



**DEBATES**

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

**HANSARD**

9 August 1990

**Thursday, 9 August 1990**

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**MR ACTING SPEAKER** (Mr Stefaniak) took the chair at 10.30 am and read the prayer.

**PAPER**

**MR HUMPHRIES** (Minister for Health, Education and the Arts): Mr Acting Speaker, I seek leave to present an out-of-order petition.

Leave granted.

**MR HUMPHRIES:** Mr Acting Speaker, I present an out-of-order petition from 682 teachers and students opposing the closure of Melba High School.

**CONSERVATION, HERITAGE AND ENVIRONMENT - STANDING COMMITTEE  
Report**

Debate resumed from 21 March 1990, on motion by **Dr Kinloch**:

That the report be noted.

**MR DUBY** (Minister for Finance and Urban Services) (10.31): Mr Acting Speaker, I table the following paper:

Conservation, Heritage and Environment - Standing Committee - Report on Commercial and Domestic Waste Management - Government Response, dated August 1990.

On behalf of the Alliance Government, I would like to thank all the members of both the initial and the subsequent committees for the work they did in relation to this matter. I feel that a lot of effort went into creating the committee's report, and the people concerned should be congratulated. The report of the committee is, in general, a very well thought out and thoroughly researched report. We will be - - -

**Mr Wood:** And the minority report as well? That was the best part of it, wasn't it? You accepted that.

**MR DUBY:** Yes, Mr Wood, I take that point. We will be supporting not only the overall thrust of the report, but also the bulk of the recommendations. However, we must do this within the financial constraints which the Commonwealth has imposed upon us. For this reason we have to look at the options which will benefit the environment

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most but which will not place an unreasonable burden of cost on the people of Canberra.

Reducing the amount of litter in the ACT, encouraging waste minimisation, introducing the most effective waste collection system, increasing the levels of recycling and ensuring effective landfill practices are all worthwhile goals which this Government supports and is striving to achieve. However, in the current situation where severe economic restraints are being forced upon us due to the unreasonably hard line being taken by the Commonwealth, the most cost-effective ways of achieving these goals have to be taken.

A good way of illustrating the benefits of this approach is to look at the question of recycling. To quote the words of Mrs Grassby in this Assembly on 29 June last year, "Recycling for the sake of recycling is not beneficial to anyone". When considering recycling, there are many factors which need attention. You need to consider the cost of collecting the recyclables and balance this against the benefits to the environment and the costs which would have been incurred by disposing of the material to landfill. Then you need to ask the question: will anyone buy the recyclables which I have collected? If the answer is no, then you need to ask: is there any way of establishing a market for these recyclables? Or, if the market is weak: is there a way of reducing the cost of collecting them so that the operation will become viable? It was these kinds of questions which we had to ask when considering the recommendations of the Standing Committee on Conservation, Heritage and Environment.

Mr Acting Speaker, in the budget we will be announcing the funding which has been allocated for these initiatives. This funding will be spent on, amongst other things, the promotion of recycling and composting, facilitating the collection of recyclables and monitoring the effectiveness of recycling and waste management initiatives. I am pleased to say that the Alliance Government has already introduced a number of measures advocated by the committee.

A promotional campaign has already begun on recycling and composting, with the launch of "Recycling Roo" at the Canberra Show earlier this year. This is a very popular promotion with the children of the city. Brochures have been produced and distributed on recycling and composting and an officer has been appointed to run the promotion campaign. This new initiative by the Alliance Government should greatly increase the use of existing recycling and composting facilities. The reduction in the amount of material going to landfill as a result of this initiative will also assist in waste minimisation and efficient landfill management.

During the 1989-90 financial year, \$160,000 was spent on upgrading paper and oil recycling facilities at landfill sites. The Alliance Government is showing its strong

commitment to recycling by initiating major projects in this field. Another initiative which is already under way is the upgrading of the Belconnen and Woden recycling centres at a total cost of \$180,000. In addition, work has already commenced on new recycling centres at Mitchell and Greenway at a total cost of \$440,000.

I now turn to our future actions. In line with the committee's report the Alliance Government will be placing even more emphasis on promoting composting and recycling in the ACT. It will also be considering ways of promoting waste minimisation through legislation. At this stage we will decide whether the legislation will effectively involve the commercial sector and reduce the current inequity in waste disposal charges where domestic ratepayers, of course, are effectively subsidising the commercial sector because of the much greater volume of waste produced by the commercial sector. Legislation could be used to redress this inequity. It could also act as an incentive for the commercial sector to minimise the amount of waste which it produces. In examining a legislative scheme the Government would emphasise the need for incentives by giving all commercial waste generators showing commitment to waste minimisation and recycling due recognition through lower disposal fee levies. In this way legislation could be used to encourage recycling in the commercial sector.

As part of the Government's waste management strategy an additional area for Revolve's scavenging operation at Mugga Lane tip has been provided. As well, and in line with the committee's recommendations, the Government will be encouraging householders to deposit reusable goods at the Revolve operations rather than at the tip face, by placing signposts at the entrance to the tip.

The Government will encourage recycling by an extension of the current static collection facilities. This will mean that there will be collection facilities for glass and PET plastic throughout all of Canberra. The Government is also encouraging the extension of buy-back centres for aluminium cans to be operated by community groups and coordinated by the YMCA on a regional basis. The Government acknowledges the need for a public education campaign on recycling. A cost-effective public education program will be developed to achieve this end.

The Alliance Government will be setting an example through its own internal recycling programs. This Government will introduce paper recycling measures into its offices and will educate its own employees about the need for paper recycling. Paper from ACT Government offices is already being recycled but with at-source separation of high quality paper the efficiency of the recycling service will be maximised.

Mr Acting Speaker, the Alliance Government is aware that one of the most effective methods of reducing the volume of

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material going to landfill is by promoting composting. Therefore we will be further publicising - - -

**MR ACTING SPEAKER:** Order members! Mr Duby is speaking and the level of conversation is a little bit high; keep it down if you would.

**MR DUBY:** Therefore we will be further publicising the composting facility at Mugga Lane tip as well as promoting composting by householders at home. As well as increasing the life span of the landfill sites which, of course, are a quite significant cost to the Government, it reduces air pollution by dramatically reducing the number of vehicles visiting landfill sites. As part of its composting promotion the Alliance Government will be calling for expressions of interest in setting up a composting facility on or near the Belconnen landfill site. Tenders are currently being prepared and will be called by the end of August. As part of this process a garden waste shredding service will be provided in Mitchell on no less than two days per month for north Canberra residents.

One of the most highly publicised issues considered by the committee relates to the collection of domestic garbage. Much has been said in various arenas about the merits of so-called big bins and the little bins which are currently in use. The Alliance Government has no plans to introduce big bins to the ACT in the immediate future.

**Mr Wood:** Thank you.

**MR DUBY:** You are welcome, Mr Wood.

**Mr Wood:** My lobbying has been successful, has it?

**MR DUBY:** Yes. This is because we recognise the importance of firmly establishing recycling services before considering the introduction of big bins. For this reason, big bins will not be considered until the Government's new initiatives with regard to recycling and composting have been well-established. I do not envisage this occurring within the next 18 to 24 months. At the appropriate time, and as part of these considerations, full discussions will be held with the relevant unions before considering their implementation. In the interim we will be investigating alternative technologies, including technologies from overseas, to determine the feasibility of combining a recycling and waste collection service. These investigations will ensure that the Government's future actions take into consideration the most up-to-date developments in technology.

The Alliance Government will consider introducing more stringent litter legislation as part of reducing litter. The proposed amendments to the litter Act could include a requirement that all loads be covered; provide increased penalties for littering, in particular for dangerous litter such as broken glass; and control the distribution of

"junk" mail. This Government has already taken steps to reduce the amount of litter in Canberra by trialling the use of litter bins with well-fitting lids in areas of Civic and at large festivals. These trials have proved extremely successful in reducing the amount of litter in these areas. My department will be liaising with the Territory Planning Authority on the issue of introducing the bins in all public places maintained by the ACT Government.

An essential part of this Government's waste management strategy is the need to plan ahead for the future landfill needs of the ACT. One of the problems rightly highlighted by the committee is methane gas. Methane gas is produced by landfill sites and contributes to the greenhouse effect. However, while methane is normally regarded as a pollutant, it can be harnessed as an energy source. We will be investigating and reporting on the possibility of methane extraction plants being installed at both landfill sites. (Extension of time granted) In the light of this report we will consider the implications of providing for the harnessing and utilisation of methane gas at future landfill sites. The Government will continue to take account of new and developing waste management technologies in order to further improve its waste management strategies. We will be using the developments of technology to improve the steps we have already taken to improve recycling, waste minimisation, efficient landfill practices and to reduce littering.

I have been speaking about areas where the Government can control what is happening in regard to waste management. However, there are other areas where there are other bodies involved where liaison with industry or with other governments is of the highest importance. Through these discussions the Alliance Government is working towards long-term goals in recycling and waste minimisation. We have discussed with industry the establishment in Canberra of a plant to recycle plastics in the longer term. Creation of a strong local market for recycled plastic products is a prerequisite to achieving this aim and the Government is showing the way here. The Government is currently trialling these products with a view to increasing their use in street furniture and similar applications. As members may recall, examples of these products were displayed at the Canberra Show and at other venues and have attracted considerable interest.

The Alliance Government is continuing its promotion of recycled oil. As part of the general brochure on recycling which we have produced, information was given on existing oil recycling facilities. This brochure was launched as part of our general recycling campaign at the Canberra Show. Not only is the existence of oil recycling facilities being more widely promoted, but also we will be working with the private sector on this important issue. Discussions have been held with the Motor Traders Association on extension and promotion of waste oil collection facilities in service stations. Recycling oil

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is not only a way to conserve our natural resources but also it is a way of protecting our environment. By minimising the amount of waste oil which is discarded, our rivers and waterways are protected from pollution. Again the Government is showing the way in creating a market for re-refined oil. Re-refined oil is being trialled in a number of Government vehicles, and should this prove successful it is proposed to expand the use of the product within the Government fleet.

The Government will not be confining its energies simply to promoting recycling. We will be exploring with the State, Northern Territory and Commonwealth governments the possibility of introducing mandatory requirements that newspapers contain a certain amount of recycled newsprint. Currently the overwhelming majority of shredded paper from the ACT Government Service is recycled. The Alliance Government will, however, be taking paper recycling in the ACT one step further by asking the Commonwealth Government to review its policy on shredding and disposal of sensitive documents with a view to maximising their recycling potential.

The Government will be aiming to reduce the generation of waste in the community in conjunction with the other State, Northern Territory and Commonwealth governments. Discussions will be held with the New South Wales Government on the possibility of banning biodegradable plastic shopping bags until it is proven that they are environmentally sound. Discussions will also be held with these other governments as well as private industry on the possibility of limiting plastics used in food and beverage containers to those types which can be more readily recycled. As packaging is an important issue in waste minimisation, the Alliance Government will be consulting with the other State, Northern Territory and Commonwealth governments on ways to reduce the amount of packaging materials now used throughout the community, including Government agencies.

Consultation will also be undertaken with these other governments on the possibility of introducing a green spot labelling program. This program would be used to identify environmentally friendly goods, aiding consumers in their endeavour to help the environment. Liaison will be carried out with these Governments, especially with New South Wales, to ensure that any such scheme is uniform across State boundaries. We will also be seeking to reduce litter in the ACT through cooperation with other bodies. We will be entering into discussions with the New South Wales Government, the Litter Research Association and other beverage and packaging bodies about participating in an anti-litter campaign in the ACT.

Mr Acting Speaker, the Alliance Government plans to move towards cost recovery measures to pay for the clean-up cost of littering. Arrangements designed to progress nearer to cost recovery are already being negotiated with the



organisers of major public events such as the Canberra Festival and the summer streetcar nationals. Discussions are also under way with these event organisers on the need for them to make provisions for the collection of recyclables.

Again I wish to commend the work of the members of this committee. Their report has highlighted many important issues. It has focused the attention of the community on the need to recycle and the need to minimise the generation of waste, and has provided a framework which this Government can use as the basis for many of its initiatives. These initiatives are in accordance with the goals outlined in our recent environmental statement. As part of caring for our environment we will be encouraging the community, the private sector and the government sector to minimise waste generation and to increase recycling.

In conclusion, as this statement has made clear, the Alliance Government is committed to leading the way on environmental issues and to promoting strategies which will ensure that the most efficient use is made of our natural resources. Our response to this report shows these goals.

**MR WOOD**, by leave: Before I make a very short statement on this matter, may I welcome students from Gowrie Primary School who are in the gallery today. I recently visited their very excellent school and their classroom and I am pleased to see them here today.

Mr Acting Speaker, I want to make the point that I welcome the Government's acceptance of my minority report in relation to big bins. I suppose you will forgive me if I beat my breast or do whatever we do in these circumstances.

**Mr Humphries:** Crow.

**MR WOOD:** Crow, if you like.

**Mr Connolly:** You should listen to him on schools too.

**MR WOOD:** Yes, indeed you should listen to my advice on a whole host of things, Mr Humphries.

**Mr Kaine:** We do, Bill. We take you very seriously.

**MR WOOD:** I thank you. I noted Mr Duby said at the conclusion of his speech that the Alliance Government wanted to lead the way. It is following my advice on this so take note again in the future.

**MR MOORE (10.48):** Allow me to start by offering some support for the measures that the Government has taken. I was very critical of the report when it was first announced, having spent quite a large amount of time on the initial stages of the report up to when the Alliance Government took over and removed me from that committee.

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I was horrified at the time when the committee came out and spoke so publicly about the notion of inflicting big bins on to a recycling report. This was totally out of character on such a good recycling report. I had foreshadowed in that committee that I was prepared to put the matter for reconsideration by the new committee, whatever form it took, because I considered that the notion of big bins combined with the notion of recycling did not go together very well. I must say I still feel uneasy about some of the Government's response. Response 31 states the following:

... the trial use of big wheelie bins be introduced well after the recommendations relating to door-to-door collection services and recycling measures are introduced.

That is supported in principle. So, we have some time at the moment to get the recycling things into place and then put the big bins in. This appears to be the option that the Government favours at this stage. While this is far better than introducing big bins before the recycling program is in place, it is still not adequate.

The reason it is not adequate is that big bins by their very nature make it much easier to avoid recycling. I stayed with my brother a few weeks ago. He had a big bin and the easy thing to do is to go out and drop the recyclables in the big bin. I have heard the notion on many occasions that you just get people into the habit of recycling and then they will be right, but the reality of the situation is that even there where he had a very good paper recycling system available to him it was much easier each day to drop it into the big bin. There was always room there and away it went. There are possibilities in terms of the smaller versions of the big bins, and I hope that, over the next 18 months to 2 years, the length of the time of this recommendation, more consideration will be given to them.

Even more interesting - and I feel very supportive about this - is the fact that Mr Duby has recognised the possibility that - and I think this was the term he used - the cutting edge of technology has presented the possibility of a collection which actually collects recyclables as well as waste products. Mr Humphries will remember that this is a matter that we discussed at length and looked for compromise in the committee. I am sure that is also recalled by Ms Maher and Mr Wood who were members of that committee at that stage.

I am very pleased the Government has left room for that option to be explored. It is an option that needs to be explored very carefully. I am concerned, however, that there is still a great deal of room left for the standard big bin option. However, I do recognise the sort of issues that were raised in this paper about occupational health and safety and about the financial advantages of having a

single truck and a single driver collection so that prices can be kept down. Economic circumstances are very important.

I would just like to run on a few of the negative things, but I do not want to be taken in the wrong light. I think that the bulk of the Government's response to this report is very positive and I would like to support it, the same as I supported the bulk of the report in the first place, apart from the whole notion of big bins and the other matters that were raised by Mr Wood in his very competent minority report. As he said himself, he is very pleased to see that the Government has adopted his minority report as part of its recommendations. I think it is a very positive thing that the Government is prepared to do that and is not just trying to win cheap political points, as its members are so keen on saying.

Page 11 of the report talks about the ACT Government investigating the extent to which builders' spoil can be recycled and used in relation to road building. It also talks about community recycling, the litter and waste minimisation projects, the greenspot labelling and the investigation of recycling in the commercial sector. I name those few to illustrate that these are very good moves and to illustrate that I really do support the Government's response before I get to container deposit legislation.

I know many people are very uncomfortable with container deposit legislation. I accept that the Government has said, "possible consideration in the long term", so it has not ruled it out. That is positive. Personally I would have liked to have seen a much stronger stance on container deposit legislation because I think littering and the increase in waste will be part and parcel of that deposit legislation. The fact that it is still there as a possible consideration leaves it, in effect, as a big stick, so that businesses can play their roles in ensuring that whatever they use as packaging is recycled.

I then go on to point 47, which states that:

... the ACT Milk Authority carefully consider and publicly specify any gains that can be made if the one litre non-refillable milk bottle is permanently introduced ...

That is supported in principle. Well, it is not difficult to support careful consideration. Personally I would have liked to have seen a much stronger stance than that. There is no doubt that the non-refillable milk bottle has advantages over some of the other containers that the Milk Authority is using, but, clearly there has been a move towards a return to the refillable, recyclable bottle. I think the Government should be emphasising the need to do that.

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I can see that that is not excluded, and let me continue in a positive way because I do not get a great many opportunities to speak in such a positive way for the Government. I would like to see a much stronger stance on that so that the feasibility of the one litre reusable glass bottles is re-examined. I would like to see a much stronger stance on that and have it turned the other way round, so that the Milk Authority looks at the methodology it can find to make the current 600 ml reusable refillable milk bottle much more available so that it becomes the dominant milk container method in the ACT. That may well mean changing the size of the bottles to one litre, looking at the infrastructure costs of new washing equipment, and so forth.

The committee also recommended public education, and I see that the Government has supported that. The campaign with "Recycling Roo" will be very interesting to watch because, whatever we do, education is the most critical part in terms of recycling and in terms of many of the other decisions and recommendations that we make.

I will now turn to the particular matter of the Ainslie Transfer Station. I see that the Government recommendation happens to be that the do-gooders there will be taken care of by the Mitchell recycling centre. Of course, the first thing I would like to ask is: what goes on with the material that is compostable? Is the Mitchell recycling centre going to have a recycling - - -

**Mr Jensen:** Read the report again, Michael. Read the statement again.

**MR MOORE:** As you will realise, Mr Jensen, I have only just seen the report in the last few minutes and have glanced through it, so if I have missed something I am quite happy to be corrected.

One of the advantages of the Ainslie Transfer Station as a transfer station, apart from its advantages in terms of minimal use of energy, was that people going to the dump could separate things into their recyclable areas and not just go to a particular spot for its recycling. I think that whilst the Mitchell recycling centre will be of some advantage to inner north residents, it will be nowhere near the advantage that the Ainslie Transfer Station provided.

Debate (on motion by **Mrs Grassby**) adjourned.

**HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION - INQUIRY INTO  
HOMELESS CHILDREN AND YOUNG PEOPLE - ALLIANCE GOVERNMENT  
RESPONSE**

**Ministerial Statement and Papers**

Debate resumed from 2 May 1990, on motion by **Mr Collaery**:

That the Assembly takes note of the papers.

**MRS GRASSBY (10.59):** This debate is about one of the most serious issues facing Australia at the moment - youth homelessness and its consequences for social problems. In his opening address at the final hearing of the Burdekin inquiry, the Chairman of the inquiry, Brian Burdekin, said:

The fact is that there are homeless children and young people dying in Australia; some from suicide, others simply from neglect. That is not something our nation can ignore.

The Prime Minister, Bob Hawke, said in his now famous policy speech in June 1987 that children were our greatest resource. Let me quote him in full:

The greatest resource in Australia is not something we can grow or dig up from the soil. It is the capacity of its people, our great human resources: and above all, the resource of the future - the children of Australia. For our next term, we are setting achievable, new goals for Australia's future in the world. At the head of those goals the future of all our children.

Unfortunately, the Prime Minister then went on to promise that no child would be living in poverty by 1990; a promise which has been ridiculed by his enemies, perhaps justifiably. Perhaps the addition of a couple of words to say, "No child need live in poverty", would have been appropriate. Are you happy with that, Mr Humphries?

**Mr Humphries:** Yes. He did not say that.

**MRS GRASSBY:** Nevertheless, child poverty and child homelessness are no laughing matters. Nobody can doubt the importance of the message behind the Prime Minister's words. We must tackle these problems. Since 1987 the Federal Government has made an excellent attempt to show that it fully supports the sentiments expressed by the Prime Minister. It is now up to the States and the Territories to do likewise.

