools twinned, and they are still operating very effectively as a twinned school. I therefore do not accept Mr Moore's argument that somehow, because of Mr Humphries's activities, the Griffith school closed. The responsibility lies squarely with this Government and I would have to support Pam Cahir's comments. I believe that their actions over Griffith have been quite reprehensible. They have allowed the school to run down, they have allowed it to bleed to death, and then they attempt to justify it by saying that it was the parents who closed the school.

Interestingly enough, this problem of small schools does not even have the support of the Australian Teachers Union. I will quote from the *Canberra Times* of 13 January. Rosemary Richards, the president of the ACT Teachers Union, is quoted as saying:

There isn't any doubt ... we can't keep building new schools in new suburbs if we can't make adjustments when schools get very small.

The article continued:

This was "not to say you can never have a small school," but closures were inevitable as the city's demographic make-up altered.

The union says in its members' handbook that although it believes school closures are short sighted and drastic, inadequate funding has meant a deterioration of working conditions and, for this reason, it "will no longer actively campaign against all school closures". Ms Richards says teachers will "oppose other forms of rationalisation and cuts", and are "left with very few options" if the community does not support enhanced education budgets.

The reality is, Madam Speaker, that in the 1992-93 education budget those cuts did take place. There was a cut of \$3.4m, or 1.8 per cent, in public school funding; therefore the concern of the Teachers Union is totally justified. They are not necessarily friends of this side of the chamber - they are more friendly with the Government opposite - and they are saying that they can no longer actively campaign against all school closures because it is simply not educationally or financially viable to do so. This is the view that this side of the chamber also takes.

I think it is equally reprehensible for this Government to suggest that in October this year we are going to call together parents from Griffith Primary School and see whether the school can be reopened. Mr Moore says, "We will not open the entire school; we will just have a K and a year 1".

Mr Moore: It is a start.

MR CORNWELL: How viable is that going to be?

Mr Moore: It is a very sensible approach.

MR CORNWELL: Mr Moore, if you ever lose your seat - and you will at the next election for this place - please do not go back to teaching. It would appal me to think that you were back in the education system anywhere in Australia if you have that attitude of opening a school with a kindergarten and a year 1 and expect it to be educationally viable. Perish the thought. I believe that this is totally misleading to these people. It is a sop; it is a carrot to encourage them to move away from that school. You know as well as I do, Chief Minister, and Minister for Education, that there is no way in the world that those parents will want their children to go back there. Commonsense would indicate that. If the children are happily settled in another school, why on earth would you want to move them back again - assuming, of course, that you could get the support of the Teachers Union? You know as well as I do that you will not, because they will not put people back into Griffith Primary School.

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The whole approach of this Government is appalling. They have read more into my motion than I intended. I certainly want them to deal flexibly with the matter of school closures in the interests of educational fairness and equity. I would suggest to you that you are going to have to address this anyway because it is inevitable that we are going to end up with small schools in the future. I have not seen the 1993 census yet, Minister. I have asked for it in a question on notice. I do not know why it should take all this time to prepare. After all, the school year began on 1 February.

Mr Kaine: Because it has some embarrassing statistics.

MR CORNWELL: Maybe it has some embarrassing statistics, Mr Kaine. I acknowledge that interjection. The Government is going to be put to the test, ultimately, to make responsible, intelligent and educationally just decisions.

One of the other interesting points is this: What happens about this single-sex girls high school that, at the moment, is being mentioned? You may well find that there is a drift from other high schools to that high school, which may again question the viability at the high school level. Are you going to let one of those wither on the vine rather than take action because you do not want to break your promise? I would suggest, in the interests of education and the financial viability of all schools in the ACT government system, that you think again about that foolish promise. If you do not deal with them flexibly, if you have an inflexible commitment to this issue, you are facing education and financial disaster within the government school system. It is not a question of just Griffith Primary School. If you do not take the hard decisions, if you do not close your small schools when they are no longer viable, the entire ACT government school system will suffer. This is becoming very apparent already. We have a situation in Conder and Gordon where you are planning, and you have planned, for primary schools with a maximum of 750 pupils, Mr Wood.

Mr Wood: You just focus on numbers. It is meaningless.

MR CORNWELL: It is not meaningless, because there have been complaints from the P and C association that 750 primary school children are too many in a school. How can you have 750 at that end of the scale, and 100 or 120 at Cook or Lyons? There has to be some sensible levelling out in this business, Mr Wood.

Mr Wood: Do you want every school to have 501 students, or something, and not vary from that?

MR CORNWELL: No, I do not. I want it to be economically and educationally viable, and this is the point that we have been making in this motion. That is why we are asking you to be flexible in the problem of the school closures. Do not put your head in the sand and ignore them, because, if you do, ultimately you will end up with a government school education disaster.

Question put:

That the motion (**Mr Cornwell's**) be agreed to.

The Assembly voted -

AYES, 7

Mrs Carnell
Mr Cornwell
Mr De Domenico
Mr Humphries
Mr Kaine
Mr Moore
Mr Westende

NOES, 9

Mr Berry
Mr Connolly
Ms Ellis
Ms Follett
Mrs Grassby
Mr Lamont
Ms McRae
Ms Szuty
Mr Wood

Question so resolved in the negative.

MENTAL HEALTH LEGISLATION

Debate resumed from 21 October 1992, on motion by **Mrs Carnell**:

That:

- (1) the Government proceed quickly to a Bill for a new Mental Health Act;
- (2) the Government have the draft Bill ready for consideration by the new Mental Health Advisory Council within the next two months; and
- (3) recommendations from the report *Balancing Rights* (November 1990) constitute the basis of the new Act.

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (11.55): I seem to recall that I was cut off in my prime while haranguing the Liberals on this motion some months ago. Since we last debated this motion, of course, there has been the sort of silent, steady progress that we always indicated that we would be making on this difficult and almost intractable issue of mental health reform.

Mental health reform, like many matters that the Liberals had carriage of, is one that the Liberals were unable to progress very far. It is an issue that Mr Berry and I have repeatedly said that we are making a priority during this term of government, and we are indeed making progress. On 17 February Mr Berry made a ministerial statement in this place on the Government's response to the *Balancing Rights* report. That statement made it abundantly clear that the Government was moving quickly to reform the law in this area, thus satisfying paragraph (1) of the motion, and made it abundantly clear that the Government was taking the *Balancing Rights* process as the basis for its reform process, thus satisfying paragraph (3) of the motion.

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Paragraph (2) of the motion, which seeks to impose a two-months deadline, is merely silly politicking from the Liberal Party. Those members of the Liberal Party who have been in office know the difficulties and the sometimes intractable legal and administrative difficulties that can be confronted when attempting major reform of this type. To impose a two-month deadline is merely playing stunt politics. The Government is committed to pursuing this matter. (*Extension of time granted*)

Mr Kaine: I did not want to see him cut off in his prime. It suits me.

MR CONNOLLY: I was cut off twice, Mr Kaine. Mr Howard suffered that fate. Dr Hewson has been cut off only once, but his second time is coming.

Madam Speaker, the Government is already committed, and has stated publicly in this place that it is committed, to paragraphs (1) and (3) of the motion. Paragraph (2), the Government would say, is simply stunt politics. Therefore, I move the following amendment to the motion before the Assembly:

Omit paragraph (2).

The Government would have no difficulty in supporting paragraph (1) and paragraph (3), which will be renumbered paragraph (2). We would have no difficulty in supporting the first and last paragraphs of the motion, because they state government policy as put forward in this place by the Minister for Health on 17 February.

MS SZUTY (11.57): I am pleased to have this opportunity to speak on the need for changes to mental health legislation in the ACT. Madam Speaker, in her motion, Mrs Carnell has called on the Government to produce a Bill for a new Mental Health Act which should be based on the report *Balancing Rights* of November 1990. The Government has now given its response to that report, as Mr Connolly has outlined. Madam Speaker, my first point of unease about that response is that it comes more than two years after the report was presented to government, and nearly 12 months after the Burdekin inquiry into the rights of people with mental illness. This area of social need is more urgent than is suggested by the response.

I fully understand the problems of the First Assembly and the impact of changing government on such processes. However, it is incumbent on this Government, when it has before it reports which propose to bring areas such as mental health legislation into line with current thinking on social justice issues, to remember that we are talking about people - people who have special needs because of mental dysfunction. I urge the Government to give the implementation of the recommendations it has accepted a very high priority. I also ask that in drafting legislation we do not repeat the errors of the past and refer to "mentally dysfunctional people" but we emphasise the fact that these are people first and their mental dysfunction is of secondary consideration.

Madam Speaker, I found the substance of the Government's response to the report heartening. The Government has accepted most of the recommendations of *Balancing Rights*, and where it has declined to accept a recommendation an alternative process is proposed or is being followed - for example, where the report recommended:

The patient detained on an immediate treatment order must be examined as soon as practicable by a qualified psychiatrist, and if possible within 24 hours of admission. The psychiatrist may make an initial treatment order of up to 21 days. The psychiatrist or the Director of Mental Health may vary or discharge this order if the continued detention is no longer justified. Unless otherwise determined, the order is automatically discharged at the end of a 21 day period. The patient has the right to appeal against the order at any stage.

The Government, quite rightly on my reading of the response, has decided that the Mental Health Tribunal will make orders for detention, not the examining psychiatrist, although they must take his or her advice into account. This allows consideration of other information, which will give a better result for the people who are brought to the tribunal. I also agree that the advocate should not take a role in applying for orders, as outlined at recommendation 17. It is proper that the roles of the advocate and the tribunal and other authorities under the proposed legislation be clearly defined, as this removes any conflict of interest when dealing with people with mental dysfunction.

I also agree with the Government that there are adequate emergency detention provisions, and police powers in this area should not be expanded, as was recommended at point 19. Recommendation 20, which seeks to make the Magistrates Court a forum for community care and mental health functions, is not appropriate. At present we have the situation where many people with mental dysfunction appear before the courts because there is no other forum for dealing with their circumstances. Madam Speaker, it is not enough to use the inadequate resources that we now use. We must put the issue of mental dysfunction where it belongs - in the community and not the courts.

I have some concerns that the Government wishes to have relatives and carers apply to be heard before the tribunal, as detailed in its response to recommendation 25. I hope that the Government will further make known its reasons for feeling that an application to appear, not a right to appear, should be the norm; or could the Government outline what directions or procedural guidelines will be given to the tribunal to direct them in their consideration as to who will have a right to appear before the tribunal? Recommendation 28 states that the Community Advocate will fulfil the role of official visitors and a psychiatric services board. I hope that the Government will further liaise with the Community Advocate on the resources that that office will need to fulfil these roles.

Madam Speaker, I welcome the response to recommendation 34, which states that police need to show cause why a person should be dealt with by the Mental Health Tribunal. This will leave under the control of that tribunal all psychiatric examinations for the purposes of detention orders. This avoids unnecessary duplication within the system and ensures that correct procedures are followed in all cases. This also ties in with the response to recommendation 39. Madam Speaker, in the light of the passing of the Health Bill 1993 I hope that the Government will soon make known which body will be taking on the review of recommendations 40 and 41. With recommendation 43, it is important that the Mental Health Tribunal have clear lines of operation and that no other body be allowed to cut across this line of responsibility. Therefore, it is appropriate that this recommendation be considered in conjunction with the tribunal's functions.

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Madam Speaker, in the case of the remaining recommendations, it appears that the actions proposed are already in train or under consideration. So, in substance, I am pleased with the Government's response. However, there is a decided lack of comment on facilities for people who come before the tribunal, particularly those who will need long-term assistance. Discussion of regional priorities for long-term health facilities, particularly those highlighted by the Burdekin report, will not address the real need for people with mental dysfunction to be close to relatives and support networks and to be catered for in appropriate facilities. This, to me, indicates the need for a range of facilities, and not the Kenmores of the past.

These facilities also need to be located so that relatives and friends of those who eventually use these long-term facilities can continue to provide support. The Government has seen from its own experience of disability services that many of the carers and supporters of people with a dysfunction are either elderly or financially disadvantaged because of the strain placed on their families by their loved one's disability. It would be cruel and heartless to suggest that these people should travel long distances to visit and support their family member or friend.

I hope to see some commitment to, and planning for, long-term health facilities that are appropriate to the needs of Canberra's people with mental dysfunction and their families. It may be that the needs of our close neighbours have some commonality with those needs, but we must ensure that the needs of this community are met. The tragic consequences of there being no facilities in the ACT for long-term assistance for people with mental dysfunction are seen in the courts, with magistrates commenting from the bench that they are often left with no alternative other than to order custodial sentences for people who come before them, only because the mental health system has been unable to cater for their needs.

Only recently, a 19-year-old woman was sent to the Belconnen Remand Centre because there was simply no other facility suitable for her particular circumstances. It is not enough for the Minister to say - and I quote from the WIN news story of that night:

Our response will lead to a better situation to make sure that, generally, people are treated better.

Madam Speaker, there is no sense in saying that the Government's response to this paper in its current form will lead to anyone being treated better. What we need, particularly after a two-year time lag, is firm and detailed proposals for long-term mental health facilities which the Government is going to provide and some urgency in presenting exposure drafts of the relevant legislation to the community for comment.

Madam Speaker, while I am pleased with the Government's response, I will be looking toward a plan of action and timetable so that the Canberra community sees a commitment to improving the treatment, both socially and medically, of our community members who suffer mental dysfunction. The time for discussion is long past and action is long overdue.

Madam Speaker, I support the general thrust of the motion before us. I agree that a draft Bill should be put forward soon, particularly since we have in the Government's response to *Balancing Rights* a clear outline of its intentions. Madam Speaker, I also indicate that I support Mr Connolly's proposed amendment to the motion, which will delete paragraph (2), and then support Mrs Carnell's amended motion.

MR HUMPHRIES (12.06): Madam Speaker, I rise to support this motion. I also indicate that we are prepared to support the amendment which Mr Connolly has put forward. We accept that timing is a problem, although I will come back in a moment to the question of whether the same criteria apply to timing for a Labor government's implementation of reform in this area as applied for a government of another persuasion.

I do not think any of us, Madam Speaker, could have been immune from contact with or exposure to the problems of some members of our community that touch on the question of mental health and, in particular, the problem of taking proper control and care of people who are facing a mentally dysfunctional crisis. I have certainly encountered a number of cases where very anxious relatives have attempted or wanted to take firmer action than was possible under the law to deal with a particular problem where the courts have been involved in criminal matters. Clearly, it is inhumane, even primitive, I would say, to be dealing with those people in the environment of the court; but we are obliged by the present deficient state of our law to deal with them in that environment.

We face the philosophical problem of defining what is mental dysfunction. The line between eccentric behaviour and lunacy is a constantly unclear problem. It has been alluded to by authors, poets and doctors, and it is one we are not going to solve, even with very good legislation when it comes forward to this place. But it is an issue that we have to face up to relatively quickly. There are people in our community who are living every day with the problem of relatives who are mentally dysfunctional, and at the present time those people do not have the resources available to them in our laws to deal properly with those circumstances. That situation must be remedied as soon as possible.

A range of facilities appropriate to the needs of the people in the ACT in these circumstances is obviously going to be a very important long-term goal. We have a couple of facilities - Hennessy House, for example - which offer some relief, some avenue, for people in certain categories of mental dysfunction; but the range of opportunities needs to be almost as wide as the number of people who are involved in this area.

