



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

16 August 1990

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MR SPEAKER (Mr Prowse) took the chair at 10.30 am and read the prayer.

PAPER

MR DUBY (Minister for Finance and Urban Services): Mr Speaker, I seek leave to present an out-of-order petition.

Leave granted.

MR DUBY: Mr Speaker, I present an out-of-order petition from 908 shopkeepers and shoppers at Kingston regarding the need to complete the paving to the Kingston shopping centre.

PAPER

MR MOORE: Mr Speaker, I seek leave to present an out-of-order petition.

Leave granted.

MR MOORE: Mr Speaker, I present an out-of-order petition from 415 students and residents requesting the Assembly to save Holder High School. There are a number of things I could say about Holder High School at the moment, but I think that, since the Assembly has given me leave just to present the petition, I will draw attention to the fact that there are so many things, and I should be able to mention those at another time.

SUSPENSION OF STANDING AND TEMPORARY ORDERS

MR COLLAERY (Deputy Chief Minister) (10.31): I move:

That so much of the standing and temporary orders be suspended as would prevent private members' business notice No. 21 being called on forthwith and, unless disposed of earlier, having precedence of Executive business for two hours, at which time the Speaker shall forthwith put

- (a) the question that the motion be agreed to; or
- (b) any other questions required to dispose of the business before the Assembly.

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There is in the notice paper for the Assembly an important item, and that is an item inserted there by Mr Wood of the Opposition. It is an item calling upon this Assembly to censure the Minister for Health, Education and the Arts for his "attack on the health and education systems in the ACT".

No responsible government can allow a matter of that nature to remain on the notice paper undebated. This Government takes the proper view that those issues should be debated forthwith, and that the Government clearly should seek to put to the Opposition that it put its case now while the issues are current and fully debate the issues and any response the Government has.

MR BERRY (10.33): Mr Speaker, the Opposition has no difficulty with dealing with the matter forthwith because, in our view, motions of censure should be dealt with quickly. However, we object to the - - -

Mr Kaine: Oh!

MR BERRY: Hang on, you have not even heard what we object to.

Mr Humphries: It is probably pointless anyway.

MR BERRY: Hang on. Just hold your horses, old fellow. We object to a limit being placed on the debate, and I therefore move the following amendment:

Omit the words "for two hours".

MR DUBY (Minister for Finance and Urban Services) (10.35): I think this amendment by Mr Berry is absolutely outrageous. I support entirely the concept of discussing the censure motion. I think that it is something that needs to be done, but to suggest that this matter cannot be dealt with in a matter of two hours is clearly ludicrous. We have been discussing this issue in relation to Mr Humphries for four days now and on many occasions when the Opposition has been given the opportunity to discuss the matter of school closures it has declined it.

Mr Wood: Never.

MR DUBY: Last Wednesday, remember, private members' business?

Mr Wood: That is a lot of nonsense.

MR DUBY: This was for the simple reason, of course, that they did not happen to have sufficient time to work out the, as usual, weak arguments.

MR SPEAKER: Order! Resume your seat please, Mr Duby. Mr Wood, if you insist on that behaviour I will have you removed. Mr Duby, please proceed.

MR DUBY: Thank you for your protection, Mr Speaker. As I said, they have declined to debate it in the past and now they want unlimited time to occupy the important time of this house with what is frankly, in my view, a motion that has been put by Mr Wood which has no substance. Two hours is ample time to be able to deal with this matter and to demonstrate the support and confidence that this house has in the Minister, my colleague the Minister for Health, Education and the Arts. Accordingly I am opposed entirely to Mr Berry's amendment.

MR WOOD (10.37): Mr Speaker, I support Mr Berry's amendment. We believe we would need more than two hours. I see this as a tactic by the Government, because it does not think it can get enough speakers up to support a longer debate. Let me rebut the nonsense of Mr DUBY's recent remark that we have avoided the debate. We have undertaken this debate on every occasion. We have great - - -

Mr DUBY: Except one.

MR WOOD: Okay. For the sake of the gallery, perhaps, let me explain that on Wednesday last week we introduced our Bill which we planned to deliver this week in the normal course of events.

Mr Collaery: You said it was urgent.

MR WOOD: It is an absolutely spurious argument on your part, Mr DUBY, to try to suggest that we avoided a debate on that occasion. We have raised this matter persistently in this Assembly, as we will do again today and as we will do in the future. So bear that in mind. Let us have more debate; let us see the Government not avoid the debate that we will put to it.

Amendment negatived.

Original question resolved in the affirmative.

MINISTER FOR HEALTH, EDUCATION AND THE ARTS
Motion of Censure

MR WOOD (10.39): I move:

That this Assembly censures the Minister for Health, Education and the Arts for his attack on the health and education systems in the ACT.

A censure motion is a serious motion. It is a style of motion that is not frequently proposed in any parliament. It is not one that we undertake lightly. It is regrettably a very necessary motion as the Opposition sees it as important to point to the mishandling of some very important matters in this Territory. I refer to the mismanagement and

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the incompetence of health and education administration in the ACT.

I will deal with education matters and you will not be surprised to learn that Mr Berry will be dealing with health matters. I do so on behalf of the Opposition but, more than that, I am speaking on behalf of the community that is dismayed and outraged at the actions of the Minister for Education - actions taken with the support, albeit reluctantly on some occasions, of his Government colleagues.

There was a time when I believed that the best Ministers were those who came to their ministerial job without any background of employment in that field. I do not believe that farmers, for example, make the best agriculture Ministers, or that educators - and there is a message here perhaps - make the best education Ministers, or indeed that lawyers make the best Attorneys-General. Too often people of that nature bring to their administration a background of interest, understandable interest, that hinders objective assessment of their new job. If a member without particular experience comes into an entirely new portfolio he can be entirely successful if he masters the complexities and the understanding necessary in that administration.

It is essential that a relative newcomer to a field work very hard to understand that field he comes to. This is the first failure of the education Minister - the first disastrous failure of Mr Humphries. He has simply never learned to understand; he has never set out to understand the ACT education system, or to value that system. It has been a very carefully constructed system; it is not some system that has arisen haphazardly over the years.

More than that, I do not think there was ever a thought in Mr Humphries' head that he needed to understand the system. This man, who aspires to be a senator - and the sooner he has a go at that the better - had so little judgment and so little wisdom that he could not conceive that he should understand the system that he had in his hands. Mr Humphries, let me tell you that this is a very carefully planned system. It is probably totally different to that in which you were educated. You had to get on top of it, you had to understand the system, to work out its philosophies and what it was all about. And you did not do that.

That was bad enough. But it was compounded by the fact that three months after coming to the office of Minister for Education, without any knowledge of it, the education Minister was proposing dramatic changes to the system - fundamental changes to this much valued system. He proposed to change a proven and philosophically sound system, an excellent system, with no serious thought as to what that system was setting out to do. That he did this in terms not ever expressed at an election is a display of

dishonesty that is rarely seen. Regrettably Mr Humphries has only a destructive vision for education in the Territory.

I will say that I respect Mr Humphries' determination - courage, if you like. He has fronted up to a great number of community meetings; he has faced those who oppose him in the community. So he has gained some respect for his willingness to do that. He has not avoided the people, let me say that. But he has avoided the issues. He has refused to debate the issues. Facing the people is one thing; but to talk, to engage in a real debate, is something else.

He has now well developed his strategy. Simply put, he will say, "We have to save money. I will tell you how we are going to do that. I will give you the details and the justification later on". At the start I suppose that was fair enough. He did not have that information; he did not know it. So he was being honest when he said, "I will have to tell you later". Page after page of Hansard, week after week of debate, tell us this: he accepted a proposition at face value. That was his second disastrous failure. He did not get on top of the specific issues, and he has been caught out because he does not know enough; because he did not challenge the advice that was given to him.

He did not, as a Minister should, inform and satisfy himself about the details. His colleagues know that. Did the Minister, back in March, provide them with details of careful planning for this dramatic change? Did he give them sound justification? Did he give them supporting documentation? Of course not. If Government members knew then what they know now, they would have said, "No". They wish they could go back in time to retract some of the authority that they gave to him.

Do they yet have the detail that is necessary? One of the less satisfactory features of the Minister is his obstinacy. He has been forced to retreat to this bunker of "It has to be; we have to save money; I will tell you the how and the why later on". He has never set out to get on top of the issues. As a result of that he has had to face what I see clearly as the humiliation of other people showing him how he should do his job. Long ago in this parliament we said to him, "Where is your planning?". Bear in mind that it is not a simple change he is proposing. He wanted originally to close 25 schools. I will tell you a story of how 25 was decided upon one day.

Ms Maher: Tell us now.

MR WOOD: No, I will stick to my script, thank you. Let me tell you, however, how he has been humiliated by other people and been told how to do the job that he does not know. Let me quote, from the Hansard of 6 June, part of Mr Humphries' reply in response to my asking him for information and how he can justify what he is doing. We were talking about Dr Perkins' figures, and he said:

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... and I intend to ensure, notwithstanding whatever might be said in the media, that we continue to work with Dr Perkins to establish common ground, common assumptions and common methodology to work out the extent of savings.

Let me repeat that last little bit:

... to work out the extent of savings.

So there we are. Dr Frances Perkins is teaching the Minister how to do his job. How shameful that is. Surely he should be censured for that alone. Regrettably, the Minister's confidence in his ability is not justified. He is causing havoc to this system. Even after all this long dragging out of information that we have had to do, it still cannot be got right. Schools are still coming back to the Minister saying, "Look, you just were not right. You have forgotten about these children". Those schools that he condemned are now showing where he was wrong. When are we going to get the data correct? He has forgotten these children - the hearing impaired children's unit at Weetangera; the special needs children at Rivett. Perhaps - I am not sure of this - the special group at Curtin South school simply was not recognised as located in that school.

And that says it all. The Minister has forgotten the children. That is his third and most miserable failure - he does not care for the children. He is to be condemned and censured above all for that. Mr Speaker, I wonder who has confidence in this Minister.

Mr Doby: We do.

MR WOOD: Not the community. I suggest to the Minister that he try running for the Senate, and he will see whether people have confidence in him. Of course, his party would not put him up because they know he could not get a third of the vote - that is all that is needed. For the first time Canberra would not have a Liberal senator. The people in the community have no confidence in him, whether they are parents or not. They have no respect for his administration - for that destructive administration.

I doubt whether Mr Humphries' colleagues have much confidence in him. Dr Kinloch has spoken, and may speak again. Will Ms Maher speak today? If and when Ms Maher speaks, will she talk about that meeting at the OEC that we both attended when experts from the community expressed so vividly the careful nature of the planning that goes into our neighbourhood schools - that whole concept? I wonder whether Ms Maher will express great confidence in the Minister. Maybe she will.

Will Mrs Nolan speak? If she speaks, will she do so with confidence? We remember yesterday when Mrs Nolan responded

with a "No" to that vote in a strangled and barely audible voice that so concerned the Chief Minister. I wonder whether today we will see a strong voice of confidence for Mr Humphries. What about Mr Stefaniak? Will you be speaking today?

Mr Stefaniak: Yes.

MR WOOD: I am pleased you will. Maybe, on behalf of the people of Weston Creek, you will speak strongly in support of this Minister - will you? - the Minister who is closing two schools in Weston Creek and maybe a third? What about Mr Duby? Does Mr Duby have confidence in his colleague?

Mr Duby: Absolutely.

MR WOOD: Yes, and that is what worries me most of all. And what about Mr Collaery? No doubt Mr Collaery will speak. Does he have confidence in Mr Humphries' administration? Does he have confidence in the driving forces behind education in the ACT? Let us see how well he speaks in support of his Minister. It is not surprising that Mr Collaery decided he would prefer this debate to be constrained to two hours.

Mr Speaker, Mr Humphries, nice fellow though he is, has been negligent in the administration of education in the ACT, and I am sorry to say that because of his attitudes he has been incompetent. As a result of that, his administration has been destructive. Mr Humphries deserves to be censured by this house.

MR COLLAERY (Deputy Chief Minister) (10.53): I move:

That all words after "censures" be omitted and the following substituted:

"the Labor Opposition for:

- (1) its deception and inconsistency on school closures; and
- (2) its attempts to alarm the public through misrepresentation of hospital development plans".

Mr Berry: Are you speaking to the motion or - - - ?

MR COLLAERY: I am speaking to the motion - and the amendment.

Mr Stefaniak: Everyone else will be too.

MR COLLAERY: And everyone else will be, as my colleague Mr Stefaniak says. Mr Speaker, it is timely, of course, that - - -

Mr Wood: Do you say you are not going to defend your Minister; you are going to attack the ALP?

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MR COLLAERY: I will be.

MR SPEAKER: Order, Mr Wood!

Mr Wood: Now, you give me a fair go.

MR SPEAKER: Order, Mr Wood, please!

Mr Wood: Well, let us understand what is happening here.

MR COLLAERY: What I do understand, Mr Speaker, is that Mr Wood's voice has broken over the school closure issue. We are hearing a lot more from him. Obviously he needs a bit more strength in his preselection for his party, because they dealt him out the other weekend, and he knows it.

The greatest deception and inconsistency of this so-called Labor Opposition is, of course, that they had a policy on school closures, which they coyly and constantly keep from the public. I was on the Pru Goward show recently with Mr Wood and Mr Wood said that the difference between the Rally and Labor was that Labor kept its promises and did not close any schools. Well, what a load of nonsense! Firstly, Labor's pre-election policy was predicated on school closures. Its own Minister Ros Kelly had been closing schools in the lead-up to the last Assembly elections. It was an issue at the last Assembly elections, as Labor well knows, and it continues to be one. It will certainly haunt the Labor Party because at least we have not been hypocritical about the issue. The Labor Party has been - entirely hypocritical. The Labor Party's pre-election policy was:

If circumstances arise where the educational viability of a school due to significantly declining numbers needs to be examined, we will ensure thorough and genuine consultation with the community, based on recognised procedures -

whatever that means -

We are serious about our policy of participation.

If serious consequences can be clearly demonstrated by a school remaining open, the interests of the ACT must be served.

So, clearly, in anyone's language, either that is doublespeak or it says what it says - and what it says is: schools could remain open if serious consequences can be clearly demonstrated. Otherwise, the other matters are initiated and a school can close.

That has been kept from the public. In fact, to give Mr Wood his credit, he was pressed at a public meeting at Weetangera, on my advice, on whether Labor would close schools during the first Parliament. They had already attempted to close preschools, as we know. Mr Wood replied

that in future, with demographic changes, schools may close. He said that from time to time it might be necessary to close schools.

Yesterday, Mr Wood moved a motion that provided specifically that there be no school closures - full stop. The logical, rational meaning of that was that there be, ad infinitum, no school closures. Clearly, Mr Wood's motion yesterday is totally inconsistent with his own party's platform. Further, we heard Ros Kelly on the radio this morning challenged about her commitment to schools. When challenged by Pru Goward, she said, "I was only referring to colleges", because she knows that colleges are safe. So she has run to high ground, to safe ground, and she is taking part in this totally deceptive, misleading program that the Labor Party is putting out over school closures.

The fact of the matter is the Labor Party, and particularly its leader, is still in a huff over being thrown out. The Labor Party is going to make it as ungovernable as they can for any government in this Territory. They are not mature; they are not behaving in the mature manner that could be expected of any other Opposition. I invite members of the media, particularly, to read this scurrilous document called Insider. On the front page it has, "History makers meet" - history-making women, Rosemary Follett and Carmen Lawrence, met in Canberra recently. The fact is that under Rosemary Follett's signature is this statement:

... answers to questions in the Legislative Assembly have revealed that the Liberal ACT Government has spent an astonishing \$24m on consultancies -

for the Priorities Review Board - \$24m. It is printed there. This is a most extraordinary little flier. It speaks with the paranoia of a party thrown out of office. The problem with the ACT Labor Party is that it is out of step with Labor Party branches throughout Australia. I sit at ministerial meetings around the country with your Labor Party Ministers and they are closing schools and they are amalgamating hospitals. The Victorian Labor Party has a problem with all its base hospitals and is consolidating hospitals. And, of course, the Victorian Labor Party is planning to amalgamate 600 schools in that State. The Tasmanian Labor Party tried to close 27 schools last year and has now secured a loan of \$50m from the Commonwealth to use partly for redundancy payments for school teachers.

Clearly, this Opposition has, in the words of the amendment, been most inconsistent on school closures. It is not a party that has behaved consistently. In a vulture-like manner, it has fallen upon Mr Humphries. He has gone to just about every public meeting that has been called. He is game to face the people.