Mr Acting Speaker, when the Burdekin report was first released the Prime Minister called for a bipartisan approach to the implementation of his recommendations. I am sure that the Minister for Housing and Community Services, Mr Collaery, would support such a proposition. Let me say that I, too, support such an approach, insofar as we all agree that the goal was the elimination of youth homelessness. Issues such as this and solving the social tragedy that go hand in hand with youth homelessness and poverty go to the heart of Labor ideology.

Let me warn the Minister that a bipartisan approach to the goals we set in this area does not mean that he will not be scrutinised and criticised when his actions, or lack thereof, attack the goals on which we are agreed. We must

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remember, as Mr Collaery has admitted himself, that the Government opposite is a Liberal Government in which the Liberals are setting the agenda. He and his Residents Rally colleagues are dancing to the Liberal tune. You do not have to be a great student of Australian history to know that Liberals have no sense of social equity or social justice.

The danger is that the spending cuts demanded by the members opposite and their lack of social conscience will mean the real issues, and in Mr Collaery's words, "the need for planning to address the abuse and neglect of our young", may never be seriously looked at by this Government. There are already significant examples, which I shall mention later, of how Mr Collaery's words have not been matched by his Government's action. His failures will not be subject to bipartisan agreement.

Mr Acting Speaker, the Burdekin report is an enlightening document. As the report points out, many people still believe that homeless children have brought it on themselves. In actual fact, the reasons why children leave home are very complex, but it clearly establishes that many children leave because they have no real choice - because of serious abuse, sustained family neglect or complete family breakdown.

The report shows there are strong links between family poverty and youth homelessness and that poverty is linked with drug and alcohol abuse problems, social isolation and domestic violence which may compel a young person to leave home. The report makes it clear that many problems can be overcome with coordinated efforts from all three levels of government in Australia. In this regard the ACT is unique. As Australia's only city-state we have the opportunity to coordinate our actions to ensure success.

Mr Acting Speaker, I now turn to the Alliance Government's response to the Burdekin recommendations. The most obvious thing to any observer is how much the Alliance Government has based its response on the Follett Labor Government's December 1989 response to Burdekin. The Human Rights Commission complimented the Labor Government on the comprehensive approach that it took. I am pleased to see the Alliance Government has almost completely adopted our approach. Let us see if they can turn our words into action.

Of particular interest to me is the action taken to provide homeless youth with medium to long-term accommodation. Although there is obviously a continuing role for crisis youth refuges, any serious attempt to break the back of youth homelessness will have to deal with the problem of "refuge hopping". That is, because of the lack of medium and long-term accommodation, youths are forced to move from one short-term refuge to another, thus adding to the cycle of despair. To tackle these problems the Follett Labor Government announced the following initiatives in its 1989-

90 budget. The first two were the introduction of a singles share accommodation scheme to allocate dwellings to community organisations for rental to young people and to allow the ACT Housing Trust to let dwellings directly to groups of young people; and the provision of capital grants of up to \$2,000 per dwelling to community organisations sponsoring head tenancy arrangements under the scheme, to assist with the cost of whitegoods, furniture and fittings. Here I would like to thank again people such as FM104.7, the Belconnen Rotary Club and the Church of England who came to the aid by taking a head tenancy in two houses in Canberra, one for young men and one for young women. I commend them on the wonderful work they did. I feel that if you work hand in hand with the community it will solve a lot of problems, particularly with finance.

Another initiative was the employment of a youth housing officer in the ACT Housing Trust to be responsible for advising and assisting young tenants. This is terribly important. There was also the development of an ongoing training program for ACT Housing Trust staff on the needs of young and single people. Again, this is important because in many cases the Housing Trust staff in past years have not had this problem. Therefore, they need training in this field and need help.

Other initiatives were the development of information packages to promote the availability of existing and proposed ACT Government housing services for young people, and a review of the priority housing procedures of the ACT Housing Trust to ensure no unintended discrimination on the basis of age. This is another thing that very much needs to be looked at for young people.

There was also an examination of the role and usage of boarding houses to assist young people to move on to more independent forms of housing. This is needed when people need to move out. When they get their legs to stand up and they feel strong enough, they need to be able to move on to different types of housing. The final initiative was to allow tenants aged 16 and over to arrange for bond and rental assistance subsidies to be paid directly to agents or landlords.

Mr Acting Speaker, these major initiatives were outlined in our Government's response to Burdekin. What does this Government have to say on this subject? It simply takes credit for our initiatives. On page 7 of part 2 of its response it says:

... the ACT Alliance Government is now implementing the following set of youth housing initiatives.

It goes on to list exactly the same initiatives I have already mentioned. Not an original thought. While a bipartisan approach may be a good idea, the Government could at least give credit where credit is due. But, Mr

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Acting Speaker, it is not the words in Beyond the Burdekin Report that are of concern. In most cases the Government has simply lifted our words. However, we are concerned about what the Government has not said. What is its hidden agenda? History teaches us that when it comes to social justice you cannot trust a Liberal government. Let me give the Assembly an example. Part of the Follett Government's response to recommendation 15.5 concerning appropriate accommodation services reads as follows:

The new youth employment Outreach program announced in the first ACT budget will target young unemployed people.

This has disappeared from the current Government's response. There is no mention of why it disappeared. The Government simply put up the screen on this issue. However, I am happy to tell the Assembly what occurred. When Mr Collaery was briefed on this response he found that his colleague Mr DUBY had axed the program without consulting him. Apparently Mr Collaery was quite upset when he found out but he took no action to have the program reinstated. This man, who professes to have the interests of homeless youth at heart, showed what a fraud he actually is. Don't rock the boat, Mr Collaery, you would not want to lose the perks of office for the sake of the poor and homeless. Furthermore, Mr Acting Speaker, I find it particularly ironic that the Labor Government's response to Burdekin's recommendations are now served up by a government intent on dismantling the education scheme in the ACT or, in the words of the Chief Minister, "lowering the standards of education".

This cutting simply for the sake of cutting is best seen in the recommendations of the Priorities Review Board. These recommendations do not consider the needs of the disadvantaged, the poor and the homeless. It is fine for Mr Collaery to talk about the specialised Youth Affairs Unit charged with the coordination of Government services to help alleviate youth problems, to talk about the establishment of adolescents' day care units and a 24-hour crisis service for those with severe problems, but in the current climate of cut, cut, cut, is any action going to occur?

Mr Acting Speaker, also disturbing are Mr Collaery's bizarre attacks on Mr Burdekin. He attacked Brian Burdekin for asking the ACT Government to give an account of their actions. He said, amongst other things, that, "Brian Burdekin was part of a caravan flying round Australia telling us of youths that died years ago". Mr Burdekin's response was swift and accurate. He said that Mr Collaery's comments were ill-considered and inaccurate and half-baked. He rightly pointed out that because of lack of action by State and Territory governments homeless youths were still dying. Obviously Mr Collaery's conscience is being pricked by Mr Burdekin asking him to account for his action. He seems to believe that the Burdekin inquiry



report should have been filed away to gather dust. This we do not agree with. Mr Collaery fails to understand that homelessness is an ongoing problem and that it is totally appropriate for the States and Territories to be held to account for their performance in this area.

**Mr Collaery:** What did you do about it?

**MRS GRASSBY:** I did quite a lot and you have only implemented it; unfortunately you have done nothing.

Mr Collaery is feeling the strains of office. That is apparent. His outbursts appear to be nothing short of paranoia. I hope for the sake of Canberra's homeless youth that Mr Collaery will control his outbursts and cooperate fully with Mr Burdekin when the inquiry reconvenes in the ACT.

Finally, I would like to ask the Government to be more careful with the changes they make. This is not an area for pursuing ideology no matter what. There are precious lives at risk; there is no room for guessing or chance. All the reviews in the world are no good if there are no results. The plight of homeless youth requires a government's commitment to an improvement of service. Unfortunately, I think this Government is only committed to a blind ideology of cutting without any thought of the consequences.

**MS MAHER (11.15):** The issue of youth homelessness is very important to me because I am very interested. As Mrs Grassby stated, children are our greatest asset and they are our future.

Members of the Assembly will no doubt have noted the continuing debate on youth homelessness and youth services being conducted throughout the local media. It has ranged from the fashionable colour of T-shirts in Tuggeranong through to more serious issues of justice for young people. It has included issues such as the provision of community space in Tuggeranong Community Centre and more recently in Garema Place.

It would be as unfair to blame the media for the sensational reporting of the plight of homeless youth as it would be to blame the young people for being homeless. In both situations the community has a role to play. I am led to the conclusion that the way in which the media treats youth issues is a reflection on the current level of awareness and action about our young people within our community. It reflects desperation rather than clear thinking, and panic rather than sensible considerations of alternatives open to us as a government and as a community.

The Burdekin report and the subsequent funding process has acted as a catalyst for this debate. The media often portrays it as one of conflict between young people and the community, between community groups themselves, and of

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ineptness in funding agencies. The debate itself has been dominated by emotional and admittedly confronting subjects such as family conflict, violence within the home, children's rights, and youth crime - a matter to which I will return later. Too often the theme of youth alienation and family breakdown has been represented as an expression of conflict between generations rather than as a community concern and a community matter in which we can all play a significant role.

Recently I have had the opportunity to visit some of the services we charge with dealing with the problems and issues of young people. I have been involved in community meetings called to resolve some of these problems and I will now take the opportunity to tell the Assembly what I have found.

The ACT has a network of youth centres and youth services that provide space for young people to meet and to be supported in the areas of employment, health, housing and information. The groups which provide these services are diverse and represent many different approaches and views, be they traditional organisations, such as the scouts and guides providing valuable and constructive recreational activities, or groups with a more specific purpose, such as the Red Cross youth health workers. The media would like to present some of this diversity as division, but I am sure that this diversity is necessary if we are to provide a comprehensive network of youth services in the ACT. We currently fund youth centres and youth workers, youth information services and youth health services, employment programs, recreational programs, accommodation and housing support services. The youth field in the ACT is quite extensive and well developed in the provision of services to young people.

I have been impressed with the commitment of the workers involved and their depth of understanding in trying to come to grips with the complex problems facing young people these days. The youth field incorporates not only those organisations providing immediate assistance and services to young people, but also includes Government areas such as housing, employment, education, welfare and justice. An answer to the problem of today's youth is not held by any one of these sectors of the Government or the community but will require cooperative work between all of them.

Recently I have visited some community child care centres. I see their role as an integral part in offering assistance to families in these days of high interest rates and other pressures of modern living. Support to families is essential if we are to find answers to more serious issues facing the community as a whole. Other members of the community have been involved in discussions which impinge directly on homeless young people. The police are a good example of a group in the community that is looking at its operations in line with the Burdekin report. Juvenile crime is an area of concern to the community at large.

There is an obvious correlation between homelessness and criminal activity. Burdekin indicates that time spent in a child welfare system, "seems to increase significantly a child's chance of becoming homeless".

Youth workers deal with both young people who may only just be coming to the attention of police and juvenile offenders. Always seeking the best possible outcomes and alternatives for these young people, youth workers asked if I could facilitate a meeting where concerns and common issues could be discussed with police. This meeting was held recently and had a very positive outcome which included a commitment for further communication between the police and the youth centres and youth workers. There was also an undertaking from the police to include some specific training in the ACT Police training course and to have youth workers talk to new recruits about the youth centres and other services and issues relating to young people. The police deal with young people in public areas, particularly on the streets, and they must be able to communicate with them effectively. Youth workers are often dealing with the same young people and a cooperative approach was seen by all present at the meeting as the most appropriate way of dealing with this. Informing the police of initiatives in the community is just one way of resourcing them to find alternatives for young people that they come in contact with.

I will also take a short time to refer to the Kids in Justice report funded by the Law Foundation of New South Wales. The report indicates that youth justice cannot be separated from the social, historical and economic situations in which young people find themselves. Interventions and programs should assist young people to make the transition to responsible adulthood in practical matters such as training, employment and accommodation. The report concludes that a balance must be struck between the rights and responsibilities of young offenders, their families, victims and the community.

As much support as possible needs to be made available to families to enable them to deal with their children who are offending. This is a critical factor in young people staying away from and growing out of crime. At present youth services are at the front line of dealing with the problems which precede youth homelessness, as well as the problems arising from youth homelessness. As the Burdekin report made obvious, it is the coordination of services which is of paramount importance.

I believe the ACT now has a responsible level of resources in this field, though there will be requirements to address the city's expansion in newer areas such as Tuggeranong. The funding made available in response to the Burdekin report has to be carefully targeted if we are to achieve its full value. However, I am sure that this Assembly would agree it would be more useful to enlist the support of existing services to ensure that these funds are used in

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the most effective manner possible. It is this process that the Alliance Government is committed to and it is this process that will achieve the best result.

In conclusion, Mr Acting Speaker, I would like to commend all the organisations and youth workers who give their time to alleviate the problem of youth homelessness and provide a better quality of life for those young people in the ACT who need it.

**MR CONNOLLY (11.24):** I rise this morning to make some brief remarks on the legal needs and services aspects of the Alliance Government's response to the Burdekin report. Before beginning my remarks, I am pleased to hear from Ms Maher's remarks that she studied the New South Wales Law Foundation's Kids in Justice report. It is certainly an excellent report which I would commend to all members of the house. I am pleased that Ms Maher is examining it. I would also be pleased to learn that Mr Collaery had had a good look at that report. It reinforces the point that I have been making on a number of occasions in the controversies over the past couple of weeks, that juvenile justice is a very sensitive issue in which there is no simple solution. It is an issue on which if at all possible a bipartisan approach is far superior to an impassioned partisan attack.

I would note in passing that it displays a particular level of maturity in public debate in the ACT in that we have had a change of government, but both while Labor was in government and while the Alliance has been in government and Labor in opposition, although there have been incidents of young people escaping from the juvenile detention centre in the ACT, both oppositions have rejected the temptation to go on the media and have a bash at the Government for persons escaping from juvenile justice centres. There is a tendency throughout Australia, regardless of the party in power, for the power out of power to blame every escape from a detention centre on the Government. We have been very careful to avoid that because, as Mr Berry said in a number of his remarks, it is easy to turn juvenile justice centres into an Alcatraz and stop escapes. The prime goal in juvenile justice is not to impose maximum security and prevent escapes; it is to reform the children to avoid keeping children in custody.

The New South Wales Law Foundation report is particularly dramatic in its demonstration of the increased cost to the community of detaining children in custody as opposed to flexible and innovative community based sentencing options. I would hope that as the months pass the Alliance Government will study those responses and adopt some of those innovative approaches.

Mr Acting Speaker, the Burdekin report, which opened on Universal Children's Day in October 1987, held public hearings throughout Australia with over 200 witnesses. When it reported in February 1989 it was universally

acclaimed by governments and oppositions throughout Australia and by the government and non-government sectors.

Mr Burdekin was particularly determined that this would not be a report that would grace the shelves of parliamentarians and public servants and social workers throughout Australia. He was determined that this report would be acted on, and as a result of that adopted the strategy of inviting specific responses from the State, Territory and Commonwealth governments. As a result of that the Territory was invited to respond by December 1989.

The Follett Labor Government prepared that response and presented it on 4 December 1989, but, of course, on 5 December 1989 that Government, our Government, was removed from office. I think it is very important, in examining the Alliance Government's response to the Burdekin report, to note how closely that response corresponds to the Follett response. Where there have been changes they have all, unfortunately, been changes for the worse.

Mr Acting Speaker, I will go sequentially through the recommendations on the law and legal needs and services aspect of the Burdekin report. Recommendation 21.1 was a recommendation to improve access to legal advice. In this recommendation the Alliance response merely picks up Labor's provision of \$100,000 to the conflict resolution service. I am personally aware of the very good work that that service does, as I am sure is Mr Collaery, and I would hope that where the Alliance Government continued that funding over this current budget period, a continuing commitment will be given to that very important service. Again, it is a provision of funds to avoid legal action - alternatives to the formal legal procedures.

Recommendation 21.2 referred to the provision of an independent person to be present during police questioning. In this aspect, Mr Acting Speaker, Labor's response was far more specific on the need for an independent person who is able to give qualified advice to a child, free of either pro- or anti-police bias. The Labor response made specific promises for an official visitors scheme for the Quamby Centre. That specific promise is absent from the Alliance response to the Burdekin report, and the Opposition can but hope that, absent though it is from the formal response, that scheme will still see implementation.

Recommendations 21.3 and 21.4 relate to the problem of bail and homeless young people. This is an issue which has been controversial in recent weeks and in your usual hat, not as Acting Speaker, we have had some dramatic public differences. Bail is a major problem for homeless young people. In States where the common law applies, which includes the Australian Capital Territory, the basic question for a magistrate confronted with a person charged with an offence when bail is sought is twofold: is there a risk to the community and is the person likely to attend for the hearing?

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Where a person has a stable job and a permanent address, the magistrate is almost certain to take the view that the person is likely to attend for the hearing. Where a person is unable to show a stable address, the magistrate will have a tendency not to be convinced that that person is going to attend the trial. In those States where the criteria for the application of bail have been codified - and I refer in particular to Victoria - in some cases homelessness has been specifically ruled out in the statute as a sole ground for denial of bail. But Burdekin noted that even despite this innovative reform there is a tendency for the homeless person to be less likely to be granted bail because homelessness still creeps in as a factor relevant to that essential question: will the person attend to answer their bail?

Burdekin found, and the Labor Government agreed, that only by the provision of appropriate accommodation can this homelessness-crime-imprisonment cycle be broken. Burdekin found that many children were tending to plead guilty to minor offences because the alternative would often be to be remanded in custody. This can lead to a longer period of deprivation of liberty than a guilty plea at first instance. The big risk there, that all members would be aware of, is that children might be tempted to plead guilty when they were not guilty, when they believed that they had not committed the offence, merely to take the shorter rap straightaway rather than spend a considerable period in detention awaiting a chance to prove their innocence. If that is occurring we would all agree that it would be an appalling abuse of the process of justice.

The Labor Government's response was to adopt the Burdekin recommendation for a bail hostel. This is a response which is notably absent from the Alliance Government's formal response, although I would note to the house that, during the public debate that was occurring over a suggestion that bail conditions be made more restrictive for young persons, the Attorney-General did make a public statement that the provision of a bail hostel would be considered. I commend him for making that statement which adopts the original Follett response. I would hope that, although that specific promise is absent from the Alliance response, the Attorney will pick up on the promise and we will see some action in that area.

Recommendation 21.5 recommends legislation expressly to provide for the right of children to be legally represented in criminal child welfare proceedings. Here the Alliance Government repeats Labor's commitment to amend section 167 of the Children's Services Act to this effect. We would be of like mind on that issue.

Concerning Burdekin's recommendation on the quality of legal aid provided for children, it is pleasing to note that both the Labor and Alliance response were able to note the high quality service which is provided by the ACT Legal

Aid Office and the staff of that office. They are confronted with the problems of all Legal Aid officers - an overabundance of work and, no matter what efforts can be made, a problem of resources. However, the quality of service provided for young people by that Legal Aid Office can be jointly commended. Again, training for law officers, specialist training for judicial officers and youth advocacy services are areas where Government and Opposition find common ground.

In summary then, Mr Acting Speaker, the Opposition generally welcomes the Alliance Government response on legal needs and services for young people, apart from certain concerns we have at the degree to which Labor's commitments were watered down in the Alliance response. I would very much hope that despite the absence of certain important promises - in particular the bail hostel - from the Alliance's formal response, nonetheless those services will be provided.

**MR HUMPHRIES** (Minister for Health, Education and the Arts) (11.35): I would like to make a few remarks about our response to the Burdekin report, that is, about the report tabled by our Government, *Beyond the Burdekin Report*. First of all I want to make a brief reference to the debate that was conducted here in the last session, or even the session before, on the UN convention on the rights of the child. It is fairly obvious that although there are arguments about the strengths and weaknesses of the approach adopted in that convention and the notion of giving children rights which may cause legal problems, it is obvious that in the context of youth homelessness the notion of rights, the notion of a community responsibility to uphold and enforce rights when there are otherwise no mechanisms to do so, is an important reflection and endorsement of the approach that is adopted in that UN convention.

I have doubts in some respects that other applications of the approach in that convention are appropriate, but certainly in the context that is discussed here I have no doubt at all that this is an appropriate context and an appropriate way of pursuing the problems in this area. It is not always easy to characterise these rights. It is not always easy to frame ways in which governments or others can enforce or uphold those rights. The ACT has a Youth Advocate, for example, and has had that for a number of years. Whether that structure is most appropriate or not I think remains to be seen. I believe there are weaknesses in the present approach, and I believe that there is certainly room for us to improve the way in which the rights of children are enforced and recognised.