It is almost impossible, within the context of the ACT's small environment, to get the right range, the full range, of alternatives for people who are facing crises of this kind. We will continue to rely, for example, on the facilities at Goulburn for a long time to come, I am sure. More importantly, we need to provide a range of options in our legal system to deal with that problem. As the Minister who was closely associated with the *Balancing Rights* report - indeed, I received the report in November 1990 - I am very anxious to see us deal with this problem as quickly as we possibly can.

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In terms of timing, I must say that I am a little bit disappointed to hear the Minister say that, on the one hand, his Government is facing extraordinary administrative and legal difficulties in bringing this major reform into place. He has had some 20 months to deal with the issue; yet he criticised the Alliance Government for not bringing anything to fruition in the space of seven months between the bringing down of the *Balancing Rights* report in November 1990 and our losing office in June 1991. I do not really understand that.

Mr Kaine: It is the quick, quick; slow, slow.

MR HUMPHRIES: Obviously it is. We were slow, slow in seven months and he has been quick, quick in 17 months. I do not understand that. Perhaps he can explain it to my simple mind at some later stage.

Mr Berry: I do not think it is possible.

MR HUMPHRIES: It certainly would not be possible to explain it to your mind, Mr Berry. I do not know about my mind, but your mind is a total write-off. Madam Speaker, I think there is bipartisan support around this chamber for action in this area, and I am happy to see the deadline on the Government removed from the motion; but I think that should not be in any way an indication that we are not particularly anxious about when new mental health legislation comes down. We are anxious. We need to see these changes, and I am sure that the Minister will appreciate from the debate today from all sides of the chamber that we see urgent action as being extremely important.

MRS CARNELL (12.11), in reply: Madam Speaker, this motion has been on the notice paper since last August, and it was first debated in October. That is six months ago, and still we have not seen the promised new mental health legislation. It seems to be an ongoing saga of delays when it comes to any action in this very important area. *Balancing Rights*, as a number of speakers have said, was tabled in 1990. It took the Government over two years to respond. Even after all that time - something that concerns me greatly - none of the recommendations have any timeframes attached.

Madam Speaker, per capita funding for mental health services in the ACT is the lowest of any State or Territory in Australia. It is, or was last year, approximately 70 per cent of New South Wales funding and 60 per cent of the funding in Victoria and South Australia. Presently, there are simply insufficient funds allocated to mental health to provide the level of services present in most other States. In the government response to *Balancing Rights*, only seven of the 59 recommendations were not agreed to, and I commend the Government for that. What the Government must now do is to put aside the resources - and that is not always money; it is often time and people - to bring these recommendations to fruition. It is my view that at least 24 of the recommendations will require some degree of extra resourcing, and I urge the Government to do all they can to make those resources available.

My motion contains three parts. The first part is that "the Government proceed quickly" - and I underline "quickly" - "to a Bill for a new Mental Health Act". Obviously, we have a very different view of what "quickly" means, but I am very pleased to hear that the Government will support that.

The second part of my motion is that "the Government have the draft Bill" - I stress the word "draft" - "ready for consideration by the new Mental Health Advisory Council within the next two months". I did not suggest that there should be legislation in two months; I suggested that within a two-month period a draft Bill - something - should be on the table for the body that the Minister himself set up, I understand, with one of its major tasks to do just that. I did not think that was an unrealistic timeframe; but, as it has turned out, it is an unrealistic timeframe. The Government obviously has absolutely no capacity to do that; so I support the removal of that paragraph, although again I stress that there is such a great need that I believe that this sort of open-ended approach to mental health legislation is totally unacceptable.

The third part of the motion is that the "recommendations from the report *Balancing Rights* (November 1990) constitute the basis for the new Act", and again I am exceedingly pleased that the Government has seen fit to support that.

Unfortunately, Madam Speaker, while these delays continue, the human rights of a number of Canberrans are badly affected by the Government's inaction in this area. It was certainly apparent to Brian Burdekin, the Federal Human Rights Commissioner, who said early last year that he believed that the evidence in the ACT shows very clearly that the mentally ill are still being treated like second- and third-class citizens and that they are not very high on the list of priorities. I think Brian Burdekin summed it up. It seems that the needs of the people who desperately need this piece of legislation - and the needs of their families, as Mr Humphries rightly said - are regarded as a low priority by this Government. That is totally unacceptable.

Madam Speaker, the needs of people with mental health problems and mental disorders vary greatly between individuals. They also vary at different times in an individual's life. A comprehensive range of mental health services must cater for the acute and longer-term treatment and care at the in-patient level and, as importantly, at the community level. Some groups in the community have special needs, and it is important that the planning and delivery of mental health services be sensitive to those needs and expectations. These people have the right to expectations, just like anybody else in the community. Unfortunately, these expectations have been dashed, and dashed repeatedly.

The recommendations of national policies - and I understand that the ACT is a signatory to the national mental health approach, which really does put us on the spot to do something in this area, and do something quickly - - -

Mr Berry: We have and we are.

MRS CARNELL: We have to take your word for it, because in reality we still do not see anything on the table. Mental health problems and mental health disorders affect one in five Australians at some point in their lives, and indirectly affect the lives of many others. Mental health is an important issue in this community and of critical concern to every health system in this country, in particular the ACT health system. I am appalled at the lack of action. There are people who write to all of us every day with heart-rending stories about what is happening to them.

Mr Berry: Send the letters up to me and we will write back to them and give them all the details. I have yet to see all these letters you get.

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MRS CARNELL: Most of the letters are copies of the ones that were sent to you or to Mr Connolly, Mr Berry. They have gone to you already. The fact of the matter is that the human rights of a reasonably large group of Canberrans are being ignored at this time, and I urge the Government to act.

Amendment agreed to.

Motion, as amended, agreed to.

Sitting suspended from 12.18 to 2.30 pm

QUESTIONS WITHOUT NOTICE

Unemployment

MR KAINE: I direct a question to the Chief Minister. Chief Minister, it is normally the case that by March the seasonal rise in unemployment in the ACT as a result of school leavers entering the market over the holiday season begins to decline. There is no evidence that this year this will occur. What do you intend to do to reduce the unemployment situation worsening in the June quarter?

MS FOLLETT: Madam Speaker, we will of course be addressing this issue in considerable detail during discussion of the matter of public importance this afternoon, but I do not know that Mr Kaine is completely correct in saying that by March the seasonal figures are beginning to wash out. It has, in fact, been the case that there have been some rises later in the year in previous years. Nevertheless, Madam Speaker, I can tell members that, as far as unemployment goes, we are about in the same position this year as we were at the same time last year, and that during that period we have seen enormous growth in our participation rate in the work force in the ACT and, as I have informed members previously, growth in our employment figures. Nearly 8,000 additional jobs were created in the ACT to February of this year, so we have seen people taking up those positions.

As far as government activity goes, members will know that we have a continuing range of programs that are designed to address unemployment in our community, and I will go through those on the matter of public importance rather than take up question time with them. I should say that it is a matter that we do have under constant review. In successive budgets we have funded additional programs, additional initiatives, aimed at assisting to beat the blight of unemployment. It is a blight; I make no bones about that. In the current round of budget discussions and budget priorities we will again be looking at the unemployment issue and at whether there are additional measures that we as an ACT government can take to assist with getting people into work.

Madam Speaker, I am sure that members are aware also that the ACT does not play a solo hand on the question of unemployment. This is a national issue and, indeed, an international issue. In terms of the macro-economic variables, it is entirely beyond the control of the ACT to affect those bigger issues. To an extent, we are reliant on the recovery nationally from the recession. That same situation goes for all States and Territories.

In conclusion, Madam Speaker, I would like to say to members that the ACT's unemployment rate has been consistently well below the national average, and remains well below it. I think that is something which, as a community, we can be very grateful for. But I accept that we need to keep working on it, and that is just what we are doing.

MR KAINE: I ask a supplementary question, Madam Speaker. The Chief Minister's answer was, as usual, non-specific and did not really address the question. Perhaps I can ask her to be a bit more specific. In the budget, Chief Minister, you promised more than 3,000 jobs in the ACT in 1992-93. This promise was obviously made having regard for the international and other factors that you talked about. Presumably, these were 3,000 jobs that the ACT Government itself was going to create. It is now March. Can you tell us where the approximately 1,800 jobs are that should have been created on a pro rata basis this year - jobs that you have created as a result of your budget?

MS FOLLETT: Madam Speaker, as I have said, we will be rehearsing these issues in detail on the matter of public importance. I can do that now if members wish me to, but I think it would be a much better use of members' time to do it later.

I can give members an example. For instance, the casino has created jobs. We have attracted new businesses to the ACT, which I will tell you more about later. Because of our support for small business in the ACT, we have seen more than 250 clients each month in the Business Services Centre. We are indeed making progress with employment of young people through projects such as the conservation corps, through our Jobskills program and through the traineeships and the additional apprenticeships, all of which have had some impact. As I said before, the number of jobs in the ACT, the number of people employed, has grown in the year to February by 7,400. That is an increase of 5 per cent. I think that that is a good sign in the ACT economy. Nearly all of those jobs were full-time jobs. I believe that we are making progress and we will continue to do so.

Householder Survey

MR LAMONT: My question is directed also to the Chief Minister. Can the Chief Minister advise the Assembly on the progress of the 1993 householder survey?

MS FOLLETT: I thank the member for the question. Madam Speaker, the householder survey for 1993 was distributed to all households during the past week.

Mr Cornwell: I have not got it yet.

MS FOLLETT: If Mr Cornwell has not got one I can assure him that it is not a personal reflection on him. I suspect that Mr Cornwell should look more closely at what lands in his mailbox.

Given that we have actually had less than a week for getting responses to the householder survey, Madam Speaker, I am very pleased indeed with the numbers of completed questionnaires that have been sent back. In fact, more than 20,000 forms have been received in the past week. That number already exceeds the total response that we had to the 1991 survey. I think it is a clear

indication that people have considered the householder survey an effective tool for consultation and an effective way of making their views known to government. I think it also indicates that there is support within the community for the Government's continuing community consultation.

This survey canvasses a wide range of issues, as those members who have received it will know. It covers things such as energy and water use, domestic pets, community safety, sport, bus services, health services and so on. The responses that we get to the survey will assist agencies to identify their priorities and, of course, to better target their services and their resources, as well as improve their efficiencies and provide better services to the community. By way of example, Madam Speaker, the responses to the questions on community safety will be a good guide, particularly to the Government and the Australian Federal Police, in looking at an integrated crime prevention strategy. Information on water conservation will assist ACTEW in targeting their marketing and education programs. So, Madam Speaker, I believe that this is a very valuable exercise. It is one which the Government takes very seriously, and I am very pleased indeed with the response so far.

Burglary

MR HUMPHRIES: My question, Madam Speaker, is addressed to the Minister for police, Mr Connolly. The Minister was heard on ABC radio on Monday morning saying, with reference to burglary, "This figure of a 20 per cent increase must be taken in context. It is over a three-year period". I ask the Minister: Has he seen the figures reported in yesterday's *Canberra Times* on page 2? Will the Minister now concede that, in light of those figures, it is more correct to say that burglary has risen by 24.5 per cent in the last 18 months in the ACT alone?

MR CONNOLLY: Madam Speaker, the Liberal Party keep beating this hollow drum, but of course the sensible heads in the Liberal Party, such as the Leader of the Opposition, said in the debate last year, when these figures were released, that in times of budgetary restraint if you have to make cuts you have to make them across the board, and so we have to live with the police cuts. As the figures that were released in the *Canberra Times* on Sunday showed, we have had about a 20 per cent increase over three years. That is about 6 per cent a year. That is roughly within the bounds of growth around Australia.

The fact is, Madam Speaker, that housebreaking is an offence that the police cannot solve. Unless you put a police officer outside every house you will not stop housebreaking. Housebreaking, Madam Speaker, is rather like car theft. Car theft is a crime which has consistently increased across Australia in recent years. Last year New South Wales reported for the first time a reduction in car theft - a very good result. On the latest figures that I have received we now have a 12 per cent reduction in car theft in the six-month period June to December 1992 as opposed to the six-month period June to December 1991. Car thefts are decreasing across Australia because we are toughening the target.

Mr Humphries: I am really pleased to hear about car thefts, but I actually asked about burglary. Could I hear about burglary, please?

MR CONNOLLY: As I was saying, car thefts are decreasing because we are toughening the targets. As I have said consistently, in order to reduce burglaries we have to toughen the target. As a community, we have to put deadlocks on our doors and use window locks. In New South Wales -
- -

Mr Humphries: You are blaming the victims.

MR CONNOLLY: Mr Humphries, the simple fact is that housebreaking increases around Australia. If you think that as a politician you can strut around saying that if the Liberal Party were in power there would be a reduction in housebreaking, you must think that the community is pretty thick. But, of course, that is what the Liberal Party thinks of the community. That is the Liberal Party approach. We can get on top of this problem of housebreaking only if we adopt the approach that as a community we have to get on top of it. That means toughening the targets.

As the police have consistently been saying as we run public education campaigns, we have to accept responsibility ourselves for housebreaking. NRMA figures last year showed that, whereas 40 per cent of Sydney households have deadlocks and window locks, less than 20 per cent of Canberra households have those simple precautions. Unless we as a community take those precautions, housebreaking will continue to steadily increase in the ACT, as it is in the rest of the country.

In order to reduce the rate of increase in housebreaking and ideally get to a situation where we actually get a decrease, we have to do with our households what we have done with motor vehicles, and that is gradually increase the level to which our households are immune to theft by taking precautionary measures. That is the answer, Madam Speaker. The Liberal Party strutting about on this and running campaigns with the Police Association saying, "The answer is more police dollars" is simple nonsense and frankly nobody believes it, because every government in Australia - Liberal Party, Labor Party, and National Party in the Northern Territory - has faced and continues to face steadily consistent increases in rates of housebreaking.

MR HUMPHRIES: I ask a supplementary question, Madam Speaker. Will the Minister concede to this house that burglary increases in the ACT are running at approximately double the rate of increase in other States in Australia?

MR CONNOLLY: No, I will not concede anything that Mr Humphries is saying, without checking the figures. On the figures that I have seen - and I will research Mr Humphries's assertion and come back to him at a later date - what I will say is that the rate of increase in burglary in the ACT, like the rest of Australia, is something that we should be concerned about; but we should not be hysterical about it and we should not play cheap politics with it. The answer to housebreaking, like car theft, is to toughen the targets.

I was pleased to see on a recent police report that we are now joining the trend in New South Wales and we are actually seeing a reduction in car theft because the targets are becoming tougher. As a community, we have to do that with our houses. We have to get away from the mentality that we once had in Canberra, that we were a country town and we could leave the back door unlatched. Those days, alas, are gone.

Legislative Assembly - Mobile Telephones

MR STEVENSON: Madam Speaker, my question concerns the recent letter from you indicating that, with the purchase of five additional telephones, making eight - - -

Mr Berry: I take a point of order, Madam Speaker. This is an outrage. He has that thing hanging on the microphone there. It is disorderly conduct. He is behaving like a clown.

MADAM SPEAKER: Thank you, Mr Berry, for bringing it to my attention. Mr Stevenson, that will make life difficult for the *Hansard* staff. Will you please remove it. I could not see it myself.

MR STEVENSON: It has stopped, Madam Speaker. It was Mr Cornwell's fault that you could not see it.

MADAM SPEAKER: Order, please! Will you take it off the microphone? The microphones are for the use of *Hansard*.