Mr Wood: Yes, agreed.

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MR COLLAERY: And Mr Wood gives him that. He has done that. He has subjected himself to that process. That is open consultative government. You cannot deny that. You have a courageous Minister here. He is game, and you cannot deny it.

Mr Wood: But it is not enough on its own, is it?

MR COLLAERY: Courage and straightforwardness are two of the best qualities in politics, as you well know, Mr Wood - and he has them. That motion yesterday that there be no school closures really sets the seal on Labor's debate. Labor members really do not have a program to do it. They are probably secretly glad they are not in government; they will not have to make the hard decisions. Let me come to how they make decisions. Let me go to the Hansard of 28 September last year. Mr Berry, when talking about his health budget and other things, said:

... Rosemary Follett announced the additional domestic violence refuge, another important refuge for women.

Of course, we found out later, Mr Speaker - - -

Mr Berry: Mr Speaker, I raise a point of order concerning relevance. The subject of domestic violence review is not the matter which is under debate. The issue which is under debate is the amendment.

MR SPEAKER: Thank you; do not debate it. Your objection is overruled. Please proceed, Mr Collaery.

Mr Berry: Well, Mr Speaker, I - - -

MR SPEAKER: Your objection is overruled.

Mr Berry: Well, I rise to another point of order, Mr Speaker, in relation to your ruling on the last point of order that I raised. The issue is clearly not the issue which is the subject of the amendment.

MR SPEAKER: Thank you for your observation, Mr Berry. I have taken that into account. I have ruled against you. Please return to your seat. Continue, Mr Collaery.

MR COLLAERY: Mr Speaker, I am talking about deception and inconsistency. Mr Berry does not want to know that.

Mr Berry: There is none.

MR COLLAERY: Well, when it came to getting that domestic violence refuge - something I pressed your Government to do when I was in Opposition - we found that in the women's budget there was not the money. What you had done, as you well know, was purport to appropriate SAAP funds that belonged to a joint Commonwealth-State funding arrangement when the legislation clearly required you to consult a

Commonwealth Minister. You appropriated all the funds that would have gone for youth refuges. You had no intention of opening a women's refuge. You knew the money was not there and you know full well that your advisers told you that you could not do what you did. It was a very deceptive thing to do in the women's budget, and we await with interest the findings of the Public Accounts Committee on that little stunt.

The other matter that concerned me - because I had pressed both of these issues on you, Mr Berry, when I was in Opposition - was the 24-hour mental health clinic attached to, possibly, the Woden Valley Hospital. That did not happen. But in their budget they put a measly \$160,000. That \$160,000 went nowhere near the cost. It was cosmetic. There were so many items in this budget that were cosmetic. All they had the courage to do was to do a little trimming stunt for their budget, and they left us with the job of really significant cuts.

There is another thing that the Labor Party is practising in this Territory - and we saw Mrs Grassby do it. She got many of the aged tenants of the Northbourne Flats out. She issued press releases saying we were going to sell off the Northbourne Flats and redevelop them. She still continues this. Labor members proceed to alarm their electorate. This is an Opposition that exploits the vulnerability of its populace and some of its supporters, and it alarms them.

We saw Mr Berry say the other day that we were reducing the number of public hospital beds.

Mr Berry: It is true.

MR COLLAERY: Well, we are not. It is rubbish. You have union representatives on the board - the steering committee board - and they know the facts. The reason why this bunch here has very little support from the trade union movement at the moment is that the union movement has been fully consulted on just about everything we are doing and they are part of most of the processes of our government. Our boards have unions on them wherever we have appointed them. We offer that representation that you did not because of your factional problems when you were in government. We do it. They know what is going on - and that is why the unions are not out supporting you, Mr Berry, or your left wing Stalinist camp.

The fact is that with these sorts of scurrilous documents, referring in the most intemperate language to personalities in government, the Opposition believes it will increase its electoral support. Senator McMullan told Pru Goward last May that there was a difficulty in maintaining the neighbourhood school system, and my colleague Mr Humphries will outline that further. But the inconsistency, of course, is between these people who purport to be Labor Party members in the ACT and what their Federal colleagues

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say, or do not say, and what they say differently between themselves. We see that every day we sit here opposite them, and we see one or two of them grimace to each other when one of them speaks, because they are not united. They cannot offer stable government. All they offer is that sort - - -

Mr Connolly: What nonsense, Bernard. You are the ones rolling your eyes when the Chief Minister speaks.

MR COLLAERY: We have managed to provoke Mr Connolly at last. All they offer is the type of inconsistency and deception that they constantly peddle in the community. They have gone to these public meetings - and, regrettably, Mr Moore has joined them as well - and attacked the personalities involved, and they pursue the personalities in this chamber constantly. They have pursued my colleague Mr Humphries who is, after all, responding to a call from his Treasurer to find funding cuts. He is responding like every other Minister in this country is currently doing.

You well know, Mr Berry, that maybe the only Labor government in this country in a few years will be the Goss Government, but that depends on how much time Gough Whitlam spends up there, as he seems to spend a bit of time there. Mr Berry knows that people want to vote for stability and for people who can take hard decisions and show conscience. You are not doing it. You are not doing it.

MR WOOD (11.08): Already the Opposition has won this debate by default. I will expand on that shortly if I need to - and I do not think I need to; it is so obvious. But let me comment again on some of Mr Collaery's comments about the ALP education policy. I recall that Mr Jensen some time ago read out the same document, and I am quite happy to hear it read. Indeed, I drafted it on behalf of the ALP education committee, of which I was a member. Let me tell Mr Collaery very clearly what our promise was in that last election campaign. We promised not to close schools. Let me remind Mr Collaery what his promise was. Mr Collaery promised to give \$7.2m extra to education. Now, just contrast - - -

Mr Collaery: We did not know that you had plundered the revenue.

MR SPEAKER: Order! Order, Mr Collaery!

MR WOOD: Would you say that again?

Mr Collaery: You plundered the revenue of the Territory.

MR SPEAKER: Order, Mr Collaery, please!

MR WOOD: Oh dear, oh dear. So you are admitting that you did not really know what you were on about. You did not know then, and you do not know today. So bear in mind - - -

Mr Jensen: Well, you had better ask Michael; he wrote that. He put it in.

MR WOOD: You accepted it. You people who were so wise, so knowing, accepted it. You were slow learners, were you? Indeed you were. So note that difference. We kept to our promise that no schools should close.

Mr Humphries: Except preschools.

MR WOOD: Well, okay, let me repeat: we were looking at preschools, that separate component of education, and, if a preschool that is 20 metres away from a primary school should close, we have no great problem with that. Okay? Now, if you cannot understand that - - -

Mr Humphries: So you will support us on that.

MR WOOD: You keep interjecting, but I will not respond to that nonsense any more. Let me get back to Mr Collaery's default. I think Mr Collaery makes my point more emphatically than I did. We are here discussing a motion of censure of Mr Humphries, Mr Collaery's Cabinet colleague. And what defence - - -

MR SPEAKER: Mr Wood, you are speaking to the amendment.

MR WOOD: Okay, I am responding.

MR SPEAKER: To the amendment?

MR WOOD: To Mr Collaery, thank you - to his amendment. Okay, no question about that. Let me talk about that stratagem. Here we are condemning his colleague, and he cares not to defend him.

Mr Collaery: I did.

MR WOOD: Where did you defend him? I had written down "There was no defence". You spent ten seconds, I would expect, defending your colleague when you said, "He is responding to the Treasurer's demands". That is the only reference that you made.

Mr Collaery: What about the word "courageous"?

MR WOOD: Okay. Well, "courageous" also. You said he was "courageous". But what do we get? We get a tirade about - what were some of the things? - an ALP newsletter; a mental health clinic; Northbourne Flats, a quite important issue; and unions. We get a tirade about those things, but I challenged you to stand up and to defend your colleague, and you refused to do so. You absolutely refused to do so. You do not want to defend your colleague. I stood up a short time ago in my introductory speech and invited members over there to stand up and to defend their colleague. I doubt that will happen because

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you do not want to defend him. You sat down in your joint party room this morning and decided you would divert this tactic.

Mr Jensen: That must have been a meeting I did not know about, Bill.

MR WOOD: No? Well, your tacticians. You did not even get a chance to say how it would be done; that is revealing too. It was decided for you that you would not defend your Minister.

Mr Duby: That is not true.

MR WOOD: Well, I am waiting for you. Are you going to stand up - - -

Mr Duby: I certainly will.

MR WOOD: And are you going to defend your Minister?

Mr Duby: Absolutely, absolutely.

MR WOOD: As I said before, that is very worrying - that Mr Humphries has to rely on Mr Duby's support. So what do we have? We have a tirade by Mr Collaery about the ALP. Well, I need say no more; I really need not. You have made the case for the ALP most effectively. I know how you feel. I understand why you are not prepared to get up and support Mr Humphries; I know that. I know the background of things, so your proposal here is a logical sidestep to avoid the necessary defence of Mr Humphries. Thank you, opposition, you make our point.

Mr Berry: Mr Speaker, I raise a point of order. Mr Speaker, I draw your attention to the word "deception" as it appears in the amendment moved by Mr Collaery. That is unparliamentary and must be ruled out of order.

MR SPEAKER: Thank you, Mr Berry. I am researching that exact issue at this time. I will allow the debate to proceed until I have read further into the parliamentary procedure on that. Please proceed, Dr Kinloch.

DR KINLOCH (11.14): I wish to talk about my friend and colleague Gary Humphries, the Minister for Health, Education and the Arts. I have known Gary - and I hope you will allow me to say "Gary"; I have already said "Mr Humphries".

Ms Follett: No.

DR KINLOCH: No? All right. I have known Mr Humphries for many years, first of all when he was President of the Students Association when I was Dean of Students. There are few so demanding jobs. I was then impressed by his devotion to duty, his courtesy and his ability to do his homework - I would like to stress that - on a range of

committees which would make even this Assembly seem to be relatively lazy. I have worked with many presidents of the Students Association, and I was very impressed not least by his sense of order, his calmness under pressure, and his ability, frankly, to work with sometimes contentious and difficult people. That was so then; it is so now.

Similarly, he has shown all those same qualities in this Assembly, first in opposition and then in his multiple ministerial roles. I join, therefore, with Mr Wood in recognising many of those qualities: Mr Humphries' determination, his courage, and his respect for facing up to the people. I want to say, with great respect and admiration, that, whether it is a broadcast, a public meeting or a group of people outside here - in any forum - Mr Humphries is willing to stand up and be counted for what he believes.

One of his first educational roles in this Assembly was on a three-person select committee, of which I was chairman, together with Bill Wood. I know Gary's interest in and concern for educational issues. He continues to have that very great concern for tertiary education, which is part of his portfolio. Tertiary education is part of the work done by the division of education.

To come to two charges made against him by Mr Wood, I do not believe for a moment that Mr Humphries has "destructive vision". You and I may have other visions or different visions, or may disagree with elements of his vision, but I think it not true to say that he has a destructive vision - quite the contrary. Nor is he dishonest. I have never known him do anything or say anything dishonest, certainly not in connection with anything I have had anything to do with. I repudiate those charges.

Now let us come to the present debates on health, education and the arts. I will concentrate, for obvious reasons, on education and the arts. Mr Humphries behaves with great propriety on the issues which are debated in private and in public, and Mr Wood has also acknowledged this. I want to take the area of the joint party room. Now we are bound, are we not, not to say everything that goes on there, but let me give a general view of that. In those meetings, which are sometimes very long and very contentious - and he has to deal with difficult people like me, I hasten to say - Mr Humphries always keeps very cool and calm, as he does in this Assembly. He speaks carefully, and thoughtfully in the JPR on the issues for which he is responsible. He has arranged briefings for his colleagues in every area for which he is responsible, and it is always clear that he has taken time to brief himself before those gatherings. I especially commend him on his good staff work, and the work of the staff who obviously back him up.

I recognise, obviously, that Mr Humphries and I have differences of opinion on a number of matters. Let that be said. You all acknowledge it. But I wish to stress that

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he and his staff have behaved with the greatest concern and care in that matter. There have never been slanging matches or abuse or front-up fights or anything of that sort. It has always been done with very great propriety. On a previous occasion of a difference of opinion, I offered to stand down, and he was most generous in dealing with that difficult situation - and, I will add, he appointed me, despite our differences of opinion, to be chairman of the consultative committee. Similarly, when I reported back, often, opinions which perhaps he would rather not have had - that consultative committee is a very independent committee and his deputy is a very independent person - he listened and he took notice of what was said. He is always alert to what takes place.

In the many months of our association in the Alliance Government, we have met, week by week; we have formal appointments week by week over the issues which confront us in the areas of education and the arts. We have also, of course, met informally - and I cannot help noticing that he was willing to spend \$30 for my underwear. But that is another matter. Whether formally or informally, we spoke on a very wide range of issues. The school reconstruction, AKA school closures issue is only one of the areas we have jointly dealt with. In any week there would be a whole range of things that go far beyond this contentious matter of school closures where, frankly, we are in agreement. In the area of the arts, I have seen him attend meeting after meeting, dealing with questions about TAU theatre, Gorman House, the arts community and so forth.

We have been very much as one in dealing with that very extensive arts community. Bill Wood has also been excellently involved with that. He has seen that for himself, and I think it would be only fair to say that in respect of that area of work he would have no quarrel - and I do not have a difference of opinion over it either.

So, I want to say in general, then, that I think this censure motion is uncalled for. I think one could have a reverse motion of worry about the attitudes of the Labor Party, as already expressed - - -

Mr Moore: I rise on a point of order, Mr Speaker, under standing order 62, relevance. This is about an attack on the health and education system, or the amendment.

MR SPEAKER: Order! Your objection is overruled, Mr Moore. Please proceed, Dr Kinloch.

DR KINLOCH: Thank you. I recognise that I am not speaking on the health issue. It is not one with which I have been as closely identified with Mr Humphries as I have with the education issue. On the education issue, it is a day by day, week by week, regular association both personally and in the joint party room, and also in connection with all other members of the Alliance Government. I can only say that this Assembly should be grateful that we have in the

ACT a young man of the calibre and quality of Gary Humphries.

MR SPEAKER: Before we proceed I would like to rule on Mr Berry's point of order. I uphold his position. I rule that the word "deception" in Mr Collaery's amendment is out of place and is to be withdrawn from the amendment.

Mr Berry: So the whole amendment is out of place.

MR SPEAKER: Well, if you want another amendment put. I will just allow the debate to continue with that word removed from it. Please proceed, Mr Moore.

MR MOORE (11.22): It seems to me that what Mr Humphries is dealing with, and what this censure motion deals with, is the single most important issue that has come before this parliament. It is recognised as such by the community. It is not just an issue of the closure of schools; it is an issue that has a major impact on each of the suburbs that are involved as well.

The motion that Mr Wood has moved attempts to censure the Minister for his attack on the health and education systems in the ACT. The Minister's attack on these systems is, of course, in its broadest context, a direct attack on the whole community of the ACT, and it is particularly concentrated on those that can least afford to protect themselves. I have often said to people that Mr Humphries has been single-minded, that he has been courageous in facing the people, and that he has worked extremely hard on these things - and nobody can take that away from him. I have also disagreed with him on many occasions - and I am sure he is rather pleased about that side of it, as indeed am I. However, what we are dealing with here is a censure motion for the way he is attacking the very kernel of our suburbs, the very kernel of our education system, and the very kernel of our planning - and that is the primary schools in the ACT.

Mr Collaery, in his tirade on the Labor Party, which had very little to do with trying to protect his fellow Minister - probably because he does not really feel that he wants to - talked about my tagging along with the Labor Party to various public meetings. It is true that I have attended a large number of public meetings over the last three weeks. In fact, it is only on two Saturday nights that I have actually been at home and not at such meetings. On some of those occasions there were members of the Labor Party at those meetings.

But at the vast majority of the particular meetings that I went to, that was not the case. I went to those meetings because I was invited to them by the community. The members of the community who were there at those meetings are horrified at the sort of attack that has been made by this Alliance Government and, in particular, by Mr Humphries.

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The education basis of the argument starts from the need to save money. Of course, the figures have been challenged. The figures that the Government originally came up with were incompetent. They were challenged by Dr Perkins, who has made a tremendous contribution to this debate, and to the ACT community. Then, having debated those figures, a new set of figures is now held in confidence by Mr Humphries. He is unprepared to go to the community with them. He has launched out - - -

Mr Humphries: Yet.