It is also critically important that in an area of limited resources those resources that are available to the Government are used sensibly and to the best advantage for those for whom they have been put to one side. Since the statement on the Government's response to the Burdekin report was issued by the Attorney-General a number of

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changes have occurred in the administrative structure of the ACT Government which I believe will significantly assist the Government's capacity to address the needs for children in crisis.

I think it is particularly valuable that we now have consolidated in the portfolio of my colleague, the Attorney-General, a number of areas which directly impinge on the problems that are raised in this paper. I am referring, for example, to the areas of youth, housing, community services and the law. These are four critically important areas for youth in crisis, and it is appropriate that they should all be grouped under the one Minister. To my knowledge, this is the only such grouping of any government in this country, and I think that although we have many reasons to curse the particular structure of our ACT Government, particularly the small size of our ministry, we do have some advantages flowing in in circumstances such as this. This is one such advantage.

The advantages of linkage are well understood, and reference is made to this in the statement tabled by my colleague the other day when he quoted from the Institute of Family Studies report, or statement, which made reference to this. I quote that statement:

In this Institute's view, only a coordinated policy approach which is fully aware of the altered structural circumstances of young people in Australia has any hope of success in meeting youth needs and providing a positive future for them. The pressures facing young people result from an unprecedented period of change affecting all Australians. In that context, youth issues should be seen as a central part of family policy. Youth policy cannot sit aside from family policies, nor can solutions be found which ignore the integral links between family, education and work via that central task of parenting, of bringing our children towards competent adulthood.

Having said that, it is the case that education is not tied into that single portfolio responsibility, nor for that matter is health, but I think the fact that I am able to liaise with my colleague, the Attorney-General, to some extent obviates the fact that it is not possible to bring all these things under the one umbrella. Naturally also others in the Government have an interest in this area, such as the Executive Deputy with responsibility for youth affairs, and she and myself and my colleague Mr Collaery will ensure as much as possible that coordination and collaboration produces the best results.

I think that the emphasis placed on the role of families in the Government's response is a very important one. This has been stated to some extent even in the Burdekin report, and in other places, including our response. It is worth restating that the Government's first priority must be the



maintenance and strengthening of the family. The support that families offer is a role which governments simply cannot replace, and without support for families I think we would find our problems in this area infinitely more serious, infinitely more incapable of solution.

I think that there is some debate about whether the emphasis should be on families, at a time when families are facing unprecedented pressures and there is increasing argument about whether the emphasis on families is still appropriate, given that families do, in an increasingly large number of cases, shield cases of child abuse - sexual and physical abuse. In my view the emphasis on families is still appropriate. In my view, the pressures on families of many sorts, including financial, have led to the sorts of problems which are now being faced in this report. This is not to say that families should not still be the main focus, the principal focus for a solution to these problems. I think that financial pressures, in particular, have placed great pressures on families to break up and it is difficult to see how in many cases governments can avoid that, except by reducing that pressure on families. This comes to a much wider debate about the role of governments in mitigating the effects of high interest rates and things like that on Australian families.

I think that issues such as child abuse have probably increased in importance, both because of the increasing incidence of such things - and I do believe there is evidence of an increasing incidence of such things - and because of issues such as financial problems. There is also an obvious preparedness for these issues to be openly discussed and debated. Certainly more reporting of these problems occurs in this particular period of our history.

The response to the Burdekin report also makes reference to a community focus for accommodation for youth in crisis. I think that is also very welcome because it extends the emphasis on families that I have just referred to. The Government has to be aware that it is not capable of answering all these problems by itself, and that the establishment of a safety net sometimes causes as many problems as it solves. We have to be sensitive to the ways in which we integrate these sorts of safety nets with the capacity of the community itself to provide solutions.

In the report tabled in the last session there is a reference to moving away from the opening of new crisis refuges and towards providing support for longer term solutions. That has been a response, in part, to the problem of refuge hopping, where young people who need accommodation for extended periods - and unfortunately, the periods are becoming more extended all the time - tend to move from one refuge to another or one supported accommodation service to another. That exacerbates problems and makes it difficult to assess the nature of them and to deal with them in a consistent fashion. As the report indicates, crisis services are an important first

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step where young people's needs can be assessed and intensive support can be provided. They are very valuable when children need time-out - when they need the time to get away and think about things. (Extension of time granted)

Time is required away from families to assess where it is that the children are going. I very much doubt myself whether most children would necessarily choose to leave the family environment unless the situation was extremely serious in that family environment. I do not think refuges are ever going to be a substitute for that, except in cases, as I said, where children really have no choice but to leave the family.

I think the emphasis on a community context for accommodation was best made by Burdekin himself in comments he made in a publication called Liberal Forum. He wrote on the relationship between the national inquiry that he had conducted and the convention on the rights of the child. He said:

The Inquiry found that the most successful models for assisting homeless children are those where the community is involved. Programs which retain children and young people in their local communities - rather than warehousing them in refuges in places like Kings Cross - offer the best chance for family reconciliation, for continuing with education and training, and for avoiding the all too common slide into prostitution, crime and drugs. It was also very clear to the Inquiry that the community - with proper resourcing, co-ordination and standard-setting from government - can provide young people with a degree of personal support which State institutions seem simply unable to deliver. The Inquiry, therefore, did not propose a bureaucratic, "big government" model, but one in which government offers more effective encouragement and assistance to the community to take responsibility.

I think that is a very sensible approach and one which has every chance of long-term sustainability.

I will briefly mention also the importance of providing for other needs in this context. The health needs of youth in crisis are very important. In that respect, the reference in my colleague's statement to assistance to ensure that those needs are met is very welcome. I think that young people who are away from home are very vulnerable, and that has to be acknowledged and picked up in some other fashion.

I note that the Red Cross youth health service now has an additional youth health worker based at the Woden Youth Centre and complementing a team of two other people. I think that that is a very useful measure to combat this problem. I also think that the Government has been wise to

press ahead with its commitment to a 24-hour crisis service for the mentally ill. That service, of course, will be available to a whole range of people and a whole range of ages. I think it will be of particular importance to young people who are starting to face life, in many cases away from the support of families, and who are tackling, sometimes for the first time by themselves, problems of mental illness in an environment which is not always very conducive to assistance.

**Mr Berry:** We actually now agree that it exists.

**MR HUMPHRIES:** Mr Berry obviously does not seem to think it is a very important issue. To this Government it is a vitally important issue.

**Mr Berry:** Mr Humphries has only just worked out that it exists.

**Mr Kaine:** Mr Berry has also only just woken up, so you have got to forgive him.

**MR HUMPHRIES:** It appears that he has only just woken up. I do not know what he has been doing, but we have been getting on with business in this house.

The other important context, of course, is education. Providing a context in which young people can continue to be educated in our schools is important, but unfortunately, the young on our streets are hitting the streets at increasingly young ages and it is therefore more and more critical that they be given skills necessary to integrate them into the world of work sooner rather than later.

There are efforts being made in that area which we should be very sensible of. It means that we have to take a very positive attitude towards providing those skills and not leave them until secondary colleges before we start to think about them. Unfortunately, our children are getting out of the education system well before that point in many cases.

So, I commend the response to the house. I think that it does lay the framework for very strong action in this area and, as Mr Connolly said, I share the belief that if a bipartisan approach can be developed on these issues the youth of Canberra, as elsewhere, will be much the better.

**MR STEVENSON (11.50):** Mr Acting Speaker, the Burdekin report was good in many respects. Its members were particularly good at collecting the data and good at measuring the problem. I feel, however, that they failed to handle some very important issues, particularly on how to prevent the problems from occurring rather than continually putting attention on what to do once they have occurred.

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Where is the information that is needed on how to rehabilitate and recover young people who have a problem? Where do they talk about building self-esteem? If young children have no self-esteem they will never do well in society. They will always have problems. What about training in living and employment skills? These things are vital but are not effectively addressed at all. What about giving people a positive approach to life, teaching them things like why there are laws and why we need to have respect for authority. This is all too lacking in a young person's education.

I would like to briefly have a look at some of the causes for homeless children, because this is what the report was all about. Basically, homeless children come from broken homes. Perhaps over 90 per cent come from homes where there are broken families. Mrs Nolan looks a little bit puzzled. I have chatted with some people - I have particularly had a look at John Jones, who is the executive director of the Jesus Care Refuge in Sydney. He has been involved for many, many years. And in other things I have looked at as well I find that you have got broken marriages, obviously families that are not working. In families that do work you do not have a significant problem with homeless youths at all. I think that is taken for granted. If a family life is working you do not have the problem - it occurs when the family is not working.

Let us have a look at why the families do not work. Majorly, it is because of economic pressures placed on the parents. One of the major problems that has been occurring over the last few decades is that many mothers have been forced into the workplace. It is all very well if a mum wants to go and work, but often they are forced into the workplace by economic pressures. Once upon a time it was possible in this country for a man to support his wife and children without the woman having to go to work. That is increasingly not often the case.

The other problem is if children have no respect for their parents they will then have no respect for authority. Both come together. There is a tremendous rebellion in young children. There is pressure from peers. Unfortunately, there is an incitement by the education systems in certain areas to suggest to children that it is okay to divorce their parents. Someone told me not so long ago that they disciplined their daughter over something and she suggested she was going to divorce them because of it. To suggest this as a general idea for children is not a good idea in our society. Children should be taught to respect their parents and to respect authority, not to rebel against the parents and authority.

Let us look at why children have low self-esteem. If children do not do well in an education system they will inevitably feel that they do not necessarily have a place in society. In my own case I did not do particularly well at school. I had just about nil motivation for being

there. The subjects that were taught and what was taught within those subjects I did not see as being particularly relevant to living. In the many years since I have left school their relevance has become apparent to me. My education in life - the university of life, if you like - has occurred almost totally since I left school.

Yet we have children going to school for 10, 12, and even more years. It is absolutely unbelievable, as a professional trainer, that in that time you cannot teach children what they need to know to feel good about themselves; to understand the value of setting goals and to be able to operate effectively in a society. I find that incredible. What can be done in a weekend or weeks of training, let alone a year or a decade, is marvellous if you addressed the right things.

One needs to look at what abilities a child needs to operate successfully in life and then ensure that it has those. Children certainly need self-respect; they certainly need to be taught, not so much about the rights of the child but about some responsibilities. What about some obligations? Children are not effectively being taught these things, and until they are we will not see a change in the problems that youths find themselves in.

There is a particular problem in our society that usually does not get addressed much and that is to do with rock music and punk rock heroes. These people are, in the main, appalling role models to follow. They talk about rebellion, promiscuity and drugs; that is the general lifestyle of someone these - - -

**Mr Duby:** Sex and drugs and rock and roll.

**MR STEVENSON:** That is exactly right, Mr Duby. I saw a clip on television not so long ago - it was about 1 o'clock in the morning, on MTV or one of the programs. The members of the band - there were four members - were naked. I have seen most things but this was about as far as you can go. Believe it or not.

**Mr Humphries:** Where was this?

**MR STEVENSON:** It was on at 1 o'clock one Saturday or one Sunday morning. They were using their guitars to cover up their private parts for most of the time. It may sound funny, I must admit, but it is an indication of how far we have gone in what is called the rock culture.

**Mr Kaine:** You tune into some strange programs, Dennis.

**MR STEVENSON:** Well, once again, I think you understand that unless you are prepared to look at things you are not going to find out what is happening; that can be the only reason why anyone would ever vote to promote porn videos.

**Mr Kaine:** That is why you need X-rated videos, I presume.

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**MR STEVENSON:** Let us have a look at the fact of X-rated videos and other pornography, since you raised the point.

**Members** interjected.

**MR STEVENSON:** There is absolutely no doubt whatsoever that a small proportion, perhaps 10 to 30 per cent of children, are involved in homelessness due to incest, child molestation and pornography. It is becoming increasingly prevalent, although not widely so in our society, that young children are getting involved in abhorrent sexual practices. When I say young, I mean around 10 years old and so on. One child in the United States recently - I am sure we all received the report - raped and sodomised two young sisters. They were four and eight years old and were not his own sisters. He did this after watching pornographic videos. These things have happened in Victoria, in Queensland. I have spoken to prosecutors about them - - -

**Ms Follett:** Aren't they banned there?

**MR STEVENSON:** Indeed, and as soon as we ban them here they will not have as much of a problem in Queensland. When you talk about banning them in other States - "Aren't they banned there?" - it is a good point. Mr Collaery's report mentions the findings of the National Committee on Violence. I have mentioned in this house before that those findings spoke very well of the problems, but in one particular case when talking about problems within the Aboriginal communities they omitted to put the reason that was clearly stated in the reports that were given to them. That reason was that the cause was X-rated pornographic videos.

I would also like to mention a few points about Mr Collaery's reports. He mentioned preventative strategies and talks about macro and micro responses and proactive approaches and multifaceted strategies and so on. Basically I think most of that talk is gobbledegook. It would never win an award for plain English. I think that if we are trying to communicate in a report we need to use simple English. It is unfortunate that many of the kids coming through our education system would simply look at a report like this and not be able to understand it. (Extension of time granted) He talks about the set of principles to which the Council of Social Welfare Ministers agreed. One principle is that families provide the optimum setting for the care and support of children and young people. Indeed, they do. Then it goes on to talk about a lot of ways in which families can be assisted. However, perhaps the best way that government could assist families would be to stop taking their money. That is simply put. Rather than talk of government assistance for families, what about talking about stopping hindering them in getting on with their lives. The major problems in a family are to do with economic problems. If the people did not have these

economic problems there would not be as many problems with youths, homeless or otherwise.

It talked about governments having a responsibility to protect children and young people from disadvantage, exploitation and abuse. As soon as we ban X-videos - and the power is available to members on the other side or to the Attorney-General who presented this report - we will be able to take some effective action.

It says "Government should provide an environment and the support that will assist children and young people to move towards independence and full citizenship". I had a bit of a laugh when I thought about politicians teaching children things. How on earth could politicians, many of whom show a lack of honesty, show willingness to flout the law when it suits them, and show disregard for the wishes of their employees, ever teach children anything worthwhile? I do agree that children get taught things, but I think we need to look at whether or not these things are worthwhile. Mr Collaery's report talks about grants being given to a number of organisations to further research and develop detailed submissions for proposed services. Rather than more and more services for homeless youths, why do we not put attention on the problem? Why do we not put attention on the problem of education and making sure our kids learn those things that are absolutely imperative in life?

We cannot fail to understand the importance of goal setting; we cannot fail to understand the fact that it is largely our own responsibility for our own life. If we do not understand these things we will never do any good in our lives at all, and the same is true of children. There have been cases where children have got involved in motivating programs and the results have been absolutely incredible.

The response talks about the Burdekin report; it identified the lack of employment and skills for gaining employment and says that this compounds the problems which face many at risk young people. I suggest that all young people are at risk while we do not ensure that they learn the things they need to at school, and while we do not get out of the way of the parents in bringing up the kids the way they best see fit.

Mr Humphries talked about the UN convention on the rights of the child - commonly referred to around Australia as the UN convention on the wrongs of the child. We simply cannot allow children freedom to associate; freedom to read what they like; freedom to do things they like. They need to understand responsibilities. One could say it again and again and it is unfortunate that it will need to be said again and again because the message has not been understood clearly.

It talks about those who have been unsuccessful in the school system and who may have low literacy and numeracy

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skills and low self-esteem as also being disadvantaged. As I said, how that can happen after 10 or 12 years of schooling is beyond sense. Perhaps I can finish with Mr Collaery's report where he mentions we are going beyond the rhetoric. Perhaps, I would think, one could add a "not" in there and say, "we are not going beyond the rhetoric", and we will not do so until we address the problems which really need to be addressed.

**MR JENSEN** (12.05): Mr Acting Speaker, I will be brief because I know my colleague the Deputy Chief Minister wants to make some remarks to close this debate today. Like my colleague Ms Maher I deplore attempts by some sections of the media to sensationalise the issue of youth problems, particularly what we have seen recently. For example, they seek to portray some of our young people as members of a heavy metal music inspired cult involved in a crime wave within Tuggeranong.

Some of these issues that have been raised in the media have really caused problems for the young people. They can only result in causing divisions between youth, adults and authority.

**Mr Connolly:** That is what Wayne said eight weeks ago.

**MR JENSEN:** It is still going on, I can assure you. It is not something that dies; it will continue while these sorts of activities take place. I think it is appropriate for members to make these sorts of comments at the time and during the process that takes place. As I have said, I have attended a number of meetings recently where the young people of Tuggeranong were given an opportunity to put their point of view to the community. What came across in those forums was a need for adults to listen to the views of young people rather than tell them what to do. Too often I think young people of today find themselves being told what to do. All they wish is to be heard; and to have their point of view listened to by people in authority - be they parents, be they the police or be they members of the teaching profession.

It is important for this dialogue to be established between young people and those who are older than them. This is particularly important when young people find themselves in conflict with authority. As I have already indicated, this can be parental authority as well as official authority - police and teachers. I went to a meeting this week where a young student of a college indicated to me that what she found was the difficulty in relating to the teachers was the fact that some teachers were not prepared to listen to the views of the children. Other teachers were, and they were teachers that were able to get the message across to their students. It turned out that in this particular case the student saw no point in continuing with a particular educational program because the teacher was just not interested in what she was saying. However, another teacher was not that way inclined and she was able to



relate with that teacher and get on with the job of learning, which is what she was at college for. We must listen to their views.

I am pleased to see that officers from the Tuggeranong police have commenced a participation in meetings and discussions with young people on their own ground at their invitation. In other words, the young people have invited the police to come into their territory and talk to them on their ground and to discuss the issues that concern them. I also express my support for statements by the chief police officer of the ACT in his desire to have more police out on the beat, out in the community, out in the bus stations, out in the areas where the children congregate so that they can meet with the children.

For example, in the Erindale area there is a perfect opportunity for the police from the Tuggeranong Police Station to participate in on-the-beat operations where the children congregate during the day after college in the open area between the college and the Erindale Centre itself. I understand that the police will be undertaking that type of activity and I look forward to seeing that develop in the future.

Those of us who have teenage children, for example, are certainly aware of the difficulties of being a teenager today. For example, in the late fifties when I left school it was not a matter of whether a job was available; in those days it was really a matter of which job you went to. Nowadays, of course, that is entirely different, with youth unemployment throughout Australia being in excess of 20 per cent in most places. This puts considerable pressures on young people today in our consumer oriented society where everything is required to be bought. Children need money. In my day, it was two bob pocket money; nowadays two bob would not go anywhere. Five dollars hardly buys you a "big mac" these days, let alone something more. I think it is important to realise these issues and the pressures that are put on young people today.

I think it is acknowledged that this is probably one of the major reasons why many of our young people are now seeking to continue on to college and it is important to ensure that our education system can cope with this change. No longer does a college provide an education for entrance to university or the CCAE as it used to be.

**Mr Wood:** Solely provided it.

**MR JENSEN:** Solely for that. In fact, Mr Wood, I am sure you will agree that there are probably more of our students in our colleges today that are not going to take that course; quite a lot, in fact.

**Mr Wood:** Yes, that is one of the reasons why they are so successful.

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**MR JENSEN:** That is correct. I think it is important to make sure that they are provided in college with an education that serves them, not so much for higher education but for participating in the community and participating in life. That is why, Mr Acting Speaker, it is important for the education programs that we run in the ACT to be maintained.

Let me move on to one factor that I know my colleague Mr Collaery is committed to. I am also aware that the previous Minister for Housing, Mrs Grassby, participated in this as well and encouraged it. This is the de-institutionalisation, if possible, of the services provided to those young people in need of care. They may need a little time-out or even some assistance in the building up of their self-esteem, a matter that Mr Stevenson pointed to in his discussion. It is very important to build up the self-esteem and the sense of worth of young people, because there is nothing worse than being given the impression that, "Forget it, you don't mean anything; it doesn't matter".

To this end, community groups have been assisted to obtain rented accommodation from the Housing Trust to provide a caring refuge for young people to gain the breathing space needed. As I have indicated, I acknowledge the support of the previous Minister in setting up this important program. I have recently had discussions with community groups in the Tuggeranong Valley with a view to the possibility of making similar arrangements out there. There is certainly a need out there, as there is in other parts of Canberra.

In closing, I would like to say that if anything can be learned from this discussion it is that we, as adults, must be prepared to listen to the views of the youth, particularly in relation to their needs for employment. We must listen to what they have to say and not ignore them.

**MR COLLAERY** (Attorney-General) (12.13), in reply: Firstly, I rise to thank most of the members for their gracious comments. In particular, I thank Mrs Grassby for most of her gracious comments - but not some of them - and Mr Connolly for his sensible and, of course, in the main acceptable comments in relation to youth and the law.