MR STEVENSON: It is what I call my mobile phone. Perhaps I should begin again. My question concerns the recent letter from you, Madam Speaker, indicating that, with the purchase of five additional mobile phones, eight mobile phones are now available for the use of members. You wrote that the question of the allocation and use of the mobile phones was reviewed by the Standing Committee on Administration and Procedures and that priority will be given to female members of this Assembly. Would you agree that the basis for the allocation of all public resources administered by this Assembly should be merit and need, not gender or whether or not someone wears trousers?

Mr Lamont: It is for you, Dennis. The head of Clan Stuart wants their tartan back.

Mr Kaine: Madam Speaker, I take a point of order. That is unacceptable behaviour in this chamber, surely. If he wants to make phone calls, he can go up to his office to do it, surely.

MR STEVENSON: Madam Speaker, I would have believed that, if it had been from the clan of Stevenson or the clan of Fleming, which was my mother's maiden name. As I mentioned, should it not be on the basis of merit and need, not on the basis of whether someone is a woman or a man or whether or not they wear trousers? As it is obvious to all present that I do not have any trousers on, would the Speaker look favourably upon my circumstances in the allocation of public resources?

MADAM SPEAKER: I will take that question on notice.

Industry Commission - Public Transport Inquiry

MRS GRASSBY: My question is to the Minister for Urban Services. Is the Minister aware of media reports this morning claiming that the Industry Commission is holding public hearings today into ACT public transport? It claimed that neither the Government nor ACTION had made submissions to this hearing.

MR CONNOLLY: I was fairly staggered to hear on the radio this morning the Industry Commission criticising the ACT Government for allegedly failing to cooperate in its inquiry into public transport. The Industry Commission is a body which has attracted considerable criticism in recent years. It has shown a fundamental lack of judgment in quitting Canberra for Melbourne, but I suppose that that is not the principal ground for criticising it. It has generally been criticised for being out of touch with the community and being a relic from the wild days of economic rationalism in the late 1980s. It is rather locked into that free market philosophy that the market is god. While it can be criticised for that philosophical bent, it usually had a reputation for reasonable housekeeping; but, alas, it has destroyed that reputation by its intemperate and ill-considered outburst this morning.

The fact of the matter, Madam Speaker, is that the ACT Government and ACTION have been cooperating with the Industry Commission for months in preparing a submission in relation to public transport. The Industry Commission agreed that the ACT Government's submission would be received after the date for published public hearings. It is a considerable body of work to put together. Already this year the ACT Government has put submissions to the Industry Commission on its reference on public housing and its reference on urban land development - significant amounts of work that this Government has been prepared to put in to service this Federal agency.

The fact that a commissioner of the Industry Commission would be so ill-advised and ill-tempered as to get on the radio this morning and bag the ACT Government for failing to put in a submission, when his own agency had agreed with ACT officials on a timeline for the presentation of the ACT submission, rather puts into question any conclusions that this body would seek to make. If they cannot get their housekeeping right one has significant doubts about their ability to do anything else right. I suspect that their conduct today will not assist their general credibility out in the community.

Overtime and Unemployment

MR WESTENDE: My question is directed to the Chief Minister. Will the Chief Minister consider reducing or, maybe even better, totally banning overtime throughout the ACT Government as a workable strategy for creating jobs for the unemployed? Would the Chief Minister agree that this would be a real sign to the unemployed that the Government is serious about reducing unemployment?

MS FOLLETT: The answer to both parts of Mr Westende's question is no, Madam Speaker, and I think it is one of the silliest ones that we have ever had to deal with in this place. The question of any government banning overtime for public sector employees, I think, is taking to extremes the Liberal view of the value of the public sector. It seems to me that the conditions of service, the

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awards and so on, and the legislation that governs employment would simply be thrown out the window by members opposite in some sort of ideological search for purity of some description. I completely fail to see, Madam Speaker, how this kind of action would create any more jobs. It is the same thinking that led the Liberals to put up the \$3 youth wage. It is a nonsense to think that by disadvantaging one group of workers, a group of workers in this case who have earned the right to their conditions of service, you will create more jobs. As I say, I have no such action in mind and, indeed, I would not consider such action.

Industry Commission - Public Transport Inquiry

MR DE DOMENICO: Madam Speaker, my question also is to the Minister for Urban Services and, like Mrs Grassby's, it is also about the Industry Commission conference this week. Once the Minister's department finishes making its submission to the Industry Commission, will the Minister provide members of this Assembly with a copy of that submission? Secondly, is it not a fact that that submission was being hastily prepared, in fact today, following reports in the media that the department had not made a submission?

MR CONNOLLY: Madam Speaker, the second point is absolutely incorrect. As I said earlier, there has been regular correspondence, on at least four occasions since early 1992, when officers of my department have been in liaison with the Industry Commission in relation to our submission, and it has always been agreed that our submission would be received after the date on which public submissions closed. So there has been no last-minute rush. It has always been agreed by the Industry Commission that this submission would be prepared somewhat later.

I would be delighted to give Mr De Domenico a copy of our submission when it has been finalised. It will yet again show that it has been only this Labor Government which has been prepared to get in there and turn around problems with the economic efficiency of public transport in the ACT. The graph which I previously gleefully waved around in this chamber showed that during the period of Mr Kaine's stewardship the subsidy for ACTION continued to increase. As was published in the Advance Bank's journal, the *Trends* magazine, a couple of months ago, the level of subsidy and inefficiency under Mr Kaine was increasing steadily. It turned around remarkably when this Labor administration came into office because we have been serious about achieving workplace reform and achieving change. We will be very happy to show the submission to Mr De Domenico and any other member when it has been finalised in accordance with the agreement with the Industry Commission, going back many months.

MR DE DOMENICO: I ask a supplementary question, Madam Speaker. Noting that the conference is a two-day conference, when does the Minister expect that submission to be finalised? Is it not true that the Minister just said in his answer that he has been negotiating with the commission since early 1992? Why does it take a year to present a submission - a late one at that - for a conference that lasts for two days and which finishes, I am saying, in two days' time? When will that submission be ready?

MR CONNOLLY: Madam Speaker, the purpose of the public hearings in Canberra over two days is similar to that of the public hearings that are being held around Australia for a couple of days, and that is to get the views of members of the public as to what is going on with urban public transport. ACTION, like other urban public transport authorities, are preparing documentation to give to the commission, which the commission, on the information I have given, has agreed could be given after the round of public hearings; that is, the commission is going out to get the views of the public and it will at a later date get information from governments.

I have indicated in this place before that we are embarking on some work in terms of benchmarking to try to get some ground rules for the level of efficiency or inefficiency in ACTION to pinpoint areas for reform. That work has been ongoing for some months and, as that work is done, so we can prepare material and give it to the Industry Commission. The simple facts are, Mr De Domenico, that that has been agreed by the Industry Commission. A commissioner this morning took it upon himself to get on radio and attack this Government. As I said earlier, that ill-tempered and intemperate sort of attack from a member of the Industry Commission does nothing to enhance the already fairly severely damaged reputation that the Industry Commission has. If they cannot get simple housekeeping measures right, like remembering that they have entered into agreements with the ACT Government for a timeline for preparation of submissions, one must question their general judgment.

Acton Peninsula

MS SZUTY: My question without notice is to the Chief Minister, Ms Follett, and relates to the consultation processes with regard to the future of Acton Peninsula. Can the Chief Minister explain the consultation process and the role of the consultative committee, the Acton project management team, the working group and the steering committee, and why the steering committee of Mr Lyndsay Neilson, chair of the National Capital Planning Authority, Mr Jeff Townsend, of the Department of the Environment, Land and Planning, Mr John Turner, of the Department of Urban Services, and Ms Gillian Biscoe, of ACT Health, appears to have the final veto over the views of all the other groups?

MS FOLLETT: Madam Speaker, I will delegate that question to the Minister responsible, Mr Wood.

MR WOOD: Madam Speaker, I will respond, but the major response is simply that the question should be directed to the NCPA, that body having the total responsibility for planning on Acton Peninsula. I point out again that it is the ACT Government that in the end will determine what goes on Acton Peninsula, as for City Hill. But that is a process that Mr Lyndsay Neilson has been running; it is very much his agenda. There is obviously an interest on the part of the ACT Government and the ACT Planning Authority, but we do not have carriage. We express our views, and I am quite happy that in the end our views will be the ones that dominate because nothing happens there except as we determine.

Private Health Services

MRS CARNELL: My question is to the Minister for Health. This morning the Prime Minister made the following statement with regard to the future of health under his Labor administration - - -

Mr Wood: Yes, Senator Richardson.

MRS CARNELL: No, the Prime Minister made the statement. I quote what the Prime Minister said:

We need to examine service delivery issues to improve the efficiency with which the medical system meets customer needs. We need also to look at the relationship between the public and private health systems to ensure we are using both optimally, and to make the most of the linkages between the two.

Taking into account Mr Berry's often stated views on private health and, more particularly, the new private hospital, what is he going to do to utilise the private health sector optimally, as stated by the Prime Minister?

MR BERRY: That sounds like a question that Graham Richardson might answer better than me. It is, after all, a statement by the Prime Minister which I am not privy to; but I can say a few things, none of which you will be comfortable with. The position of this Labor Government has always been to ensure that we provide a full range of services in the public hospital system. We continue with that emphasis, despite the carping of the Liberals and, in particular, Mrs Carnell, who has been attacking the public hospital system ever since she got here.

Mr Moore: Even the health spokesperson lost his seat.

MR BERRY: The Liberal health spokesperson, as Mr Moore properly interjects, continually attacked the public hospital system and lost his seat. I warn you that that could be the outcome. You just have to be reasonable in your approach to the public hospital system. The people of the Australian Capital Territory love it and so does Labor federally. Mr Keating has made it very clear that they intend to pursue a course of action which will result in better services to the community.

Turning now to the linkages, the private sector in the ACT has always held an important place. The John James Hospital is a significant contributor to medicine in the ACT, and that continues to be recognised. In fact, health professionals work in both John James and the public hospital system, so the linkages are very clear and I expect that a good relationship will continue. The same applies in relation to Calvary Hospital. Part of the Calvary Hospital is run as a private hospital and they run, on our behalf, a public hospital, and the relationships are good.

Mrs Carnell: What are you going to do?

MR BERRY: I can tell you what we will not do. We will not come up with crazy plans like Mr Humphries did, to build hospitals where there was no market for them and where the people of the ACT did not want them.

Mr Humphries: Only four tenderers; just four tenderers. I suppose that is not very much, is it?

MR BERRY: The people of the ACT were not asked whether they wanted the hospital. They want a better public hospital system, Mr Humphries, as has been shown. So the four tenderers are the most important ones, Mr Humphries.

Mr Humphries: You said that there was no interest, but there were four tenderers for the hospital.

MR BERRY: That would be right; worrying about the people who might make a quid out of building it, rather than the people of the ACT.

Mr Humphries: You create jobs by building, by the way.

MR BERRY: You might ask the people who built the massive private hospital on the Gold Coast about the jobs it created. It sits empty. That was a really smart move! That was good for business! Fancy having you in charge of business, encouraging people to build something like that, and it sits there empty. What a joke!

Mr Humphries: Jobs created by the building.

MR BERRY: So we just create jobs to build empty buildings?

Mr Humphries: What do you care if it is empty?

MR BERRY: What do I care if it is empty? What a joke! The hospital that will always be efficient will be the one that Gary Humphries is responsible for - the empty one. Heavens above! I was surprised, I have to say, to hear statements made in the Federal election campaign about buying services from the private sector. If that money is available, I would like to have first bid, quite frankly. If we could get the money, I am sure that we could provide the services as efficiently as the private sector. I will be interested to see how that develops, but there is a lot of water to pass under the bridge as we discuss all of the issues.

Mr Humphries: Are you going to answer the question or not?

MR BERRY: I am telling you - - -

Mr Humphries: The question was: What are you going to do?

MADAM SPEAKER: Order!

MR BERRY: Of course, that bit of money will be something of interest to us and, again, it depends - - -

Mrs Carnell: But we do not have any private beds to buy.

MR BERRY: Do you want to wait and listen? Just sit and listen and I will tell you. The Commonwealth have made the offer and I will be interested to see how it pans out in discussions with the States. But the needs of the ACT are different from those of the other States because we have different ratios of public and private beds.

Mrs Carnell: Fewer on both counts.

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MR BERRY: The waiting lists, which Mrs Carnell takes great glee out of, are in the public sector and not in the private sector. I note that there are private beds available for both Calvary and John James that have not been taken up yet. They have approval for them. So that clearly is not an issue and it has not been raised with me as an issue. I will be interested to see how it develops. One thing is for sure: We will be doing our very best to make it better in our public system for people of the ACT because I know that the people out there want a stronger public hospital system, and that is why we have been delivering it and rebuilding it. Where linkages with the private sector become necessary because of Commonwealth decisions, then - - -

Mr Humphries: Can we have an answer, Madam Speaker?

MR BERRY: I am telling you what I am doing. The Federal Government has been elected - - -

Mr Humphries: You are not telling us anything. You are answering nothing.

MR BERRY: You are the one who is interjecting. The Federal Government has been elected since 13 March, and the name of the Health Minister is just about to be announced. There were some promises made in the election campaign. You could hardly expect that it would all be fleshed out before the Minister is properly appointed, so wake up to yourself. I have told you that we will work on the problem. We will work with the Commonwealth towards providing better services in the ACT, but we will never lose sight of our most important commitment to the public hospital system in the ACT, and that it is the system that the people of Canberra most love.

Ms Follett: I ask that further questions be placed on the notice paper.

ARTHRITIS WEEK Ministerial Statement

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (3.06): I seek leave to make a ministerial statement in relation to Arthritis Week.

Leave granted.

MR BERRY: Members, last Saturday I launched Arthritis Week for the Arthritis Foundation of the ACT. Members may appreciate that more than two million Australians are suffering from arthritis, an estimated 28,000 of them living here in the ACT. There are more than 150 types of arthritis which can affect the body's joints. It is second only to the common cold in the number of visits to the doctor each year. That means an annual national medical bill of \$350m and more than one million hospital bed days. Our local medical bill runs into millions of dollars each year. These figures show up the need for more of the research dollar to be directed towards finding a cure for this debilitating disease.

"Funding for Research" is this year's theme for the Arthritis Foundation. A decent share of research funding is necessary. It is only by truly understanding the disease that we can go further in treating the disease instead of attempting to merely alleviate the pain. People often associate arthritis with the elderly but it can strike at any age. Many people are hit by this sometimes crippling disease while still young. Chances of contracting arthritis can occur any time after your first birthday. Although one in three people will experience arthritis in retirement, the disease also will affect thousands of children. Unfortunately, arthritis does not receive the attention it deserves because it is not seen as a fatal disease, but it affects more young people than diseases which are fatal. In the first week of life the chance of becoming a victim of arthritis is one in 100,000, but by the age of retirement one in three Australians will have contracted the disease, and 60 per cent of those will be women.

The aim of Arthritis Week, which commenced on Sunday, 21 March, is to increase awareness of the disease in the community and to highlight the serious effect it has on the entire community. This year the special focus on research aims to attract more funding to this important area. If only \$2 for every person with arthritis were directed to research, funding would double to \$4m nationally. In the ACT the local branch of the Arthritis Foundation receives government grants to assist with administration costs and the employment of an education officer. The Health Promotion Fund also is responsible for grants for festivals and assistance in fundraising events. Facilities provided by ACT Health, including the hydrotherapy pool at Woden Valley Hospital, go a long way to helping arthritis sufferers ease their pain.