MR MOORE: Yes, I quite accept Mr Humphries' interjection that he is unprepared to go to the community yet. And, of course, the reason the "yet" comes in is that the thing will become a fait accompli. Once he delays it long enough, he will have his education department organised in such a way that it will be very difficult to reverse the attack that he has made on the education system.

So, the longer he can hold out in not giving the figures, the better off he is and the less chance the community has to challenge those figures. The reason is that he is incompetent, and that is why the censure motion is here - because those figures and the methodology that has been brought about reflect his own incompetence.

It is even more reflected in what is, of course, a patronising and paternalistic approach. The only thing that we could compare it to is in Joh Bjelke-Petersen's Queensland. Joh Bjelke-Humphries here is a person who can just say, "Well, don't you worry about that. Let me worry about the figures and it will be all right. That is my responsibility" - and Canberra will tend to go down the gurgler in the same way that Queensland did under Joh. I say "go down the gurgler" in the sense that those who can least afford it become much worse off while those with money become far better off. That is, of course, a standard Liberal-Alliance-Rally-and bits and pieces approach.

I have on many occasions asked Mr Humphries for a definition of quality in terms of education and on only one occasion in this house has he attempted to make his definition. When he did he did not mention children at all, because they are the ones who are left out of this debate, of course; they are the least important as far as the Alliance is concerned. His definition was about choice. If he wishes to remain with his definition of quality of education about choice, then I can tell him that members of the communities of Higgins, Weetangera, Cook and so forth are not likely to believe that they are going to be left with an expanded choice, or even an equivalent choice. Yet he constantly says, "We are going to retain the quality of education. We will retain the choice". Leave the schools open if you are going to stay with your own definition and not just rely on economic arguments alone.

This Liberal Government unfortunately is not prepared to allow people to have their opinions. That is the problem; they are not prepared to express their opinions. There was a time, of course, when the Residents Rally was in fact a community-responsive group, but that has long since gone. At that stage - - -

Mr Duby: I rise on a point of order, Mr Speaker - relevance.

MR MOORE: Yes, okay. Thank you. The thing about opinions and people expressing their opinions is that Mr Humphries has not been prepared to allow people to discuss the possible alternatives. He always says, "Provide me with alternatives and we might not close schools". But that is not the way you start in a consultation. So if you really want to be able to consult with people you have to let them express their opinions. Even now, the Higgins people sitting in this gallery who were wearing their various T-shirts have had an instruction from the Speaker, I understand, asking them not to wear those T-shirts - not to wear an article of clothing in the gallery that says H-I-G-G-I-N-S, Higgins. I think it is a bit unfortunate. When people want to express their opinion by wearing an article of clothing it should be reasonable for them to do so. I would like to express my support for the Higgins School by wearing an H for Higgins as I complete this speech.

Mr Humphries: It could be H for Humphries.

MR MOORE: Mr Humphries interjects that it is actually an H for Humphries. If anything, it is close to an H for hate for Humphries, and I can quite accept that. I think it is quite important that we allow people to have their say. Earlier Mr Collaery and Mr Jensen interjected, saying, "Mr Moore wrote the \$7.2m into a Residents Rally press release, in effect making it part of Rally policy". I am very proud of that, and it was. A couple of us managed to swing in the executive of the Residents Rally, prior to the election, the notion that the Rally would increase funding to education from the money that would be raised in a series of different ways, not the least of which was from tightening up on the leasehold system. But, of course, the Rally backed away from tightening up on the leasehold system and threw away that money that could have been used on education and on keeping these schools open.

Mr Collaery: Did not you read today's paper?

MR MOORE: I am glad Mr Collaery brings that up, because in fact the recommendations that he is making, first of all giving away what they are going to do, give the people involved the chance to - in fact I will get onto that in another debate because I might be accused of irrelevance.

What this Minister has failed to do - and this is the reason he needs to be censured - is to look at alternative

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ways of raising and saving money in education. There is an OECD document that I referred to before, "Surplus Space in Our Schools", and in that document on pages 28 and 29 is a series of "Topology of Uses". Those uses include other educational services, library and information services, health, social and housing services, leisure services, private clubs and societies and commercial uses - a whole series of ways in which schools can be used in order to actually save money. He has failed to do that, he has failed in his duty to the Canberra community, and he has failed in providing for the improvement of education. In fact, he has done just the opposite and, as such, he deserves to be censured.

MR SPEAKER: Order! Mr Moore, I draw your attention to House of Representatives Practice with regard to members of the public coming into the gallery and displaying such articles. You are entitled to do so if you so desire; they are not.

MR DUBY (Minister for Finance and Urban Services) (11.33): I accept that, Mr Speaker. Before I start, in relation to this whole nonsense censure motion against my colleague Mr Humphries, I think I should point out that when we originally moved the procedural motion and put a time limit on it there were howls of derision from the menagerie opposite suggesting that we were somehow trying to stifle debate.

Mr Connolly: On a point of order, Mr Speaker: is "menagerie" an appropriate and parliamentary way to refer to the Opposition?

MR SPEAKER: Order! It is overruled. Please proceed, Mr DUBY.

MR DUBY: Thank you, Mr Speaker.

Mr Berry: On a point of order, Mr Speaker; relevance. If he is going to talk about the motion moved by Mr Collaery to suspend standing orders in the first place, I think he ought to just stick to what is relevant.

MR SPEAKER: Thank you. Please proceed, Mr DUBY.

MR DUBY: As I was saying, Mr Speaker, House of Representatives Practice shows that this limiting of the debate to two hours is the normal procedure.

Mr Berry: This matter was settled earlier, when Mr Collaery moved the motion that we suspend standing orders and limit the debate to two hours. I think he is a bit late. He has missed the boat.

MR SPEAKER: Mr Berry, the objection is overruled. Please speak to the point, Mr DUBY.

MR DUBY: I am raising this matter, Mr Speaker, for the simple reason that I am trying to show the relevance of this whole debate itself. The Opposition could not even get that bit right, let alone an important matter of business like a censure motion. The simple fact is that House of Representatives Practice shows quite categorically that a motion of want of confidence in a Minister
- - -

Mr Berry: On a point of order: we are - I withdraw that. He was on the two hours again, I am sure; but, anyway, I withdraw that.

MR SPEAKER: Thank you. Please be seated.

MR DUBY: I am referring to the general provisions on a motion of a want of confidence in a Minister. I think we need to get this right. A motion of want of confidence in a Minister is treated in the same way as any other private members' motion, including the speech times applicable to an ordinary motion of private members' business, and in this house that is two hours. That is the first point.

Mr Berry: On a point of order, Mr Speaker: Mr Duby has obviously trailed off onto matters irrelevant to this debate, and, Mr Speaker, he was wrong as well. He should have a look at our own standing orders, because they do in fact refer to the time of debate for this particular matter.

MR SPEAKER: Thank you. Please proceed, Mr Duby.

MR DUBY: Having established that point, Mr Speaker, I would like now to go to the issue of the motion that we are actually debating today. I would like to move an amendment - I am not really sure of the wording, since you ruled against the use of the word "deception" in regard to the Labor Opposition. I accept that ruling completely, and I would like now to amend Mr Collaery's original motion in a way that I think will satisfy all the requirements of parliamentary language, Mr Speaker. I move:

Omit the words "Opposition for: (1) its deception and inconsistency" and substitute "Party for: (1) its deception and inconsistency".

So, that is that. We have got that fixed.

MR SPEAKER: I believe that is acceptable.

MR DUBY: Thank you, Mr Speaker. So, that is the way this debate is going, Mr Speaker. Now, let us start from the beginning. We have heard a lot of waffle from the other side of this house today relating to this motion - - -

Mr Berry: That means Bill Wood gets to speak again.

MR DUBY: Yes, it probably does. I must say that the original motion referred to the attack by the Minister for

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Health, Education and Arts on the health and education systems in the ACT - and right throughout the whole debate I have not yet heard one person define the attack that Mr Humphries is making on those systems. They have moaned and groaned, and have denied the fact that the main complaint seems to be that there are going to be school closures; that some schools are going to have to close.

That shows the complete duplicity of the Labor Party, and the Labor Party opposite, because it is acknowledged, even by the party itself. Others have already cited examples of where the party has endorsed the concept of school closures, including, I might add, Mr Wood. We have references here. For example, we have the editorial in the Canberra Times of Wednesday, 1 August, saying "School closures sad but necessary". This editorial raises the main issue, which this opposition party has consistently failed to address. It says:

Four main issues face us now. Where do we make up the shortfall in cost savings? How do we ensure the better functioning of amalgamated schools and the schools taking students from areas previously served by schools to be closed? How do we make sure that the sites of closed schools are put to best use ... ?

The editorial is finalised with a very telling sentence:

The mistakes of 20 years ago must not be repeated.

The Canberra Times acknowledges that mistakes have occurred and that school closures are sad but necessary, and it asks those very questions that the Labor Party refuses to answer. They are the important things, and they are the very issues that the Minister himself has been taking on. There has been no attack upon the education system and the health system at all. What he is doing is consolidating so that, as he expressed so capably in the house yesterday, the standard of school education in the ACT can be, if not improved, at least maintained.

What we had under Labor's plan for keeping uneconomic and unviable schools open was a plan to cut costs in other ways. The education system simply has to have reductions in its funding for the simple reason that the whole ACT revenue base is declining.

Mr Berry: That is right. That is what Trevor Kaine said. He said, "Education standards must drop".

MR DUBY: He did not. He said that the amount of money being spent must drop. Your proposals, of course, are to raise the number of students per class; to reduce the number of teachers available for specialist subjects; and to reduce the provision of services such as English as a second language and other such facilities which this Minister has worked extraordinarily hard to be able to

maintain. This is something, of course, which you do not comprehend.

We have had an attack on him for his handling of the health system; again, we have exactly the same problem. When the member opposite was Minister for Health we had no plan whatsoever to deal with the burgeoning costs of health in this Territory. We had seven months of no decision; not a thing was done in relation to the health system.

Mr Humphries: A \$7m hospital blowout.

MR DUBY: We had seven months of blowout as a result of having - - -

Mr Berry: No services cut.

MR DUBY: There have been no services cut under this Government and under this Minister either. Not only that; there was no plan whatsoever to deal with the expansion of costs in the health system. When this Government came to power it found that under the guidelines that the previous Government had been adopting we would have had a blowout in the budget this year of \$40m.

Mr Wood: Absolute nonsense! You came in with a surplus, for heaven's sake.

MR DUBY: Because of prudent management on our behalf. We would have had a \$40m blowout, and that is indisputable.

Mr Wood: You know that is nonsense.

MR DUBY: If you do not believe me, go and speak to the Treasury officials; that is all you have to do. Not only that; the previous Government had been told it was going down the gurgler and it was not prepared to do anything about it.

Mr Wood: That is not the case. You know it is not the case.

MR DUBY: It certainly is. Anyway, in talking about a motion of censure against this very capable Minister, I would like to turn to no better person, I would imagine, than someone who was regarded as, shall we say, one of the founding fathers of this Assembly - one Paul Whalan, former Deputy Leader of the Opposition and, I might add, leader even to this day of at least two members of the Opposition when they are outside this house. He has run away. He has hidden. Mr Whalan said:

I would also like to place on record my admiration for the manner in which Gary Humphries from the Liberal Party has approached his ministerial duties. I am conscious that he is sitting on the hottest set of financial and administrative challenges and I do not envy his role over the next couple of years.

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That was Paul Whalan speaking on 26 April this year. And where were the catcalls of derision? Where were the interjections when Mr Whalan was saying these things? The answer is that there were none. This is a farce and I reject it.

MR STEVENSON (11.43): Mr Speaker, I believe the tactic of changing motions by amendment to alter their intent so as to make them unrecognisable is an attack on parliamentary democracy. It may seem - - -

Mr Humphries: Whitlam did it. Whitlam did it in 1975. Gough Whitlam pioneered it.

MR STEVENSON: The fact that Whitlam, or anybody else, started it would not carry any weight with me regarding an attack on parliamentary democracy. I agree it has happened before in this Assembly and every time I see it it will remind me of the fact that people with numbers in the Assembly can do things that are simply not okay. It is a prevention of freedom of speech. It is a prevention of the right of parliamentary members in this Assembly or any other to debate issues. The fact that in this case, as has been done before, the censure motion was brought on by Mr Wood and then changed by Mr Collaery of the Alliance is something that we should strongly condemn.

I speak strongly against the amendment and I would recommend that all members in this Assembly, firstly, vote against it and, secondly, before they attempt to do it again because they happen to control the numbers, think what they are doing and think of its import with regard to parliamentary freedom of speech.

Mr Berry: I was going to raise a point of order, Mr Speaker. It seems as though the Government has got both of its amendments wrong and it has used the word "deception" again.

MR SPEAKER: Order! I have ruled that that is a general term to a general body and it is not directed at anyone in particular in this house.

Mr Berry: I raise a further point of order, Mr Speaker. In the past you have ruled that those sorts of unparliamentary terms used in respect of a group of members in this house are unacceptable and I - - -

MR SPEAKER: My interpretation is that it is directed outside this chamber and therefore I allow it to proceed. I call Mr Stefaniak.

Mr Stefaniak: Mrs Grassby was on her feet. I am quite happy to let her go and then I will go.

MR SPEAKER: Make up your minds. I call Mrs Grassby.

MRS GRASSBY (11.46): Mr Speaker - - -

Mr Wood: As I said, they are not very willing, are they?

MRS GRASSBY: No, not to defend their Minister. I do not blame them. Mr Speaker, this Minister has tried to divert attention from the real issue of the anti-education and anti-health attitude of this Minister towards the people of the ACT. This Minister has shown his contempt by the closing of schools and a hospital. In addition, time after time in question time the Opposition cannot get an answer to any questions about the money we are going to save or on anything else about the closure of schools. We ask these questions and never get an answer.

Mrs Nolan: He answers my questions really well, Ellnor.

MRS GRASSBY: Of course he does. He always answers dorothy dixers with a ministerial statement. This Minister has set about destroying the best education system in Australia. The fact that we have a higher retention rate for students remaining on at school than any State in Australia is testimony to this. This is well known. We have always had a good education system, up until this Government came to power. I do not believe that the measure of closing schools, and all the upset it is causing the ACT, is based on budgetary measures. I think it is "sell off the farm". That is all it is about - selling off school sites and hospital sites, the most valuable land in Canberra, for their developer friends. That is what it is all about. It is not saving money for the budget. The Follett Labor Government brought down a balanced budget, in keeping with the need to adjust and to reduce levels of Commonwealth support - and it did so with no thought of closing schools or a hospital. I do not want to hear the Government saying, "The Federal Government did this". I add here that, if Mr and Mrs Humphries Senior did not get married and have little Gary, we would not be speaking on this subject now. So let us live in the present and stop throwing up to our face what the Federal Government did. We are not interested in the past; we are interested in what is happening now. It is here and now that the Government is closing schools - not a year ago, not two years ago, but now. The people in Canberra are upset that the city they love is being changed to suit the Government, which believes it can save money but cannot tell us how. We keep asking, question time after question time, but we still cannot find out.

The Liberals and this Minister are using the budget as an excuse to implement their longstanding policies to destroy public education and public health. This is what the Liberals stand for and, of course, the Alliance has to stand with them. We will get a Residents Rally telling you it has different policies, but this Minister is implementing these policies, not this Government - this Minister in whom everybody has lost confidence. As for him standing for a Senate seat, he can forget that. I think

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the people in Canberra have had enough of him. The sooner they see the back of him, the better.

Mr Duby: He might run against Paul in Fraser.

MRS GRASSBY: Forget it. Forget it. Even Paul Whalan would beat Humphries. Even Paul Whalan would beat him. So do not worry about that, Mr Duby. The whole of Canberra has lost confidence in this Minister. You have only to go to school meeting after school meeting. You have only to listen to a lady in the gallery the other day. She said, "Even if I get thrown out, I do not care. I have said it. Shame, Mr Humphries, shame!" - and that is what it is all about. Shame, Mr Humphries. You are the man who is changing this city. The city that people - - -

Mr Humphries: Did you say, "Shave, Mr Humphries, shave"?

MRS GRASSBY: Shame, Mr Humphries, shame, yes.

Mr Humphries: I have not shaved in a long time, Ellnor.

MRS GRASSBY: No; "shame", not "shave". If you did shave, it might improve your image. I tell you what, nothing else would improve it. Maybe that would.

Mr Berry: You have not seen what is underneath that.