Mr Acting Speaker, on 2 May I tabled in the Assembly the Alliance Government's response to the report of the inquiry of the Human Rights and Equal Opportunity Commission into homeless children. Our response was entitled - with good reason - Beyond the Burdekin Report. I am pleased to say that reaction to the efforts of the Government has been favourable. On 8 June I attended the Social Welfare Ministers' Conference and made a progress report on the Government's action to assist homeless young people. In particular, I reported on the Alliance Government's administrative arrangements as they have a significant bearing on the ability of the Government and the community to respond to the needs of our young people.

I trust Mrs Grassby is listening because this is the profound difference between our approach and yours. As members of the Assembly may know, youth affairs enjoys a variety of departmental locations and administrative arrangements that vary from State to State. Recent history in the ACT, particularly the confused state of the office when the Alliance Government came to office, testifies to this variability and confusion of status.

The previous Government established a social justice unit within the Chief Minister's Department giving the Chief Minister responsibility for youth affairs. However, believe it or not, the youth affairs unit which was responsible for youth programs was located within the then Department of Community Services and Health, creating a very clear confusion of responsibility. That confusion typified the Follett Government's administrative structuring. I am aware of the debate concerning the appropriate location of the policy and program functions of youth affairs. I am happy to say that as the responsible Minister many matters of concern regarding the administration of youth affairs are being addressed through a conjoint arrangement. I am firmly of the belief that administrative arrangements should reflect their basis in principle.

Mr Acting Speaker, the Alliance Government has put in place progressive administrative arrangements unique in Australia. Community programs, welfare, housing and youth affairs are all located within the Housing and Community Services Bureau. By doing this the Alliance Government has addressed one of the chief concerns of the Human Rights Commissioner, Brian Burdekin, by ensuring that many vital services for our homeless young people are coordinated through a single portfolio. This was a major endorsement of the Burdekin recommendations and one that the Labor Government had not addressed in the draft it had had prepared.

Of course, youth issues do go beyond my portfolio in some respects and extend to the portfolios of my colleagues in health, education and employment. To this end, a senior officers group has been meeting, and I would expect this officers group to operate in parallel with the other advisory mechanisms to be set in place. More than this, the impact of youth issues is a matter worthy of the consideration of the whole Assembly. As we stated in Beyond the Burdekin Report, the ACT Alliance Government is firmly committed to the integrated development of all policies and programs impacting on young people, children and families.

This is the backdrop for our administrative arrangements. It is the reason why the Alliance Government has given the youth affairs unit, within my portfolio, the responsibility for the overall coordination of youth affairs within the ACT Government. It is no longer wandering in loose conjunction as it did in the previous Chief Minister's

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arrangement. This integrated view is firmly supported by many experts, including Dr Don Edgar, director of the Australian Institute of Family Studies, who believes that:

Youth issues should be seen as a central part of family policy. Youth policy cannot sit aside from family policies, nor can solutions be found which ignore the integral links between the family, education and work via that central task of parenting, of bringing our children towards competent adulthood.

I believe this emphasis on an integrated view of young people within the family is a result of our recognition as a government that many young people and their families have previously been outside the assistance of our departments of state. Through no fault of their own they have fallen between the various responsibilities of agencies, and in doing so have tragically missed the safety net of our social and community services.

Mr Acting Speaker, as a government we have taken the first steps towards tightening the administrative net and acknowledging the responsibilities of the ACT Government to the young people of the Territory. We have committed ourselves to progressive administrative arrangements which clearly enunciate our responsibilities for young people. I am sure that members of the Assembly would agree that matters of responsibility and statements of principle are integral and inseparable. Administrative arrangements are insufficient to assist our young people unless they are backed by commitment, by an understanding of needs, by our view of young people's lives which accounts for their development and transition to adult living and adult responsibilities.

This is our perspective as a government and our direction for the future. Such a view ensures that the ACT Government's youth policies and youth programs assist young people towards four fundamental goals. Firstly, we must assist young people in their development to physical and emotional maturity. We must ensure they have access to health services, support services and opportunity for recreation. Secondly, we must assist young people in their transition from family life to independent living. This goal is integral to our provision of services to young people in education and training, in housing and accommodation. Thirdly, we must assist them in their transition from the financial base of the family to their financial independence. Towards this end it is vital that we create the necessary employment to ensure young people a full and active place in our society. It is equally vital that we provide a safety net of social and community services, should we fall short in this endeavour. Finally, we must assist parents and guardians in their roles as the trustees of young people's rights. As guardians we have a responsibility to young people until they can autonomously exercise their human rights as mature adults. Responsible

government requires a continuing role in protecting young people, in asserting and defending their legal rights, and in stating their responsibilities should they offend.

Mr Acting Speaker, I commend these four goals to the Assembly as statements of principle which must guide the actions of any responsible government with the commitment to the well-being of young people. I offer them as an open statement of the perspective of the Alliance Government that is worthy of the consideration of all members of this Assembly.

However, statements of principle alone are not enough. As I said earlier, principles and responsibilities are inseparable. As a government, in fact, as an Assembly, we are all faced with a clear choice of directions. Should we remain content to incorporate our assistance to young people within the usual activity of government? Can we complacently hope that young people who have previously fallen through our safety nets of social and community support will be better off if we simply strengthen our subscription to existing remedies and existing services? Should we move to assist young people actively to take, Mr Stevenson, a proactive role, by clearly identifying and targeting services for young people and their families? Should we commit ourselves to go beyond the rhetoric so that our administrative arrangements reflect our principles and priorities and encourage innovation? In practical terms, as Minister responsible for youth affairs, to espouse principles without accepting responsibility is to take the safe road, but there are many government functions that can be undertaken to ensure the active assistance of young people.

To limit this traditional policy coordination role, as did the previous Chief Minister, without accepting the responsibility for planning, developing and delivering services is to sell ourselves short on our principles. Outcomes cannot be ignored for the sake of preserving well-intentioned but administratively crippled policies for preserving longstanding but outdated administrative boundaries. I will not labour the point; I believe our choice is clear. This Assembly must assume a proactive stance towards a provision of services for young people and their families. We must assume a forward thinking role in developing the necessary government and community services.

Mr Acting Speaker, the Alliance Government has demonstrated its commitment by commencing the administrative changes necessary to ensure a fair go for young people. I have strengthened the position of youth affairs within the Government, and I am encouraging the development of a responsive youth affairs unit. Further changes are necessary to ensure that we live up to the goals that I have stated; to ensure that our statements of principle have a complete enabling administrative arrangement; to ensure that there is no difference between the assistance we are aiming at in our four statements of principle and

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the service a young person receives. The Alliance Government has demonstrated its commitment by encouraging the community to participate in decision making and by fostering community advisory structures in line with the needs expressed by the Burdekin report.

I will shortly be announcing a ministerial youth advisory structure developed in close consultation with the community. I am confident that it will assist me and future Ministers responsible for youth affairs to acquit their responsibilities in a capable and informed fashion.

Mr Acting Speaker, it is time for this Assembly to demonstrate its commitment to our young people; time for this Assembly to state the principles by which it will serve them and their families; time for this Assembly to commit itself to a statement of policy for the development of youth services. (Extension of time granted) I call upon this Assembly to adopt the following goals for youth policies and programs: that youth policy, planning and programs assist young people and their families in their development of physical and emotional maturity; their transition from family life to independent living; their transition from the financial base of the family to financial independence; and to exercise their human rights as mature adults.

Mr Acting Speaker, I now wish to respond to a couple of points raised by other speakers: firstly, Mr Connolly endorsed the recommendation of the Alliance Government's Beyond the Burdekin Report that section 167 of the Children's Services Act be amended. I draw members' attention to the fact that amendments to that Act are listed in our legislative program. Further, Mr Acting Speaker, I comment on recommendation 21 paragraph 1 of the original Burdekin report; the Conflict Resolution Service remains funded and, in fact, we have advanced \$40,000 during the supply period to keep the Conflict Resolution Service in operation. I foreshadow to members that I am examining the role of that service in the context of the Callaghan report on the future of the Youth Advocate's role. I am awaiting the outcome of recommendations from the Mental Health Review Committee established by my colleague Mr Humphries, and the outcome of other community discussions, to determine whether to develop a community advocate role which would embrace not only the alternative dispute resolution machinery that Mr Connolly refers to, but also the official visitors scheme proposal and the proposal to have a bail hostel.

I might add for the information of the Assembly that those particular recommendations in the Burdekin report were deferred pending the outcome of the Callaghan review of the welfare branch. That report has since come down and indicates and maintains that there should be a clear distinction between criminal and welfare issues in the Territory. I now believe that we are in a position in consultation to move ahead with those recommendations in line with a general move towards an enhanced advocacy role on behalf of youth, the mentally ill and others in society.

As an example of the type of broad initiatives that this Government is looking at, I draw the attention of the house to paragraph 2.23 of the Alliance Government's environment strategy for the 1990s where it states:

Implementation of a native species replanting scheme as part of a juvenile/youth offenders rehabilitation program is being evaluated and will be the subject of a Corrections Seminar to be held in the ACT in October 1990. Consultation on joint initiatives with the conservation movement have been initiated.

Mr Acting Speaker, Mrs Grassby mentioned the cancellation of some youth Outreach proposals that were in her compendium of proposals. I need to inform Mrs Grassby that the cancellation of those proposals came about in the context of a Commonwealth initiative to grant moneys under a special services grant for disadvantaged youth, and as part of that overall skill-share program a particular grant of \$60,000 was awarded to the Work Resources Centre by the Commonwealth Government in 1990. Two staff have been engaged for the program and they will operate from Civic.

That program, I should inform Mrs Grassby, is similar to the proposed youth Outreach worker program that she tackled this Government for cancelling. In fact, there is a program under way, albeit with Commonwealth funds, for youth in the age group of 16 to 20. The target for that program for the ACT in 1990 is 65 clients. In the first six weeks of its existence 15 clients have already been assisted. The target for 1991 is expected to be 85. The staff engaged for the program are not Commonwealth employees but staff of the Work Resources Centre. Now, should a further proposed youth Outreach worker street linked program that this Government is seeking to develop jointly with the Commonwealth Government come to fruition, out of the generosity of our Treasurer sitting beside me on my left, I am sure that collaboration between those two, the Commonwealth and the Territory, will be pursued. I might add that the relationships between my Department of Community Services and the Commonwealth department are excellent. We both enjoy excellent advice from our respective youth units and I am confident that we will continue to develop new and innovative schemes and practices in this area.

Question resolved in the affirmative.

### **PERSONAL EXPLANATION**

**MR KAINE** (Chief Minister): Mr Acting Speaker, I would like to make a statement as I claim to have been misrepresented.

**MR ACTING SPEAKER:** Please proceed.

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**MR KAINE:** I was surprised and disturbed in the debate this morning to hear Mrs Grassby, knowing it to be untrue, say that I had said that I was lowering the standard of education. This has been said before in this house and it is another case of the misrepresentation that we are subjected to by members of the Opposition. Over the last year and a half I have spoken many times and at great length about the Liberal Party's policy on education and the Alliance Government's policies on education. I have always emphasised that the objective, both of the Liberal Party and the Alliance Government, is to maintain the excellent standard of our education system but to provide it at less cost.

I have never said that I would reduce the standard of education. I am absolutely amazed that the members of the Opposition have become so inept at being in opposition that they fall for the caper of misrepresentation, distortion and manipulation of what members on this side of the house say. Mr Acting Speaker, I refute that I have ever made the statement that Mrs Grassby attributes to me. I must say that this kind of deliberate misrepresentation and manipulation and distortion of what I and other members say in my view is dishonest and despicable. I want that on the record.

**Sitting suspended from 12.31 pm to 2.30 pm**

### **QUESTIONS WITHOUT NOTICE**

**Minister for Health, Education and the Arts**

**MS FOLLETT:** I think my question ought to be to the Chief Minister. Where is his Minister for Education? Why has he chosen to absent himself from question time?

**MR KAINE:** I will answer it quite bluntly, Mr Acting Speaker. I do not know. I saw him five minutes ago on the fifth floor and he is probably like the members of the Opposition this morning who seemed to get stuck in a lift and could not get down from the first floor to be here in time for the Assembly to sit.

### **UN Convention on the Rights of the Child**

**MR STEVENSON:** My question is to the Attorney-General, Mr Collaery. Mr Acting Speaker, in a news release dated 4 July 1990, Mr Collaery says that the ACT Government supports the Commonwealth Government's signing of the UN convention on the rights of the child. Is the Attorney-General aware that a large proportion of people in Australia do not share that view? As an example, on Friday, 3 August the 7.30 Report on Queensland's channel 2 TV



ran a debate on the UN convention on the rights of the child, followed by a telephone poll. Does Mr Collaery know that 94 per cent of the 5,000 people in Queensland who responded to that poll said no to the question: should Australia sign the UN convention?

**MR COLLAERY:** I have pleasure in recognising that the ABC producers would well know where their program would be well received - in central Queensland. Certainly, Mr Acting Speaker, the Alliance Government has informed the Commonwealth Government. In fact, on my recommendation the Chief Minister wrote to the Prime Minister in May, as I recall, informing the Prime Minister that we would support the signature to the treaty by the Federal Government.

Mr Acting Speaker, I have not been dissuaded by receiving petitions in Alice Springs at my hotel door from those people who have the misguided belief that the effect of this convention is to deprive parents of so-called rights. Children are not chattels. They are not part of the proprietary rights of parents. They are in the custodianship of those parents, the guardianship of those parents. Ultimately the state is the protector of their rights. Certainly, Mr Acting Speaker, I am pleased to tell Mr Stevenson that as far as I am concerned the debate on this instrument is over. I also remind Mr Stevenson that the Vatican has acceded to the treaty already.

**MR STEVENSON:** I have a supplementary question. Is Mr Collaery aware of the fact that the people of Australia and many others involved in law and other areas do not think that the debate is over?

**MR COLLAERY:** I am certain, Mr Acting Speaker, that the debate will not be over whilst Mr Stevenson is in this Assembly, but I await the day to see how the people of Canberra will next test the issues that he espouses.

### **Hackett Primary School**

**MS FOLLETT:** My question is to the Minister for Education, Mr Humphries. It refers to the Hackett Primary School, one of those which he proposes to close. I ask Mr Humphries: did all your demographic data show that enrolments in the Hackett Primary School are growing - which is generally in keeping with the regeneration of older suburbs in the ACT - and in view of that growth, why should the Hackett school be closed?

**MR HUMPHRIES:** First of all, the concept of a school's catchment areas growing in terms of school overpopulation is not a general trend that occurs in all ageing suburbs. It occurs to some extent in some suburbs. It does not occur in every suburb. I reject the assumption underlying - - -

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**Mr Berry:** No. We are talking about Hackett.

**MR HUMPHRIES:** She is talking about suburbs generally, Mr Berry, if you had listened carefully.

**Mr Berry:** No, no. She is talking about Hackett. I heard her say that.

**MR HUMPHRIES:** You were not listening, obviously. The more specific reference, though, was to Hackett and Ms Follett suggested that there was a growing school age population in Hackett. To the extent that that occurs, it occurs in an extremely limited extent. In fact, it amounts - I am indebted to my friend the Minister for Finance and Urban Services - to the extent of about 10 students over a period of five years.

**Mr Wood:** No, it is more than that. You know that.

**MR HUMPHRIES:** The enrolments that the Government uses are based on projections that rely on the same demographics that the former Follett Government relied on when it was in Government. If you want to cast doubts and aspersions on the talents and the expertise of the public servants who advise this Government, then do so, but do not hide behind parliamentary questions and privilege. Go out to that place and attack them there, Mr Berry.

**Members** interjected.

**MR ACTING SPEAKER:** Order! You have had about a minute of interjections now. Let him finish.

**MR HUMPHRIES:** The fact is that the scope for regeneration in Hackett is extremely limited and it is not enough to indicate that the school should stay open. An enrolment of 148 children is a very small school. It is the second smallest school in the Territory and I do not believe this Government can be repudiated for having made the decision to close that particular school.

**MS FOLLETT:** I have a supplementary question, Mr Acting Speaker, and again it relates to Hackett. Is the Minister aware that the Hackett community provides enormous support to that school and, in fact, raises more funds per student than any other government school? Did he take into consideration the degree of support that that school receives from its community and the importance of that school to the community?

**MR HUMPHRIES:** Mr Acting Speaker, the weak-kneed approach of those opposite is absolutely incredible. If that submission from the Hackett Primary School contained that information, yes, of course, the Government took it into account. If this information has come to light since then, obviously the Government did not take it into account.

**Ms Maher:** Why can't they take it with them, anyway?

**MR HUMPHRIES:** I will come to that point; I think Ms Maher has raised a very good point. The fact is that the Government gave every opportunity for school communities to put points of that kind to the Government and every one of those points was taken into account. To say that they were ignored is simply garbage.

**Members** interjected.

**MR HUMPHRIES:** Mr Acting Speaker, may I have some silence in these questions?

**MR ACTING SPEAKER:** Order!

**MR HUMPHRIES:** Unpalatable as it may be to those opposite, the fact is that the talents and the energies of parents at schools like Hackett do not disappear merely because the school itself has closed. If those parents can and do move to other schools, they contribute positively to those other schools. That was the experience in the closures pattern at the end of 1988 and in previous years, and it will happen again.

### **AIDS Education Posters**

**MS MAHER:** I refer my question to the Minister for Finance and Urban Services and I refer - - -

**Ms Follett:** You always ask him; ask him at home.

**MR ACTING SPEAKER:** Order, let us hear the question!

**MS MAHER:** I refer to an article in today's Canberra Times. It concerns AIDS education posters appearing on the sides of ACTION buses and it claims that the Minister was opposed to the concept of the campaign and insisted on changing the wording of the message. Is this report accurate?

**MR DUBY:** Yes, I have seen the article in today's Canberra Times which refers to the launching of an AIDS education program advertising campaign on the sides of buses. The Canberra Times reports that the message had to be changed because of an objection by myself to the message. It quotes:

First of all, he wanted to ban the whole concept, but ended up simply insisting on changing the wording of the message ...

The simple fact is that nothing could be further from the truth. I support, entirely, the whole concept of AIDS education programs, safe sex programs and programs which highlight the need for healthy practices, particularly in relation to the use of drugs. If anything, when the advertising poster was brought to me I expressed complete

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support for the concept and commented on what a good idea it was to have this sort of thing being displayed on the sides of ACTION buses.

The implication in this article that I opposed the concept and then insisted on changing the wording of the message is misquoting me completely. The original message that was to be put on the posters was "If ya gonna do it, do it safely". I suggested that it would be more appropriate if a bit of proper English was used and the phrase was simply changed to "If you do it - - -"

**Mr Berry:** Why would not the Health Minister launch it? Come on, Gary, tell us.

**MR DUBY:** I will come to that in the continuation of my answer, Mr Berry. I asked that the message be changed to read the Queen's English, in other words, "If you do it, do it safely". I was disappointed to see at the launch of the poster today that my instructions were not followed and it still says, "If ya do it, do it safely". I see no need for that.

The article also goes on and impugns the Minister for Health, Mr Humphries, in saying that whilst he supported the campaign and his ministry helped with the funding, he did not want to launch it. Once again, my recollection of the conversation that I had with the Minister for Health was that nothing could be further from the truth. The simple fact was, to my recollection, that the Minister had a prior engagement for the day that this was set by.

In addition, it was pointed out that the people who had organised the campaign had proposed that the Federal Minister for Health, Mr Howe, should be the person who should be invited to do the launch. Both Mr Humphries and I were quite pleased and happy for that arrangement to go ahead. I note that it was launched today. I also note that I, for one, never received an invitation to the launching - I do not know about Mr Humphries - and I find that quite distressing. Nevertheless, I want to reaffirm my support for the AIDS education program and also the support of the Minister for Health.

### **Education Consultative Committee**

**MR CONNOLLY:** Mr Acting Speaker, my question is directed to the Minister for Education. It will not require figures so he can probably give an answer. Did the Minister seek the advice of the schools authority advisory council on school closures? If so, what advice did he receive or did the authority receive?

**MR HUMPHRIES:** May I say first of all that I do not think there is any such thing as a schools authority advisory council. I think that Mr Connolly is probably referring to

the consultative committee established to advise the Minister. On the assumption that that is what he means, yes, I have had several meetings with that consultative group. As Mr Connolly is probably not aware, the group is chaired by Dr Hector Kinloch, the Executive Deputy for Education and the Arts, and the issues that have been canvassed in this schools reshaping project were extensively discussed with those people. I cannot say that they agreed with the course of action that the Government proposed to adopt, and given the fact that that body consists of the very organisations which now oppose the Government's decision, that is not surprising. I can however indicate that there was acceptance of some of the things the Government put forward and, in particular, with respect to the organisations that make up that body, there has been acceptance of some of the things the Government has said and done. I am referring, for example, to the Canberra Pre-School Society, and I will come on to that later today when we come to debate this under Mr Moore's matter of public importance.