The Arthritis Foundation uses its funds to make the community more aware of the effects of arthritis and the research necessary to continue the work on finding the cause and a cure. As part of the launch of Arthritis Week in the ACT a very successful festival was held at the Manuka Pool. This helps to inform the community about arthritis exercise and diet for sufferers and how to live with the disease. The awareness campaign continues through this week, including "Joint walks" as one of the themes, fashion parades and auctions.

Progress is being made in researching the cause of, and a cure for, arthritis. Major advances in molecular biology in recent years are increasing the pace of research. Madam Speaker, many people have their own form of a remedy for arthritis, from copper jewellery to large doses of vitamin C or supplements of evening primrose oil. However, every day professionals are trying to reduce the risk of arthritis. These include general practitioners, rheumatologists, physiotherapists, occupational therapists, community nurses and representatives of the local Arthritis Foundation.

Madam Speaker, the ACT Government is aware of the importance of research into arthritis. Until the cause or a cure can be determined, we will continue to assist those who suffer from this debilitating disease. I present a copy of this statement and move:

That the Assembly takes note of the paper.

Question resolved in the affirmative.

PAPER

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport): For the information of members, I present, pursuant to the Drugs of Dependence Act 1989, the 1991-92 report on the operation of the Act.

TOURISM AND A.C.T. PROMOTION - STANDING COMMITTEE Statement by Member

MR LAMONT: I seek leave to make a short statement in relation to the Standing Committee on Tourism and ACT Promotion.

Leave granted.

MR LAMONT: Following the appointment yesterday of Mr Westende to that committee, I caused the committee to assemble this morning, at which time the committee elected Mr Westende as presiding member of the Tourism and ACT Promotion Standing Committee of the Legislative Assembly.

UNEMPLOYMENT Discussion of Matter of Public Importance

MADAM SPEAKER: I have received a letter from Mr Westende proposing that a matter of public importance be submitted to the Assembly for discussion, namely:

The unacceptable high levels of unemployment.

MR WESTENDE (3.12): Madam Speaker, since the beginning of the new session yesterday we have talked about unemployment. I think everybody would agree that unemployment is the biggest factor inhibiting this country getting back on its feet. Without doubt, the deplorably high level of unemployment is the greatest scourge on our society since the Great Depression and the Great War. Also, without doubt, unemployment is one of the great threats to the future of our country.

It follows that, if the future belongs to our youth, we have to ask the question: What sort of future will it be with so many of our young approaching that future without any real hope of employment? We clearly have a situation of a generation of young people who are facing the serious prospect of an uncertain future. This is not the sort of language that I naturally like to use, nor is it a kind of discussion I find easy. I tend towards a positive view of things, but on a matter as serious as this one also has to face some realities, albeit that they are in fact gloomy, in order to vigorously pursue the right solution and turn the situation around.

Madam Speaker, all Australians who are in a position to do something about stemming the tide of unemployment must take whatever action they can to do that. It is essential that we have a bipartisan approach on this in this Assembly. We all agree that the unemployment levels in the ACT are simply not good enough, particularly youth unemployment, and I cannot think of a more important matter on which all of us should put our heads together and see what can be done. It surely must cross all political bounds. Madam Speaker, I am not wanting to score cheap political points, but the ABS statistics for the December quarter 1992 give employment figures for the hotel-motel industry, which is part of our very much needed tourism industry. In 1992, 2,035 persons were employed, but in 1991, 2,159 persons were employed. That is a downsizing of 124 people. As I said, I am not quoting those figures to do point scoring, but just to illustrate the problem we are facing.

It surely has to be realised that some of the solutions may not sit ideologically well with the Government. I speak here, of course, of the abolition of payroll tax or some of the other costs that this Government could control. These are insidious taxes which weigh against the misery and destruction of the hope of our youth. The Labor Government prides itself on its social agenda; yet its greatest shortcoming is the record high levels of unemployment. Even the "You've got me" Prime Minister would recognise that this truly has to be the main item on the agenda for our nation. At least that is what he said before he said, "You've got me". It is highly likely that unemployment may have been relegated well down the list behind the stargazing, mesmerised obsession and distractions "You've got me" has with republicanism. One certainly hopes that this will not be the case, but time will tell.

Madam Speaker, what I would really like to see is the Labor Government showing a bipartisan approach to the matter of unemployment so that the Assembly could be seen to be united in tackling the problem. I think I was derided by the Chief Minister for asking the question about overtime. I can assure the Chief Minister that in private enterprise the limiting of overtime - you do not have to have a law; you just have to have a departmental instruction - has created jobs. If you have people working overtime for 20 or 30 hours a week and you take two or three of those people together, you have created another job. I seriously ask the Chief Minister to consider the possibility of looking into it, if nothing else. I think that this approach would give tremendous help to the people of Canberra. I do not think people in Canberra, particularly the unemployed, and even more particularly the youth unemployed, appreciate the cheap political cross-fire in this chamber on this subject.

Irrespective of the comments made by the Chief Minister or Mr Lamont yesterday that all we talk is gloom and doom, this is a serious matter and, quite frankly, nothing these honourable and well-meaning people can say of what they have done changes the fact that we have the worst youth unemployment situation in the country. Nothing can detract from this undeniable fact. If members of the Government want to say that this is gloomy, then it is like saying that the world is full of roses. Well, it is not.

Where the Government misreads us, and where it certainly misreads me, is that I take the positive stance when faced with difficulty. I am not a defeatist. I search very hard for the way to success, and this takes a very resolute and determined attitude of mind and body. Simply because I outline the difficulties we are facing, some members on the other side jump to their feet and declare that all we are is doom and gloom. Let me put the record straight once and for all.

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If you cannot face up to where you are at in life you cannot do anything with it. Where do you go? How do you change things for the better? Until you go through this constant self-analysis, nothing will ever change. All I am trying to say to the Government is that unless you really come to terms with the severity of the unemployment problem you will never feel compelled to take the right course of action. You will never see that it requires some pretty bold moves. There is only one way out of that situation, and that is to recognise it and understand it.

Madam Speaker, to prove that I am not the old doom and gloom Westende that some of the government members would like to think I am, I would like to outline some positive solutions and some directions that I would like to see for the future. I believe that the Government really has to take the lead in bringing about recovery. Business will not grow without a feeling of confidence that they have the support of the Government. If they do not grow they do not employ, and it is as simple as all that. You cannot expect business simply to expand through some altruistic motive that it is good for society. Some businesses certainly do have this wider objective, but primarily they will expand only if it makes good business sense to do so.

Madam Speaker, I would normally be inclined to talk about some business solutions to the underlying malaise that is holding back employment opportunities, but I thought I would take a different approach and talk about the significance of creating new opportunities in Canberra, a new and exciting vision for the national capital, a vision that can really grab the imagination of the business community both here and nationally, and, indeed, the general population. I would therefore like to see the Government become entrepreneurial to bring about development and growth in the ACT. I would like it to set out an exciting and ambitious plan for the Territory - things that really grab people's imagination and interest. It is surprising what can be achieved with this kind of approach. We cannot sit back and wait for the recovery. The Government can lead us to recovery and I would like to think that we on this side can play some part in that process in a really positive way.

I really believe that the combined resources of the Assembly could excite the Territory with some great initiatives that were project orientated - in other words, not just talk. If we could do this, I am sure that we could attract many more people to our city, both as visitors and to live here. This would create jobs. Without doubt, we have an enviable tourist potential. We all recognise this. Perhaps we could be doing much more in the way of creating new attractions. I think we are now promoting the ones we do have quite well, but we need new attractions. The longer we keep people in the city, the more we will benefit by it and the more demand there will be for labour, for workers.

I believe that to a certain extent we are allowing tourism to grow at its own pace rather than giving it a prod along. I mentioned Canberry Fair yesterday. If we were really going for the tourism dollar as hard as we could, we would not have let that site wait for so long in such an unproductive and wasteful way. We would have been looking for a solution. Let us not delude ourselves that every winner for the tourism industry means jobs and prosperity for the ACT.

Let us look at other possibilities. We have a lake that surely could take more than a couple of tourist boats. There are islands on the lake that surely could be looked at for tourism and cultural uses. We have some very fine architects and planners who, I am sure, would love to suggest appropriate recreational uses of these islands without spoiling the general beauty of the lake. We could have boats taking tourists and locals back and forth to those islands, creating an atmosphere of fun and enjoyment and a much less sterile image of the lake. This would result in jobs.

Why not look at the possibility of a chairlift from one of the islands to, say, the top of Black Mountain? The vista would be spectacular and the ride exhilarating. The sight of the chairlift would not necessarily detract from the landscape. It would show activity and it would show that we are a fun city. There is such a thing, by the way, in the city of Grenoble in France and they call it the Telefirique. This sort of thing would result in jobs. Why can we not have a Shakespearian Globe Theatre, which I know was mooted a few years ago? We could be the Shakespearian centre of the nation, an international attraction. This would mean jobs.

Canberry Fair could be a major tourist information centre, utilising trainee students in tourism and hospitality to run the information and fast food outlets. There could be mini exhibitions of what you can see and do in Canberra - for instance, the National Museum, the National Film and Sound Archive, the National Gallery, the War Memorial, the Science and Technology Centre, Cockington Green and so on. This new-look Canberry Fair could, indeed, be an attraction in itself. I believe that Canberry Fair will reopen again shortly, but the suggestions I am making may ensure that this time it remains open, and this would mean jobs.

The Yarralumla Woolshed could become a working museum of the wool industry, with shearing, wool spinning, wool classing, wool pressing and a history of Canberra's early beginnings as sheep stations. This would mean jobs. The powerhouse at Kingston could be a national attraction. It could be the oldest working powerhouse open to the public to see. It is the oldest building in Canberra. This would mean jobs. These are some ideas that could really capture the imagination of industry and community alike, and create jobs and wealth for Canberra. It would also make a tremendous impact on the perception of the national capital not only as a place of great dignity and symbolism as our national capital but also as a place of fun.

In terms of other industries, I would really like to see some boldness in our planning of this city. We really should be saying to industry, "Go for it". I really like the idea of a tram running down Northbourne Avenue. It is romantic. It is a different image. It is a welcoming image. It would mean jobs. I really like the idea of an urban village where your place of work can be near where you live, where you can eat out just down the road, where you can meet friends and make new ones. I like these images. Let us do it. It would mean jobs.

We must get behind the VFT project - I mean really get behind it - and give it a big push. We should be advocating it loud and clear rather than waiting for the other States to take the initiative. The VFT would have enormous benefits for the ACT, as Kerry Stokes said yesterday in his great address. We should be going for it. We have bipartisan agreement to do so. Let us do it. It would mean jobs.

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We should be selling Canberra as a place in which to live and to set up business. I know that some work is done in this area, but we are cautious in our response to new business. We are too regulatory, and this gets in the way of the momentum of developers. Business opportunities are turned away.

Madam Speaker, these are some ways that we can positively do something about the unacceptable high levels of unemployment. I believe that I have outlined some practical solutions that could really grab the imagination of people, whether business leaders or, indeed, the unemployed. I believe that I have outlined hope and an exciting future. My speech has been far from pessimistic. I have a great desire for success for this beautiful city and I think it warrants our being more daring and less inhibited. We have to take some risks. We can do it. Let us do it now.

MS FOLLETT (Chief Minister and Treasurer) (3.27): Madam Speaker, it is only a month since this matter was raised in the Assembly by Mr Westende but it has been a very crucial month, both for the nation and for Canberra, especially. I refer, of course, Madam Speaker, to the re-election of the national Labor Government by the Australian people. What Mr Westende has failed to observe in any of his remarks is that only Labor governments will protect the public sector, and in the ACT the public sector is still our biggest employer. The Commonwealth Government is still our biggest employer here in Canberra.

You have to contrast that commitment by Labor to employment in this Territory with what Dr Hewson was planning, which was to slash over 3,000 jobs from the public sector and which would have resulted in the loss of a further 1,900 jobs in the private sector. You have to contrast the commitment by Labor, both federally and locally, to a project like the National Museum, which has never been matched by the Liberals. Mr Westende is talking to me about new and exciting visions for the ACT; yet they have completely ignored the National Museum and what a new and exciting venture that is for the ACT.

Madam Speaker, I respect Mr Westende for having put up a range of new projects, but he has not mentioned some of the other projects that are going ahead - for example, the boatshed development down by the lake, or the reopening of the opal museum under a completely new guise. There are things happening. I accept that Mr Westende has a lot of other ideas, but he should not pretend that nobody is making investment in this town, because they are.

I said earlier that Mr Westende's idea of banning overtime would, in my view, not create additional jobs, and I will stick to that point. I find it ironic in the extreme that Mr Westende apparently does not understand the kind of employment that occurs across the ACT Government Service. I think it would be a nonsense to suggest to, say, police officers or a senior nurse in the theatre ward or a salaried medical officer that they ought to knock off at 5 o'clock so that we can hire some school leavers. That is just a nonsense. I do not think that Mr Westende understands the range of employment that exists in the public sector in the ACT, and the fact that people are not interchangeable. They have particular skills. Their jobs make particular demands. The community has particular needs of our employees. They are not just cogs in a wheel.

While it has been only a month since this issue was debated, I am happy to reiterate that the Government is committed to addressing the issue and to remind members again of the action we have taken to address unemployment. Unemployment is too high. You have never heard me say anything other than that. Although the ACT has fared relatively well throughout the recession, there are still significant numbers of Canberrans out of work and they are bearing the consequent human and economic costs of their situation. This is not acceptable. It is not acceptable to the Government and we certainly will not shirk our responsibility for tackling this problem, and we never have. I have said before as well that the ACT Government is only a small player in the big economic picture, and I would ask members to take that statement to heart.

In the short term the options that are open to my Government to address this problem are fairly limited, although we are exploring all of them. Macro-economic policy is determined and implemented by the Federal Government, and we should be thankful that those who are moving the macro-economic levers also have a clear and strong commitment to beating the blight of unemployment. That commitment has been made quite explicit by the Prime Minister. He has also made a commitment to addressing the needs of people who, very unhappily, remain unemployed. Nevertheless, we must face up to the problem, as Mr Westende has said, and that is what the Government does.

We have always given the fight against unemployment No. 1 priority, and we have created real jobs - for example, 330 additional jobs created by accelerating the capital works program; 350 jobs in the interim casino; 280 jobs in the construction of the permanent casino, which is on time; 500 jobs in the permanent casino when it is completed. There are other practical steps that we are taking, all of which will result in jobs. Our policy is to work closely with business, with industry, the unions, and the community, both on individual projects and more generally through the consultative forums that we have established. In particular, Madam Speaker, I have asked my Economic Priorities Advisory Committee to advise me on a business development strategy for the ACT. That work is well advanced, and I am very much looking forward to receiving their advice on it. Canberra has ceased to be solely a public service town, although, as I have said before, the public sector will always be an important area of economic activity to us. The Government does recognise the crucial importance of the private sector to our economic future.

Madam Speaker, if I may for one moment be critical of members opposite, I do wish that they would cease talking down the ACT's economy. There is too much gloom and doom coming from members opposite. They ought to be trying to instil some confidence in the private sector as well. As an example of our cooperative and strategic approach, we have provided \$100,000 for a study of the feasibility of establishing an international air freight centre at Canberra Airport. Madam Speaker, my voice has gone. I will take a break.

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MR LAMONT (3.34): I would like to continue for my 10 minutes.

Mr Humphries: You have the same speech, have you?

MR LAMONT: No, it is not the same speech, Mr Humphries. I have been somewhat less generous to the Opposition than the Chief Minister has been so far in her address.

Mr Cornwell: We would not expect anything more from you.