MRS GRASSBY: No - though they always say that a man who wears a beard is trying to hide something. Obviously he is trying to hide the fact that he is changing this city - for a hidden agenda. The hidden agenda is that the Liberal Party, of which Mr Humphries is a member, is anti-public school education and anti-public health - and that is well known wherever they are. They close down schools and they close down education, and this is exactly what Mr Humphries is doing. As far as the people in Canberra are concerned, they will tell Mr Humphries that at the next election, as they will tell most of them over there. Maybe Robyn will be back. They will feel sorry for Robyn and we will have Robyn back; but Mr Humphries will not be here, I can tell you. Maybe Bill will be back. He made such a good Speaker, Mr Speaker - I am sorry - while you were away. I have to commend him. He was such a great Speaker while you were away. His jolliness and his happiness brightened up the place. Maybe Bill will be back and maybe Robyn will be back, but not Mr Humphries.

MR STEFANIAK (11.51): I do not know whether that is the kiss of death or whether I should thank her; but, anyway, I always enjoy listening to Ellnor's speeches. I wonder where Mr Moore, or Mr H, has gone. Perhaps that should be "H" for Houdini, the great escape artist and illusionist who twists and turns out of every situation. Here he is - without his T-shirt.

Firstly, I do not think we can avoid the most obvious fact in this entire debate and that is that the Federal

Government has basically forced the ACT Government, and indeed the Follett Government before it, to take certain measures. When the Federal Government gave the Territory self-government, it did so with the intention, among others, of saving itself money; so that step was very popular outside the Territory. I believe the Federal Government owes us about \$796m. Perhaps if it paid that and was willing to fund the Territory to keep us living in the style to which we had become accustomed - put money in a hollow log, which Mr Humphries' answer referred to - we could do such things as keep Royal Canberra Hospital and not close any schools.

But the fact of the matter is that the Territory - and this occurred even before self-government - has been put on a much more stringent financial footing than that which we had been used to in the past. This has been done to get us in line with the States, and I do not think any Federal government of any persuasion is going to change that. Indeed I think that is fairly obvious too, when one looks at what the Federal Labor Government did in 1988. It was the first one to start closing schools - and more of that later.

I will deal with schools and then health. Firstly, we have to look at what other governments are doing. The Victorian Labor Party recognises this. Mr Humphries has said they are planning amalgamations that might affect 600 schools - not the seven or so that we are talking about here today. The Tasmanian Labor Government tried to close 27 schools, and Tasmania is not much bigger than us.

The Canberra Times, it has been said, acknowledged that school closures are sad but necessary. This Labor Party last year tried to close preschools, and I am sure that, if we did not now have an Alliance Government and the ACT Labor Party was responsible for running the Territory, it would be doing exactly the same thing as this Minister is doing now. Indeed, the ALP promise, made in the heat of this current debate, to reopen schools is probably something it will renege on and live to regret. I will be fascinated to see what happens if we do get a Labor government after the next election. That will be quite interesting, given that I think privately this Labor Party and many of its members are very very happy to see Mr Humphries make the hard decisions that have to be made.

I also want to talk about a few points about our school systems and about the school closures. The Opposition has said that the neighbourhood school concept - there is a primary school in every suburb - is one of the beauties of the Canberra education system. Firstly, I think the Opposition's Federal colleagues decided that that simply could no longer continue when, in 1987 and 1988, they closed Woden Valley High School and, I think, about five primary schools as well. This was something they clearly recognised had to occur.

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Also, perhaps the neighbourhood system has changed a fair bit in recent times in that, on the figures we have, it seems that in some cases up to about 30 per cent of enrolments at certain schools are from out of area. That tends to put another slant on the argument often used by the Opposition of the distances some kids are going to have to travel to go to school.

Our system is very good. Mr Humphries realises that; the Government realises that, and Mr Humphries has continually stated that this excellent system will be maintained. I think we have always had a good system here. It might have been better in the past than it is now, because I note that about a third of our kids are in private schools and a lot of those schools have waiting lists. That has been the case for many years, but I do not really think I want to delve into that part of the debate.

I am probably the only member of this Assembly who went through the ACT state school system, from kindergarten right through to year 12 at Narrabundah High School. I can recall quite clearly in my years in high school that many students at Narrabundah were bussed in from Curtin, Lyons, Chifley and Hughes before those schools went up in the Woden valley. It is interesting to note that those same kids who started off in year 7 or 8 at Narrabundah, when Woden Valley High and Deakin High came on stream, remained at Narrabundah and made that quite considerable journey, often in buses, often by riding their pushbikes there. I can also recall walking, as a five-year-old, to kindergarten at Griffith. I can recall many students I went through infants and primary school with walking considerable distances to get to school.

I think it was in those years that we got on to a neighbourhood school system, and in each of the suburbs that blossomed in Canberra - in the expansion in the late 1960s and 1970s - a primary school was provided. But the Federal Labor Government in 1988 realised that that really was something that could not continue. And this Government, regrettably - because it would be desirable if we did have the money to do that - realises that that, unfortunately, is a luxury we simply cannot afford. I think Mr Humphries should be commended for the very hard, agonising and difficult decisions he has had to take - and, indeed, this Government has had to take.

No-one likes closing schools. It would be lovely if we could keep that system. We cannot, unfortunately. We are standing on our own two feet now and, unfortunately, just as in the rest of Australia - just as in those Labor States that recognise the same problem - some rationalisation has to take place, and Mr Humphries is doing all he can to ensure that that is as painless as possible and that the excellence of the education system remains.

Indeed, there have been some very successful amalgamations from 1988. Mr Wood mentioned Weston Creek. I will talk a

little bit about Arawang Primary School, which was created when Waramanga Primary and Fisher Primary amalgamated. Those two communities got together and, rather than have any dissension in the new school, produced an excellent school that is regarded as one of the best primary schools in the Australian Capital Territory, offering a lot of options for its students. This was a successful amalgamation. Perhaps we should be a little more positive in this debate, rather than just being totally negative. Let us look at the extent of possibilities for some of these students which might present themselves as a result of Mr Humphries' amalgamations.

Let me briefly deal with hospitals. If we kept open Royal Canberra Hospital, that would cost us, from my understanding, approximately \$150m extra; that is, 10 per cent of our annual expenditure or budget in the ACT which I understand is about \$1.5 billion. That is simply unacceptable and we simply do not have the money for that. Woden Valley Hospital is a more modern hospital than Royal Canberra Hospital and, logically, it should be the principal hospital. I think a lot of emotion comes into this debate because a lot of people in the community tend to think that the service is better at Royal Canberra Hospital than it is at Woden Valley Hospital. That seems to be the main rationale. I think in an earlier debate I said it is people that make a system, be it a hospital or be it a school, not the building itself. Good nursing staff and doctors make a hospital, and certainly this Government will be doing all it can to ensure that the principal hospital, Woden Valley Hospital, has the best possible service and the best possible trained staff. I think that statement is also applicable to schools.

To conclude, Mr Humphries has seized the initiative and worked very hard. I would endorse the remarks made by Paul Whalan, the former Deputy Chief Minister and former Deputy Leader of the Opposition, when he made his farewell speech and praised Mr Humphries for his courage and for his efforts prior to Mr Whalan leaving this Assembly.

In fact, I think we should acknowledge what a good job Mr Humphries does and how he deserves the support and not the censure of this Assembly. Again, I would refer the Assembly to those words of the former deputy leader of the Labor Party in the ACT Assembly.

MR BERRY (12.01): I do not think Mr Whalan would thank Mr Stefaniak for his words because the community is rising in revolt about the actions of Mr Humphries. I particularly want to prick the conscience of Dr Kinloch, again in relation to this matter of health in Mr Humphries' portfolio. Either Mr Humphries is involved in some sort of dirty double dealing or he is incompetent. The front page of the Canberra Times this morning says it all. This Government took to the National Capital Planning Authority the Government's decision on the redevelopment of the hospital system when it first made its announcement. Both

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of the planning authorities have been involved in this for some time but that has been kept a secret because this Government knows - I knew it, so this Government knew it - that once you close that hospital a different purpose will have to be described for the use of that site if it is no longer a hospital.

The fact of the matter is that these planning authorities are considering a new purpose for that site - and, of course, nobody would be surprised if there were a changed purpose and, of course, then health facilities would not be able to be placed on the site. This Government knew that that was going on and it knew that the future of that site was in danger from the day it took the decision to close it down as a hospital. There is a dirty double deal going on here, and the Residents Rally is in it up to their ears.

Mr Humphries: On a point of order, Mr Speaker: I think, consistent with your rulings earlier today, if you are prepared to say that the motion as first moved is out of order on the grounds that you indicated, then it is appropriate also to rule out of order Mr Berry's statement that there has been dirty double dealing in which the Residents Rally has been involved. It is in exactly the same category.

MR SPEAKER: I would ask you to withdraw that, Mr Berry.

MR BERRY: I will withdraw the "dirty".

MR SPEAKER: The "double dealing" is the part we are talking about.

MR BERRY: No, I do not believe that is unparliamentary, sir, and unless you rule that way I will not withdraw it.

MR SPEAKER: It is an imputation against the member, so I believe it is unparliamentary, and it is actually listed in House of Representatives Practice. Please just give an unqualified withdrawal.

MR BERRY: I can see that the Government members are nervous and twitchy about it and I believe that they are involved in dirty double deals, but I will withdraw it because it offends the Speaker.

MR SPEAKER: Thank you, Mr Berry. Please proceed.

Dr Kinloch: On a point of order, Mr Speaker: I most firmly object to what has been said.

MR BERRY: I believe it, Hector, and you are not going to change my beliefs whatever you do. The fact of the matter is that there is duplicity in the ranks of those opposite, and it has been demonstrated. The Leader of the Residents Rally - - -

Mr Humphries: Mr Speaker, I think Mr Berry is flouting your ruling. You have said "duplicity" is out of order. "Duplicity in the ranks of those opposite" is a very clear imputation on those sitting on this side of the chamber.

MR BERRY: I will withdraw it because the members are so twitchy. The members opposite are involved in doublespeak. Is that a bit too offensive for you? They speak with forked tongues, because the Leader of the Residents Rally said:

As the Leader of the Residents Rally, I am very pleased to say that not only have we delivered other policy matters but in this case we have delivered again.

I read into the record the Residents Rally policy. It says:

The Royal Canberra Hospital will be retained under a Residents Rally Administration.

That is the policy that he said he had won on. He had actually won on no such thing. He misled this Assembly because he had not won on the Residents Rally policy at all.

Mr Doby: On a point of order, Mr Speaker: this is irrelevant. This debate centres on the Minister for Health, Education and the Arts, not the Deputy Chief Minister.

MR BERRY: The fact of the matter is that there is a deal between - - -

MR SPEAKER: Order, Mr Berry! Yes, please proceed to the point.

MR BERRY: There is a deal between the Residents Rally and the Minister in relation to this matter and this will be clearly demonstrated as time passes - but Mr Collaery knows it.

Mr Jensen: Where is your evidence, Wayne? Come on, put your evidence on the table. Put your evidence on the table.

MR SPEAKER: Order! Order, Mr Jensen!

MR BERRY: They are twitchy this morning, are they not?

Mr Jensen: Put your evidence on the table, you wimp.

MR BERRY: I would like that withdrawn. One thing I have never been is a wimp.

MR SPEAKER: Please withdraw it, Mr Jensen.

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Mr Jensen: I withdraw it, Mr Speaker. I am sorry; I got carried away.

MR BERRY: The fact of the matter is that the Residents Rally is involved in this doublespeak with the Government and, of course, they have to share in the censure of this Minister. This last week's events have demonstrated that the Minister is incompetent and must be censured. He misled the people of Canberra with his statement in this house on 27 March that the Government had decided to provide convalescent beds as proposed in the Social Policy Committee report on the ageing: the facility will be - that is unequivocal - provided on the Acton Peninsula site.

The Chief Minister, of course, put a different complexion on that. He said that it was only a proposal. That was not what Mr Humphries said. He said "the Government" - including the Chief Minister - had made an unequivocal commitment to put it on the site. He later said in radio interviews that his position had not changed. The fact of the matter is that not only had he misled the people in the ACT but also he misled the Assembly, because, in response to a question that I asked on notice, the answer to which I received on 8 August, Mr Humphries said:

The hospice, birthing centre and proposed convalescent facilities will be located at one of the two hospital sites, Woden Valley or Canberra.

What happened to Royal Canberra Hospital in the meantime? And what happened to Mr Bernard Collaery's delivery of Residents Rally policy? He never delivered it. He knew he never delivered it. Dr Hector Kinloch knew he never delivered it. The fact of the matter is that this Minister has proven that he has been incompetent on the delivery of health services and he is worthy of censure because of the attack that he has levelled at the system.

What has not been discussed in this whole debate is the lengthening waiting list for people in pain who require elective surgery and what will happen under the Humphries plan. What does Gary Humphries say as one-third of the operating theatres in our hospitals are closed? What does he say to that? How is he going to take up the slack? He does not know because he has proved his incompetence in the area of figures in schools. He does not know the answer to that question. One-third of the operating theatres in our hospitals will close at the end of 1991. That is his decision. What is going to happen to the people who are now waiting for elective surgery?

Mr Humphries: Where is the proof, Wayne?

MR BERRY: Go and count the operating theatres yourself. You have enough fingers and toes. The fact of the matter is that there will be one-third fewer operating theatres in the ACT when Gary Humphries closes the Royal Canberra Hospital.

What is also true is that there will be double the private hospitals, if he ever gets to implement his plan, which I doubt. There will be double the private hospital beds. There will be an increased burden on the people of Canberra because of the requirement to privately insure or pay for expensive private beds.

He has said we will not lose any beds from the public sector. He has misled again. The Minister has already given away 24 obstetric beds. "There will be no less", he says. He misleads again. But, of course, they were given to the private sector.

The facts are that the proportion of public beds available to the ordinary people of Canberra will be less - - -

Mr Humphries: On a point of order, Mr Speaker: are you going to rule that to say that I misled the people is out of order or not?

MR SPEAKER: Well, it is a censure motion and I believe that - - -

Mr Humphries: But it has not been suggested in the motion that I have misled anybody.

MR BERRY: Well, you will have the chance to refute it.

Mr Collaery: And, Mr Speaker, you let him say it about me too.

MR SPEAKER: Order! Throughout your debate, Mr Berry, you did state that the house had been misled, and I believe that is inappropriate because it is a matter of a censure motion that should be written as such. You did not write those words in there. So I would ask you to withdraw them.

MR BERRY: I seek leave for a short extension, Mr Speaker. (Extension of time granted)

Mr Collaery: Are you going to withdraw?

MR BERRY: The people of Canberra are misled.

MR SPEAKER: I would ask that you use the correct terminology for the Hansard.

Mr Jensen: Your previous references, Mr Berry.

MR BERRY: I have done it.

Mr Jensen: You have not.

MR SPEAKER: Order, Mr Jensen, please! Mr Berry, please withdraw.

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MR BERRY: I withdraw that which offends Mr Humphries, but I place on record that the people of Canberra feel misled by this Minister's actions.

MR SPEAKER: Thank you.

MR BERRY: And they have a right to do so, Mr Speaker, because of the facts that I have laid before the people of Canberra in relation to the attack on the public hospital system. The fact of the matter is that Mr Humphries says that at the end of 1991 he will close Royal Canberra Hospital and, as I have shown, there will be one-third fewer operating theatres available to deal with the ever increasing waiting lists for elective surgery in our public hospital system - ever increasing lists because of his actions.

Already a large ward at Royal Canberra has closed and is gathering dust, yet the Minister says no beds have been closed. Well, in the formal sense - - -

Mr Humphries: I raise a point of order, Mr Speaker.

MR BERRY: He will get his chance.

MR SPEAKER: Order, Mr Berry!

Mr Humphries: Mr Berry is clearly misrepresenting what I said. I said that no beds would be permanently closed.

MR SPEAKER: Do not debate the issue, please, Mr Humphries. You will have an opportunity at the end of the speech to claim to have been misrepresented. Please proceed, Mr Berry.

MR BERRY: That is fine. It was very helpful for him to say that, Mr Speaker. The interjection was handy. I agree that he said that no beds would be permanently closed. Well, I know of a large number of beds at Royal Canberra Hospital, ward 6CD, that have been closed for six weeks. Now, how permanent is permanent? How permanent is it? They are gathering dust and people wait for surgery while this Minister closes down operating theatres to make sure that it is attractive for an entrepreneur to come into this Territory and open a major private hospital; otherwise nobody would be interested.

The Residents Rally are in bed with him; as far as the public of Canberra are concerned, they see that the Residents Rally is in bed with the Minister and that there is a double deal. Check the wording, first. That was very carefully chosen.