However, I have to say that the general tone was not one of acceptance, but that was hardly surprising given the fact that we were talking about closing schools and most bodies of that kind, such as the P and C Council and Teachers Federation, were not prepared to back that kind of move by the Government.

**MR CONNOLLY:** I ask a supplementary question. The Minister advises us that Dr Kinloch was on that committee. What were Dr Kinloch's views expressed at the committee to the Minister?

**MR HUMPHRIES:** You should ask Dr Kinloch about that at some other juncture. I should think his views are entirely irrelevant. His job, in respect of the chairmanship of that body, is to convey its views to the Government, not his own.

**Ms Follett:** But he moved the motion to close schools.

**MR HUMPHRIES:** He did not - not when he was the chairman of the committee.

### **National Capital Planning Authority**

**MRS NOLAN:** My question is to the Chief Minister. Is the Chief Minister aware of an article in today's Canberra Times about concerns by the National Capital Planning Authority on the lack of development on the Anglican and Roman Catholic Church sites?

**MR KAINE:** Yes, I read that article with some interest and at the time I wondered what the intention of the National Capital Planning Authority was in raising the matter in such a way. I wondered whether it perhaps intended to put

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some pressure on the Government to do something that it might like to see us do. It is rather similar to the statements made about the YMCA site over the road; the NCPA has attempted to dump the responsibility for that on the ACT Government when all of the decisions that were being referred to were taken by Federal Parliament - - -

**Mr Berry:** I raise a point of order, Mr Acting Speaker. We are getting into the area of ministerial statements again. We will grant leave, provided we are given notice of ministerial statements.

**MR KAINE:** Well, if you do not want any questions answered, do not ask them. I do not mind.

**Mr Berry:** Well, stop beating your chest. It seems to me - - -

**MR KAINE:** Is he taking some point of order?

**MR ACTING SPEAKER:** What is your point of order?

**Mr Berry:** It seems to me that answers ought to be brief.

**MR ACTING SPEAKER:** Yes, Chief Minister, please get to the point.

**MR KAINE:** Thank you for your advice, Mr Acting Speaker; I thought I was. If you are going to spring to attention every time the puppet over there gets to his feet, we will have to - - -

**Opposition members:** Oh! That is monstrous!

**MR ACTING SPEAKER:** Order! Order, members!

**Mr Connolly:** Mr Acting Speaker, I raise a point of order. That is an appalling reflection on the Speaker - "If you are going to spring to order every time the puppet over there demands it". I demand that the Chief Minister withdraw and apologise.

**MR KAINE:** I withdraw it, Mr Acting Speaker.

**Mr Connolly:** And apologise.

**MR ACTING SPEAKER:** He has withdrawn it. Chief Minister, I believe you were getting to the point. Please continue.

**MR KAINE:** Settle down, Mr Connolly, you will get blood pressure if you jump up and down like that. Anyway, I will get back to the question which had to do with the two sites occupied by the Anglican and the Catholic Churches.

Both of those sites are held in perpetuity under the Church Lands Leases Act and, in accordance with the policy at the time those leases were granted, each denomination was entitled to the allocation of a site for the building of a

church, a theological residence and other buildings associated with church uses. But, of course, they go back many, many years.

Whilst the Catholic Church has constructed a residence on the Commonwealth Avenue site, it has not yet undertaken any further development. In connection with the lands lease of the Anglican Church on section 6 in Barton, the Anglican Church was allocated additional land for the development of a theological college under the Leases (Special Purposes) Act. That is in addition to its original lease for the construction of a church and that was intended to provide for a theological college and some other developments on that site.

The Anglican Church has now approached the Government with a preliminary proposal for the comprehensive development of the whole site - both areas of land that it has been granted - which would include a cathedral, a centre for religious education, a public square and gardens, as well as the office space and some special retail outlets. I have had preliminary discussions with the Anglican Church on this matter, but the Government has not given any undertaking on the proposal as it currently stands.

**Mr Berry:** I raise a point of order, Mr Acting Speaker. The standing orders clearly provide for the answers to questions to be brief and concise. This is a ministerial statement.

**MR ACTING SPEAKER:** Mr Berry, the Chief Minister is now in the process of answering the question, so I would ask you to sit down. He has only got a little more. Please continue, Chief Minister.

**MR KAINE:** Thank you, Mr Acting Speaker. For somebody who uses up every second of the time he is allowed, that is a strange point of order.

**MR ACTING SPEAKER:** Continue with the answer, please.

**MR KAINE:** As I was saying, while we have had some preliminary discussions with the Anglican Church on this matter, the Government has given no undertaking at all on the proposal as it stands. There are implications in the terms of the lease purpose clauses pertaining to the sites and in the terms of the National Capital Plan and I have agreed that discussions should continue with the proponents, the Interim Territory Planning Authority and the National Capital Planning Authority to consider the implications of the proposal.

There are many issues that will require resolution before the development can proceed beyond the preliminary stage. I recognise the financial difficulties faced by the church in undertaking such a major construction as a cathedral and the attractions that such a development proposal would have in facilitating its requirements. However, I can assure

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Mrs Nolan and the Assembly - and Mr Berry, if he will just sit patiently for a minute - that the Government will not agree to - - -

**Mr Berry:** Fair enough is fair enough. This is just over the top.

**Ms Follett:** We have had only two questions.

**MR KAINE:** Well, if you keep interrupting you will reduce your time even further.

**Mr Berry:** Oh, pay us back. Good on you!

**MR ACTING SPEAKER:** Order! Members, please let the Chief Minister finish.

**MR KAINE:** Mr Acting Speaker, I assure Mrs Nolan and the Assembly that the Government will not agree to any proposal for the site without full consideration of all the issues to ensure that there is a clear benefit to the Canberra community resulting from the proposed development. I am sure that Mr Berry wanted to hear those words.

### **School Closures**

**MR MOORE:** I would like to direct my question to the Minister for Education, Mr Humphries. Since you have not been prepared to give cost estimates of the damage you are wreaking in schools around Canberra, allow me to test the costs in a particular case. Removal of the Independent Living Centre from the Macquarie School so that it will be able to accommodate Cook students will involve a series of costs which I understand have been conservatively estimated in the following way: returning the building to classrooms and toilets, \$50,000; and reinstalling the Independent Living Centre, which is equivalent in size to about three houses, at another site with the resultant costs in access, car parking and equipment, \$250,000. In addition, the pharmacy of Kath Ridley at Macquarie has specialised stock to link with the Independent Living Centre and her stock is worth about \$20,000.

If you take that ball park figure of about \$300,000, before you even look at costs associated with transferring Cook children and removing the white ant damage from the floor, will you accept that the advice you have received is incompetent and inadequate and that your decisions on school closures should be reversed, or will you accept that the savings from closures of schools is a questionable notion protected by bureaucratic juggling of money?

**Mr Jensen:** Now who is having a shot at public servants?

**MR MOORE:** Unashamedly - and using parliamentary privilege to do it!



**MR HUMPHRIES:** Mr Acting Speaker, I am very disappointed that Mr Moore chooses to attack in this way the public servants who give the Government advice. It is typical of his contemptuous attitude towards the way in which people are working very hard in this Government at present to produce a more cost efficient ACT. But, of course, Mr Moore does not care about that very much and so chooses to avoid it.

I have been to the Independent Living Centre at Macquarie; I have seen it. I do not know whether Mr Moore has bothered to do that; obviously not. I think that there is a large amount of exaggeration in what he says. However, I am not going to enter into the process of spelling out to him the things that I have already said I will not spell out until the budget comes down, so if he wants me to rise to that bait he can forget it.

I might point out that the question of white ant damage is something which needs to be addressed, irrespective of whether there is a school there or an Independent Living Centre or whatever. It makes absolutely no difference, so it is - - -

**Mr Moore:** Which is why I did not include it in the figures.

**MR HUMPHRIES:** It does not have to be included in the figures, Mr Moore.

**Mr Moore:** That is what I said. I did not include it in the figures I presented. Are they in the ball park or are they not in the ball park?

**MR HUMPHRIES:** Well, you mentioned it for some reason so you obviously wanted to infer that there was some cost to the Government associated with this reshaping project as a result of that white ant damage. As I said before, Mr Acting Speaker, I am confident that savings made by this reshaping and by the reorganisation of the school system will more than pay for any costs incurred in ensuring that that reshaping project is completed.

**Mr Wood:** But you do not want to demonstrate it.

**MR HUMPHRIES:** I will demonstrate it clearly and concisely at the time of the budget.

**MR MOORE:** I ask a supplementary question, Mr Acting Speaker. Considering the Grants Commission estimated that the recurrent costs in the first year of the previous five school closures would be \$2.5m, how are you going to go anywhere near making it look as if your decision will pay for itself?

**MR HUMPHRIES:** Mr Moore has asked the same question in a different fashion. I can only give the same answer I gave before.

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### School Closures

**MR BERRY:** My question is also to the Minister for Education and I should add that this is the third question for the Opposition Labor group. The answer might involve figures so it might be difficult for Mr Humphries, but I am sure he will address himself to it. Which schools will need transportable units as a result of school closures?

**MR HUMPHRIES:** The fact which has not sunk into Mr Berry as yet is that the indication the Government can give of the use of transportables depends very largely on how many students are enrolled at the school. That follows pretty clearly, I think. Even Mr Berry should be able to work that out in the course of time. Until children actually enrol in the school - and this is only August; it is rather early for them to be enrolling for next year as yet - it is very difficult to come up with any exact and precise estimate of what the requirements are.

**Mr Berry:** Guess. Just a guess will do.

**MR HUMPHRIES:** Well I will give you a guesstimate if you just hang ten for a minute. Obviously there will be a requirement in some cases for transportables, assuming that all the students from closing schools were to move over to the so-called receiving schools. I would expect, for example, that one or even two transportables would be required on the site of the Hawker Primary School to accommodate all the students from Weetangera, where they choose to go to the Hawker school.

However, there is every indication that people make a range of choices on these matters and they do not always select the school that has been earmarked for them. I am confident that the number of cases in which transportables will be needed is, however, very small. The case I have mentioned is probably the only certain one where transportables would be required. Beyond that in most cases the already existing surplus capacity of our primary and high schools would accommodate the movement of students that we could expect as a result of this project.

**MR BERRY:** I ask a supplementary question. Would the Minister kindly tell the Assembly the cost of relocating a transportable to a new site?

**MR HUMPHRIES:** Again, Mr Berry asks the same question that I answered on Tuesday, Wednesday and Thursday.

**Ms Follett:** You must have some idea, come on!

**MR HUMPHRIES:** Of course I could tell you that particular figure, and I could tell you all the figures relating to this cost exercise. If I did I would be going back on what I said on Tuesday in this place - that I would be making that announcement in the context of the budget. Nobody asked you, Ms Follett, to announce your budget in August of last year.

**Ms Follett:** Well I did, I announced it in July.

**MR HUMPHRIES:** You did not announce it in July. You want me to announce it now.

**Mr Berry:** I raise a point of order, Mr Acting Speaker. Mr Humphries seems to have missed the point of my question. I am not interested in Mr Humphries foreshadowing the budget conclusions. What I am interested in is the cost of relocating a transportable to a new site. That is all I am interested in.

**MR ACTING SPEAKER:** My ruling there is that there may be some misinterpretation. Mr Humphries, does that clarification by Mr Berry assist you?

**MR HUMPHRIES:** No it does not, Mr Acting Speaker, and I submit to you there is no point of order. It is not a point of order to suggest that a particular question has not been answered. I heard Mr Berry in silence and I sat down; I expect the same courtesy.

**MR ACTING SPEAKER:** What number is your point of order, Mr Berry?

**Mr Berry:** This might take a moment. It is very clear that one is not allowed to debate points of order.

**Mr Kaine:** Then why are you debating them?

**Mr Berry:** No, I am not; he is. I raised it, he is debating it.

**Mr Humphries:** Mr Acting Speaker, I raise a point of order. There is no point of order in suggesting that I have not understood the question properly. That is not a point of order, and I seek to continue my answer.

**Mr Berry:** The standing orders say he shall not debate the subject to which the question refers. It is standing order 118(b).

**MR ACTING SPEAKER:** I do not believe he is debating the subject. He might not be answering it the way you wish him to, Mr Berry. I overrule your point of order. Please continue your answer, Mr Humphries. I thought there might have been a possibility of your misunderstanding his question. You maintain there is not, so, please continue your answer.

**MR HUMPHRIES:** Yes, I understood his question perfectly. I understood perfectly that he was seeking to have details of costings and saving arising from the schools reshaping project. I have already said many times in many different ways that the Government will provide that information in the context of the budget.

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### Influenza Vaccine

**DR KINLOCH:** Yesterday we were raising questions about gender equity and so forth. My question, which is to the Minister for Health, is to do with age equity. Those over 60 are especially concerned with this, although I am told those over 29 are also concerned with it! Earlier this year there were many reports in the media regarding a shortage of influenza vaccine in the ACT and the possibility of an epidemic during the Australian winter. Has there been the predicted outbreak?

**Ms Follett:** We have had that question before!

**MR HUMPHRIES:** Members opposite obviously are confusing this with an earlier question to do with whether there would be sufficient flu vaccines for an expected flu outbreak in Canberra this winter. Given that winter is now five-sixths over, I think it is appropriate to comment on Dr Kinloch's question.

In the last session members raised that question of the flu epidemic spreading from the Northern Hemisphere winter, and I assured the Assembly that there was no cause for concern. I passed on the advice of the Chief Health Officer as to when members of the community should consider vaccination. While there was an increased Australian production of the vaccine, high demand led to shortages and additional supplies were imported. Fortunately, there has been little influenza activity, either in the ACT or throughout Australia, to this point.

I commend the work of the community and public health workers for the part that they play in keeping the ACT influenza free. Unfortunately, there has been a disturbing fall-off in vaccinations in Australia. It is important that we ensure that even if there are not imminent threats of particular diseases, illness or viruses, we make the effort to properly vaccinate ourselves.

Mr Duby wants me to quote an extract from Choice magazine on the question of immunisation. I would be pleased to do so under other circumstances, but in view of the fact that members opposite are obviously bored and restless, I will not - - -

**Mr Duby:** Give me the rhyme!

**MR HUMPHRIES:** Mr Duby wants me to read the rhyme, so I will give him the rhyme. It comes from this month's Choice magazine:

To immunise or not to immunise - that is the question;  
Whether 'tis better to run the risk  
Of the dire effects of dread disease  
Or to grasp the benefits of vaccines against a sea of infections  
And by opposing end them?

To die, to be gravely ill -  
And to expose our children and ourselves to  
The heartache and the thousand unnecessary shocks  
That flesh can be heir to.

I will not continue, but that is the gist of what Choice magazine had to say on this very important subject of influenza vaccination.

### **School Closures**

**MR WOOD:** I direct my question to the Minister for Education. It is perfectly clear that the case the Opposition has been presenting is obviously winning because the Government will do anything to avoid answering questions. As I ask this question I would remind the Minister that he once read a policy document and vowed to stand by it. That document said - and I am paraphrasing here - that his party would return education decision making to an autonomous body. What has he done? He has rejected entirely the advice of the advisory body he set up. Can the Minister assure the Canberra community that there will be no more closures after this round?

**MR HUMPHRIES:** To answer the first part of the question first, I did not set up any consultative committee; I inherited a consultative committee and I was happy to consider its advice. In respect of giving decision making to an autonomous body, it is still the Government's intention to proceed with a green paper outlining our new structure for governing education in the ACT. I was prepared to issue that some months ago but in fact was asked by the school community, particularly the bodies like the Parents and Citizens Council and others, not to proceed with that document while the issue of school reshaping was on the table, lest those particular bodies were unable to cope with all the demands for consultation and discussion that that kind of green paper would demand.

I acceded to that request and I still have that green paper ready to go out. It will appear in the near future. In terms of whether schools will close again, I say with great certainty and confidence that the closures announced by this Government the other day are the only closures that will occur in the course of this Assembly.

### **School Bus Services**

**MRS GRASSBY:** My question is to Mr Humphries. What will be the capital and recurrent costs for providing new bus services made necessary by the closure of schools? How many new services will need to operate?

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**MR HUMPHRIES:** I have answered that question already - a dozen times.

**Mrs Grassby:** When did you answer it?

**MR HUMPHRIES:** I have answered questions about costings and savings. I have made the same answer to every one of those questions.

**Mrs Grassby:** But you have not answered my question!

**MR ACTING SPEAKER:** Order! I am advised, Mrs Grassby, that Ministers cannot be forced to answer questions.

### Canberra Times Site

**MR JENSEN:** My question is to the Attorney-General, Mr Collaery. I refer the Attorney to recent public statements by Mr Connolly about the issue of a fiat to Mr Wensing regarding the Canberra Times site. Would the Attorney care to comment on claims by Mr Connolly that he does not understand his power to issue fiat so that Mr Wensing can continue his case?

**MR COLLAERY:** I do not think Mr Connolly drives a Fiat, I think it is more likely to be a Saab; but his knowledge of the fiat is not all that strong! Certainly, Mr Acting Speaker, there was a report in the Canberra Times alleging that Mr Connolly said that I do not understand the fiat-granting power and that I should be issuing a fiat to enable a Mr Wensing to continue his challenge to the Canberra Times site decision.

A fiat is an instrument that enables an attorney to give status to a party. That party may not otherwise have that status to commence proceedings. Mr Acting Speaker, I have received advice today from my Law Office that my power as Attorney-General for the ACT does not extend to granting a fiat to Mr Wensing to challenge the Government's decision. The reason why I do not have the power to grant a fiat is that the fiat is directed towards a challenge relating to the provisions of the ACT Planning and Land Management Act 1988. That is a Commonwealth Act.

The reason why I do not have the standing to grant a fiat is that, as ACT Attorney-General, I only have a function to enforce the laws of the jurisdiction to which I act. As you know, Mr Acting Speaker, and as Mr Connolly would be well aware, I do not administer the Commonwealth law under which Mr Wensing seeks my fiat. Just to make this conclusive, I point out to the house that it has been held that the Attorney-General of a State cannot grant a fiat for the purpose of enabling someone to seek to restrain an alleged breach of a Commonwealth law. I can provide Mr Connolly with the case reference to that matter.

I am advised that the same principle must apply in the ACT. I will be sending a letter to Mr Wensing, formally replying to him on this issue. He might now care to seek advice from the Federal Labor Government as to whether it will assist him to challenge the Canberra Times site decision.

**MR JENSEN:** I ask a supplementary question. Has there been compliance with section 29 of the Planning and Land Management Act in this case?

**MR COLLAERY:** I understand that advice on that aspect of the issue is being sought from the Chief Minister's Department and I am awaiting advice on that. I will convey it to the house when it is available.

### **Hawker Primary School**

**MS FOLLETT:** My question is again to Mr Humphries, as the Minister for Education. There is no money involved here, so you cannot tell me you are just going to wait till the budget. The question refers to the Hawker Primary School. Are you aware, Mr Humphries, that the Canberra Bible Society leases a substantial part of the playground area at Hawker Primary School? Bearing in mind that you said earlier there would be a couple of demountables there as well, what provision will the Government make to ensure that there is adequate playground provision for the children who will move to Hawker from Weetangera?

**MR HUMPHRIES:** My understanding - and I have not confirmed this - is that the Bible Society does not have a lease in respect of any space it occupies at Hawker School. I understand that they use that space, but not under a lease. I will confirm that and if it is not correct I will advise Ms Follett accordingly.

I am instructed that the question of space is not a real problem in respect of the Hawker school. The school stands on a site which is about 3.5 hectares large. Although I have not been to Hawker school for quite a long time, I am advised that the grounds are more than sufficient to accommodate even two demountables and the number of students that would be expected if the whole of the Weetangera school were to move to the Hawker school.

**Ms Follett:** I do not agree.

**MR HUMPHRIES:** Well, I am deeply saddened to discover that Ms Follett does not agree with my view, but that is the advice that I have and if I have in any way misstated the position I will get back to Ms Follett.

### School Closures

**MR STEVENSON:** My question is to Mr Humphries and it concerns a request from a constituent. Has the Minister considered approaching the parents whose children are attending the schools which are to be closed or amalgamated and suggesting to them that they could pay extra fees if they wished to keep their schools open?