MR LAMONT: No, you should not expect anything else either, because I think it is about time that it was told in this chamber like it is as far as you people are concerned. Madam Speaker, unemployment is too high. It is way too high. There is no mystery in this. There is no grey cloud floating around when somebody says that unemployment is too high. I have said it before and I will say it again; unemployment is too high. But it is also a fact, Madam Speaker, that Australia has just had a Federal election in which one of the main issues was unemployment and how best to tackle it. The Liberals, in particular those opposite, offered one prescription. Labor offered another. The Opposition can rant and rave and carry on all they like about unemployment. The fact is that their prescription for solving unemployment has been totally rejected by the people in this country, and in particular by the people in the ACT.

Unemployment is too high. You see, I can say it again. I can say it repeatedly, as you do, ad nauseam. I can continue to say it, but when you continue to say it all you succeed in doing is to trivialise the human tragedy of unemployment and expose your own political cynicism in your contempt for the unemployed. What those opposite do not understand, or deliberately choose to ignore, is that the ritual incantation is as useless as their perpetual hand wringing, which is all they have done in the last 12 months. That is all they did in the lead-up to the last election, and that is all they are doing this afternoon. The people of Australia and the people of Canberra, in particular, have rejected their confrontationalist, union bashing policies lock, stock and barrel. It is time they stopped this ritual chant and got back to the drawing board and came up with acceptable alternative solutions, if they can.

Madam Speaker, there was a terrific letter in the *Sydney Morning Herald* yesterday which made the point that if the Liberals want to believe that the only thing that lost them the last election was a scare campaign against the GST we, the ALP, should let them do that. If you believe that the only thing that lost you the last election campaign was the scare campaign about the GST, you should continue to believe it, and we should encourage you in that belief because you will pursue this blind alley to certain defeat in the Federal election in 1996. The GST may have been one of the biggest single factors, but it was part of a wider vision - the outdated, un-Australian, Thatcherite vision which blames unemployment on the unemployed. I will go on to point out exactly how they have perpetuated this in the policies that they have stood up with in this Assembly, particularly in the last session, and tried to perpetrate on the people in the ACT. It was not the GST but the vision of Reagan and Bush's Los Angeles which cost you victory in the last election. If some of you doubt that, we hope that you continue to go down that path and continue to pursue that illusion.

The Australian people, particularly the people in Canberra, know that unemployment cannot be solved easily. They know that the problem is structural and that it requires a cooperative effort from all parts of Australian society. They know that it cannot be solved by the ritualistic moanings of the Liberals. They know that the same people would have turned around, had they won the election a fortnight ago, and again labelled the unemployed as dole bludgers, as they have so often before. It is simply a total waste of time for the Liberals to lecture the Follett Government on unemployment. That is what you do. The Government is working with Federal Labor in the only way which can achieve success. It is working with the business community in the only way that can bring success. It is working with the unionised and the unemployed in the only way that can bring success.

It is a long road of hard, detailed work - a concept totally alien to the Maynard G. Krebs of the Opposition. It involves the difficult and painstaking task of restructuring the economy against the backdrop of the worldwide impact of tech change that we have gone through. In order to meet the challenge posed by this new world economy, Labor, in the last decade, undertook two things which, on the face of it, have contributed significantly to the high levels of unemployment. Let us look at them. These were banking deregulation and industry restructuring. They were two issues which I believe can be identified as reasons why Australia's unemployment rates in 1993 are as high as they are.

Mr Humphries: But that was your initiative.

MR LAMONT: Yes, without question.

Mr Humphries: That was your initiative. You did it.

MR LAMONT: Without question. I think the Labor Party has to stand up and accept that. That was not hidden from the Australian people over the full period of the recent Federal election campaign.

Mr Cornwell: Rubbish!

MR LAMONT: It certainly was not.

Mr Cornwell: You never admitted it.

Mr Humphries: You did not admit it at all.

MR LAMONT: Yes, we did. I will say it here again this afternoon. Let us have a look at the proposals contained in the "frightpack". The "frightpack" would have dramatically increased unemployment by accelerating changes in these two areas beyond the capacity of the economy to cope or recover. In the ACT your policy for increasing employment was to sack 3,000 public servants and to abandon the York Park project. As Ralph Willis said, sacking people might be a good way to increase solidarity between the unemployed and the employed, but as a way of keeping unemployment down it is totally ridiculous.

Let me give you a bit of advice. You should not only trash the GST, and thrash it if you cannot trash it; you should not only give up trying to wreck Medicare for the benefit of some vested interests; you should not only stop trying to change the tax system for the sake of achieving windfalls for some of your millionaire mates;

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you should not only drop slave wages for the young, and the cutting off of benefits for the less fortunate; you should also give up trying to smash the union movement. Maybe then you could learn to work cooperatively and progressively towards lowering unemployment. The truth, though, is that you would probably be better off just giving up, each and every one of you.

The fact is that you have never cared a toss for the unemployed. When there were 700,000 people unemployed, and there was 5 per cent inflation, what was the cry from the people opposite? "You have to bring down the level of inflation in this country". We did. The Labor Government did. Now what happens? You turn around, with crocodile tears I would suggest, and say, "Oh, well, yes, maybe inflation is now down to one per cent or 2 per cent; but now we have a problem with the unemployed". We recognise that that is a problem.

The Liberal Party is full of humbug, and this Opposition is the absolute pinnacle of its deceit. It could not care less. You have never cared, and you will never be able to do anything about the unemployed. The Liberal Party is finished in the ACT. After years of soul-searching and a radical rethink of its direction, the Federal Liberal Party may become revitalised after its defeat in the last election, but that will take many years. However, the local Liberals have had it. Here is my prediction, if you want it, and you can guarantee that it is going to be a lot closer to the mark than the nonsense that you people came up with before the last election. At the next elections in the ACT you people, by and large, will disappear. You will disappear because you just do not have the answers.

Mr De Domenico, although I cannot see you, I have a bit of advice for you. It is time you jumped ship. They may have given you a bit of a whipping down to the back bench; they may have taken out some of the internal politics on you. But I will tell you, mate, that, if you continue to align yourself with them, at the next election they are going to drag you out the back door as well. The ACT people may forgive the Federal party for re-electing Hewson - I doubt it, but they may do so - but they will never forgive the people in the Liberal Party that they have elected to this Assembly for the campaign that they ran prior to the last election, which would have had the effect of creating a ghost town here. It is utter hypocrisy for you people to raise this matter as an MPI this afternoon in order to try to score some cheap political point.

MR HUMPHRIES (3.45): Madam Speaker, how incredibly galling it is to have a member of the party that was the architect of over a million unemployed Australians telling us about what we got wrong on employment. How galling it is to all those 1,052,700 people in this country who today do not have a job, in large part because of the policies of this present Federal Government, to hear Mr Lamont telling this Assembly that the alternative is not any good. I have to say, Madam Speaker, that I find that absolutely extraordinary. I think Mr Lamont knows full well that his record is nothing to crow about; that he has only a very sorry and very tatty record to go on. If the campaign just finished had been fought solely on the question of the record of unemployment and what people were going to do about unemployment, as opposed to a goods and services tax, there would barely be a marginal seat anywhere in the country still in the hands of the Australian Labor Party. It was to the great good fortune of the Australian Labor Party that the goods and services tax was an issue in this last campaign, because, if it was not, unemployment would have been the major issue, and heaven help the Labor Party in those circumstances.

Madam Speaker, we heard from Ms Follett, before she was unfortunately snatched away from us, that this Government has a number of initiatives in place to provide jobs in the ACT. We heard that there were a great many areas in which job creation was going on in the ACT. Each one of those individual areas that were referred to by the Chief Minister deserves our unqualified support. We see those areas as being immensely important in building up individual areas of job growth in the ACT. But the question that we need to consider, the bottom line, has to be: What is the net effect of this so-called job growth going on in the ACT? The net effect, Madam Speaker, was revealed in the ABS figures for February that were released a few weeks ago, and they paint a very grim picture indeed. In January this year there were 157,100 jobs in the ACT. In February, one month later, there were only 156,700 - a loss of 400 jobs in the space of one month. That is the reality of what this Government has had to preside over, both federally and locally - a loss in the first part of this year at the rate of 100 jobs a week in the ACT.

I am very pleased to hear that we have job growth going on at the old opal and gemstone museum. I am very pleased to see that the casino is producing jobs in this community. I am very happy to hear about job growth programs and training programs going on around this Territory. But the bottom line does not show that it is having a net positive effect on our problem. If it were not for those areas of job growth, our figures would be even more startling, even more concerning, than the figures released by the ABS a couple of weeks ago. That is the reality, and the reality is that we need to be doing more than we presently are to be tackling this problem.

Ms Follett said in the course of her comments that we cannot fix the macro-economic factors affecting unemployment, and I would accept that to some extent. Those factors are, to a large extent, outside the control of the ACT. I might say that talking about the national and international trend with unemployment is not the way that the ALP tends to handle the debate when talking about the employment policies of conservative governments, as, for example, was the case when the New South Wales Government was blamed for a big contribution to rising unemployment in last month's unemployment figures. That to one side, there is a distinct impression underpinning the comments that the Chief Minister made that the ACT Government is a bit like a cork bobbing around in an ocean over which it has no control. That is true up to a point, but it dismisses the very real avenues available to the ACT to generate a very different environment in which jobs and employment can grow in this Territory. There are solutions available; there are things we can do.

Mr Berry: What are they? Come on, list them.

MR HUMPHRIES: I will come to that. The Government's approach has been to treat the private sector and employers in the Territory a bit like a horse. All we need to do, according to this ACT Labor Government theory, is to get this horse to the water and it will drink. This is the theory. The idea, therefore, is to create training incentive schemes and education programs for unemployed people, and business advice centres for the businessmen. You are actually not creating any employment; you are actually bringing together people who have skills and labour to offer and those who have a need for skills and labour, and helping them mesh and create jobs. That is the theory behind Labor's plan; that all you need to do is bring these members of the community who are looking for each other together and you will have jobs.

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We all know that it is much more complex than that. The fact of life is that our horse is pretty sick and does not want to drink very much because the incentives to drink are not there. The real need is for incentives for actual employment growth, actual creation of jobs in the private sector in particular. That is what the ACT needs to be looking at. We need to be stimulating the markets that create employment growth and reducing business costs.

Mr Berry: How? Come on. Spend more?

MR HUMPHRIES: All right. We have a question from Mr Berry. A plaintive look crosses his face. How do we do it? I think we can follow the advice of our Prime Minister. Our Prime Minister offered advice to us a few years ago about the way to stimulate job growth and create jobs. He said a few years ago, in 1985 to be precise, that payroll tax was a major disincentive to employment in this community, and he talked about Australia in that context. We have to take off payroll tax and other taxes which affect the way in which businesses do their job and create, therefore, the opportunities for businesses to expand. That is the reality of the matter. Mr Keating, in 1985, did not specify how he was going to create the money that you would need to take off payroll tax. I assume that Mr Berry did not ask him at the time. I do know that there has to be a plan established to do that. That is what we need to be doing - looking at ways in which we can stimulate those markets and reduce business costs, because the picture is pretty sorry indeed.

Unemployment was up in the ACT to 8.8 per cent as of two weeks ago. That is up one full percentage point in one month alone, from January. That means that there are 15,100 people in Canberra looking for full-time or part-time work, not counting those people who have simply given up on the task of finding a job. Youth unemployment was even more alarming. It was 45.2 per cent, up 6 per cent in one month from 39.2 per cent in January. Two-and-a-half thousand young people in the 15- to 19-year age group in the ACT were looking for work in the ACT.

The Chief Minister made the point, and it was a good point, that those figures are not seasonally adjusted and that some of those people will be soaked up in the training and education sectors in the next month or so. That comment is partly true but it is substantially also not true because, as we well know, the employment and training sectors are absolutely and totally saturated at present. There is almost no room for expansion in those sectors. There are very few new opportunities coming along in those sectors. We already have far too many people going back and repeating year 12 in our secondary colleges simply because they do not have the necessary capacity to obtain employment in the private sector or, indeed, outside of the work force.

Mr Wood: Fewer this year than last year.

MR HUMPHRIES: As I said, many of them are just giving up, Minister, and that is a real concern. The Chief Minister says that we are doing all right; that we are about the same as we were 12 months ago. Well, 12 months ago, in March 1992, youth unemployment in the ACT stood at 19.7 per cent. If the Chief Minister is predicting a more than halving of youth unemployment in the space of the next two weeks - that is what we are talking about - then we will all be very happy. I think we will carry her out of this chamber on our shoulders, with acclamation. But I think we know that it is not going to happen.

Madam Speaker, the fact of life is that this Territory has been divided into two communities, haves and have-nots - people with very good incomes, people with very good jobs, people with security, and those with nothing to look forward to but a career on the dole queue. We have to be working hard to reduce and to destroy that culture, and we have not seen the evidence from this Government, I regret to say, that they have any idea of how to go about that task.

MS SZUTY (3.55): Mr Deputy Speaker, I would like to reflect somewhat on what I feel are the national values of Australia and the yardsticks by which we measure those values. In relation to the Federal election of 13 March, 56 per cent of the electorate stated in a Morgan poll that unemployment was the major issue of the election. People were concerned at the high level of unemployment, which has grown steadily, and if voters had any qualms about voting for the Australian Labor Party this was the issue that was at the heart of most of those concerns. It appears that voters felt that they would not do any better with a change of government and that they were less than sure about the positive effects of the changes proposed by the Liberal Party. That is my summation of the 13 March poll and, although I am not claiming to be a political analyst, that is possibly a plus, given the general consensus before the election that the result would be a landslide for the Liberals.

Why, then, is the issue of unemployment so important to Australians? In the early 1980s when there was 10 per cent unemployment nationally much was made of the fact that 90 per cent of the work force was still employed. But people did not respond to this alternative portrayal of the facts. Ten per cent of the work force being unemployed still sets alarm bells ringing as no other economic indicator can. The reasons are complex. Unemployment touches individuals in a way that talk of current account deficits, consumer price indexes and other figures released on a regular basis cannot, because the issue is about people - people like ourselves, people with and without families, people who are unskilled or highly ranked professionals - and unemployment has the potential to destroy dreams, hopes and aspirations.

I would like to quote from a recent Federal Government EPAC background paper which estimated, based on 1991-92 unemployment rates, that unemployment costs Australia \$23 billion per year. The authors, from the ANU's public policy program, expressed it in different terms - that is, that unemployment is costing Australia approximately 5 to 6 per cent of gross domestic product per year. They make the following statement at the end of their report's abstract:

In our view the Government should not sacrifice thousands of unemployed people to appease "the gods of inflation".

I feel that most Australians would accept this as a fairly important premise, particularly as most people understand personal hardship caused by retrenchment but are less sure on why very low inflation is beneficial, or what the current account deficit means to them, other than feeling morally compelled to buy the more expensive brands of food products because they are made in Australia. The authors also enlarge on other social costs of unemployment.

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The authors estimate that, if unemployment were reduced to 6.5 per cent nationally, then the divorce rate could fall by just over 800 annually, marriages would increase, and there would be around 20 fewer homicides per year. This is a significant list of events that could follow from a reduction in unemployment and a compelling argument for giving this problem all of our attention and effort.

The director of the Office of EPAC, Professor Glenn Withers, has issued a note of caution in his statement on the release of this report stating:

... it is important also to realise that achieving the benefits of lower unemployment is not easy. Abandoning the achievement of sustainable lower levels of inflation, or creating a further blowout in Australia's current account deficit would also impose high costs on Australians. Governments face a difficult task: they must strike a balance between these different areas of policy. This can only be made easier if they develop new pro-employment policies which minimise other economic costs.