MR SPEAKER: I would ask you to withdraw that, Mr Berry, again.

MR BERRY: I said that the people of Canberra see that the Residents Rally is in bed with this Minister and that they are involved in a double deal.

Mr Jensen: On a point of order, Mr Speaker: that is a clear imputation.

MR SPEAKER: Yes, I believe it is an imputation.

MR BERRY: Well, Mr Speaker, I will tone that down just to appease their sensitivities. They are in bed with each other and there is some doublespeak.

Mr Jensen: Unless you can bring evidence, Wayne, shut up. Put your evidence on the table or shut up. Put up or shut up.

MR BERRY: I put up the figures. You refute them. There is one-third - - -

Mr Jensen: Put up your evidence on the so-called double deal.

MR SPEAKER: Order! Through me, please, Mr Jensen.

Mr Jensen: Sorry.

MR SPEAKER: Would you please proceed, Mr Berry.

MR BERRY: I note that Mr Jensen uses the term "double deal", so I feel inclined to use it again; but I know that - - -

Mr Jensen: I said, "Put up your evidence on the so-called double deal".

MR SPEAKER: Order, Mr Jensen! Please desist.

Mr Jensen: Sorry, Mr Speaker.

MR BERRY: Well, if I might respond to the interjection about the so-called double deal: the so-called double dealing that Mr Jensen refers to involves the Leader of the Residents Rally party when he said that he had actually delivered Residents Rally policy. Well, he has not. What is more, the Government has said that it will close this hospital by the end of 1991. There will be a requirement to make up 930 beds in the hospital system.

I would like Mr Humphries to tell us how he is going to fit all of those beds in Calvary Hospital and Woden Valley Hospital by the end of 1991 - and you will not be able to do it with a magic wand, because it will take three to five years. And, since the new diagnostic treatment block will take one year to design and two years to construct, where will the Minister put the patients? Will he use the magic wand? No, what this Minister is about is making it attractive for the private sector to move into Canberra, and causing pain for the people of Canberra while he does it - while he extends the waiting list. He deserves to be censured.

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MR HUMPHRIES (Minister for Health, Education and the Arts) (12.16): I rise in this debate to defend not only my actions but the actions of the Government with respect to the issues that have been raised by the Opposition. I suspect that from time to time we will face motions of this kind from those opposite. It is - - -

Mr Wood: Duty.

MR HUMPHRIES: To some extent, yes, it is their duty to see that issues that they see as important are raised and that Ministers are condemned, from time to time appropriately. That is the job of oppositions. In fact, I should put on the record that the frequency with which such motions have come forward in this place is vastly less than the frequency with which they occur in the Federal Parliament. So I think we have to acknowledge that there is a certain judiciousness on both sides of the chamber, because both of us have exercised that care and caution about the use of such things.

So I think we can say with great certainty that the Government takes this matter very seriously. That is not to say that we believe in the circumstances that we can accept censure - that I can accept censure - for the actions of the Government to date, because there is always a vast gulf between oppositions and governments when it comes to making decisions that will affect, in particular, the capacity of the Territory as a jurisdiction to deliver services to its people.

That is the crux of the decisions that the Government has made. It is a desire to ensure that in this year and next year, right up to the next election, we as a Government are able to provide services to the people of the ACT at a satisfactory level, and there is also the question whether we are able to provide, as a jurisdiction - whether we are in government or someone else is in government - into the coming decade and the coming century, the same quality of service to the people of Canberra.

We have acted as we have acted because we believe it is essential to make changes in the way in which the services to the Territory are provided in order to ensure that those services continue. We do not believe that inaction is a responsible course of action in the present circumstances. I know that those opposite have a fundamentally different view of the nature of the problems facing the Territory.

They have, for example, consistently pooh-poohed the suggestion that the magnitude of our problem is to the extent of \$100m, and they may be right; the problem may be of a different dimension. But there can be no doubt that the problem is, notwithstanding that, of quite enormous dimensions. I consider that, in a budget of only approximately \$1 billion, a problem amounting to tens of millions of dollars is not one that can be dealt with at

the fringes. It is a fundamental problem and it must be faced fairly and squarely by Government.

That is why we have grasped the nettle. That is why we have decided to carefully consider what is essential and what is not essential in our present provision of services and to ensure that we preserve what we consider to be the important elements of services in the Territory. I believe we consistently have been able to do that in light of that problem that I outlined.

I want to particularly respond to some comments by Mr Wood when he suggested that the Government has responded to some of the changes that have been suggested by the community in a way which reflects we have no confidence in our decision. He said, for example, that Dr Perkins was, and I quote, "teaching the Minister how to do his job".

I think that what Mr Wood is in fact trying to do is make a certain open-mindedness and fairness on the part of the Government in this process a sin. He is attempting to say that for the Government to do certain things that respond to those pressures from the community is a mistake and reprehensible. I am going to give examples of what I mean.

Mr Wood: You had not given thought to collecting the necessary data beforehand.

MR HUMPHRIES: That is not true, and I will come to that in a moment. For example, when this process started back in early May this year the Government set out a set of criteria for dealing with school closures - criteria which we believed ought to be the basis on which we proceed to choose which schools should close.

We did not pretend for one moment that we were inviting the community to agree or disagree with the notion of closing schools. We had made a decision, as a government, that that was an appropriate way of reducing the costs of providing education services without reducing quality. The criteria we put forward were discussed in the community, and as a result of those discussions we amended those criteria. We put out for a second period of public consultation an amended set of criteria with some quite significant changes in it. Mr Moore says that we will not allow people to express opinions. I suggest that that is just an example of where we did allow people to express opinions. It was fundamentally important that we did do that because we wanted to be absolutely sure that the views we were proceeding with in the community - particularly the criteria we were going to use for closing schools - were right and had the confidence, as far as they went, of that community. It was a sign of flexibility; it was not a sign of weakness. Similarly, when Dr Frances Perkins came forward and said that we had made fundamental mistakes and that our figures did not add up, rather than say, "Go away, we are going to ignore you", we said, "All right, you think we have got it wrong. We will face that question very fairly and squarely".

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We proceeded to spend many thousands of taxpayers' dollars analysing the figures that Dr Perkins produced. We went to enormous trouble to carefully check the figures and assumptions made by both ourselves as Education Department officials and officials of the ACT Treasury. The result of that work is represented in part by this document I have here, the ACT Treasury's financial analysis of school consolidation, a response to the issues that Dr Frances Perkins raises. Hundreds of pages of analysis, facts and figures were produced to Dr Frances Perkins. It is rubbish to suggest the Government has not tried to do adequate homework on this issue.

Mr Wood: Are you going to table the document?

MR HUMPHRIES: The document has been in the public forum for some time. I believe Mr Wood has a copy of it. If a copy is not available, I will produce another one. That is our response to Dr Frances Perkins. Dr Perkins has not been satisfied with that, mind you. That is not to say the Government is wrong and she is right or vice versa, but it does mean the Government has chosen to address the issue she raised fairly and squarely. When decisions were announced a couple of weeks ago, representations were made by a number of schools arguing that we had made mistakes.

Rather than duck that and say, "No, we are infallible; we are getting on with our decision", we decided, again properly, to consider whether that was the case, and as a result the Government has entered into a dialogue with a number of schools. I have seen every single school group that has come to me seeking to discuss the issue - or at least I have made arrangements to see them if I have not seen them so far. I spent most of last weekend talking to school groups about the issues raised in our papers, and I cannot be accused of being narrow-minded about those issues.

The fact is the Opposition puts us in a no-win situation. If we listen to the community and adjust our conduct to the extent we feel we are able to, consistent with our decision to save money in the education budget, then we have no confidence in our plans, so they say. If we do not, of course, we are being inflexible and ruthless and not listening to the community. That is why this Government has chosen to turn around this motion to make it one of censure of the Opposition. I think the Australian Labor Party deserves censure because it has engaged in a series of public deceptions on this very question. It has sought to whip up public hostility and anxiety; it has fed every doubt and every fear in the community through its comments.

It is true that many problems will occur as a result of these changes; it is true that people will be inconvenienced; it is true that the community as a whole has a challenge to face. But to suggest that they should do so with the kinds of scaremongering the Opposition is

engendering in this debate is simply unfair. I believe that the community ought to be encouraged to make the most of the situation and to take a positive attitude towards these changes. I believe parents should be doing their best, for example, to explain to children the advantages - and there are advantages - of these new arrangements rather than feed them stories of dismay and doom. Yet such a positive attitude is not being engendered by the response of the Opposition. That is extremely regrettable.

The amendment put forward by the Government has a number of other changes to it. It refers particularly to the deception of the Australian Labor Party with respect to hospitals. I want to spend a short time talking about that. The Government has chosen to spend a major amount of money reorganising the public hospital system of the Territory. (Extension of time granted)

The Government has sought to spend a considerable amount of money reorganising the public hospital system in the Territory - over \$150m in terms of 1989 dollars. That process, of course, will entail change, trauma and inconvenience and much the same factors as I mentioned in respect of the schools decision. It will entail all those changes and those difficulties for the community, particularly the community that works in the hospital system. Yet once again we find the Opposition prepared to stand up in this place, and more worryingly outside, and to distort the facts with respect to that decision and those changes - to distort what the Government is doing, again to engender fear and anxiety for the sake of winning political points. That is what they are doing; let us make no mistake about that.

Let us run through the sorts of deceptions that have been involved on the part of the Australian Labor Party in respect of that question. It has been consistently claimed the Government intends to close public hospital beds. I have made it quite clear that the public hospital beds have closed temporarily in the public hospital system as a result of decisions that are to a large extent beyond the control of any government. I want to quote from the Hansard of 28 September 1989 in which Mr Berry, who was then the Minister for Health, talked about the sort of work going on in our hospitals which has directly led to the closure of beds temporarily at the present time. He said:

The important job of removing asbestos at the Royal Canberra Hospital will proceed at a cost of \$1.413m; fire protection at the hospital will also be upgraded, at a cost of \$696,000.

He then went on to mention a number of other things. You have to close operating theatres to do that, to achieve those things. He accuses us of making those kinds of changes when it was he, as Minister for Health, who initiated those very decisions. Those are the decisions that are now being carried through by this Government, to

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upgrade the quality of services available in our public hospital system.

The doublespeak of which Mr Berry speaks is his own doublespeak. That is his deception; that is the deception referred to in this motion. Mr Berry has also claimed shamelessly that the casualty section of the Woden Valley Hospital is to close - another shameless and unmitigated untruth. It is not the case that that casualty section is to close. It will remain open.

Mr Berry has claimed in the last few days - this has not been a thing of the past; it has been a very recent thing - that the Government's hospital budget has blown out by \$40m. That is utter and complete garbage. The hospital budget will come in on target - not one penny over target; I repeat that. Mr Berry has claimed the Government has given up its commitment to a 24-hour mental health crisis service. It has not given up any such commitment. It will deliver such a crisis service.

Ms Follett: When?

MR HUMPHRIES: What is more, it will deliver it this year; before this year is completed. Before those opposite go off to their homes for their Christmas dinners, the ACT will have a 24-hour mental health crisis service. That is what I have said from the beginning; that is what I stand by now.

Mr Berry scurries back into the chamber to try to defend his claims; but he cannot, because the claims just are not true. This is the deception which this amendment refers to and the deception I urge this Assembly to reject in the most uncompromising terms by the passage of this amendment.

Mr Berry: You had to have some suicides in the ACT to prompt action from your Government; there had to be suicides.

Mr Jensen: That is disgraceful, Mr Berry.

MR SPEAKER: Order! Order, Mr Berry! Order, Mr Jensen!

Mr Berry: And you should hold your eyes down in shame, too, Mr Collaery.

Mr Collaery: Have you been out for an injection or something?

MR HUMPHRIES: Let us briefly come back to the question of school closures. We are accused of being the troglodytes that close schools. I want to quote from the Canberra Chronicle of 15 May.

Mr Connolly: On a point of order, Mr Speaker: Mr Collaery again keeps making these comments about medication or injections. He interjected to Mr Berry, "You have been out for an injection". I would ask that that be withdrawn.

MR SPEAKER: Order! Order! I overrule that. I assumed he meant a cup of coffee.

MR HUMPHRIES: Let me quote, in the last 36 seconds left to me, from Mr Bill Wood in the Canberra Chronicle of 15 May. He said:

Inevitably, because of demographic changes, some schools have to close.

That was in the Canberra Chronicle. Does Mr Wood deny that comment? Does Mr Connolly deny having said that preschools may have to close, at the Hackett school some weeks ago?

Mr Connolly: Preschools may have to collocate; we said that.

MR HUMPHRIES: Well, collocate, close; it is all the same thing.

A member: It is when they are attacking you.

MR HUMPHRIES: It is when they are attacking me; they are all the same thing. They are the same thing when you say them as well. Let us have some consistency.

MR WOOD (12.31): Mr Speaker, I will comment briefly on a few of the comments made by members of the Government. I have to say "a few of the comments" because so few comments were made. Who spoke? Mr Duby spoke, Mr Collaery spoke, Mr Stefaniak spoke and Dr Kinloch spoke. Now, of those speakers, Dr Kinloch supported the qualities of Mr Humphries. He spoke for Mr Humphries, if not for the actions that Mr Humphries carries out. But there was no defence of Mr Humphries, as I predicted, in the comments of the other members. What of the parliamentary traditions - - -

Mr Jensen: Rubbish! Absolute rubbish. He is doing a wonderful job, Bill.

MR WOOD: Well, I have been here writing down your defences and they are not there. What of the parliamentary traditions that you should, in such a censure motion, stand up and support your Minister? Where is that support? I know it is not there. You are very sorry he embarked on this course of action and you wish you could go back in time so that it never happened. That is the case of it.

But let me move on to a couple of other comments. Mr Duby used some words that I want to throw back at him. This is the defence we had. Mr Duby's defence of his Minister was to talk about the deception of the Labor Party and its duplicity. This comes from a former member of the No Self Government Party who came into this Assembly and joined the Government of the Territory. Now he is talking about deception and duplicity. Do you mind! And he was then so foolish as to read an editorial - - -

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Mr Duby: On a point of order, Mr Speaker: surely this is a matter of irrelevance to the censure of Mr Humphries.

MR SPEAKER: He might have changed view. All right, please proceed and be relevant, Mr Wood.

MR WOOD: "Please be relevant"? Well, I must not reply to Mr Duby; that is what he seems to be saying. He was so bold as to read an editorial from the Canberra Times. I suggest that he lacks the foresight in debate that Mr Humphries lacks in education planning. I will not embarrass Mr Duby by reading this editorial; I think it has been said enough. But let us suggest to Mr Duby that he should never use a Canberra Times editorial in support of any of his arguments.

Mr Stefaniak made comment about the hard times forced on us by the Federal Government, and I agree with him. It goes back, I think, as far as Phil Lynch and the razor gang since which time the ACT has been on a downward path of funding. We are on hard times. I agree every time that Gary Humphries stands up and says, "We have to fund a budget. We have to make savings", and I think he said something about a very significant shortfall to be made up. There is no problem about that. I accept it. But the question is this, Mr Humphries: if you think you have competence as a planner, as a maker of budgets, as a helper in making budgets, you must be very careful that the actions you take are going to achieve the ends you seek. The plain fact is that closing schools will save, in the long term, very limited amounts of money; closing schools is going to get you nowhere in saving significant amounts of money. It will do nothing towards meeting that target you want. In particular, in this current budget that you are framing for the financial year 1990-91, you will have no savings out of school closures. You will have no savings, so what is all this talk about? You are not going to achieve what you set out to achieve. It simply is not going to get you where you want to go.

I started off two hours ago moving a motion of censure against this Minister. I have been proved right. I went through numbers of members over there, and I have to point out again that nowhere has there been a defence of the Minister because nowhere is there an acceptance that what he is doing is the way to go. This Parliament must censure the Minister for Health, Education and the Arts.

MR SPEAKER: That closes the debate. The question is that the amendment moved by Mr Duby to Mr Collaery's amendment be agreed to. I point out to the house that the Chief Minister is attending the funeral of the late Governor of New South Wales.

Question put.

The Assembly voted -

AYES, 9

Mr Collaery
Mr Duby
Mr Humphries
Mr Jensen
Dr Kinloch
Ms Maher
Mrs Nolan
Mr Prowse
Mr Stefaniak

NOES, 7

Mr Berry
Mr Connolly
Ms Follett
Mrs Grassby
Mr Moore
Mr Stevenson
Mr Wood

Question resolved in the affirmative.