**MR HUMPHRIES:** The idea did briefly flit through my mind and I dismissed it very quickly because I considered it to be an idea with little merit. If we were to start charging particular schools on the basis of the fact that they were a particular size, I think we would have a very discriminatory policy developing in the Territory where certain people paid for government schools and certain people did not. That is not a satisfactory basis for discrimination. I am not prepared to endorse that approach. Also, I might point out that it has not been endorsed by any number of parents.

I was perfectly prepared to consider any proposal that was put by these school communities in respect of possible ways in which the Government might save money and many such suggestions came forward. But to suggest that we could save money by charging fees in certain government schools is not an acceptable one.

### School Closures

**MR CONNOLLY:** My question is to the Minister for Education. As a result of the announced school closures, what are now the greatest distances that children will have to walk to attend their new schools and how long will it take a six-year-old to walk those distances?

**MR HUMPHRIES:** My colleague, Mr DUBY, says that I should get you to try it to find out. However, this is not a test of mental age so it would not be terribly relevant.

**Mr Wood:** The parents are walking the kids to school now and they are appalled at what they have to do.

**MR HUMPHRIES:** Mr Wood jumps up and down every time I am about to answer a question. I do not know why he is not happy to have me answer these questions that I - - -

**Mr Wood:** Because you have no care, that is why.

**MR HUMPHRIES:** I have every care, Mr Wood.

**MR ACTING SPEAKER:** Order, members! If you want to chat amongst yourselves, I am sure Mr Humphries will be happy to just stand there and say nothing. Let him answer the question.



**MR HUMPHRIES:** I cannot say precisely what the longest distance would be in all those possible patterns. The way in which the question has been worded is somewhat loose, and it is possible that some children will be travelling, through choice, considerably longer distances than is envisaged for them. I cannot predict in all cases where the children will go or what they will do. I used to travel 15 kilometres to get to school when I went to school in Sydney, and that would be - - -

**Mr Wood:** You might have had transport. I wonder if you will be providing transport for people.

**MR HUMPHRIES:** I walked part of that distance.

I understand that the vast majority of the distances necessary for children to travel in these circumstances are still within the range of two kilometres for primary school students, and five kilometres for high school students. Those are the parameters in which schools have been provided for the most part up until now - not inevitably, but for the most part. Those are broadly the guidelines that will be applicable in this situation under these new arrangements as well.

Some children will be further than two kilometres from their school. In those cases, of course, the Government has to seriously consider providing buses. Until it is clear what the enrolments are like and issues of that kind have been resolved, it is impossible to say just what bus routes will be provided and when.

#### **Belconnen Remand Centre**

**MR KAINE:** Mr Stevenson asked a question yesterday in connection with a public servant in the Belconnen Remand Centre, Mr Peter Chivers, and, not being in full possession of the facts, I undertook to ascertain those facts. I would like to answer his question now. It had to do with whether or not Mr Chivers had been demoted from his position. I should note that in my letter to Mr Stevenson of 31 July this year I explained to him that the head of administration has statutory powers for initiating disciplinary action against public servants. In fact he is the only person that has such power in the ACT administration.

Mr Harris has investigated the matter of Mr Chivers and the response that was given through a Minister to some earlier questions, and he has satisfied himself that there was no intention on Mr Chivers' part to mislead the Assembly, his Minister or anybody else, and therefore no disciplinary action has been taken against Mr Chivers. I also explained in my letter that the relevant authority in such circumstances is the Commonwealth guidelines on official conduct and that these guidelines take into account parliamentary traditions and conventions.

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The responsibility for recruitment and selection of senior executive staff rests with the head of the administration and the Commonwealth Public Service Commission, and Mr Harris has advised me that Mr Chivers was acting in the position of Executive Director, Community Programs - that is, position number 7922 - in the Housing and Community Services Bureau on 29 June 1990. The position was advertised in December 1989 and, following the normal procedures for selection of staff, on 5 June 1990, Mr Harris recommended the promotion of another officer to that position.

The Public Service Commission advised us on 6 June 1990 that his recommendation had been approved and the events referred to by Mr Stevenson occurred on 7 June 1990. So the decision that Mr Chivers would not occupy that position on a permanent basis had in fact been taken before the events that you referred to me had taken place and had no relationship to those events at all.

### **PERSONAL EXPLANATIONS**

**MR CONNOLLY:** I rise on a point of order, Mr Speaker. I claim to have been misrepresented during question time, and I seek leave to make a statement.

**MR ACTING SPEAKER:** Please proceed.

**MR CONNOLLY:** In answer to a question from Mr Jensen, the Attorney-General claimed that in a press release, which was accurately reported by the Canberra Times, I said that the Attorney-General should have issued a fiat for Mr Wensing. In fact no such statement was made. What was said was that the Attorney-General had misunderstood his role in considering whether a fiat should have been granted.

The basis for this was that Mr Wensing wrote to the Attorney-General requesting a fiat to intervene in the Canberra Times site redevelopment issue. The response that Mr Wensing received from the Attorney-General was a letter signed by the Attorney-General. I do not have the papers with me, but it referred to Mr Wensing's letter and said, in effect, "as this is a matter of portfolio concern to the Chief Minister, I have passed the letter on to him for response".

It was on that issue - that is, whether the Attorney-General himself should consider the application for a fiat or pass it on to a Minister of portfolio responsibility - that the press statement was issued, and Mr Campbell, of the Canberra Times, accurately reported those views. Whether a fiat should have been granted in the case was not a matter of my concern. I am pleased that the Attorney-General has properly taken legal advice on the matter and the legal advice would seem to be that it is inappropriate for a fiat to be issued.

The misrepresentation, however, was that I said a fiat should be issued. I did not say that. I said that in considering whether to issue a fiat, the Attorney should act himself and should not pass the matter on for policy consideration from another Minister. I would also add that I drive neither a Fiat nor a Saab but a rather old Mitsubishi!

**MR HUMPHRIES:** Mr Acting Speaker, I claim to have been misrepresented and seek leave to make a personal explanation.

**MR ACTING SPEAKER:** Please proceed.

**MR HUMPHRIES:** Mr Berry issued a press release dated yesterday. I suspect he probably has not got his act together, and does not know which day of the week it is, because the release came out today. In it he says:

Health Minister Humphries said in the ACT Legislative Assembly in March this year that the cost of the project -

that is the hospital redevelopment project -

would not exceed \$154 million and that Royal Canberra Hospital would close.

At the time of the Minister's statement I said that the costings were \$41 million out on the Government's own estimate. Now a Finance Sub-committee Report has confirmed that in four months, the budget has blown out in excess of a massive \$40 million...

That, Mr Acting Speaker, is simply and utterly untrue. There is no budget blowout in respect of the hospitals redevelopment project. I have every reason to expect that the hospital project will come in on budget and that will be on the budget of 154 million June 1989 dollars. Thanks to the Hawke Government of course, we have to deal with inflation. However, that figure stands firm. What we see here is another tawdry unmitigated lie by Mr Berry.

**Mr Berry:** Did he say, "a lie by Mr Berry"? I think "lie" is probably a bit over the top.

**MR HUMPHRIES:** It is entirely appropriate.

**MR ACTING SPEAKER:** Yes, lying is over the top.

**Mr Kaine:** I do not think so. If he publishes a lie in a public media statement, it is a lie. It stands on its merits.

**Mr Berry:** I think you ought to withdraw it, Gary.

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**MR ACTING SPEAKER:** Yes, according to the House of Representatives Practice, which I am referring to, would you withdraw the word "lie"?

**MR HUMPHRIES:** I will withdraw the statement if Mr Berry withdraws the press release.

**Mr Berry:** I would suggest that you pop outside and say it.

**MR ACTING SPEAKER:** Sit down, Mr Berry. Just withdraw the word "lie", Mr Humphries. On the precedents I am following that does appear to be unparliamentary.

**MR HUMPHRIES:** In deference to the practice of this parliament, I withdraw.

### **PAPER**

**MR COLLAERY** (Attorney-General) (3.22): Pursuant to section 31B of the ACT Institute of Technical and Further Education Act 1987 I table for the information of members a paper granting an extension of time to forward reports.

Interpretation Act - Statement relating to the extension of a specified period for the presentation of periodic report - ACT Institute of Technical and Further Education - Report 1989.

### **SCHOOL AND PRESCHOOL CLOSURES Discussion of Matter of Public Importance**

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

The threat of the Alliance Government to the government education system in the ACT with particular reference to the proposed closure of preschools as well as the announced closure of the primary and high schools.

**MR MOORE** (3.22): It gives me pleasure to speak on this particular matter so that we can continue the pressure on the Government in the hope that at least one or two of the members - in fact in the hope that at least two of the members - will finally realise the reaction of the community and the lack of integrity in their own decisions and will take the appropriate action and cross the floor on the Bill presented by the Labor - - -

**Mr DUBY:** Illustrious Leader of the Opposition.

**MR MOORE:** The Bill will be presented by the illustrious Leader of the Opposition; thank you, Mr DUBY. I think it

is very important that members understand the significance of the government education system. That lack of understanding was demonstrated most clearly by Mr Stevenson's question a little earlier when he suggested that there may be some sense in some parents paying extra school fees.

The reality is that an equitable education system right across government and private schools provides the opportunity for social mobility. While providing that opportunity for social mobility, it concentrates on individuals. It means that individuals, no matter what the wealth or lack of wealth of their parents, have an opportunity to get a viable education, a valuable education, an education of the standard that will allow them to be on an equal footing with any other individual in the community. This benefit is not just a benefit to the individual but is, of course, a benefit to the community. When every individual is provided with the opportunity to fulfil their own destiny and to get the best out of what they can offer to the community, then we have the opportunity for the community to reap the benefits of that education.

One thing I will say about the ACT education system up to now is that the government education system has provided at least an equivalent, and in most cases I would argue a better, education than the private education system. But I accept that that is a debatable point. What the move by the Alliance Government does here is to residualise the public education system in the ACT. By residualising the public education system in the ACT we will see a lack of opportunity for individuals to reach their own potential. That is what this is about.

I am concentrating specifically, Mr Acting Speaker, on preschool education benefits. I have spoken previously in the house about the Parry preschool report and so I shall not repeat that. If somebody would like to look at that, by all means look back through Hansard when I spoke on preschools last year. Mr Humphries also spoke and fought so hard to protect preschools last year. I will go instead to a paper which talks about preschools and I quote:

The Special Features we wish to be retained and to be strengthened.

Firstly:

Positive parent/teacher relationships fostered for the benefit of children, through shared efforts to keep the pre-school in good working order, through personal contact, home visits, informal discussions, through newsletters, and monthly meetings.

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The second point is:

The pre-school is a small place where primary attention is given to children's rights -

it is a shame Mr Stevenson is not here -

and needs, where children are encouraged to take initiative in inventing activities.

The third point:

The pre-school is a small place where for children there are new people to get to know, living things to care for and understand, where feelings of all kinds are acceptable and are allowed to be shown.

This paper was presented to a group of parents by Mrs Anne Murray, who was in the Education Department in 1981, and I will be quoting from it more extensively. Its emphasis is the importance of the small preschool, the surrounds, the feeling of comfort that the children have.

If you were to take the other extreme of education in our compulsory education system, if you go to the high schools, you would expect the sorts of things that Mr Humphries is talking about, curriculum options and the range - - -

**Mr Jensen:** You mean non-compulsory.

**MR MOORE:** No, I said the high schools.

**Mr Jensen:** I thought you said college, sorry.

**MR MOORE:** This applies even more with the colleges. But look at the high schools where you expect people to be much more independent. You expect them to deal with a range of teachers and a range of subjects. That is fine. Somewhere in the middle goes the primary school. One of the great advantages in primary school education, especially for the younger children, is the smaller school, because it is that smaller school which provides the same sorts of things that Mrs Murray is talking about for the smaller children, so they are not overwhelmed by larger schools. This is something which I believe Mr Humphries has been unable to cope with and something that he has been unable to wrap his mind around.

Mrs Murray then went on to say:

Pre-school Consultants, and other professional staff are able to offer advice on the most suitable programs for children, through observation, and a background of experience and specialist knowledge.

Then she goes on:

Buildings and playgrounds are designed imaginatively and are planned for young children on the basis of appropriate and recognised standard.

That includes, for example, those little toilets that you see in preschools. One of the disadvantages of attempting to move preschool children into a primary school is that if you do not provide for them the sort of toilet facilities they are used to then the teachers are going to spend a great deal of their time mopping up the urine from around the toilet. Preschoolers - and I have one myself - are apt to be distracted while they could be concentrating on other things. I have seen myself that if I talk to my young son he then turns around while he is talking and forgets that he was actually pointing his penis down into the toilet.

**Mr Wood:** Do you mind?

**MR MOORE:** Not at all. I hope you do not object to the word "penis"; it is a normal word.

**Mr Humphries:** This conversation is a bit lurid.

**MR MOORE:** One of the things that is most important is toilet facilities - and we need to talk about these things, Mr Humphries, because they are very expensive. The toilet facilities for preschools are most important. The next point that Mrs Murray raised was this:

Pre-schools are staffed by qualified pre-school teachers and by suitably qualified or experienced pre-school assistants.

**Mr Humphries:** Is this relevant to anything we are talking about?

**MR MOORE:** It is certainly relevant because there Mrs Murray set out the importance of the preschool and the importance of the planning of the preschool in terms of its own location, in terms of - - -

**Mr Humphries:** No, she does not say that.

**MR MOORE:** Mr Humphries interjects that she does not say that. I am going to take the time to read a little piece again:

Building and playgrounds are designed imaginatively and are planned for young children on the basis of appropriate and recognised standards.

So she certainly does say that. Mrs Murray goes on to talk about integration:

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However, the majority of pre-school services throughout Australia have maintained their autonomy, because they are not controlled by Departments of Education.

As indeed was the case in Canberra prior to Mr Willmot - Dr Willmot taking over. That is right; I forgot about his honorary degree. She continued:

In recent years, and in the past 12 months in particular -

she is referring to 1981 -

some sections of the education system - - -

**Mr Humphries:** On a point of order, Mr Temporary Deputy Speaker: I think that the slur Mr Moore has made on a very fine, upstanding public servant ought to be withdrawn. There is nothing honorary about Dr Willmot's doctorate.

**MR TEMPORARY DEPUTY SPEAKER** (Mr Jensen): Yes, I take your point. Mr Moore, I ask you to withdraw.

**MR MOORE:** I withdraw any inference at all and request that Hansard remove the statement if it can.

**MR TEMPORARY DEPUTY SPEAKER:** Mr Moore, would you resume your seat for a moment, please. Might I remind members that it is not appropriate to make statements like that knowing full well that they will have to be immediately withdrawn. I request members to remember that when they are speaking.

**MR MOORE:** Mrs Murray continues:

In recent years ... sections of the education system in Canberra have been recommending the integration of pre-schools into Government Primary Schools.

We are talking about 1981:

Sceptical people could say that the sudden surge of support ... may come from school boards seeking to increase enrolment numbers and thus retain Band 4 Principals, as declining numbers in schools makes pre-school groups ... popular ...

However, she goes on to argue that:

Pre-school teachers, pre-school administrators do not support this move. We believe that the Canberra community of parents ... does not support it either. Experience in other States and the Northern Territory has clearly demonstrated that when integration has occurred the following situations occur -



and let us remember Mrs Murray's position in the department -

. huge reductions in parent/teacher co-operative involvement -

I am happy to give you the paper, by the way, Mr Humphries -

. control of pre-schools by persons almost always with no practical experience or theoretical knowledge of pre-school education.

. staff who are not necessarily pre-school trained.

(At this time -

And this is 1981 -

the ACT is the only system which employs early childhood teachers only on a permanent basis in pre-schools.)

. Teachers flexibility in introducing programs based on children's needs and abilities, and their own teaching philosophy negatively influenced by the larger school curriculum biases;

. Contact between other professionals, eg, nurses, doctors, social workers and even pre-school advisors and teachers dependent upon Principals' own views and agreement; and,

. Parent/teacher interviews for the enrolment of children discontinued. Principals or persons in promotion positions taking responsibility for the initial contact between children, families and the schools.

(Quorum formed)

I will move on now to some of the inadequacies of your department. I said at question time that I would be attacking the department and I intend to. That is one of the reasons that we have parliamentary privilege, so that members who feel there is a wrong that needs to be corrected or need to say something can do so without fear of reprisal.

The Education Department in its advice to you has been totally inadequate and you as the Minister should do something about it. The Preschool Task Force is one of the best examples. I shall start with the Preschool Task Force report that has now been recalled, and quite rightly so, too. If you look at the Preschool Task Force report and

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the information that was clearly provided by public servants, I have highlighted some of the mistakes and you can see there are simply hundreds of them. It is totally inadequate. What it means is that the actual report itself is not worth bunkum because it relies on a tremendous amount of data that is clearly shown to be totally and absolutely inadequate.

But even worse than this is the total lack of ethics in publishing that report and not including in it the minority report of Mr Ellis who was on that task force. This is an absolute indictment of the inadequacy of your department and I think it is time, Mr Humphries, that you looked to the upper echelons of your department and went through it with a scythe. What we have seen recently is a tremendous number of actions throughout the ACT and in our schools that are a result of that department.

Let me read to you from Mr Ellis' minority report, from the section that he calls, "Secrecy".

It is a cause of great concern to me that much of the proceedings of the PTF will remain unknown to most Canberra people. PTF meetings were originally open, to the extent that minutes were taken and circulated and members could discuss issues with their organisations.

He then goes on to talk about the secrecy and the lack of information that is available to the public.

Let me remind you that this education system was an education system of parents, of the people, for their children. What we have now, and it has happened since Dr Willmot took over administration of the Education Department as it is now, is something that has got nothing to do with parents at all. It is an administration of bureaucrats and public servants who hide behind the information that they are prepared to keep to themselves. The results of this are the sorts of decisions made by your Government about closures of schools and your announced closures of preschools. If all the information was available to the public it could be challenged, but instead we have an entirely inadequate department that you, if you had any guts as a Minister, would take to with a scythe.

Let me use a specific example. Let me say this about the department. I have no doubt that in that department there are many well-intentioned and very competent officers, but I also have no doubt that their hands are tied and their own reputations are sullied by those officers who have not got any idea of openness and dealing in a frank and straightforward way. Let me say that in saying that I am not specifically referring in those points to any person that I have named here today.

**MR TEMPORARY DEPUTY SPEAKER:** Order! The member's time has expired.

**MR HUMPHRIES** (Minister for Health, Education and the Arts) (3.38): It is unfortunate that some people on the other side of the house find it necessary to sink to the depths that we have just heard in order to make a point about education, particularly given that the point they are making in the course of those comments - - -

(Quorum Formed)

I can understand the embarrassment that Mr Moore faces that causes him to have to call for a quorum.

**Mr Moore:** No embarrassment whatsoever. No more so than yours.

**MR HUMPHRIES:** I would be embarrassed, too, if I made those sorts of statements in respect of public servants in the ACT. I think Mr Moore's attitude stinks. I think it is low, cowardly and it stinks.

**Mr Moore:** I think your attitude stinks. I think it is low and cowardly because you will not do anything about it.

**MR HUMPHRIES:** I think this particularly because he is, on the question of preschools, so absolutely and utterly wrong. He is absolutely and utterly wrong and I will tell you where you are wrong, Mr Moore. First of all, you talk about - - -

**MR TEMPORARY DEPUTY SPEAKER:** Order! Mr Humphries, might I request that you address your remarks through the Chair rather than across the chamber.

**MR HUMPHRIES:** Yes, Mr Temporary Deputy Speaker. First of all, Mr Moore is wrong about the figures in that report. It is true that some mistakes were made in the course of that report. Many of them, I am told, occurred through a mistake in the transmission of information from one document to another. This was not the fault of any senior bureaucrat or other person in the department whose responsibility is to check the accuracy of figures in terms of checking them from their sources, but rather the responsibility of some typist or other person whose only responsibility was to transfer them from one document to another. To attack those people, as Mr Moore has done, is just low; it is simply low. What is more, Mr Moore says that the document can be impugned because of those mistakes. He is obviously unaware that the Canberra Pre-School Society has endorsed the document notwithstanding those mistakes. It came out and said the document was still substantially accurate notwithstanding those mistakes that had occurred.

I think in these circumstances Mr Moore owes an apology to the public servants who helped prepare that report. Obviously it was wrong for mistakes to appear there in the first place, but to suggest the mistakes materially alter

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the thrust of the report is quite wrong and ought to be withdrawn promptly. I expect to see Mr Moore rise to his feet at the end of my comments, if he has any guts.

The second comment is in respect of this so-called minority report by Mr Ellis. My understanding of a minority report is a report given by a person who dissents from the majority report. Mr Ellis was present at the time the committee met on the final occasion to approve the final version of the report. Incidentally, that raises another point; when Mr Moore says that the figures are wrong, and impugns that, he is obviously impugning all the people who sat there on that final day of that meeting and discussed the contents of that report and accepted the contents of that report. But put that to one side.