That is a fair enough statement, but when push comes to shove the main focus must be to provide the jobs that are the top priority for Australians, as shown by the pre-election surveys. What is incumbent on all elected members is to ensure that in pursuing economic goals we do not overlook the basic reason that we are in parliaments, and that is to serve the electors of Australia. We are not here to serve an economic goal. Economic rationalisation has had its day and we must return to a more compassionate and caring society where there is a balance between economic goals which are put in place to serve the community and the needs of people within that community to participate in the economic life of that community. In current terms that means being in worthwhile paid employment.

Mr Deputy Speaker, we have the situation where, on the basis of the trend series figures from the Australian Bureau of Statistics, total unemployment fell from a high of 8.4 per cent in August last year to 6.7 per cent in February, although the non-adjusted unemployment rate for the Territory was 8.8 per cent. What is disturbing - it has been commented on by Mr Westende - and is hidden in these figures is a youth unemployment rate of 45.2 per cent for the month of February. Arguments about the size of the sample and whether it is representative or not do not alter the fact that the situation has not improved, and the collection of data has improved only marginally in the past 12 months. I have said before, and I repeat, that we need more reliable and relative data collection and a recognition that underemployment is also a very important issue, particularly for young people who may be employed in a part-time capacity because of the lack of full-time job opportunities.

Mr Deputy Speaker, the matter of public importance is in truth exactly that - a matter that the public feels is important. The issue of unemployment has a human face and we ignore that not only at the peril of ourselves but at the cost of future generations of wage earners who will face an increasing need to fund programs which address the needs of the long-term unemployed. We will also have missed out on a quite large loss of gross domestic product, as outlined in the EPAC report I have quoted previously. Then there are the social costs - the people and families who become frustrated and depressed by their circumstances. With the best will in the world, and even knowing that the labour

market is depressed, people who are unemployed often feel that there is no point in looking for work and lose their feelings of self-worth and self-value. How must this affect their relationships, and can we afford the cost of counselling and repairing the damage caused by long-term levels of high unemployment?

Mr Deputy Speaker, the community wants more action. There is a perception that the training and educational opportunities which are being offered by government are not enough and that more long-term sustainable jobs must be created. There are sectors of our society constantly under threat of being unable to provide services to members of the community; yet we have an unemployment problem. Mr Deputy Speaker, I feel that the current high level of unemployment is an issue which we cannot, on economic, humane or any other grounds, allow to continue.

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (4.02): Mr Deputy Speaker, I do not know whether Mr Humphries noticed, but the payroll tax solution that he proposed has just been dumped by the Australian community. Mr Humphries sees that as the panacea, but what about the employers who would just stick the money in their pocket? They do not employ people for the fun of it. Essentially, what would happen in many cases is that the payroll tax would go into the employer's pocket. On the other hand, government would then have to find a huge amount of money to continue to provide the services that it does provide to the community. Where would that come from? Whom do you suggest that we would tax, Mr Humphries, or do you just say, "No; drop the payroll tax and forget it"? Still on his own little agenda is the GST. They are still supporters of the old goods and services tax. You try to bury it, but you are not fooling anybody.

Mr Deputy Speaker, Mr Westende also raised the issue of tourism and was critical of the Government - to use words that were roughly along the lines that he used - for allowing the tourism industry to just run its own race and develop at a rate which suited itself. The Government has established a tourism development unit at a cost of \$380,000. That has been developed to attract and develop new events and to identify gaps within existing tourism infrastructure. The end result will be increased visitor numbers, better targeted services to those tourists, and, of course, increased employment; so the Government is clearly doing something in that regard.

The Government has also been successful in attracting new businesses to the ACT. The casino was mentioned earlier and it has been acknowledged as a major employer and as a feather in the cap of the Labor Government. There is no question about that. I will run through a list of other employers who have now established in Canberra. Maestro is one; Optus is another; Azimuth is another; the Centre for Plant Science; the Centre for Robust and Adaptive Systems; the Centre for Advanced Computational Systems; the ACT Wool Topping Facility; and Total Peripherals. That is a list of employers. We are getting on with the job. Do not be so cynical about what the Government is doing. Why not be positive? You just cannot get out of this mood that we have had in the lead-up to the Federal election campaign. You have to bag everything. Be positive and get private industry out there doing something. The Government just cannot go out and give them handouts. We have to build confidence. It has to be a bipartisan approach.

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Mr De Domenico: How do you do it? How are you going to build confidence?

MR BERRY: I will come to that. I have told you what we have done in the tourism industry and how we are developing things in that industry. Those firms that I mentioned will provide the sorts of jobs we want in Canberra - high tech; knowledge based; clean manufacturing; about 1,300 jobs by the end of 1994.

Mr De Domenico: How many?

MR BERRY: About 1,300.

Mr De Domenico: By when?

MR BERRY: About.

Mr De Domenico: About. More? Less?

MR BERRY: I said "about". That means more or less. That is why you got the dump. As has been pointed out previously, we are also providing practical support and encouragement for small business. The Business Services Centre provides information, advice and referral services to more than 250 clients each month. In addition, we have now established a second business incubator at Kingston to support and encourage new small businesses in their critical start-up phase. The Assembly has been advised previously about the letter that the Chief Minister wrote to the Canberra business community in the new year. The Liberals think that that is their province; that they are the only people who can contact the business community, and how dare the Labor Party take a positive move to develop a bit of business confidence. We got on with the job quietly. Get out there to Canberra business and offer ways and means to assist them. All we heard from the knockers opposite was whinges and groans, particularly from the Leader of the Opposition.

How can you develop a positive approach out there in the business community when you have the Liberals bagging the place all the time, trying to drag it down, speaking of doom and gloom? You have Mrs Carnell whingeing about the health system, the education spokesperson whingeing about the education system, the business spokesperson whingeing about the businesses, and Tony De Domenico whingeing about getting the dump in the Liberal Party. There is this general moaning and groaning, doom and gloom. You have to do better than that.

We are making progress, and that is the difference. Employment continues to grow. Between January 1992 and January 1993 the number of people employed increased by 7,400 - an increase of 5 per cent. This was almost entirely in full-time jobs - an encouraging sign of the good prospects for the ACT economy. Nevertheless, we recognise that the fight against unemployment is going to be a long, hard war. A key part of our strategy is to ensure that the unemployed have skills necessary to fill jobs as they become available. The ACT Government has taken a number of initiatives over the last 12 months to raise the skills level of the unemployed. The extension of the Commonwealth Jobskills program to the ACT resulted in 270 training and work experience places for the long-term unemployed. The establishment of an ACT Jobskills program provided training and work experience for 100 additional long-term unemployed. (*Quorum formed*)

There has been a 30 per cent increase in funding for the employment and training grants program to provide employment and training opportunities for the disadvantaged in the labour market, especially those likely to become long-term unemployed, and a 50 per cent increase in funding for the NEIS program to support unemployed people wishing to establish their own self-employed ventures. These additional funds provide training and employment opportunities to nearly 600 people. The women's work force development scheme initiative will provide 20 women with six months' work experience and training within the ACT Government Service, and targets women over 30 years of age who have been out of work for over two years. You are not going to whinge about that are you, Mrs Carnell? No fear. The Government sponsored a major event on women's employment, education and training in November last year which provided practical hands-on advice for women.

Mrs Carnell: Wow!

MR BERRY: You see, doom and gloom. It provided practical hands-on advice for women considering entering or re-entering the work force or changing career direction. There will be seminars, workshops, information booths and videos, all providing women with a wealth of information. The Government established the women's employment strategy grants as a formal grants program from 1992-93.

Mrs Carnell: Whom did it go to?

MR BERRY: Here you are, whingeing and moaning already. You have not even heard about it yet and you are whingeing and moaning. They are not bad. This means that the Government is now able to offer grants totalling \$60,000 per year for work in relation to women's employment, education and training, in addition to the priority given to women under the employment and training grants programs. Whinge, moan, groan - there is nothing positive in that either. You cannot help yourself. Youth unemployment, of course, continues to be of particular concern to government. We have established the ACT Youth Conservation Corps and arrangements have been made to run the ACT Youth Conservation Corps and the Commonwealth landcare and environment action program as joint programs in the ACT.

This outline, Madam Speaker, is not exhaustive but it provides a small cross-section of the programs and initiatives which the Government has put in place to tackle the problem of unemployment. We are not moaning and groaning; we are doing something. As has been said in outlining the Government's priorities in 1993, the Territory is only a small place in the macro-economic life of the nation but we, Labor, will continue to give our highest priority to tackling unemployment in the ACT. All we need is for the doom and gloom merchants of the other side to be a little more positive about their approach to the people of the ACT, to show that they care, instead of whingeing and moaning about all of the great services which are provided in the ACT by a Labor government.

MADAM SPEAKER: The discussion is concluded.

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ADOPTION BILL 1992
Detail Stage

Clauses 1 to 16, by leave, taken together, and agreed to.

Clause 17

MS ELLIS (4.13), by leave: I move:

Page 7, subclause 17(1), line 5, omit "Director", substitute "Minister".

Page 7, subclause 17(2), lines 7 and 8, omit the subclause, substitute the following subclause:

"(2) A person is not eligible to be
appointed as a member of a review committee unless the Minister is satisfied that -

- (a) the person is not an officer of the Housing and Community Services Bureau;
and
- (b) the person has appropriate qualifications or experience."

I remind the house that these amendments refer to the review process, which was debated in the chamber last night. The first amendment replaces the word "Director" with the word "Minister". The second amendment refers to the welfare bureau being excluded from the appeal process. I refer members to the debate that took place last night.

MS SZUTY (4.14): Madam Speaker, in my remarks last night on the Adoption Bill I suggested that the process needed to be fair and to be seen to be fair. This amendment achieves, through the establishment of an independent review panel, a panel to review the director's decision where the director refuses to include the names of applicants on the adoption register. This is a fairly profound decision that the director can make, and it is appropriate that an independent review panel be established by the Minister. This provision takes the decision out of the director's hands, in a sense, and out of the hands of the Housing and Community Services Bureau and places it with an independent panel of three people with appropriate qualifications and experience, as nominated by the Minister.

Amendments agreed to.

Clause, as amended, agreed to.

Clauses 18 to 44, by leave, taken together, and agreed to.

Clause 45

MS ELLIS (4.15), by leave: I move:

Page 21, subclause (2), line 16, omit "Upon", substitute "Subject to subsection (3), upon".

Page 21, subclause (3), line 21, omit "surname" (first occurring), substitute "name".

Page 21, subclause (3), line 22, omit "as his or her surname".

These amendments refer to the question raised in the debate last night concerning the word "surname", as originally appearing in the Bill. Our committee decided that it would be much more appropriate to use the word "name", to allow both surname and forename for consideration, and that is the reason for these amendments.

MS SZUTY (4.16): These amendments will enable the child to retain its forename as well as its surname. At present, the Bill provides that adoptive parents can nominate the forename of the adopted child on application to the court. I would hope that in most circumstances the adopted child and the adoptive parents would agree on the child's forename. However, this may not always be the case; hence this amendment. The amending provision allows the child to have a direct say regarding his or her name, and this was commented on last night by Ms Ellis in her remarks on the Bill. This provision will be especially advantageous for older children with distinctive cultural names who wish to retain them.

Amendments agreed to.

Clause, as amended, agreed to.

Clause 46

MS ELLIS (4.17): I move:

Page 21, subclause (1), line 31, omit "in lawful wedlock".

I shall refer very briefly to the amendment. The committee felt that it was inappropriate in this day and age to use the term "in lawful wedlock" in such a Bill, and we have recommended the removal of that term.

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 47 to 55, by leave, taken together, and agreed to.

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Clause 56

MS ELLIS (4.17), by leave: I move:

Page 26, paragraph (1)(a), line 19, omit "another country", substitute "the Territory or elsewhere".

Page 26, paragraph (1)(b), line 23, add at the end of the paragraph "and".

Page 26, paragraph (1)(c), lines 24 to 26, omit the paragraph.

Page 26, subclause (1), line 28, omit "supervise the welfare and interests of the child", substitute "promote the welfare and interests of the child by providing support".

Page 26, subclause (1), line 29, omit all words after "months", substitute -

"commencing on -

- (d) if the child was adopted in the Territory - the date of the adoption; or
- (e) if the child arrived in the Territory after having been adopted - the date of the arrival;
and any person authorised in writing by the Director for that purpose has a right of access to the child during that period -
- (f) at times agreed between that person and the adoptive parents; or
- (g) in the absence of such agreement - at times specified by the Minister by notice in writing given to the adoptive parents."

I refer briefly to the specific mention of foreign children. Given the change to this clause, it is no longer believed to be necessary to have such a reference in this part of clause 56.

MS SZUTY (4.18): Madam Speaker, I would like to comment on two issues that are inherent in the amendments proposed by Ms Ellis. The first concerns the issue of supervision requirements and support requirements being the same for all adopted children. Again, it is a question of the adoption process being seen to be fair by everyone who comes into contact with this Act. Supervision and support visits should be available for all adopted children, as they need to adjust to differing family environments post their adoption placement.

I should also address the question of access to children by the director of welfare and her officers at mutually agreed times. I believe that this provision is extremely important, and the committee discussed it at length in its deliberations. Again, the emphasis is on a cooperative approach by both adoptive parents and welfare authorities. It is acknowledged that at most times welfare would set up a time to visit the family, via a phone call in most circumstances or possibly a letter.

However, visits do occur when welfare authorities simply turn up, and I believe that that process is one that we need to discourage. The reasons for this are obvious. Most families lead extremely busy lives and organise their lives around timetables which may involve getting children to and from school, participating in school activities and their children's sporting activities, and their own careers, community activities, sporting activities and interests. On top of these are medical and business appointments and shopping trips. It is simply not acceptable or appropriate in these times for formal appointments to occur without warning. With the emphasis on cooperation and support, these visits will occur more naturally and openly in an atmosphere of mutual respect and trust.

My support for the provisions in the amendments is based on two counts of personal experience. Certainly in my experience as director of Weston Creek Community Service I often had requests from the department to come in and look at the books of the service at particular times. It obviously suited me and my staff much better if those visits could be arranged at mutually agreed times which suited the service. In the main, I am delighted to say that the authorities agreed with that approach.

Support visits, as understood by family support programs, are also important. My work prior to being director of Weston Creek Community Service, when I was responsible for the coordination of the family support program, really honed this point for me. It was important that, in visiting a family and offering support, that family recognised it as a support visit; that it was not an assessment process of the family concerned, that it was not necessarily a supervisory process, but was a support visit. It was very important for the families I came into contact with to understand the difference. I believe that the Minister's suggestion in terms of the ultimate handling of this amendment has been a very helpful one. It enables the Minister to authorise a visit to an adoptive family where concerns for the welfare of the adopted child exist, and I think that is a very good compromise.

MRS CARNELL (4.21): I rise to compliment the committee on the final wording of this clause. I am sure that nobody in the Assembly would have overlooked the fact that I was not terribly pleased about this clause as it first appeared, and many on this side of the house were not either. I believe that, in legislation such as this, the most important thing we as an Assembly can do is to make sure that the people involved and the children involved feel supported rather than supervised. I think Ms Szuty's comments were very well founded and well placed. I also thank Mr Connolly for coming up with the final wording that allowed the committee to come to a joint position on this. This was the one clause on which at one stage we believed that we would end up with dissenting reports, but Mr Connolly's grasp of the English language managed to overcome that problem. I thought it was fairly impressive.