MR SPEAKER: The question now is that the amendment, as amended, be agreed to.

Question resolved in the affirmative.

MR SPEAKER: The question now is that the motion, as amended, be agreed to.

Question put.

The Assembly voted -

AYES, 9

Mr Collaery
Mr Duby
Mr Humphries
Mr Jensen
Dr Kinloch
Ms Maher
Mrs Nolan
Mr Prowse
Mr Stefaniak

NOES, 7

Mr Berry
Mr Connolly
Ms Follett
Mrs Grassby
Mr Moore
Mr Stevenson
Mr Wood

Question resolved in the affirmative.

PERSONAL EXPLANATIONS

MS FOLLETT (Leader of the Opposition): Mr Speaker, I seek leave to make a personal explanation.

MR SPEAKER: Do you claim to have been misrepresented?

MS FOLLETT: I do.

MR SPEAKER: Please proceed.

MS FOLLETT: Thank you, Mr Speaker. In the course of the last debate, Mr Collaery, in his totally intemperate remarks, accused me of deception in relation to the

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provision of a second domestic violence refuge in last year's budget.

As members will all know, that matter was referred to the Public Accounts Committee, which I chair, at Mrs Nolan's request. The Public Accounts Committee will be concluding its report and we hope to present it in the next sittings of this Assembly, but in the meantime I would like to advise the Assembly of two items of evidence which the Public Accounts Committee has received. The first is from the Minister for Finance and Urban Services. It is a letter dated 4 July and it reads, in part:

I would like to confirm that the Department of Health had proposed that the costs of the second refuge was \$142,000 in 1989-90 and \$238,000 in a full year.

MR SPEAKER: Order! I believe you are in breach of standing orders by bringing forward information from a committee that has not reported as yet.

MS FOLLETT: It has been released as evidence, Mr Speaker.

Mrs Grassby: She is chairman. She can do it as chairman.

MR SPEAKER: I believe you would normally seek leave to do that, would you not?

Mr Jensen: Documents have to be approved by the committee. I just want to check that up.

MS FOLLETT: They both have been.

Mr Jensen: That is fine; I was just checking.

MR SPEAKER: Please proceed.

MS FOLLETT: Thank you, Mr Speaker, I will continue:

The proposal -

that is the domestic violence refuge -

met the criteria for funding under the existing Supported Accommodation Assistance Program (SAAP) Agreement between the Commonwealth and the ACT. In this financial year, SAAP has been funded to a level of \$4.2m (\$2.4m Commonwealth and \$1.8m ACT). These amounts include a growth provision of \$300,000 which is a \$1:\$1 Commonwealth/ACT ongoing yearly contribution to the base and cost indices to maintain real term funding levels.

The former Government -

that is my Government -

considered that the refuge could be absorbed within this allocation of \$4.2m.

In addition, an extra \$100,000 was allocated to the Department of Health for youth homelessness as a separate approved new policy.

Mr Speaker, I have a further item which has been taken as evidence by the Public Accounts Committee, and it is a letter from Mr Bernard Collaery, Minister for Housing and Community Services, dated 27 July 1990. That letter reads in part:

I can confirm that a sum of \$142,000 was included in the Budget for "an additional domestic violence refuge ... to increase secure short-term accommodation for women ...".

Mr Collaery, would you pay attention? The letter continues:

It is also correct that the sum of \$142,000 was part-year effect only and that the full-year effect was estimated to be \$238,000.

The letter goes on:

With regard to the lack of a separate appropriation in the Appropriation Bill 1989/90, there was no need for a separate appropriation as any such funds would fall under the Community Services and Health Program. Regardless of whether the funds had been over and above normal ACT Supported Accommodation Assistance Program (SAAP) funds or not, they would have been included under this appropriation. The need for an "additional" appropriation for this refuge under this program did not arise as it was believed that the funds would come from SAAP.

Mr Speaker, that letter was signed by Mr Collaery, the Minister, who has accused me of deception in this matter. I would ask that he withdraw those comments, which at best are unparliamentary and at worst are a total fabrication.

MR COLLAERY (Minister for Housing and Community Services): Mr Speaker, I believe I have been misrepresented and seek to make an explanation.

MR SPEAKER: Please proceed.

MR COLLAERY: I will table, as soon as a letter is brought down here, my further letter to Ms Follett on this matter, after the files were - - -

Mrs Grassby: He whipped up and got another letter written, did he?

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MR SPEAKER: Order!

MR COLLAERY: Ms Follett speaks of two letters. She has failed to read to the house a third letter, which to my knowledge was forwarded to her this week.

Mr Berry: But you have not sent it to her yet.

MR COLLAERY: I am not saying she has got it; perhaps she has not. I will table - - -

Mrs Grassby: Oh, he has whipped up to write one. The cheque is in the mail.

MR SPEAKER: Order! Order, Mrs Grassby!

MR COLLAERY: Mr Speaker, I am claiming to have been misrepresented. Firstly, the Leader of the Opposition has said I used the word "deception", and we will wait for the Hansard to see whether I did. Be that as it may, I say that the Leader of the Opposition has read an incomplete record of the matters before her committee. I will be raising this matter after lunch and I will be tabling a further letter she has failed, after the files were perused, to present to the Assembly.

Ms Follett: Mr Speaker, I would seek for both of these letters to be incorporated into the Hansard. I can confirm that I have received no further correspondence from Mr Collaery. And I do still seek that he withdraw the word "deception".

Leave granted.

Documents incorporated at appendix 1

Sitting suspended from 12.46 to 2.30 pm

QUESTIONS WITHOUT NOTICE

School Closures - Video

MS FOLLETT: My question is addressed to the Minister for Health, Education and the Arts. Can he confirm that he has spent some \$20,000 on the production of a video by Film Australia which is designed to justify school closures?

MR HUMPHRIES: Mr Speaker, I am not aware of any such video. I certainly have not authorised any such video and, if such a video exists, I will advise members accordingly.

Retail Trade Turnover

MR STEFANIAK: My question is directed to the Minister for Finance and Urban Services. Is the Government concerned about the outlook for retail trade turnover in the ACT?

MR DUBY: I thank Mr Stefaniak for the question. Indeed, I am concerned, as I am sure are all members of the Assembly, over retail trading and turnover in the ACT, particularly given the enormously high interest rates which have been imposed upon us by the Federal Government and the general lack of consumer confidence in the economic outlook as a whole. Nonetheless, the recent performance of the retail sector in the Territory has been encouraging. Indeed, it has moved positively, against the national trend.

I notice that in today's Canberra Times there is an article that spells out plainly and clearly the situation in regard to retail turnover in Canberra. In New South Wales and South Australia, during the June quarter, the average weekly growth was only 0.5 per cent, and Tasmania achieved only 0.6 per cent. In the ACT, sales rose by 1.3 per cent in both May and June and 1.1 per cent in April. It is interesting to note that for the same periods in New South Wales the corresponding figures for growth were only 0.4 per cent, 0.5 per cent and 0.6 per cent respectively. Victoria, which is being touted to us as an example of the sort of economic policy which we in the Territory should be following, has experienced a negative growth trend since January.

So, all in all, whilst we are concerned for the general outlook of retail trade throughout the country, we are pleased to note that retail trade growth in the ACT exceeds that of the national average and that of the adjoining States of New South Wales and Victoria substantially.

Hospital Redevelopment

MR BERRY: Mr Speaker, my question is directed to the Minister for Health, Education and the Arts. According to public statements made by the Minister, the budget for hospital redevelopment has been cut back, or the fat has been trimmed off it, from in excess of \$180m - that is, the \$180m prescribed by the finance committee and the one-off recurrent costs of around \$12m - to less than \$154m in 1989 figures. What services will be cut as a result?

MR HUMPHRIES: The simple answer to Mr Berry's question is none. He seems to suffer under the delusion that, if governments reduce the amount that they might spend on particular services, they necessarily cut the quality or the quantity of those services. Mr Berry makes the assumption, in asking that question, that governments provide services at a uniform level of efficiency and cost effectiveness. We on this side of the chamber know that is

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not the case. We know that governments are quite capable of being grossly inefficient. This Government is making a very strong effort to ensure that it is not inefficient and is going to spend the dollars of the Territory in the most effective way possible.

There certainly is a reduction in the amount that was originally sought by parts of the hospital system to put towards the cost of providing for the hospital redevelopment project. It is an amount which I believe will see provided all the services which were originally envisaged. I see no risk of any cuts to any services as a result of that trimming back, that cutting back of the fat, as Mr Berry put it.

I also want to put on the record that when Mr Berry refers to one-off recurrent costs I do not make the assumption, as he has made, that the figure of \$154m postulated by the steering committee last year necessarily included that. I would not wish my silence on the matter to be assumed to mean that I agree with Mr Berry on that subject. If that is not the case, I will certainly be saying so.

Ms Follett: On a point of order, Mr Speaker: could you advise who will be taking the Chief Minister's questions?

MR SPEAKER: Thank you for that observation.

Mr Collaery: Mr Speaker, I would have done it, except that I did not get the chance.

Mr Wood: You did not think about it.

Mr Collaery: I certainly did think about it. The Leader of the Opposition jumped to her feet before I could, which is unusual, really. Mr Speaker, I will take the questions from the Opposition, on behalf of the Chief Minister.

Acton Peninsula Site

MRS NOLAN: Mr Speaker, my question is directed to the Minister for Health, Education and the Arts. Yesterday, in response to a question, he mentioned that the National Capital Planning Authority had initiated an inquiry into the use of the Acton Peninsula. According to this morning's paper, the Cabinet requested the inquiry. Is there any inconsistency between this report and the Minister's statement to the Assembly?

MR HUMPHRIES: I thank Mrs Nolan for her question. I do appreciate the opportunity to clear up the ambiguity that has appeared in the Canberra Times and elsewhere.

The ACT Government, in making its decision on the Royal Canberra Hospital, asked the Interim Territory Planning Authority to carry out studies of that peninsula. The ITPA

recognised that the peninsula is within a designated area in the certified draft National Capital Plan and immediately approached the National Capital Planning Authority for discussions, quite properly.

These discussions led to a view that a study of the area, which included the peninsula but which should be more extensive, should be carried out. I understand that it includes other parts of the East Basin and possibly areas outside that as well. The NCPA, as the responsible planning authority, then took the initiative to prepare the brief for that study. The draft brief has been prepared and is currently being discussed with the ITPA.

The NCPA has sought to assist the Government's program, I am instructed, and the two planning authorities are working in close collaboration. I have to say that it is certainly my expectation that that collaboration will continue and that I accept the tenor of the instructions that I have had that it is the NCPA's desire to cooperate with the ACT Government's announced plans with respect to that peninsula.

It is not my expectation that the NCPA will be involved in a manner that is designed to frustrate the Government's announced intentions. It is certainly my hope that the study will allow the Government to continue to use the site for purposes relating to the health needs of the ACT community. I hope that clears up the ambiguity and doubt that have been generated in that area.

Electoral System - Referendum

MR STEVENSON: Mr Speaker, my question was to have been addressed to the Chief Minister, but I am happy if Mr Collaery would be good enough to take it. It concerns Canberrans having a say in their lives. As we know, the Commonwealth Government, as well as our ACT committee inquiry, recommended that Canberrans be allowed to have a referendum on our electoral system. Malcolm Mackerras has recently mentioned that there was a conspiracy between the two major parties to ensure that Canberrans did not have that opportunity and to do a deal between themselves because the Labor Party was concerned that the single electorate - - -

Mr Collaery: On a point of order, Mr Speaker: is this a question or a speech?

MR SPEAKER: Please get to your point, Mr Stevenson.

MR STEVENSON: I do not see why he would stop me at that time - perhaps a little later. The Labor Party was concerned that the single-member electorate might not get up while the Liberal Party was concerned that the proportional representation might not get up.

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Mr DUBY: According to the chart in today's paper you get a seat, so what are you worried about?

MR STEVENSON: That is not my concern, as you would well know.

MR SPEAKER: Order! Please get to your question, Mr Stevenson.

MR STEVENSON: I think it would be a sad day if only one independent were elected to the next Assembly, and I do not mean me. The question is: Was Mr Mackerras right when he said that he thinks there would be a 40 per cent chance that they will be able to get around the conspiracy, so that the people of Canberra will be able to have a say anyway and a referendum will be held?

MR COLLAERY: I thank Mr Stevenson for the question. I point out that standing order 117 does not require me to answer hypothetical questions or to give opinions. It is an interesting question. I will take it on notice and see whether the Chief Minister is prepared to answer it.

Hospitals - Elective Surgery

MR WOOD: I direct a question to the Minister for Health, Education and the Arts. What are the current numbers of patients on waiting lists for elective surgery at the three ACT public hospitals?

MR HUMPHRIES: Mr Speaker, these documents which I carry into the chamber every day have rarely proved to be very useful, and today is no exception. I do not know the answer to the member's question. However, I undertake to find out and convey the information to him as soon as possible.

Road User's Handbook

MR JENSEN: Mr Speaker, my question is directed to the Minister for Finance and Urban Services. Is he aware of recent comments that were made on the radio about problems with the provision of road user handbooks? I understand that photocopies have been handed out. Can the Minister indicate what the current situation is and how he proposes to get around this problem?

MR DUBY: I thank Mr Jensen for the question. Members may know that the ACT Road User's Handbook was first printed in 1977 and that it has provided a very useful service over the years to people hoping to get drivers licences. A new traffic handbook is currently at the final artwork stage and will be released to the public by mid-September.

Whilst the new handbook will be a much more readable document and much more useful to those intending to obtain drivers licences, unfortunately, we ran out of stocks of the old handbooks. Because this Government is very aware of adopting cost-saving measures, the decision was taken to photocopy the remaining supplies and hand out the photocopies. The book gives details of when to give way and when not to give way, and it provides examples showing that the red car should give way to the yellow car or green car or whatever. All I can say is that, having been made aware of the situation, I have arranged for the issue of crayons at the Motor Vehicle Registry and, as people receive their photocopies of the ACT Road User's Handbook, it shall now be in the appropriate colours, as it should be. The new books will be available, I believe, in September.

Hospital Beds

MRS GRASSBY: I would like to ask a question of the Minister for Health, Education and the Arts. This time it is about hospitals. Maybe he can give us an answer on this one, even if he cannot on schools. Will he confirm that the number of approved public beds stands at 933? If not, will he provide this Assembly with the number of approved public beds? How many beds are currently staffed and available for use in public hospitals?

MR HUMPHRIES: It may be that my brief on this occasion does provide some assistance to those opposite. There are currently 888 acute beds available in Canberra's three main hospitals - that is as of today - and this includes 24 neonatal cots at Royal Canberra Hospital. So, if you exclude those, there are 853, approximately.

Between 30 and 60 beds were closed at Royal Canberra at various times between February and June this year, for fire preventive work. Mr Berry would know all about that, since it was he, as Minister for Health, who initiated that work some time before he left office.

Mr Doby: Did he start it?

MR HUMPHRIES: He started that work, yes; this was Mr Berry's doing. Since that time there has certainly been a problem recruiting sufficient nursing staff to restore Royal Canberra to its normal availability of 399 beds. It is true that the 23-bed ward 6CD at Royal Canberra remains part of the closure that has occurred as a result of that shortage, and the closure of the ward has enabled the best distribution of staff throughout the other wards in the hospital.

Mr Berry: What are the approved numbers? Is 933 the approved number?

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MR HUMPHRIES: I do not know what the approved numbers are. If Mrs Grassby would like the information about that, I will take that part of the question on notice.

MRS GRASSBY: I have a supplementary question. If the Minister adds his figures he will see that they do not quite add up. Could he take it on notice and give us the exact figures?

MR HUMPHRIES: As I said, the figures are approximately right. I can see that there is an error in them. I will produce those figures for Mrs Grassby at the earliest possible convenience.

Leasehold System

MR MOORE: My question is directed to the Chief Minister, but I will be happy for the Deputy Chief Minister to answer it because I know of his past interest in the leasehold system. I refer to an article by Philip Hobbs in this morning's Canberra Times, and I will take a couple of quotes from it. The article is entitled "Lease loophole stings taxpayers". It states:

Lessees paying out their leases were paying interest effectively of only 10 per cent and, at the same time, reaping considerable capital gains.

A couple of paragraphs further down it states:

The Alliance was announcing the changes well in advance of their introduction so that lessees could take advantage of the change and pay out leases before the new rules applied.

Clearly, any astute business person will now move rapidly to reap the considerable capital gains. Estimates that I have been able to get this morning show that this early notice should mean a loss of revenue to the ACT of between \$1m and \$2m - enough to keep our schools open.