Mr Ellis, as one of the members of the task force, was present on that occasion. He did not dissent from any of the recommendations made by that report. He took part in discussion and debate on what those recommendations should be. Mr Ellis was asked whether he consented with those recommendations and to my knowledge he agreed. After the report had gone through the process of being printed and prepared, Mr Ellis subsequently approached Mrs Murray, the chairman of the committee, and said that he wished to put in other remarks, other comments. She explained it was too late to incorporate those in the body of the document because it was at such an advanced stage of printing. That is my understanding. She then took the report separately and supplied it to me separately. That is not a minority report. Mr Moore's terminology is wrong and he is quite out of order.

I want to get back to some of the substance of what was debated during the course of that debate. I think that Mr Moore's attack unfortunately seems to ignore the fact that there are people in the community who are more willing than he is to accept that the situation is bad in respect of the provision of services in education in the Territory and that things have to be improved. Particularly important is the fact that there has been an acceptance on the part of the preschool community that the Government is entitled to take action in this area to consolidate the number of preschools in the Territory and to save money by the closure of some preschools. The Canberra Pre-School Society has written to the Government indicating that it is prepared to consider the closure of preschools.

**Mr Moore:** Under what circumstances and with what qualifications?

**MR HUMPHRIES:** I am happy to table the letter from the Canberra Pre-School Society at the end of this debate, assuming that the society is prepared to agree to that; that is the only qualification that I put on it. It said in that document that it is prepared to accept the closure of up to six preschools.

**Mr Moore:** With what qualifications?

**MR HUMPHRIES:** You will see when it is tabled. It is prepared to accept the closure of preschools, which you apparently think is not possible. What is more, Mr Acting Speaker, the Canberra Pre-School Society has entered into negotiations with the Government. I can now advise the Assembly that the society has accepted that eight preschools should be allowed to close at the end of this school year.

**Mr Moore:** That's disgusting.

**MR HUMPHRIES:** It may be disgusting, but those in the society are prepared to sit down and consider realistically the problems facing preschool education and education generally in this Territory. Mr Moore and his acolytes over there obviously are not.

**Mr Wood:** I'm not an acolyte. Withdraw that.

**MR HUMPHRIES:** I withdraw the reference to Mr Wood being an acolyte of Mr Moore. Mr Wood has much more sense than to be in that position. Mr Acting Speaker, we have heard all sorts of twaddle from Mr Moore. I am sure that we are all very edified to hear how his son pees on him and things like that.

**Mr Moore:** I didn't say that at all. On a point of order, Mr Acting Speaker; that is certainly not what I said.

**MR HUMPHRIES:** The point is that Mr Moore's conception of education is wholly inaccurate. I want to refer to some of the things that he said, which simply are not borne out. This is not really to the point of the debate, but he referred to public education being better than private education. I would not want to denigrate non-government schools in that fashion. I think that is an entirely unfortunate reference. I also might point out that the evidence does not point in that direction. Of any State or territory, the ACT has the highest proportion - by quite a lot, in some cases - of children in non-government education.

**Mr Berry:** You are in trouble.

**Mr Moore:** It will go higher, Gary, with your sort of move.

**MR HUMPHRIES:** That has been the case, despite eight years of Labor government. It has not changed in that time.

**Mr Berry:** It has not been a Labor government. We had a Labor government here for just a few months before you tore it out of our hands.

**MR HUMPHRIES:** You have had eight years of Labor government in this Territory, Mr Berry.

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**Mr Berry:** There has never been government in this Territory. Don't you remember, you dill?

**Mr Kaine:** There is an acknowledgement - there was no government here before!

**MR HUMPHRIES:** Apparently the Territory has not been governed for the last eight years! That is an extraordinary proposition. The Territory has not been governed, says Mr Berry. We all know otherwise. We are not all as stupid as Mr Berry. We know perfectly well that the Territory has been governed for most of the last eight years by the Australian Labor Party, under a gentleman called Mr Hawke. I can see that Mr Berry is embarrassed. He has been caught out saying something that was obviously and patently stupid. We all understand why he is blushing a bit at the moment. In the last eight years the Territory has experienced a trend towards non-government education. So for Mr Moore to assert that private schools were better or worse than public schools is simply not a tenable argument to run.

My department, I believe, has handled the issues connected with this matter in an exemplary fashion, and I stand by its work. I think it is extremely unfortunate that Mr Moore cares to bring into this debate the personalities of particular public servants. I would even be prepared to accept that attacks could be made on the general nature of the public service, or even of a particular department, but to attack particular people by name is low and shameful.

Mr Acting Speaker, we have a challenge facing us in the area of preschool education. Mr Moore's matter of public importance refers to problems in the service delivery of that education. Over a number of years, during which, according to Mr Berry, there has been no government in the Territory but during which I say that there was a Labor government in the Territory, there have been falling participation rates in preschool education. That indicates very clearly that there are problems with the current delivery of services, and that indicates that we ought to be taking action to rectify that problem. May I have some silence please, Mr Acting Speaker?

**MR ACTING SPEAKER:** Order, members! Let Mr Humphries have a go.

**MR HUMPHRIES:** The Government is determined to address this in the context of the current community needs. That is why we are talking about changes in the area of preschool education. As I indicated before, we have had useful discussions with representatives of the Canberra Pre-School Society, and I understand their position in terms of preserving the quality of Canberra preschools. It is an ambition that we share. I am very pleased to say that, in the context of that mutual understanding, we have reached agreement regarding the number of preschools to be closed in 1991. Those closures will significantly reduce costs

and enable recurrent savings to be made, in addition to the revenue raised. Preschool services are not being reduced; I emphasise that. Six preschools are to be relocated in local primary schools, and two preschools will close within a cluster arrangement. It is anticipated that this cluster model will be reviewed, and sites could be redeemed.

Also in the matter of public importance proposed by Mr Moore there is a suggestion that the quality of preschool education is in some way at risk. Again, I reject that kind of argument. I believe that the changes will enhance the quality of preschool education. The Government believes that in the delivery of preschool services it is preferable to address the costs related to facilities rather than reduce the quality of the education.

When Mr Moore quoted extensively from the document referring to a debate that was held some years ago he conveniently forgot that in the last few months we have had, working very hard and diligently, a preschool task force which produced, as far as I am concerned, a unanimous report. It indicated that it was entirely appropriate for the Government to consider various options by which to improve the cost efficiency of preschool education in the Territory. That is what the Government now intends to do.

I think it is also worth pointing out that those communities which have chosen to talk to and work with the Government and to accept the premise - an unfortunate and unpalatable premise but, nonetheless, one that we all have to accept - that we need to save money in the education sector have been able to show considerable benefits for that cooperation and work. This agreement in respect of the preschool sector is evidence of that.

Implementation of the proposed closures deserves to be commented upon. In the context of those closures there will have to be careful planning to look at issues such as public convenience and the profile of the broad locality in which changes will occur. It is also obviously appropriate that we look at the references in the preschool task force report that was delivered late last month.

**MR ACTING SPEAKER:** Order, members! There is a four-way conversation going on between some members. If you want to have a conversation, go outside. If you want to make points of order, do so, but give the Minister a chance to speak.

**MR HUMPHRIES:** It is quite apparent that those opposite are embarrassed by their precipitate statements in this area. They ought to understand that this community is marching ahead of them. They are being left behind. The rest of the community is prepared to talk about the problems facing the ACT. Those people opposite obviously are not. The criteria that we used in respect of quality and other issues in the context of the preschool area paid particular attention to the quality of preschool education and the

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needs of the local and wider community. That is the framework in which this Government will be working to address the problems of efficiency and cost effectiveness.

Mr Acting Speaker, it is obvious that the Government is not marking time; it is moving ahead in these areas. It is attempting to secure a reasonable arrangement and to honour the promise that I have made, that the reshaping of schools, particularly the consolidation of school numbers in the Territory, will not be a process whereby only the compulsory years of schooling deliver savings to the Government. I have made it quite clear that there are other issues and other areas which the Government must be considering.

The suggestion has been made time and again by those opposite that the only place in which the Government is seeking to make savings is through school consolidation. That is not true. Savings will come from elsewhere, including the bureaucracy. I emphasise the statement that I made the other day, that savings, at least in the order of those expected from school consolidations, will be achieved in the context of restructuring of the education bureaucracy. Note that, Mr Moore. In the circumstances, every effort will be made to achieve the appropriate environment for savings across the board.

**MR WOOD (3.53):** At the outset I want to dissociate myself from those remarks that Mr Moore made about the education bureaucracy. I have had some experience in Canberra with that bureaucracy, as a teacher and as someone who worked in it. I am not merely defending myself, though; I did not work in it at a high level. However, I worked as private secretary to a Commonwealth Minister for Education for two years. All in all, I have had a deal of experience with that bureaucracy, and I have found it to be nothing but highly dedicated and competent. I think Mr Moore is grossly in error in what he says.

There may be problems - indeed, there are - in education in the ACT, but the source of those problems, the Minister, sits in this chamber, as do the people who back him up on the government benches. I was disappointed to hear the Minister say a moment ago that there would be some cuts in the educational bureaucracy. I think there is no scope for cuts there.

**Mr Humphries:** Where do you make savings?

**MR WOOD:** I do not think you could make them in that bureaucracy. It has been trimmed as far as it needs to be. I want to make some comments about preschools because that is a significant part of this MPI. Mr Humphries does not fully comprehend the difference that exists between preschools and primary schools. The fact that he often accuses the Follett Government of closing schools, because of some of the measures that we were considering in relation to preschools, exemplifies that lack of knowledge.



Preschools are non-compulsory and part-time, and considerable parent help is required to keep them operating. We need to observe that distinction. The Minister in the Follett Government undertook to provide a thorough report on preschools and engaged in wide community consultation. We had to look at preschools. At this stage we have agreed to trial collocation of preschools, a suggestion arising out of the task force report. We appreciate that many of those preschools are located adjacent to primary schools, and where that occurs it is fair to relocate - or collocate is the in word - the preschool with the primary school. No great inconvenience arises from that to the parents in that community. They do not have to travel any farther in order to get their children to the preschool. So we are agreeable with that.

We would have different attitudes concerning freestanding preschools that are farther from a primary school. We want to consider each one of those on its merits, so we will reserve judgment about the - - -

**Mr Humphries:** You won't have the chance. The agreement is with the Pre-School Society, not with you.

**MR WOOD:** I will certainly be commenting on what you say.

**Mr Humphries:** That is your prerogative.

**MR WOOD:** If you wish me to. You may not wish me to do so; I know you wish to avoid it. The Minister said that options were presented in the task force report. Indeed, they are. But if he closes a preschool after the removal of the children for a trial collocation he effectively removes an option. There would be no option because there would be nowhere to go back to. The trial would become a certainty.

I need to make some comments arising from recent statements made by the Minister about school closures, which again are referred to in this MPI. In the last week I have been reading through Hansard and reflecting on the debate, if that is what it has been, and on the considerable number of public meetings that he and I have attended, at the request of various communities. It becomes quite clear that throughout all this time the Minister has been evading the debate. He has been avoiding the issues at all times. This has been his stratagem.

He said constantly, "I will tell you the answer to that when I know which schools are to be closed". It has been said in this parliament over and over again in response to questions and in the debates - we have heard it again today - and time and time again at the various meetings that he has addressed he has answered a question, or not answered it, by saying, "When the time comes I will tell you". The time is long overdue, but we are still not being told. That has been his strategy, the way of getting

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himself out of the debate. It demonstrates the very serious weakness of his position. He has no arguments that he can sustain for closing schools.

The one argument which he uses time and time again and which the Chief Minister - I think it was yesterday or the day before - used in this Assembly is that we have to save money, that we are in such a tight position that we have to cut our expenses. That is the argument to close schools. I do not argue with the premise that we have to save money. We are in tight financial times; there is no question about that. The Follett Government accommodated that quite successfully last year. But it does not follow that the closure of schools will address that problem. A government has to be sure that it will save money by closing schools. The frustrating part of this debate is that Mr Humphries will not say whether we will save some money.

It has become fairly clear, because of the debate that has been forced on him, that in this current year's budget that is now just about prepared there will be no significant savings - probably no savings at all - as a result of school closures. Firstly, the one-off costs are so great that the fairly limited savings that are made by closing schools will be more than offset. Secondly, there are very limited savings to be made in the future, once those one-off costs are disposed of. The argument for closing schools, that we are doing this to save money, has no relevance because we will not save money.

This tactic of the Minister of stalling over and over again until it is too late is obvious. In today's Canberra Times I note a statement attributed to him. He can, by interjection if he wishes, tell me whether it is an accurate reflection. According to this, he says that he has a breakdown of savings from school closures and could issue all the information tomorrow if he decided to. Mr Humphries said that it had been a Cabinet decision that the details be included in next year's budget.

Finally, it seems that the Government has some figures. It has been forced out of it by the debate in this parliament and the community. We do not know how accurate they are. On all the evidence of what we have seen so far, I doubt that they will be too accurate, and that is the reason we cannot see them. As I picked up in something that he said in debate today, the Minister knows that if he releases them all his arguments will be shot to pieces. He is not game to produce them. He wants to sit on them as long as possible, so that nobody can use them in evidence against him.

**Mr Humphries:** You can shoot them down next month. They will still be as relevant next month.

**MR WOOD:** Yes, they will still be as irrelevant in one sense and relevant in the other, but another month or two will have gone by, closer to the closure of schools. These

figures will be shown, I have no doubt, to be ammunition in the hands of those people wanting to save these schools, and that is the reason that you refuse to give them; that is the reason that you have repudiated your earlier statement, which was made so often, that when the schools are known you would give them to us. You want to hide these figures.

**DR KINLOCH** (4.03): I thank Mr Moore for the comments that he made early in the piece. I agree with him about the excellence of our education system. I would not necessarily want to get into a debate about the excellence of the government vis-a-vis the non-government systems. Mr Moore and I have, in a sense, voted with our feet by having our children in the government system. There is a non-government education office in the Ministry for Health, Education and the Arts which has a concern for the non-government as well as the government schools. Non-government schools are built into the program of schools visits for the Minister and me. Tomorrow, for example, I will be going to a non-government school, the week after to a government school, and so on.

I very much agree with Mr Moore about preschools being a centre of the community. I applaud his recognition of Anne Murray's expertise in the area of preschool education. It is a great pleasure to have her in the highest ranks of our educational administrators.

Let us now come to the MPI, "The threat of the Alliance Government to the government education system in the ACT". I want to take up, firstly, the preschool task force report. I was chairing the consultative committee when James Dexter personally brought in the report and went through, with the committee, the glitchy errors that had been made in the report. The report was withdrawn but will be issued with those errors changed. I want to make clear and endorse the Minister's point that Dr John Thompson, James Dexter and the Canberra Pre-School Society have endorsed the essential recommendations of the report. I thought it was a tribute to the department and those involved and also to the community involved. It was not only "administrators", but there were about 15 people, as I recall, who worked on that report. I understand the point about the minority report, Mr Moore.

I would like to come to the question of the senior echelons of the division of education. I do not propose to deal with individuals, person by person or in terms of any one person, although I have been glad to acknowledge Mr Moore's recognition of Anne Murray. I want to say in general - and I join the Minister - that I admire and respect the work of those who administer education in this Territory over a very wide range of a huge number of schools.

Why should we be grateful to them and why should we therefore want to make this point in connection with this MPI? Firstly, there is flexibility. They were operating

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under one government, and then they moved properly and carefully to work under another government. That is what public servants should do, and they did that well. Secondly, there is impartiality. They give thoughtful advice under very difficult and changing circumstances. I would be very hard put to know whether they have individual political preferences of one kind or another or what those preferences are. One might know in some individual cases because of certain allegiances, but I would find it very difficult to see any attempt to be partial towards one political view or another. Thirdly, the Minister and I are essentially well briefed on an amazing range of subjects. If you could see them flooding in day by day, week by week, you would see what that department has to do. Fourthly, they have been personally helpful, reflective to us, and they carry out duties as asked, often under great pressure.

Included in the pressure has been this very great concern about the reshaping of schools. I pay tribute to that committee of five, which had a difficult task to do. They were all professional teachers, I would like to stress - some of them at primary school level, some at secondary and some who are in the administration but who were former teachers. It was a huge task digesting that material. We recognise that there have been glitches here and there. How could there not be, with such a huge task? Let us have some grace in saying thank you for the 99 per cent right rather than looking at the one per cent wrong.

I would like to give a typical example of the kind of commitment of the senior staff. Here I will give a case study, as Mr Wood rightly gave case studies yesterday. On a recent busy day one of the senior officers came with me as I visited, in turn, on the one day, Gilmore Primary, Isabella Plains Primary, Calwell Preschool, Calwell Primary School and, finally, Lake Tuggeranong College. I observed someone in that task who knew the schools personally and well, who knew the head teachers and often some of the other teachers in the school and who knew the particular dilemmas of the schools - the administrative, economic and social problems. It was a most rewarding time. That is only one example of how the senior echelon has helped both the Minister and me to come to terms with, understand and work with one of the biggest enterprises in the ACT, the division of education. It is a tremendous role that they play. Briefings have been steadily and responsibly provided.

I would also, in saying this, almost renege on an earlier comment. At one time I wondered about some levels of the senior echelons. I now see that it is very necessary to have those regional officers at this difficult time of reshaping of schools. I have seen them try to do their best to go to individual schools, individual teachers and do their jobs. Although Mr Moore may wish to attack certain individuals or certain members of the department, I am sure that if he could see the department in action day by day, week by week, he would recognise, as the Minister

also does, the tremendous work that they do. If I were putting up an MPI on education - I am sorry not to have seen this happen this week - I suggest that it be about the teacher at the workplace. I hope we have a chance to talk about that on another occasion.

**MR CONNOLLY (4.10):** Mr Acting Speaker, I am pleased to speak to this matter of public importance this afternoon because so far this week I have not had the opportunity to add my voice to the education debate. The Opposition regards this as probably the most serious issue to have come before this Assembly, and it probably will be the most serious issue to come before this Assembly for many years. I say "probably" only because the slashing of the health system in Canberra and the closing of Royal Canberra Hospital must also be there for consideration in terms of appalling decisions of this Government.

To turn the education system in this Territory around on its head is, in our view, the most appalling reversal of election promises to be inflicted on the inhabitants of this Territory. I have sat through this debate this afternoon expecting to hear a justification for the Government's decision, and that is not an unreasonable request. When a Government comes to office, particularly one that is made up of members of a party that had promised to retain a particular area of social infrastructure and retain the education system, not close schools, one would expect the courtesy of at least an explanation when that promise is reneged upon. All parties in Australian politics, even the National Party, apart from Sir Joh, would do that, but in this Assembly the defence for the closure of government schools is the Sir Joh defence, "Don't you worry about that".

If there were any possibility of convincing the Canberra community that schools had to close, it would be based on financial reasons. It would be because the Government was able to convince the community that the community could not afford the excellent public education system that we now enjoy. Labor rejects that view which is fairly easy to reject and refute because the Follett Government last year remained in office without closing any schools. As we heard the Chief Minister say on Tuesday and repeat yesterday, the budget for that period was brought in with a surplus. It is not a financial imperative to close schools, we most firmly say. It is purely a matter of priorities. You have to set your priorities straight. That is our view.

How could it be defeated by the Government? If it were prepared to go out into the community and demonstrate the financial necessity for school closures, it might just have a chance of convincing the community that it was right. Has it done so? Not a bit of it, Mr Acting Speaker. It has consistently refused to advise the Canberra community of the financial figures surrounding this school closure decision, and that is a most shameful approach to take to the ACT community.

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Throughout the last sittings of this Assembly - the first sittings since I became a member - when we all knew that school closures were on the horizon, Mr Humphries would say in answer to questions, "Oh, I'll tell you the figures when we've announced the closures", and he made a case that was at least logical. Mr Humphries said - and it would be difficult to fault him as a point of logic - "I can't tell you the figures until I know which schools are to close".

We were critical of that. We said, "If you are going to attack the community, if you are going to rip the heart out of communities and neighbourhoods by shutting the schools, if you are going to put children and their parents to extreme trauma, extreme discomfort, and disrupt their lives in a very fundamental way, you should at least have some targets". But Mr Humphries said, "I don't have to tell you about targets. I'll tell you the figures when I have made the decision as to which schools will close".