I must say that I am not totally happy with the way it has finally been worded, but I hope that all the families involved understand that, as a committee, we went to quite substantial lengths to try to come to an end point that would suit everybody and make the whole adoption process easier for all those families involved.

Amendments agreed to.

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MS ELLIS (4.24), by leave: I move:

Page 26, subclause (2), line 33, omit "supervised", substitute "promoted".

Page 26, subclause (2), line 36, omit "is subject to the supervision of", substitute "may receive support from".

I refer briefly to the word "supervised", which appears in certain parts of the Bill and was a problem to some people. I highlight to members the substitution of the words "promoted" or "receive support" for the word "supervised".

MS SZUTY (4.25): I would like to expand on the comments I made earlier about supervision and support. The needs of adoptive parents are very much for support. By and large, they need to feel that they can discuss openly and honestly with welfare authorities issues of possible concern or difficulty about the adoption. I think in most instances that is the way to go. This provision will also be of benefit to welfare authorities who are assessing the adoption placement. There will always be an element of supervision inherent in the support visits. However, welfare authorities should be encouraged to discuss and possibly review their existing approach to these visits.

Amendments agreed to.

MS ELLIS (4.26): I move:

Page 27, subclause (3), lines 1 to 3, omit the subclause, substitute the following subclause:

"(3) In this section -

'support', in relation to an adopted child, means the Director or a person authorised in writing by the Director visiting the child and the family in the child's home environment, but does not include financial support."

This amendment relates to the words "support" and "supervision", which have been used previously in the Bill. The amendment will give clarification to what the word "support" refers to now that it is being used in place of "supervision".

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 57 to 72, by leave, taken together, and agreed to.

Clause 73

MS ELLIS (4.27): I move:

Page 35, line 6, omit "the provision of information", substitute "contact".

This amendment seeks to omit the words "the provision of information" and substitute the one word "contact". This is not an amendment related to the Social Policy Committee's report but is a housekeeping amendment that was to go through originally.

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (4.27): Madam Speaker, could I just add that this was one of the matters picked up by the Scrutiny of Bills Committee. It was a typo that Professor Whalan picked up, as he always does.

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 74 to 77, by leave, taken together, and agreed to.

Clause 78

MS ELLIS (4.28): I move:

Page 37, subclause (3), line 20, before "request" insert "written".

This amendment changes the emphasis from a request to a written request, when people wish to change an intent that is outlined in subclause 78(3).

MS SZUTY (4.28): This amendment clarifies the provisions of this clause by insisting that requests to the director to amend or cancel the entry of a person in the adoption information register be made in writing. When the register is established, information is already provided to the director in writing. Amendments and cancellations to the register should therefore also be requested in writing. This will prevent possible false representations, which may have been made by telephone, or in particular circumstances in person, to the people who are responsible for keeping the adoption information register.

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 79 to 108, by leave, taken together, and agreed to.

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Clause 109

MS ELLIS (4.29), by leave: I move:

Page 48, subparagraph (5)(j)(ii), line 15, before "mother" insert "birth".

Page 48, subparagraph (5)(k)(ii), line 20, before "mother" insert "birth".

These amendments insert the word "birth" prior to "mother". The committee felt that it was far more appropriate and necessary in this subclause to use this form of wording.

Debate interrupted.

ADJOURNMENT

MADAM SPEAKER: Order! It being 4.30 pm, I propose the question:

That the Assembly do now adjourn.

Mr Berry: I require the question to be put forthwith without debate.

Question resolved in the negative.

ADOPTION BILL 1992 **Detail Stage**

Debate resumed.

MS SZUTY (4.30): Madam Speaker, these amendments clarify the language by referring to the mother of the child as the birth mother. This is particularly important, as other provisions in clause 109 refer to the adoptive parents, or each adoptive parent in this particular case. It is therefore inappropriate for each adoptive parent to be mentioned in the first line and then the mother of the child to be mentioned in the second line, where it is clear that the intent of the clause is that the mother is the birth mother. These amendments will result in greater consistency and clarity in the language used.

I add that the committee has also drawn attention to possible changes in clause headings in the Bill, which will clarify language in much the same way. The particular clauses we have drawn attention to are clause 55, where the heading "Foreign adoptions" will be changed to "Overseas adoptions"; clause 56, where the heading "Supervision of certain adopted children" is to be changed to "Support of adopted children"; and clause 57, where "Declarations of validity of foreign adoptions" is now to be "Declarations of validity of overseas adoptions".

Amendments agreed to.

Clause, as amended, agreed to.

Remainder of Bill, by leave, taken as a whole

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (4.32): I thank members for their support of those amendments. The Government did not speak to those amendments, but the *Hansard* should record that the Government's support for the amendments was for the reasons set out in the response to the committee's recommendations, which was tabled last night. Given that we are now on the last package of amendments, it means that a process that was commenced in 1986, which has been a very long and very tortuous process, is now brought to an end. I expect that the Assembly will support these remaining provisions. The Bill will then be put to the Assembly and, I trust, passed unanimously.

I can assure the Assembly that my agency will leave no stone unturned to ensure that we get this legislation up and running as quickly as possible. As I indicated last night, I think we can get that done in a matter of weeks. I assure the Assembly that, while it has taken from 1986 to today to get this legislation enacted, the Housing and Community Services Bureau will ensure that it is up and running as quickly as possible and that the long wait of many members of our community is at last brought to an end.

Remainder of Bill agreed to.

Bill, as amended, agreed to.

LABOUR MINISTERS CONFERENCE **Ministerial Statement**

Debate resumed from 17 November 1992, on motion by **Mr Berry**:

That the Assembly takes note of the paper.

MR DE DOMENICO (4.35): Madam Speaker, I am delighted to be able finally to talk about an issue that has been on the notice paper for some time. It is perhaps better to talk about these things now that the Federal election is over. This goes to show how versatile the Liberal team is. There are a number of people who can talk on a number of issues. We are not constrained in that, unlike people on the opposite side of the house.

Madam Speaker, you would think that when a Minister represents a Territory or State or any other jurisdiction at a national conference he would take pride in using that opportunity to tell everybody else what a great job is being done in the jurisdiction he is responsible for. Indeed, most Ministers would agree with me and most Ministers would do that as a matter of course. Whilst some of the things that were mentioned by the Minister sound very impressive, I cannot see anything in the statement the Minister made that tells us exactly what is happening in terms of innovations in industrial relations or anything else in the ACT. As would be expected so short a time after the Victorian election, the Minister did try to cause a diversion by talking about what he believed was going on in Victoria. That is fine; he is entitled to his opinion.

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The Minister said that there had been a steady rate of progress in the completion and certification of enterprise agreements. Ironically, on the same day the Minister came into this place and said that, a representative of the ACT branch of the Australian Workers Union, I think it was, was reported in the *Canberra Times* as decrying and speaking against enterprise agreements. So while the Minister was suggesting what a wonderful thing the completion of enterprise agreements was, the AWU was saying the opposite.

I also note that on page 3 of the Minister's statement he said:

The ACT Government is seeking to ensure that a mirror agreement will apply to its own public sector.

We all know that at that stage the Minister had not even conceded that a lot of work needed to be done to establish our own public sector. That statement might imply that the TLC views were different from those of the ACTU. The Minister saying that "the ACT Government is seeking to ensure" would seem to suggest that he had not had the imprimatur of or even discussed it with the local Trades and Labour Council.

It was also interesting to note some other things the Minister said, and I quote from the last paragraph on page 3:

The ACT legislative framework will enable the application of complementary arrangements for unpaid work experience of up to 240 hours a year for senior school students.

This is another thing that was said in the Carmichael report, and we applaud the Minister for suggesting that that should be happening. The Minister went on to talk about a national strategy for construction workers. I remind the Minister that, since 1983, following the unanimous suggestions of a working party on which Mr Lamont and I sat, and Mr McDonald from time to time, one of the things he could have done to reduce the cost of workers compensation was to ensure that the ACT, like every other jurisdiction in this country, had a termination clause in its Workers Compensation Act. We may be getting close to agreement to a termination clause; my advice is that it is still to come. We have been waiting 10 years. Ironically, the Minister did not use the Labour Ministers Conference to suggest that he had been waiting for 10 years for something to be done and still had not done it. Interestingly, the Minister did suggest:

Significant progress has been made in improving Australia's record as regards ratification of ILO conventions.

At the same time, nothing was said about the 10,000 members rule that we would still get to ratify. He went on to say:

The ACT has been particularly active and, in recent months, has advised the Federal Government that it can agree to the ratification of a further 16 conventions.

It is as if the Federal Government is waiting with bated breath until Mr Berry says, "Yes, you can go ahead and do it", for them to act. Mr Berry has told us on numerous occasions in this Assembly, and I agree with him, that most awards in the ACT are Federal awards and that the Federal Government does not need to wait for the ACT, although it might want to make sure that everybody is in agreement. Mr Berry's statement went on to say, and this is the humdinger of the whole lot:

... achievement of mutual recognition in occupational health and safety through national uniform outcomes by the end of 1993.

This Assembly has often heard me and other members speak about this issue. Here is Mr Berry saying that he is looking forward to uniform standards in occupational health and safety legislation. What is one of the only jurisdictions that seem to defy all that? The ACT. I have said before, and I will keep saying it until Mr Berry makes good his words, that the ACT is the one out. We are an island in the middle of New South Wales and we do not have uniform standards. It is up to Mr Berry to change that. He went on to say:

... in the meeting ... good progress towards this objective was reported. The National Occupational Health and Safety Commission is well advanced in seeking to achieve harmonisation of existing standards.

Fine words! Mr Berry also said that a report was presented on work towards developing legislative consistency in the field of occupational health and safety. Mr Berry might suggest once again, as he does all the time, that we are waiting for everybody else to come up or down to our standards; we are not waiting for the world, we are up there two-and-a-half steps ahead of everybody else. Unbeknown to Mr Berry, quite obviously, because the theory of public consultation is something he does not believe in, nobody in the private sector or anywhere else agrees with Mr Berry. What Mr Berry says about that is interesting, if you read his words carefully:

I am pleased also to report that the modern occupational health and safety legislation put in place by the first Follett Government ...

That is an interesting observation. In fact, the legislation that was put in place by the first Follett Labor Government fitted in with those uniform standards. As we all know, that first Follett Labor Government put in place legislation which made a designated work group of 20 and not 10, as it is now. So, while Mr Berry was waxing lyrical about the great works done by the first Follett Labor Government, and I was one of those people who agreed with that legislation that put the number of 20, because it coincided with what New South Wales was doing - - -

Mr Berry: No, it did not.

MR DE DOMENICO: Yes, it did. It is the same, Mr Berry. It is 20 now in New South Wales; it was 20 in the ACT until you changed it to 10. There is no denying that, and that is why you referred to the first Follett Labor Government. You did not go on to say what the second Follett Labor Government did. To remind you, we spoke today about unemployment and youth unemployment in particular. In fact, Mr Berry targeted those very industries that he now

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suggests we should be looking to for increasing employment - the tourism, travel and hospitality industry and the service industries, which employ most young people in this Territory. You made it more difficult for them to increase their job creating possibilities. In these situations, Ministers are given an opportunity of saying exactly what they are doing in the various jurisdictions they represent.

A lot has been said, and it will continue to be said, I suppose, about how we Liberals on this side of the house are kicking workers out onto the streets, kicking them in the head, that we are all redneck whatever. Interestingly, what Mr Berry did not say was that the industrial relations policy of the ACT division of the Liberal Party was one of those areas where we - - -

Mr Lamont: A bit of distance now.

MR DE DOMENICO: No. We did not hear the Trades and Labour Council criticised, for example. I recall a radio program when Mr Abraham, I think, had Mr Snow from the Canberra Business Council and Mr McDonald debating the ACT Liberal Party's industrial relations policy. Ironically, Mr McDonald said, "There is some of it in there that I dislike, but some of it I must admit is pretty good. It is nothing like the Victorian one. It is similar to Jobsback, but it is really quite a good policy".

Unlike Mr Berry and the Government, what the Liberal Party does and will continue to do when it changes its policies, as it will from time to time, is consult widely. That industrial relations policy went through a wide consultative process. We consulted with the unions, we consulted with the business sector, we consulted with all sorts of people, and we came up with a policy which was largely accepted by all people in the community. Mr Berry does not go to these conferences and say those sorts of things. By comparison, we have yet to see what Mr Berry's industrial relations policy is. He is lucky, in a sense, that he does not have to have one now. Most of it will be under Federal awards and he will be directed by the Federal award system as to what happens in the ACT.

In summary, what I am saying is that Mr Berry did not take the opportunity to alert the other Ministers to the outstanding things he was doing in terms of industrial relations in the ACT. He did not do that because, as always, Mr Berry and the Government say a lot of things but do nothing.

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (4.44), in reply: Mr De Domenico referred to the humdinger of a statement I made, and this is the humdinger, not the one he described. The Liberals in the ACT squirm when Kennett is mentioned. It is their downfall. They are still beating the same old drum. The Labor Party's view of industrial relations is one of the issues that set us well apart, and our support base in the community is strong because of our commitment to industrial justice.

We have taken the approach of endorsing ILO conventions because of our commitment to the International Labour Organisation and to those important undertakings that have been given by governments around this country. When we implemented the parental leave Bill, the first person to scream was Mr De Domenico, because he did not want to see those sorts of conditions provided in the ACT. They are in accord with the International Labour Organisation's conventions, and it is appropriate that they should apply in the Territory.

Mr De Domenico moaned and groaned about the termination clause in the ACT. We know that, as a result of our efforts in the ACT, workers compensation premiums are falling rapidly. You need a lesson in these things. You should not avoid the truth. Premiums dropped from 4.09 per cent in 1987-88 to 1.98 per cent last financial year. How dare you groan about the way we manage workers compensation in the ACT. Mr De Domenico went on to talk about the tourism industry and how the occupational health and safety legislation had such a massive impact on it. Can I tell you that the tourism industry's average rate now is less than half the recommended rate, and it is falling?

Mr De Domenico: What rate is that?

MR BERRY: The recommended rate of premium.

Mr De Domenico: For workers compensation?

MR BERRY: Indeed. Mr De Domenico knows and understands that the occupational health and safety legislation that was put in place by Labor in 1989 has been very successful.

Mr De Domenico: Have you spoken to the private sector about that?

MR BERRY: You do not have to; the figures speak for themselves. Things are better in the ACT when it comes to occupational health and safety because of Labor, and they will continue to improve. He groans about us dragging ourselves to other standards which are set in tory States such as New South Wales. I understand that they are undermining their occupational health and safety legislation in that State. We are not going to undermine it. Yes, there ought to be equivalent standards all round the country, but we are not lowering ourselves. If we are ahead of anybody, we are going to stay ahead, and that is quite appropriate. Why adopt the lowest common denominator and be like the Liberals, a miserable lot, sitting where they deserve - in opposition both in the ACT and federally.

Mr Kaine: We are just recharging our batteries, Minister.

MR BERRY: It is going to take a long time. I reckon that you have her on slow trickle charge, because it is going to be a long time before you come back. The old 12-volt battery is down to about 0.5 at the moment. The long awaited day is a long way off.

Interstate Ministers understand where Labor is coming from in the ACT when it comes to industrial relations. We have not shrunk from our commitment to the Federal Industrial Relations Act, as it stands. We know that it will continue to apply in the Territory. We know that the Commonwealth will consult with us, as they do with other States, because that industrial relations law has broad effect in other States as well. It is not something that applies just in the Territory. Consultation will continue about how industrial relations develops here in the Territory.