Is this announcement simply a further incompetent economic decision on the part of the Government, or is it a case of deliberately handing millions of dollars to specific businesses rather than injecting the money into areas such as education?

MR COLLAERY: I thank Mr Moore for the question. I think that is a proper question to ask the Chief Minister, and I ask that it be placed on notice.

Restaurants - No-Smoking Zones

MS MAHER: My question is addressed to the Minister for Health, Education and the Arts. Is the Government intending to force restaurants in the ACT to set aside no-smoking zones? What impact is this likely to have on their profitability and the tourist industry?

Mr Berry: When will he bring forward the tobacco legislation?

MR HUMPHRIES: I might answer several questions at once. To answer Mr Berry's question: at the next sitting of the Assembly. To answer Ms Maher's question: in March this year I announced the Government's intention to introduce revised tobacco legislation for the ACT. One of the proposals within the package was to require restaurants to set aside a fixed minimum percentage of their dining areas as no-smoking zones.

Since this proposal was announced, both my department and I have been involved in detailed discussions with representatives of the restaurant and catering industry at both the ACT and national level concerning the proposal. The thrust of the Government's proposal is to provide diners, to the maximum extent possible, with the opportunity to express a choice to dine in a smoke-free environment should they wish to do so. Whilst some restaurant owners have made allowance for non-smokers, many more have not. The Government believes that greater allowance should be made without reducing restaurants' profitability or affecting Canberra's tourism industry.

I should stress that there has been a degree of misinformation about the nature of the Government's proposal, which has raised unnecessary concern. I should like to stress that the Government does not intend to legislate at this stage to require restaurants to establish physically separate non-smoking zones or to install additional air-conditioning systems.

I have agreed to the industry being given a period of six months - the six months has already started to run, I should say - in which time it must demonstrate its ability to meet the Government's requirements to set aside a minimum non-smoking area of 30 per cent of dining areas. If the industry fails to meet this requirement, the Government will be forced to enact the sections of the new legislation which cover this issue.

As a patron of restaurants in Canberra from time to time, I have noticed what seems to me to be a stark lack of compliance with the voluntary self-regulation code which the industry is seeking to implement. I cannot say that I have noticed any restaurant that I have visited in the last few months complying with that code. I have to say very clearly, so that there is no ambiguity about it, that if the industry cannot regulate itself the Government will

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regulate; there is no doubt about that. A shorter period than six months remains for that trial to see whether it is successful.

Hospital Beds

MR HUMPHRIES: May I correct an answer that I gave earlier to Mrs Grassby concerning acute hospital beds. I misread the information in my brief, so I want to correct that. She correctly pointed out that the figures do not add up. There are currently 853 acute beds available in ACT public hospitals. I will, if she wishes, obtain a breakdown of those beds as well as the number of approved beds.

I should point out that the number of approved beds rarely matches the number of available beds, under any government. I am very happy to provide that information which Mrs Grassby requests.

DISALLOWED QUESTION

Mr Connolly proceeding to address a question to Mr Humphries -

MR SPEAKER: Now that the question has been heard, I rule it out of order.

Mr Berry: Gee, that is not bad. You jumped in; nobody even called a point of order.

MR SPEAKER: I am allowed to make rulings, thank you, Mr Berry.

Mr Wood: Why? Can you justify it?

Mr Moore: Why? Under what standing order?

Mr Connolly: On a point of order, Mr Speaker: can you justify that ruling?

MR SPEAKER: I do not have to justify it; but, for your education, it is not a matter for which the Minister is responsible.

Ms Follett: School closures?

MR SPEAKER: For the Canberra Times.

Domestic Violence Refuge

DR KINLOCH: My question is directed to the Minister for Housing and Community Services. Prior to the luncheon adjournment the Leader of the Opposition tabled two letters

to support certain assertions that she made to the effect that inclusion of funding for a domestic violence refuge in the women's budget last year was not inconsistent with the facts. Would you care to comment on those assertions and claims?

MR COLLAERY: I thank Dr Kinloch for his question. Mr Speaker, to set the record straight, I wish to table a copy of the letter that was delivered after the luncheon break today to Ms Follett.

Mr Moore: On a point of order, Mr Speaker: under standing order 46, if Mr Collaery feels that he has been misrepresented, there is an appropriate time to deal with that in an appropriate way. It is certainly not a question.

MR COLLAERY: This is nonsense. This is within my portfolio. Come on, sit down.

MR SPEAKER: Order! Please be brief on that one, Mr Collaery.

MR COLLAERY: Mr Speaker, the short point at issue was that Ms Follett was defending the view of this Government that an inclusion in the women's budget of a domestic violence refuge involved funds which really were never appropriated and, therefore, the funding was never there. Ms Follett argued before the luncheon break that that was not part of what was at issue before the house in relation to deception and inconsistency.

To complete the story, I table a copy of a letter that was delivered to Ms Follett during the luncheon break, together with a letter from the Ministerial Liaison and Support Unit, from a Mr Shaw, attesting to the fact that that letter was in a batch that I signed prior to the issue arising in the Assembly today. I signed it in this house on Tuesday evening. Also for the information of members I tender an original, and table a copy, of advice received from my department on or about 27 July 1990, which makes clear the facts in issue in relation to this domestic violence refuge. The documents are as follows:

- Domestic violence refuge - Standing Committee on Public Accounts inquiry on funding -
- Copy of minute by the Executive Director, Community Programs Branch to Mr B. Collaery, MLA, Minister for Housing and Community Services, dated 27 July 1990.
- Letter from Acting Manager, Ministerial Liaison and Support, to Mr B. Collaery, MLA, Minister for Housing and Community Services, dated 16 August 1990.
- Copy of letter from Mr B. Collaery, MLA, Minister for Housing and Community Services, to Ms R. Follett, MLA, Presiding Member of the Standing Committee on Public Accounts, dated 16 August 1990.

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Sports Ministers Conference

MRS NOLAN: Mr Speaker, my question also is directed to the Minister for Housing and Community Services - in this case, as Minister for sport. Can he inform the house whether he will be attending the ministerial sports conference in New Zealand? If so, what are some of the matters that are on the agenda and what is he going to discuss?

MR COLLAERY: I thank Mrs Nolan for the question. Yes, I will be going. I will get the last plane out. The Leader of the Opposition interjected this morning. She thought I was leaving during the luncheon break, which I was scheduled to do; but one does not turn one's back too easily on the Opposition at the moment. Mr Speaker, that ANZAC Conference of Sports Ministers is very important. The agenda will cover a range of important issues, including sports sponsorship and tobacco advertising; our national fitness strategy - - -

Mr Berry: You cannot go anywhere, Bernard.

MR COLLAERY: It will also cover support for elite athletes - I know that Mr Berry would not be interested in that - support for the Australian 1998 Commonwealth Games bid, and the highly important issue relating to recreation for people with disabilities.

Members interjected.

MR COLLAERY: This is relevant to those interjecting - the council will be focusing on the important issue of compulsory drug testing of sportsmen and sportswomen. I will be raising the sensitive issues relating to balancing legal principles to do with compulsory drug testing of sportspersons against issues of civil liberties. As everyone in this house knows, at the moment there is compulsory drug testing of professional footballers, and there have been occasions when the results of those tests have been publicly revealed. That raises the question of whether those test results can be used to support investigations or prosecutions. No other section of the community, to my knowledge, is compulsorily obliged to provide evidence that could be used against its members. There are serious concerns there, and I will be addressing them with the Ministers tomorrow in Wellington.

Ms Follett: Mr Speaker, on a point of order: I have given written notice that I believe Mr Collaery is in breach of privilege by divulging unpublished evidence to the Public Accounts Committee.

MR SPEAKER: Thank you, Ms Follett. I will take that on board.

Playhouse Theatre

MS FOLLETT: My question is addressed to Mr Humphries, and it relates to his portfolio interest in the arts. What are his Government's plans for the Playhouse Theatre - in particular, its closure?

MR HUMPHRIES: Mr Speaker, my briefing papers are becoming dog-eared with use today. I thank Ms Follett for the question. I understand that the deadline for the Civic Square design and financial submissions was 23 March this year and that they are still being thoroughly examined by expert design and financial judging panels.

Part of the commercial redevelopment site is currently occupied, as Ms Follett observes, by the Playhouse Theatre. Throughout the planning of the Civic Square project the Canberra Theatre Trust has been kept fully informed of all developments relating to the theatre interests. The trust has been advised that the Playhouse Theatre will be required to cease operating by Friday, 12 October 1990. This is in line with the timetable set down for the finalisation of the sale process for the site.

The Select Committee on Cultural Activities, which I think Mr Wood chairs, inquires into and reports on cultural activity in the ACT. One specific term of reference is to examine the range and adequacy of existing and proposed facilities. We await that report with interest. The question of providing a suitable drama venue, no doubt, will be addressed during these deliberations. The Government, of course, will be guided by the recommendations of the select committee, and I hope it will ensure that a suitable drama venue is established in the ACT.

I am also aware of the complications caused by the burning down of the TAU Theatre and the closure of the Childers Street Theatre. I hope that the issues that are raised by those problems can be addressed in such a way that all theatre venues and theatre spaces in the ACT and the need for those spaces are addressed at the same time.

Hospital Redevelopment

MR BERRY: My question, which is directed to the Minister for Health, Education and the Arts, relates to the hospital redevelopment project. Can he tell the Assembly what the cost of the project office of the hospital redevelopment program is and whether that cost is part of the \$154m total figure for the project?

MR HUMPHRIES: Mr Speaker, Mr Berry is asking for details on the breakup of the hospital redevelopment budget. I

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should point out that this is an entirely proper question when that budget has been finally settled.

Mr Berry well knows, because he has asked questions about the process whereby that budget is determined, that the budget for the hospital redevelopment project has not yet been finalised. It is in the process of being finalised.

Mr Berry: But you have started doing things.

MR HUMPHRIES: That is quite proper and appropriate. Mr Berry obviously does not understand the way that these things work. It is entirely appropriate for work to begin while the budget is being finalised.

Mr Berry: Just give us a guess, Gary; that will do.

MR HUMPHRIES: I am not going to provide any guesses. It is my job, as Minister, to give accurate figures, and when those accurate figures are available I will produce them.

Heritage Study - Reid

MR STEFANIAK: Mr Speaker, my question is directed to the Minister for Finance and Urban Services. What progress is being made on the heritage study of Reid?

MR DUBY: I thank Mr Stefaniak for the question. The Reid heritage conservation study is funded under the national estate grants program and is being undertaken by a team from the faculty of environmental design at the University of Canberra. It will be completed by the end of next week. The Heritage Unit of my department is managing this project. The consultants have been working with individuals and organisations that are interested and concerned with the future of Reid to prepare a set of reasonable and achievable conservation objectives for that inner-city suburb.

The study will provide a better understanding of the conditions and heritage significance of the various elements of Reid - from the houses, gardens and parks areas to the finer points of detail found in streetlights and signs. The results should provide better information for residents who are interested in conserving the heritage value of their properties, and I know Mr Moore is very concerned about it. It should also set the parameters for future development in that suburb.

Office of Industry and Development

MR MOORE: Mr Speaker, I also have a question for the Minister for Finance and Urban Services. I notice in the Australian Capital Territory Gazette, No. 24 of 20 June 1990, on

page 634, that reference is made to the purchase of venetian blinds to furnish the Office of Industry and Development for the sum of \$16,792, and a further reference is made to about \$10,000 worth of broadloom carpet, presumably also for the Office of Industry and Development.

Can the Minister explain why it was necessary to move the Office of Industry and Development to the Canberra Centre Tower and thus incur these expenses in addition to the extra rental expenses compared with those for the original location when fiscal restraint is being encouraged elsewhere in the ACT? How does the Minister intend to justify these amounts to those members of the community who will be financially disadvantaged by the impending school closures, as nominated by this Government?

MR DUBY: I thank Mr Moore for the question. It is a quite complicated and long question. Some of the matters, frankly, do not fall within my area of responsibility. For example, he asked why the Office of Industry and Development was moved to the new office accommodation. I think really he should be asking it of the current Leader of the Opposition, as that decision to move those people was made on, I believe, the day after the motion of no confidence was moved in relation to the former Government. They are the people who are responsible for the move, the legal shift of that office to the new location. Of course, there were costs involved in the shift.

Mr Berry: On a point of order: I would be delighted to hear a full answer to this question. Mr Duby obviously does not have the information. If he does not have the information, he can take it on notice and give it to us later.

MR SPEAKER: Order! Thank you for your observation, Mr Berry. Please proceed, Mr Duby.

MR DUBY: In relation to those figures mentioned, of \$16,000-odd for blinds and \$10,000-odd for carpet, they undoubtedly are substantial amounts of money and, as I said, the responsibility for that lies fairly and squarely with the former Chief Minister and former Treasurer.

However, in relation to the rest of the question, I shall take it on notice and provide those answers as soon as possible.

MR COLLAERY: Mr Speaker, I ask that further questions be placed on notice.

School Closures - Video

MR HUMPHRIES: Mr Speaker, I was asked a question by Ms Follett at question time today concerning the production of a video, at a value of \$20,000, and the video subject was

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supposedly the closing of schools. I have an answer to that question, and I would like to read that answer now.

The video referred to by Ms Follett is one element of a series of professional development materials produced by the education departments of New South Wales, Victoria and the ACT and called "Educative Leadership". They were being directed by two senior academics from the University of New England, Dr MacPherson and Dr Duignan.

There are 10 elements in the series, each of which contains a video, a monograph, lecture notes, overhead transparency masters, summaries and other learning materials. The ACT department of education has been responsible for two of the elements - educative leadership in curriculum development and educative leadership in the rationalisation of services. They are two areas in which we are certainly leading the field at the moment.

Ms Follett: How much?

MR HUMPHRIES: I will come to that, Ms Follett. This project was begun under the administration of the Federal Labor Government and continued under the Follett Government. The written materials and film treatment were completed in 1988 and further refined last year. Shooting of the video was completed in March this year, well before the Government announced any intention to close schools. The video does refer directly to the closure of schools in 1988 and shows that a positive approach by those involved can result in a happy transition for staff and students.

Mr Moore: It is called propaganda.

MR HUMPHRIES: It was her propaganda, Mr Moore. I should also point out that the video did not involve a financial outlay by the department. My department has a video studio at the O'Connell Education Centre at Griffith. Because of staffing restrictions, the department is unable to operate the studio, and it allows Film Australia to use it as its Canberra production facility. In return, Film Australia produces six or more videos each year free of charge in lieu of rent. The amount of \$20,000 referred to by Ms Follett as the production cost may well be correct, but it was paid in kind, not in cash.

PERSONAL EXPLANATION

MR BERRY: Mr Speaker, pursuant to standing order 46, I would like to make a personal explanation.

MR SPEAKER: Do you claim to have been misrepresented?

MR BERRY: I do.

MR SPEAKER: Please proceed.

MR BERRY: Mr Speaker, yesterday during the debate on the Bill designed to prevent school closures, Mr Humphries said that I had made statements that we would reopen all schools that are closed by his Government. Mr Humphries has again distorted the truth, as he quite often does.

MR SPEAKER: Order! I would ask you to withdraw that.

MR BERRY: I have not said anything.

MR SPEAKER: You said that Mr Humphries often distorts the truth. Please withdraw that.

MR BERRY: Mr Humphries has not told the truth in relation to that matter.

MR SPEAKER: Again, you must raise that as a motion against him. You cannot just say it on the floor of the house.

MR BERRY: Mr Speaker, everybody gets a little bit testy over these things, but Mr Humphries did not represent the facts correctly.

MR SPEAKER: I ask you to withdraw your imputation.

MR BERRY: I beg your pardon?

MR SPEAKER: I would ask you to withdraw your imputation.

MR BERRY: I have withdrawn that. Mr Humphries has not represented the facts correctly.

MR SPEAKER: Thank you. Yes, that is okay. Go ahead.

MR BERRY: That could be interpreted to be saying that he did not speak the truth, but we are starting to split hairs about these matters, I think. I had said that Labor, in office, would reopen all schools that could be reopened; Labor could not give a commitment to reopen schools that this Government had bulldozed; neither could Labor give a commitment, because its policy prevented it from doing so, that schools that the community opposed being reopened would reopen because of our commitment to have the community participate in any decisions in relation to schools. I hope that clarifies the matter for Mr Humphries.