**Mr Wood:** There are a few quotes if you want them.

**MR CONNOLLY:** There are quite a few quotes. As Mr Wood has very assiduously gone through Hansard - - -

**Mr Wood:** No, I didn't have to be assiduous. They are pretty well everywhere.

**MR CONNOLLY:** That is true. Mr Wood would attack the task assiduously, but he did not have to do so. The statements are so easy to find that anyone can see them. That was the position at the close of the last sittings. We were told, "When we announce the schools, then we'll tell you what it costs". They have announced the closure of the schools, but they are not prepared to tell the Canberra community what it costs, and that is holding the community and this Assembly in contempt.

Mr Acting Speaker, I cannot think of any parliament in Australia in which a ministry would consistently refuse to justify the most important decision that it had taken. We were coming to the view, not unreasonably, that the Government simply did not have any figures, but that has been refuted today because the Minister clearly is quite proud to say that he has the figures but adds, "but I'm not going to tell you" - Sir Joh again, "Don't you worry about that. We'll tell you in the budget".

I heard Mr Jensen repeating that approach, "We don't have to tell you because it is a matter for the budget". That might have been an approach that you could try to flog in the community. The people would not believe you. They would throw it back in your face. They would say, "How dare you make this decision about our community? How dare you close our schools and affect our children without at least trying to justify it?".

But the Government blew even that today. My colleague Mr Berry has found out some very interesting information about what is going on in the health system, that other area that the Government is trying to destroy. He had a press conference this afternoon, and the press was very interested in what he had to say about those figures. What was the response from the Government when Mr Berry made some statements alleging very serious blowouts in the health budget, which would very seriously affect next year's budget? The Minister, Mr Humphries, who says, "I can't give you any figures on education because that is a matter for the budget, and if I gave you any figures on education it would give you an inkling about the budget", immediately was prepared to enter into that debate and talk about the figures for next year's health budget.

So there is no in-principle refusal to talk about budgetary matters. It is just that you are terrified to embark on a debate on the figures for school closures. The reasons for that are obvious. It is because this community in Canberra has got itself extremely well organised to fight your cuts.

**Mr Humphries:** Not health cuts. There were five people out there yesterday in relation to the closure of the hospital. That is a really big turnout!

**MR CONNOLLY:** You hold the community in contempt, Mr Humphries, and it will reciprocate most heartily at the next election. The Canberra community that is organising to fight these school cuts is probably the most articulate and intelligent public interest group one could ever hope to find. You know that as soon as your figures are released they will be torn to shreds by Dr Frances Perkins and all the other leading figures. But you hope you can just cling on with a little more time, that if we have to wait another month that will be another month in which the school communities will get a bit more dejected and a bit more depressed about the school closures. You are just not prepared to enter into the debate.

You made some public statements earlier when you said, "About \$2m". There were some public statements and we expected them to be amplified, but there were no more details than, "We think \$2m", a figure that was totally demolished by Dr Frances Perkins, I suggest. Even if it was not, even if that figure was right, even assuming that Dr Perkins is completely wrong and Mr Humphries' unjustified figure is totally right, how can he go out in the community and say: "We're going to do all of this for \$2m"? For less than one-fifth of one per cent of the Territory's budget, he will inflict on the community the outrage of these school closures.

That decision will haunt his Government until its dying days. What defence do we hear this afternoon of the decision to close schools? There was no defence at all, I suggest. All we heard was rhetoric. We did not hear any figures. We did not hear any reasoned decision why those

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schools had to close. The only justification that it could give - and Dr Kinloch did not even try to embark on this area - for the school closures would have to be argued on the basis of a financial situation, and it is not prepared to enter into that.

The best defence of the school closures came from Mr Humphries who said that this Government is moving ahead. It is like two lemmings, one of which says to the other, "What are we doing?". The response is, "I don't know, but at least we're moving ahead". This Government, lemming-like, is moving ahead on school closures.

**MR ACTING SPEAKER:** The discussion is concluded.

### **CONSERVATION, HERITAGE AND ENVIRONMENT - STANDING COMMITTEE Membership**

**MR ACTING SPEAKER:** I have been notified in writing of the nominations of Mrs Nolan and Mr Berry to be members of the Standing Committee on Conservation, Heritage and Environment. As I have received more nominations than there are places, a ballot to determine the committee member will be taken, pursuant to standing order 222. The bells will now be rung for four minutes, and a ballot will be taken.

The bells having been rung -

**Mr Berry:** Mr Acting Speaker, I seek leave to make a short statement in relation to my candidature for this position.

**MR ACTING SPEAKER:** Is leave granted? Leave is granted, but please do not take any more than about five minutes.

**MR BERRY:** I require only a short time, Mr Acting Speaker. I and the Labor Opposition will be even-handed about this, and we would be happy to grant leave to the other candidate.

**Mr Kaine:** Three minutes.

**MR ACTING SPEAKER:** He has five. I said five.

**Mr Kaine:** If he cannot say why he is qualified for it in three minutes, he does not get the job.

**MR ACTING SPEAKER:** No, I think I said five, Chief Minister, but no more than five. Carry on, Mr Berry.

**MR BERRY:** Mr Acting Speaker, this committee has played an important role, and will play an increasingly important role, in the future of this city in the areas about which it is concerned. In the past there has been some difficulty with the decision making process in that committee because of the requirement to reach consensus.



In the case of the Ainslie Transfer Station that resulted in some embarrassment for Dr Hector Kinloch. I guess that issue gave rise to a decision from government that it needed to expand the committee to reflect more its views in the delivery of committee recommendations. Mr Acting Speaker, yesterday we saw the Government attempt to - - -

**Mr Humphries:** It succeeded.

**MR BERRY:** And it succeeded - you are right, Mr Humphries, for once - in increasing the number of members of that committee to ensure that it had the numbers and would therefore not be embarrassed in the future by consensus. The Labor Opposition resisted those attempts and it attempted to expand the committee by one more member, in the hope that the Government might be even-handed in the allocation of positions to parties and individuals on that committee. The Government resisted that, which was an indication that it was not really interested in consensus at all; it was interested only in crunching the numbers.

**Mr Humphries:** As you'll do the next time you have a majority in this place.

**MR BERRY:** Which will not be a long time.

**Mr Humphries:** Is that a promise?

**Ms Follett:** It's policy.

**MR BERRY:** Yes, that is policy. Mr Acting Speaker, the reason I stand here today - and I am sure that I will get a fair hearing from those opposite - is to seek election to this committee. The Chief Minister, in particular, has often said - some may not believe him - that he is in favour of the democratic process. I would not wish to reflect badly on Mrs Nolan in her nomination to this position, but we are quite prepared to hear her arguments in support of her position, and vote accordingly, as I am sure the Government members will do.

I will not delay the ballot any further, Mr Acting Speaker, but I call on members opposite to consider the candidates carefully and ensure that the Labor Opposition is included with its other member in this committee so that there is at least some difficulty for the Government in terms of the delivery of decisions from that committee. After all, no matter what the committee decides, the Government has the numbers anyway.

**Mr Humphries:** Mr Acting Speaker, I seek leave to make a short statement in support of Mrs Nolan's candidacy.

**MR ACTING SPEAKER:** Mrs Nolan is not speaking, I take it?

**Mrs Nolan:** No.

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**MR ACTING SPEAKER:** Members, will we give Mr Humphries two minutes?

**Mr Kaine:** Equal time.

**MR ACTING SPEAKER:** He can have five minutes, but no more.

**MR HUMPHRIES** (Minister for Health, Education and the Arts): Mrs Nolan is a shy, retiring character, but she is a dynamo when it comes to hard work and energy. That is why I intend to support her in her candidacy for this important position on the Standing Committee on Conservation, Heritage and Environment.

My heart has been deeply moved by the comments that I have heard from Mr Berry today, and I was, for a fleeting moment, tempted to write "Berry" on my ballot paper. I have, however, thought better of that, because I realised that it would place my colleagues opposite, in the Australian Labor Party, in an embarrassing position. At some point in the future - I expect in the very distant future - members opposite will form a majority in this place.

### **Adjournment**

**MR ACTING SPEAKER:** Order! It now being 4.30 pm, I propose the question:

That the Assembly do now adjourn.

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

Question resolved in the negative.

**Mr Kaine:** You were fantasising about the future for a moment, Gary.

**MR HUMPHRIES:** Yes, I was fantasising about a possible Labor majority government some time in the future. Probably about the time that my grandchildren retire as members of the Assembly, it will be just about getting to the stage where it needs to take over.

**Dr Kinloch:** We need grandchildren for the schools.

**MR HUMPHRIES:** That is right; we do. At that point I am sure the new ALP government, under someone who has probably not even been born yet, will want to stack its committees of the Assembly with a majority of members. It will want a majority of members on the committees of that Assembly.

I am sure that the argument that it uses then will be that, as a majority government, it is entitled to have a majority of members on those committees. So as not to place the ALP

in the embarrassing position of having to reverse its position on that important question when it comes into government at some distant point in the future, I intend to support Mrs Nolan.

**MR ACTING SPEAKER:** Ballot papers will now be distributed. Will members please write on the papers the name of the candidate for whom they wish to vote. The candidates are, in alphabetical order, Mr Berry and Mrs Nolan.

A ballot having been taken -

**MR ACTING SPEAKER:** The result of the ballot is: Mr Berry four votes; Mrs Nolan 10 votes. Therefore, Mrs Nolan is declared elected.

### **ACT GREENHOUSE STRATEGY Ministerial Statement and Papers**

Debate resumed from 31 May on motion by **Mr Kaine:**

That the Assembly takes note of the following papers:  
ACT Greenhouse Strategy - ministerial statement, 26 April 1990;  
Developing an ACT Strategy to Respond to the Greenhouse Effect.

**MRS NOLAN (4.37):** When the Chief Minister launched Developing an ACT Strategy to Respond to the Greenhouse Effect in April, he outlined the importance of an overall vision for the environment and a set of principles to put this vision into practice. It is in this light, but related more to individual proposals, that I want to speak today.

The Government, in giving priority to balance in its first year of office, must clearly give priority to the greenhouse effect and to recycling, energy conservation and sustainable development. In view of this, I welcome the strategy statement. I think it is a very worthwhile document. However, I consider that not enough emphasis was placed on recycling or encouraging recycling at source. It is in relation to this area that I intend to address my comments today. On page 9, under the heading, "Promoting recycling", the document states:

The objective is: "To reduce waste production in society and increase recycling."

It goes on further to state:

This will help to conserve scarce resources and reduce energy consumption associated with the manufacture of replacement articles from raw materials. Recycling also helps to reduce the generation of methane gas, in the short-term,

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which is associated with the decomposition of materials.

It then goes on to list particular items. I think it would have been much more beneficial to the community to have addressed the basic problem and suggested action. It is simply not good enough to say that recycling facilities will be provided at convenient locations and then list them - glass, aluminium, et cetera. The problem should have been looked at in specific detail, and the detail listed today in the Government response to the inquiry into commercial and domestic waste management goes some way towards this.

I believe we are well placed to take action in relation to the greenhouse issue and, more specifically, the recycling issue. Of course that will require changes and will take time, as many of the things that we both enjoy and rely on contribute to the greenhouse effect. I share the view of many that, rather than having grand strategies in documents, we should be looking at ways for each of us in the community to address the issue and make changes to our everyday lifestyles. Governments must provide incentives for those changes. I want to come back to the issue of incentives a little later.

Those who drive cars - I must say that I am one - use open fires and barbecues and eat meat will continue to do so and enjoy it. But we are aware of their contribution to the greenhouse effect. However, we can tackle the problem in other ways. We know that if only one tree is removed from the garden not only is it obviously missing but also it becomes hotter, often noisier, and we are all aware that there will be less oxygen around the house.

Similarly, we are all aware that using minimum lighting and investing in good insulation will not only contribute to less electricity being used and reduced bills but also reduce the amount of carbon dioxide, one of the greenhouse gases about which we worry most. Likewise, encouraging people to contribute to recycling initiatives is made much easier if all products collected are reused or sold and reprocessed. Unfortunately, in Canberra many problems exist.

Newspapers would probably be the greatest contributor to household rubbish but, although we have a paper collection in place, most people are aware that the demand for discarded newsprint is low, and consequently there is a lack of incentive for people to participate. I believe it is time that government looked at ways of assuring those participating in the recycling program that the newsprint will be recycled.

At this point I would like to comment on a survey of community attitudes on recycling paper products from domestic sources in the ACT, which was put out by the ACT Institute of Technical and Further Education School of

Management. I commend the students involved in putting out that document. The report was prepared as a major project by students of the associate diploma of business management course which was conducted by the TAFE. It was printed on recycled paper and is a very good document. It looked at the community attitudes.

While 42 per cent of respondents presently recycle paper products in one way or another in the ACT, that figure could be much larger. I am sure that many of the people feel that when the paper ends up being dumped they do not have as much incentive to recycle.

It is time that recycled paper is used in the production of newsprint. None is currently used in Australia, but I am told that in Canada it is now used in about 45 per cent of newsprint. I am sure that there are other things that can be done. Indonesia takes a considerable amount of our recycled paper. Other markets could be sought out.

While it could be said that the success of the paper collection program has caused a glut, there is little point in encouraging participation if much of the newsprint that is being collected for recycling ends up being dumped, as I said before. The same problem occurs with plastics. Much work needs to be done on developing the market in the longer term if recycling of plastics is to be successful. Recycled plastic resin or a mixture of recycled and new resin could be used in many existing plastic applications. Similarly, food cans for recycling are not economically viable in the ACT. The cost of cleaning, detinning and transportation far exceeds the cost of scrap metal. These are the issues that need to be addressed.

I also want to mention car bodies and the problems that the average Canberran witnesses when visiting the local tip. They have a good market and their collection for recycling is viable and profitable, yet we have only to visit the tip to see how many end up over the tip face with normal household garbage. Unfortunately, the problem is that as soon as it rains normal household waste ends up at the top of the tip with the car bodies, and they are all pushed together over the face of the tip.

All these issues must be addressed in the short term. We must become serious about our end product. We must create an environment that is favourable for recycling. We must ensure that materials recovered have sufficient value to cover the cost of collection, and we must stimulate the market for recycled products. Consumers need to be encouraged to buy the end products from recycling. The Government should be using recycled paper wherever possible, and I am pleased to see that initiatives are in place to have that happen.

I believe we should adopt the recommendation of the public behaviour committee and introduce container deposit legislation. I saw this operate very well in Canada a

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couple of years ago. I also understand that in South Australia the Beverage Container Act 1975, which was introduced in 1976, has worked extremely well. I hoped that this issue would have been addressed in the response handed down today. The South Australian Act has consumers pay a refundable deposit on glass, plastic and aluminium cans, with a 90 per cent return rate. In the ACT the amount of glass sold in 1988 was about 12,000 tonnes - and that was quoted in the waste management report - but I think only about 1,230 tonnes was collected for recycling. So we have quite a way to go yet.

However, the recycling of aluminium cans is a much higher rate, at 63 per cent. The difference is probably due to the cash for cans program which is very successful.

In Victoria, the greenspot program has already been launched. It is a consumer awareness program to promote environmentally sound products. In England for many years some supermarkets have charged for plastic bags. In Victoria the Just Fresh chain pays customers 3c for every plastic bag that they bring to re-use. I understand that at least a couple of the Shoprite stores do a similar thing here.

**A member:** Superbarn.

**MRS NOLAN:** Superbarn, is it? A couple have just introduced a similar scheme here. While the mention of the greenspot labelling in today's response was very welcome, I am hopeful that it will become a national program, as it has been operating now for some time in Victoria.

Mr Acting Speaker, an efficient recycling industry can reduce the amount of waste, but we must also cut down the amount created. Governments must consider changing public perception by action that is more than strategy, which allows each member of the community to see the end benefit.

There are a couple of other points that I wanted to make, and one goes back to the response to the inquiry into commercial waste management and the proposal to investigate and report on the possibility of methane extraction plants being installed at both landfill sites. We all recognise the contribution that methane gas makes to the greenhouse effect, and I think that is something that should be done posthaste. It was very welcoming to see that mentioned in the report this morning. I understand that if we are considering setting up a new landfill site at any time it will be considered.

The other point that I want to make concerns the article in today's Canberra Times under the heading "Differing ideas on greenhouse" and the differing views coming from two groups - the Federal and State energy Ministers and their environment colleagues - about targets for reduction in national greenhouse emissions. (Extension of time granted) I would like to comment about these two reports, but

unfortunately I was able to obtain a copy of only one of them. Hopefully, within the next couple of days, I will be able to get the other one.

It was interesting to notice that the Australia and New Zealand Environment Council suggested the adoption of the target reduction of 20 per cent in carbon dioxide emissions by 2005, which was suggested at the Toronto conference in 1988. It is even more interesting to note that the ACT, New South Wales and Victoria are already there. That is great, but we do not have to stop at that target.

I am surprised that there is quite a difference in those two reports, according to what is reported in the paper today. It will be very interesting to see them because I think that, until we have a unified approach in looking at the greenhouse effect and come up with a unified strategy, it will be a difficult task. Actions speak louder than words and, while it is very good to see these reports, we now need to get on and adopt them.

**MR MOORE (4.48):** Mr Acting Speaker, I would like to start by complimenting the Government on producing such a comprehensive document as Developing an ACT Strategy to Respond to the Greenhouse Effect. It is a start, and this is recognised on the first page of the paper, which states:

This paper is released with the object of showing the stage reached in developing greenhouse initiatives for the ACT. An update of the strategies will be released regularly in the form of implementation reports identifying all relevant authorities.

Implementation reports are really the subject of much of what I want to say. By covering so many aspects of energy conservation, very little that is concrete has at this stage emerged from the document, and that is why we will have to wait for those implementation programs. For example, on page 8 the following are mentioned:

- promoting the use of public transport and multiple-use of commuter cars
- continuing to adopt measures to reduce traffic congestion
- encouraging fuel efficiency through analysing the feasibility of adopting fuel levies.

These are all laudable goals, but the document contains no date or, more importantly, method. How will the Government promote the use of public transport, commuter car-sharing and reducing traffic congestion?

In a perfect world, all the buildings would be designed correctly to conserve energy, and we would all share cars to work, if there is such a thing as a perfect world or if that is how one's perception works. But I am afraid that is not the case, and we are stuck with what we have. The problem is urgent, and the action needs to be taken now.

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This document, if I can quote the director of the conservation council in the ACT, is full of motherhood statements; it is weak and wishy-washy and does not do anything; it is simply not good enough. My reading is a little different from his because I accept that the wishy-washiness of it is to be corrected by the implementation programs that will be following it. So really what we have is an outline.

I must also point out that many of the actions proposed - for example, the recycling of waste and the promotion of public transport - are in direct conflict with government action taken recently. I refer particularly to the closure of the Ainslie Transfer Station and cuts to public transport.

The document does not adequately address the disposal of hazardous waste, which is a glaring omission. The phase-out of ozone depleting substances, such as CFCs and halons, is being encouraged by Commonwealth and State legislation. The Australia and New Zealand Environment Council aims to achieve an almost total phase-out of all ozone depleting substances by 1995. The waste which is taken out of use must be collected and destroyed and must not be allowed to be released into the atmosphere.

Although the strategy agrees with this, no legislation on the disposal of hazardous waste is suggested, beyond making an amendment to the Air Pollution Act, as mentioned at page 8. We must not lose sight of the fact that, while legislation is necessary, the formulation and passing of laws does not, in itself, achieve a better environment. Senator Puplick, in 1984, in the Australian Environment Council report, has shown that there were 37 Federal Acts and 279 State Acts, a total of 316 pieces of environmental law, covering different aspects of the problem.

He said that one would, of course, appreciate that the increase in the rate of passage of environmental law is in direct proportion to the failure in dealing with the problem of environmental pollution. Internationally, Australia was a participant in 45 multilateral environmental conventions and treaties and seven bilateral treaties, many of which were ignored by other countries at will. The challenge ahead lies not in changing the laws so much, but rather in changing the attitudes of people. To that extent, I agree with that good senator.

We should be starting with our children. The children are our future; it is a cliché, but it is true. We must educate them to regard their environment as being important. I am very pleased that, in February this year, Mr Humphries announced that his department of education developed a draft policy on environmental education in the school curriculum. Any threats to cut the ACT's only organised environmental education program - that is, the well regarded Birrigai program, would be short-sighted, to say the least.



We should be encouraging children to learn and care about their environment. We should be taking positive actions now to clean up the ACT. The Alliance has stated, on 31 January in the Canberra Times, that the ACT has the potential to act as a model for the rest of Australia. We use that example on many occasions; we have the opportunity and the power to lead the way, and we should make full use of that opportunity. We cannot do it just by making motherhood statements; it takes practical suggestions, and that is what the Canberra community is waiting for.

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

**Assembly adjourned at 4.54 pm until Tuesday, 14 August 1990, at 2.30 pm**