We are confident that we are in for a period of stability because of the election of the Keating Government. We strenuously opposed the election of a Hewson government because we knew that there would have been deep divisions in the ACT, divisions which would have made it more difficult to provide a stable

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base for industrial relations. We had the ideological answers to that, but the changeover would have taken some time and would have involved some assistance from the Liberals if we were to pursue a course consistent with our commitment to industrial justice.

I raise again an issue I raised in a speech I gave earlier in relation to unemployment. The Liberals preach doom and gloom. There is no point in it. It does no good for anybody. Business wants a bit of a kick-start.

Mr Kaine: Why do you not kick-start them?

MR BERRY: You are doing everything you can to stop us. They know and understand the stability which is provided by the Federal Industrial Relations Act. They know and understand that Labor in the Territory is about sensible industrial relations, about industrial relations which will assist in the development of this Territory. They also know, more now than ever, that the Liberals, who in the past have claimed to represent them, are just a big wet blanket. All they do is moan and groan about Labor's efforts in the Territory, and they seek to prevent any progress in order that they can feed off it politically. They do it right across the spectrum of those portfolio areas they claim to represent.

I say to the Liberals that it is about time they woke up to themselves. If they want to slow the pace of progress, they are going the right way about it - doom and gloom. If they want to get on the gravy train with us, get on with us. We are on our way to better things. The whole of the Territory is on the way to better things. We will leave you behind. If you want to be left behind, stay behind, but the doom and gloom is not going to help you at all. We are happy to have you along with us, provided you just sit there quietly and watch us in action. It will be action that you will find upsetting. I know that it will not help to recharge your batteries for re-election, but we will be on the way.

Mr De Domenico, I understand why you are upset, but I am prepared to keep upsetting you because we need to make sure that we continue with stability in industrial relations. We need to make sure that our interstate counterparts are aware of our position. We need to assist where we can in the development of industrial conditions in other States which might equal or even better those that exist here in order that we have something to pursue. The role of trade unionism is an important one and we will continue to foster it because we know that it is the best way of workers being represented in an industrial sense. It is sensible for government to deal with workers through their elected union officials. All of that is part of the large parcel, the big picture, of how we deal with industrial relations in the ACT and how our Federal colleagues will continue to deal with it. In that sense, the biggest message to the conservative States from the last election is never again to attempt to divide people as you attempted to divide them with your industrial relations policy. Even Jeff Kennett is going cold on it.

Question resolved in the affirmative.

DEPARTMENT OF EDUCATION AND TRAINING
Annual Report

Debate resumed from 18 November 1992, on motion by **Mr Berry**:

That the Assembly takes note of the paper.

MR CORNWELL (4.54): Madam Speaker, members might recall that this annual report of the Department of Education and Training for 1991-92 was tabled in November of last year, so we are addressing it some four months down the track. I might add that November is about three months later than it should be tabled, but this is a general problem with annual reports and I hope that the Government will address that in future for all portfolios.

It was as a result of this late tabling that much of the 1991-92 annual management report was examined and reviewed in the 1992 estimates hearings. Some of the points raised then, I regret to say, remain either as unresolved issues or as plainly misleading comments. As an example of the latter I instance at page 5 of the report what are referred to as pupil-teacher ratios and average school sizes. These are shown, respectively, as a comforting 18.9 in pupil-teacher ratios in government primary schools and as 439 pupils per unnamed public school. I submit that the 18.9 pupil-teacher ratio is misleading to parents who might read this annual report because it does not refer to pupil-teacher class size ratios - what we might term the front-line troops and the figure parents are interested in knowing, I suggest. The second figure of 439 pupils is totally meaningless, covering colleges, high schools and primary schools, from Cook and Lyons, with 112 and 111 students respectively, to Gordon and Conder, with projected enrolments of up to 750 primary students. Neither the statistics on pupil-teacher ratios nor those on average school sizes do credit to an annual report and inevitably cast doubt upon other statistics presented therein.

As an example of unresolved issues arising from the estimates, I refer to the police-in-schools program, mentioned fleetingly at page 19. This program was welcomed by every member attending the education estimates hearings. In fact, the police-in-schools program covers only two school areas in the ACT. I hope that funds can be found in future budgets to extend the initiative from these two clusters of northside schools; but, given the police budget cuts, I am not very confident. I hope, however, that the Minister will fight hard for what I regard as a very important initiative.

Fortunately, not all is doom and gloom in the 1991-92 annual report. I welcome the continuing development and, I hope, success of the reading recovery program now operating in 57 of our 64 primary schools. I recognise that on a one-to-one basis this program is probably the ultimate in labour intensity, yet it is crucial to any decent chance in life that one can read and write competently - an observation endorsed by Federal Labor's recent report, "The Literacy Challenge". This investment at the primary school level will pay very handsome dividends in future resource and financial savings further along the education road and into the work force - a factor not recognised as yet by all governments.

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I am pleased to note, therefore, that the importance of reading recovery has been recognised in the ACT and that more teachers - nine in 1992, as reported, and another eight this year, 1993 - are being trained for this special needs program. I might add that, following the tabling of "The Literacy Challenge", I suggested that another initiative might be to try to obtain volunteers to assist in this reading recovery program. One of the obvious places to tap into, Minister, would be retired teachers. I do not know whether you are looking at that; you might care to do so if you are not.

I also welcome the attention given to the learning assistance program in high schools, which is mentioned at page 32 and again at page 35 of the annual report. While welcoming this program and recognising that there always will be a need for learning assistance in high schools, I believe, going back to the reading recovery program, that the primary level of education is essential because it can and will help minimise learning assistance needs at the next tier of education. Unfortunately, funds to address this basic, essential requirement to assist some of the 62,000 students within our dual system will simply not be available unless the Government addresses the thorny question of surplus spaces and, inevitably, surplus schools within the system.

We have a couple of brief, almost coy, references in the annual report to Cook and Lyons primary schools - elite schools by any standards in the ACT government school system. Despite their expectations of increased patronage to a total of about 185 pupils each this year, 1993 - the census figures for this year are not yet available - the fact remains that Gordon and Conder primaries now are being built for some 750 pupils. One must wonder whether the people in those areas of Tuggeranong would have had to bear such high peak enrolments of 750 pupils if the Government had not given in to the selfish, strident demands of the Cook and Lyons parents, with the extra costs the reopening of these schools necessarily entailed; and let there be no doubt that there were extra costs.

This Assembly last year debated a censure motion which suggested that, if the real figures of the per pupil cost of reopening these two privileged schools were calculated, it would have been over \$7,000 per pupil at opening time, on one estimation. It was certainly calculated on at least an additional \$500 per pupil, and that \$500 extra per pupil for Cook and Lyons came out of some other government school's budget. Let us make no mistake about that.

I do not want to canvass that debate any further, but I would like to draw attention to this ACT Labor Government's fundamental mistake in its decision not to address the question of school closures at all within this, hopefully, its last three-year term of office. As you would be aware, this morning we debated at some length the question of Griffith Primary, which finally closed with some 34 pupils. The school clearly was not educationally viable, yet the Government stubbornly refused to accept the reality and was prepared to deny these 34 students, or the students of all other schools in the government system, because that really is the stark choice, the resources required for an acceptable education. Fortunately, the school did close, but it was no thanks to this Labor Government.

With over 10,000 surplus spaces, and that is a 1992 figure, the Government simply cannot continue to ignore the crippling costs of maintaining unviable schools, despite its attempts to fill the empty spaces with non-school tenants. This is quite remarkable. Lest anyone doubt my accusations, let me refer them to page 83 of

this 1991-92 annual report, where all sorts of worthy groups are listed as filling up surplus spaces in the schools. That is all that they are doing, I submit - filling up surplus space. As the Government admits:

Subsidies of up to 60 per cent are also provided to community groups renting space in schools.

As a result, a miserable \$60,000 was raised in revenue from this Government's stubborn refusal to admit that it was wrong on school closures. Again I ask: What do the parents of Gordon and Conder, with their 750-pupil primary schools, think of this largess to non-educational community groups at the expense of their children? One wonders.

I suggest that we will see more evidence of the way this inflexible decision has cut into available funds because increased school sizes, presumably to offset the costs of maintaining smaller schools, are not confined to the primary level. Despite assurances from the Minister on 18 November last year that the proposed Lanyon High School would be "within the range of our routine high schools", at page 41 of the annual report it is stated that planning proposals for new schools in Tuggeranong and Gungahlin have been reviewed and that peak enrolment levels are now 1,000 students for high schools. This is at least 200 students above what the ACT P and C association claims the 1984 Commonwealth Schools Commission survey thought desirable and well above the average of 647 students in our existing 17 high schools, as at February 1992. Again, other students and other parents are paying a high price for keeping open small schools.

The dilemma continues, of course. As I mentioned briefly this morning, what is the Government going to do about this proposed single-sex high school for girls? If you are going to have one for girls - I know that the Chief Minister is all in favour of affirmative action, but at least she can be even-handed - why not one for boys as well? Be it one for girls only or one for girls and one for boys, that will inevitably draw students from other high schools and thus decrease the enrolments at those high schools.

Are you going to stick to your stubborn decision to close no school within the three years of your term of office? I suggest to you that you rethink this matter very seriously, because, if the costs of not closing a primary school can be an additional \$500 per student, I would not like to speculate on the cost per student of refusing to close a high school. It requires very careful consideration. As you would be aware, Minister, you had to cut \$3.4m from your budget this year. Presumably, next year you will have to cut it even further, so you must address these quite important issues.

I would like to turn to another matter, in concluding my comments. I regret that, despite the quite proper acknowledgment of EEO for women and for Aborigines, there still does not appear to be any formal recognition or encouragement for male teachers to serve at primary school level. The Minister and I have discussed this and, as the Minister is aware, it is a matter of some concern that last year five ACT primary schools had no male teacher whatsoever on staff and, therefore, given our society today, no male role model for some of those schools' pupils from single parent families.

Mr Lamont: Oh!

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MR CORNWELL: Mr Lamont may find that very amusing. I also note that year 13 continues to concern his Government. However, I note that the Government has moderated its solution to push these students into the Canberra Institute of Technology at the expense of other people. I note also that they have acknowledged that they have ample vacancies in our colleges to allow year 12s to stay on in 1993, and I think Mr Wood announced recently that some 305 students had elected to do that.

Mr Wood: I have revised figures that I will be giving you.

MR CORNWELL: Thank you. Finally, I am pleased to note, at pages 38 and 40, that the Labor Government is making cautious moves by means of trials towards the Liberal initiative of school based management, and we await the results of these trials with impatience. We are very confident, Mr Lamont, in the knowledge that our faith in the ability and competency of individual schools to run their own operations will be amply justified.

MR WOOD (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (5.09): Madam Speaker, let me start with a comment Mr Cornwell made about the report. He said that not all is gloom and doom, so I suspect that he really means that quite a lot of it is fairly good, and I thank him for that. He said that this report was debated in the Estimates Committee, and I take his point that it should not have come out in draft form the day before the meeting but at least a week or two before to allow ample time for perusal. That is the commitment I am on this year - to have it to you at least a week before the meeting.

Mr Cornwell made a comment, with which I disagree, about the pupil-teacher ratio on page 5, challenging the concept of the pupil-teacher ratio as a useful tool for making certain judgments, in particular about class size. He is right in one respect. Pupil-teacher ratio is very different from class size because pupil-teacher ratio takes the number of children and divides it by the number of teachers. Of course, the schools have more than just classes equated to teachers, one per class. They are quite different figures. A document was published recently of extensive education statistics on schools numbers and the like. I would expect, although I cannot recall the details, that that would have reference to class size. I expect that Mr Cornwell got that document; if not, I will see that he gets it as a matter of course.

The Australian Teachers Union recently put out, as a national study, documents on class size. This is a quite different statistic. Class sizes in the ACT are quite constant because we have a staffing formula which is established - if you like, arbitrarily established - to deliver at certain levels of schooling a particular class size. I think that both statistics are useful tools. We need each of them. Page 5 is headed "ACT Schools in Brief, Selected Indicators". We should bear that in mind. I think it is reasonable to put that there.

Turning to the police-in-schools program, I note that Mr Cornwell's comment is not the only one that gives approval to that. Like everything else, budgets are important, and that is in the province of Mr Connolly to provide. His budget has the same constraints as mine in that we are progressively receiving less revenue from the Federal Government and we have to adjust to that. I agree also that reading recovery is a good program. I read with interest the report

Mr Cornwell quoted on literacy. We paid quite careful attention to that. It is important to attack as early as possible the problem of children who have reading difficulties. From experience I know that, the older a student with reading difficulty, the more difficult it becomes to bring about improvement in reading levels. The same goes for the learning assistance program, which is a high school program.

Perhaps the main thrust of Mr Cornwell's speech was school closures and surplus space - the crippling, to use his word, surplus space in our schools and the non-viable schools. We do not have any non-viable schools. You are welcome to go, as I am sure you do, to any of about 100 schools in our city and you will not see any that are non-viable. They are all excellent, functioning, well-run education institutions. I do not know whether I will traverse the Cook and Lyons argument, but let me say that I am not worried about the number of students at a school. There are outstanding schools in the ACT and across Australia with fewer than 100 students, and there are outstanding schools with more than 1,000 students. The quality of a school is based on criteria other than the number of students in the school. There is no question about that. You can have an awful school of 1,000 students and, a few kilometres down the track, a wonderful school with the same sorts of students and the same number of students as well. I am not going to be worried about the number of students in a school in terms of the quality of that school.

Mr Cornwell talked about the peak size of Gordon and Conder at 750. I could not tell you offhand what the peak enrolment for Cook was, but I would be prepared to take a little wager that it was at least 750 at some stage in its life. Lyons is a smaller suburb and may not have reached that, but it would have gone close to it. A great number of the schools in the ACT at their peak enrolment have had students in excess of that number. The peak number is simply a factor of the planning in the ACT, where the suburbs are developed one after another in order and you get a very rapid enrolment, peaking and then falling off. That is exacerbated today by the smaller size of families. I am not going to be concerned about the numbers of students in a school when I consider their viability.

As to the matter of a girls high school, we note that girls appear to have some particular problems in high schools; no doubt boys do too, as you indicated. Over a long period governments and education departments, here as elsewhere, have attended to those problems, and we will continue to do so into the future. We have made no decision, I have to tell you, to establish a girls high school. We are looking at ways to ensure that girls do not miss out on anything in their schools. If there is a problem for girls in our schools we have to attack that problem, and simply removing girls from that problem does not make the problem go away in other schools.

Finally, Mr Cornwell had something to say about EEO. We give very high priority to the principles of EEO; nevertheless, appointments and promotions for women, as for men, are on merit. There is no question about that. It is the case that today many more women than men seek a career in teaching. I would be delighted if there were more men coming into primary or any other schools. I have no problem with that; nor do I have a problem, might I say, with a school where there are no male teachers. I do not see that there is a problem in that either. If men are there, if they are available, they will get the jobs.

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I do not agree with the fairly old-fashioned tone of Mr Cornwell's comment about needing men for role models for single parent families. I am not convinced by that. I would want to see evidence, and I do not think evidence could be found to support the theory that we need men in our schools to fix some social problem. I do not think that is a factor. We need good teachers in our schools, and that is what we have. I am sure that those good teachers and the schools we have will continue to provide students here with a very good education system.

Question resolved in the affirmative.

ADJOURNMENT

Motion (by **Mr Berry**) agreed to:

That the Assembly do now adjourn.

Assembly adjourned at 5.19 pm