MR SPEAKER: Prior to the break at lunchtime, Ms Follett asked for a withdrawal from Mr Collaery on a matter. I am reviewing the Hansard documentation, and I will report to the Assembly once that has been reviewed. It has not been completed. We worked on it over lunchtime, but we have not succeeded in completing the review. As soon as that comes to hand, I will give a judgment on that issue.

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DEATH OF REAR-ADMIRAL SIR DAVID JAMES MARTIN

MR COLLAERY (Deputy Chief Minister): Mr Speaker, I move:

That the Assembly expresses its deep regret at the death of His Excellency Rear-Admiral Sir David James Martin, KCMG, AO, and tenders its profound sympathy to his widow and family in their bereavement.

I do not think many words are needed today, which will be a day of great eulogies for this great Australian, other than for me to say briefly that those of us who saw that courageous man last Tuesday performing his last public functions with great courage would truly accept that this great son of Australia has fulfilled a great destiny for our nation. Mr Speaker, I commend the motion to the house.

MS FOLLETT (Leader of the Opposition): We on this side of the house are happy to join with the Government in supporting this motion of condolence on the death of Rear-Admiral Sir David Martin. Sir David Martin had a very long and distinguished naval career. He served in Korea in the early part of his service with the Navy, and served until 1988. He had a great many distinguishing aspects to his career, including involvement with the Bicentenary and his association with the First Fleeters. He was a very distinguished Australian indeed and, I think, a very much loved Governor of New South Wales. With the death of Sir David Martin we have, indeed, lost a great Australian.

There is one other point that I would like to make, and that is that the disease which killed Sir David Martin was caused by asbestos contamination. It may be a tragic truth that it takes the death of a great and prominent man from a disease like this to bring into focus the great danger of people working with asbestos and to make us think of the very many other people in private enterprise, as well as in public employment, who have been exposed to asbestos and who have suffered painful and often untimely deaths.

When Sir David Martin died I think he was only 57 years of age, which is no great age for a person who led the kind of fit and active life that he did. I think it is a tragedy indeed that it was a product that he worked with - namely, asbestos - that brought about his untimely end. I hope that, if there is a lesson to be learnt from his death, it is that everybody who works with this product is at risk and that, as a community, as a society, we must take responsibility for that.

Question resolved in the affirmative, members standing in their places.

LEGIONNAIRES DISEASE
Ministerial Statement and Paper

MR HUMPHRIES (Minister for Health, Education and the Arts), by leave: I am pleased to be able to inform the house of new procedures in the public health area of my health portfolio to contain and monitor a potential outbreak of legionnaires disease in the Australian Capital Territory. A new action plan, developed by the ACT Health Surveillance Section, in conjunction with the New South Wales Department of Health, allows for effective cross-border identification of suspect sources of the disease and an integrated plan for its containment and treatment, should the need arise.

As members may be aware, common sources of infection by the legionnaires disease bacterium, *Legionella pneumophila*, are air-conditioning systems incorporating cooling towers and evaporative condensers.

While my colleague Mr DUBY has the responsibility to ensure that staff of the urban services branch of his department carry out monitoring of air-conditioning systems according to recommended standards, it has been possible to ensure that health surveyors and the ACT Analytical Laboratory within my ministry work in close liaison with the Building Controller and his staff in this area of public health concern.

Fortunately, Canberra has not had a serious outbreak of legionnaires disease. Certainly, we have had cases reported, but the origin of the disease in any one instance could not be sourced to an ACT location and in most cases an out of State source was identified.

Indeed, the new action plan was tested a short time ago when three cases of legionnaires disease in ACT residents were investigated. The potential common source appeared to be in New South Wales, and the compatibility of the New South Wales and ACT plans ensured a speedy investigation without duplication of effort.

The legionnaires bacillus is found naturally in moist environments, such as lakes, streams and soil. Surveys have shown that the organism is in up to 30 per cent of cooling towers in air-conditioning plants, and grows and multiplies in poorly maintained systems where sludge and slime are allowed to accumulate. It has also been found in shower heads, shower water, baths, hand basins, heated water systems and humidifiers using water sprays. It is carried in fine water droplets or vapour emanating from these systems, which are inhaled by the victim; hence the number of cases that have been sourced to locations adjacent to poorly maintained city building air-conditioners.

I do not wish to alarm members by pointing that out, but it is possible, as I have indicated, for shower heads and

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other things to contain the bacillus. The organisms thrive in warm water between 35 and 37 degrees celsius, which is probably one reason why Canberra has not had a serious outbreak so far. It is rarely that warm.

MR SPEAKER: Order! Mr Doby, I have previously given instructions not to read papers, thank you.

Mr Doby: I am sorry, Mr Speaker.

MR SPEAKER: Please proceed, Mr Humphries.

MR HUMPHRIES: Nevertheless, we must be forever watchful as our city offices and public buildings do use systems that achieve these temperatures. Even in winter, our urban and health services need to be continually aware and on guard against the possibility of infection in our population.

It is a credit to those concerned that negotiations between the New South Wales and our own health authorities have achieved a common set of guidelines and action procedures in the event of an outbreak.

This plan also is significant inasmuch as it minimises expenditure on the sourcing of the disease, isolation of contacts, and treatment of those who contract it. A common set of principles and procedures is followed rather than the disorganisation and disarray that results from different cross-border procedures.

We are all aware of the need to minimise expenditure on any public enterprise. The health budget is not inexhaustible, and it is good to see that this kind of cooperation is happening and has a very real effect on the provision of better and more effective health services to the community.

I hope the need to use the plan does not recur. I am, however, reassured that the plan is there should the need arise to use it, and that it works. The community can rest assured that our public health staff are trained to carry out the predetermined investigative procedures that will assure the speediest possible control of any outbreak of legionnaires disease. Mr Speaker, I table the following paper:

Legionnaires disease - Ministerial statement, 16 August 1990.

I move:

That the Assembly takes note of the paper.

Question resolved in the affirmative.

DAY OF NEXT MEETING

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

That the Assembly, at its rising, adjourn until Tuesday, 11 September 1990, unless the Speaker fixes an alternative day or hour of meeting on receipt of a request in writing from an absolute majority of Members.

MINISTERS - NUMBER APPOINTED

Debate resumed from 15 August, on motion by **Mr Collaery**:

That this Assembly -

- (a) resolves that for the purposes of sub-section 41(1) of the Australian Capital Territory (Self-Government) Act 1988 of the Commonwealth the number of Ministers for the Territory the Chief Minister shall appoint be fixed by regulation at a number not less than three (3) and not exceeding five (5); and
- (b) requests that the Speaker address the Governor-General in the terms of this resolution.

MR CONNOLLY (3.19): I will take the call, Mr Acting Speaker - I am sorry, Mr Speaker.

Mr Moore: A Freudian slip.

MR CONNOLLY: I am used to referring to Mr Acting Speaker, Mr Speaker.

Mr Moore: Mr Temporary Speaker.

MR CONNOLLY: Perhaps there is something I do not know that I should know, judging from the amusement from the other side. Mr Speaker, this proposal to expand the ministry from three, or four including the Chief Minister, to either five or six could not have come at a more outrageous time for the Canberra community.

On the day on which those opposite voted down a motion condemning school closures, the pressing issue before every resident of Canberra, we have, later that afternoon, snouts in the trough to increase the front bench - less schools, more Ministers. What an indictment on self-government! What an indictment on the handling of the public affairs of this Territory! What incredible insensitivity to the views of the community!

We should not, I suppose, have been surprised at such insensitivity. Consistently in this house we have not been given the facts on issues of school closure. We have consistently discovered that the best answer to a question

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on notice is, "That involves the budget, so I cannot tell you". That approach, Mr Speaker, is either incredibly clever or incredibly stupid. It is incredibly clever because, if given in parliamentary history, it would mean that no questions would ever elicit information from members of government.

Going back in history federally, some major scandals affecting both sides could have easily been answered by, "Sorry, cannot answer; it is a budgetary matter". The cost of VIP aircraft almost brought down the Gorton Government. The answer could have been, "Sorry, budgetary figure, involves a cost to defence". The public scandal about loans from overseas in the period of the Whitlam Government could have been answered, "Sorry, budgetary question, cannot answer it". Mr Humphries has dreamed up the ultimate answer to avoid any scrutiny of the ministry - "Sorry, it is a budgetary question".

Mr Humphries: On a point of order, Mr Speaker: this is a motion about increasing the size of the ministry, but Mr Connolly is talking about matters raised earlier today concerning the answering of questions. I fail to see the connection. I ask that he be made to be relevant.

MR SPEAKER: Thank you, Mr Humphries. Please proceed, Mr Connolly.

MR CONNOLLY: We have four Ministers who will not answer questions. Having six will achieve no additional benefit. I am sure the other two Ministers will adopt the same strange approach of ministerial irresponsibility.

Mr Speaker, this attempt to increase the ministry comes at a time when the Government is lecturing the community on school closures. I say "lecturing", because it is not explaining; it is not reasoning; it is not putting its case. It is lecturing the community about the need for restraint. It is lecturing the community about difficulties with resources. But now it wants two more Ministers. How extraordinary!

How can its members honestly go to the community of Canberra and say, "This is what we are doing - shutting your schools and increasing the ministry"? It is an absolutely extraordinary approach for this Government to take.

During the period of the first Follett Government - I say "the first Follett Government" because there will be many, many more, starting from February 1992 - we had four Ministers who were able efficiently and effectively to conduct the public business of this Territory.

This ministry, however, claims that it is unable to cope. On that point we would agree. You have demonstrated beyond all doubt that you are unable to cope. You do not take decisions or you constantly reverse your decisions. A

number of instances in relation to the portfolio that I shadow particularly cover that. The best example is Mr Collaery's statements on the detention centre which was going to take the place of a mental health facility. It was, then it was not; it was, then it was not; and I think now it is not, but perhaps it is. You just never know. Decisions are not being taken. Things are being put on the back-burner. The ministry is just not prepared to explain to the community its decisions on the long drawn out exercise of school closures or, in other cases, to take decisions.

This Territory can be adequately governed by four Ministers. It was adequately governed by four Ministers under the Follett Government. It is inadequately being governed by four Ministers now. But I am sure it will be equally inadequately governed by six or seven Ministers. Why not adopt the approach of every player wins a prize.? We have heard no real, sensible justification for this expansion of the ministry in terms of public administration, so we are left to surmise that there is a political reason for it.

We see, to our amusement, constant changes in party affiliations in this house. The people of Canberra who voted No Self Government were, I think, somewhat concerned when their No Self Government vote turned itself into an independent vote in the ministry, and now we are seeing it turn itself into a Liberal Party vote. That is the sort of approach that the community regards with contempt. To top that off by creating an extra couple of ministerial positions is the ultimate in cynicism.

The Government is not unaware of the cynical manner in which this decision will be received by the Canberra community. Mr Kaine certainly is not. He has publicly indicated that it is perhaps not the time for this decision - and how correct he is on that. Presumably the ambitions of those who sit alongside him or behind him overrode his cautious approach on that.

Mr Wood: It stops the brawls.

MR CONNOLLY: That is right. Now is the time, in the view of those on the backbench who aspire to a ministry. Yet they realise that the community will be outraged. They realise that, at a time of school closures and hospital slashing, two more Ministers will go down in the community like a lead balloon. How right they are! So how do they justify it? They could attempt a reasoned case to explain the need for two more ministries. But presenting a reasoned case with all the facts on the table has never been the style of this Government - certainly not in the education debate. So we forget about the reasoned approach.

The alternative tactic is to try to suggest to the community, "This really is not going to cost you anything,

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folks. Do not think that two more ministries is going to mean two more ministerial salaries, two more lots of ministerial staff or two more ministerial Fairlanes. Do not worry about that - it may not cost you anything, as the Deputy Chief Minister said yesterday". If you think the community will believe that, you would think it will believe anything. But perhaps a government that thinks it can slash schools and hospitals and get re-elected really does believe the community is that stupid. You certainly treat it in that way. You will not reason with it on your decision on the most important issue before the community, school closures; you treat the community with contempt, so perhaps it is not surprising that you treat it with this ultimate contempt by deciding to increase your ministry by two on the day on which you vote to close the schools.

Mr Speaker, this is a decision that will truly haunt this Government until its dying day which, as we all know, will be the second Friday in February of 1992.

Mr Humphries: I think it is the third, actually.

MR CONNOLLY: Perhaps you will cling to power for another week, Mr Humphries. By that stage, it may not be six Ministers; it may indeed be 10 Ministers, assuming that Dr Kinloch remains with the Alliance until that date. Mr Speaker, this is a proposal for which the Government has totally failed to demonstrate a need. There is absolutely no justification for expanding the ministry at this time. Not only is it an intemperate and unnecessary proposal, but it is the ultimate exercise in political cynicism. On the day on which the vote was taken on the closure of schools, this Government decides to increase its ministry.

Mr Speaker, this is a decision and a proposal that treats the Canberra community with contempt, and the Canberra community will reciprocate heartily. It will have nothing but contempt for a government that wants to feather its own nest, get more snouts into the trough and slash schools and hospitals. Mr Speaker, the Opposition utterly opposes this unnecessary and cynical proposal.

MRS NOLAN (3.28): Mr Speaker, I feel that I have to speak very briefly today to this motion. I will be supporting the motion as it was part of the memorandum of understanding which I, as a member of the Alliance Government, signed in December. That is not to say that I consider it appropriate, especially in today's economic climate. I do not believe that it will be acted upon. I recognise that, even if the Federal Government amends the self-government Act, it is entirely up to the Chief Minister to do the appointing.

As I said a few minutes ago, Mr Speaker, I will be supporting the motion, honouring the memorandum document which I signed; however, I do not necessarily consider that it is either appropriate or being put forward at the appropriate time.

MS FOLLETT (Leader of the Opposition) (3.29): Mr Speaker, I think that there is one key issue in Mr Collaery's motion, and that is: who is in charge of the Government? It seems absolutely extraordinary to me that the motion has been put forward by the Deputy Chief Minister, not the Chief Minister. It is equally clear that the motion has nothing to do with the needs of this Territory, the need for good government, or with the workload of Ministers.

Yesterday we heard Mr Collaery put forward his so-called case for the expansion of the ministry by up to 50 per cent. We heard not a word about the workload of Ministers. Mr Collaery did not spell out to us, for example, how onerous it is for him to have to leave this evening for New Zealand to attend a sports Ministers conference, go to two rugby matches over the weekend, and then stay on for the week.

We have heard nothing about the number of people who have not been able to get in to see any Minister or, indeed, any Government member.

Mr Collaery: You wouldn't know.

MS FOLLETT: They come to us. We have heard nothing about the number of people who have written in vain to members of this Government but who have not even had an acknowledgment. Had Mr Collaery raised any of those points by way of a workload argument, he might have been listened to. We have not heard any hard evidence put forward. Had Mr Collaery put forward an argument that they needed to expand the ministry for, for instance, gender equity reasons - they might like to have a woman Minister - we could have entertained such an argument. But no such argument was put. Instead, what we had from Mr Collaery was his usual tirade against the Australian Labor Party and his usual ravings against the Federal member for Canberra, Mrs Kelly - the person whom he expects to implement his little wish list.

As I have said, the motion that Mr Collaery has put up has absolutely nothing to do with the good government of this Territory. What it does have an awful lot to do with is the backroom deals - the accord to which Mrs Nolan has referred is just such a backroom deal - and the competing egos that absolutely characterise this Government.

Mr Speaker, I suggest that if members doubt my arguments about competing egos they refer to Mr Ken Begg's article on Mr Collaery in the Canberra Times of last Sunday. I chose it to be a send-up of Mr Collaery, but some people do not think so. He said about Mr Collaery:

And he enjoys power ... he wields much of the power in the Alliance Government - perhaps too much.

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Mr Begg says: "He's ambitious". He has used a quote by Mr Collaery when he says:

I spend a lot of time with my bureaucrats fashioning the Government the way I want it ...

Mr Collaery has said that publicly, so who is in charge? Where is the Chief Minister's role in all of this? Mr Speaker, I think that that statement by Mr Collaery really says it all because this motion is about Mr Collaery taking more control and making the Government his own, making it the way he wants it, as he said.

The motion shows up the weakness of the Chief Minister who has been unable to stand up to Mr Collaery on this matter. If you remember back to Monday's Canberra Times, the day after, Mr Kaine is on record as saying that it would be politically damaging to his Government to seek to increase the ministry at this time, as Mrs Nolan has just said. I agree with both Mr Kaine and Mrs Nolan; it is politically damaging. It is an act of lunacy. Mr Kaine's view at that time was absolutely clear; the proposal was not on. Three days later, here we are with the motion. Here we are with Mr Collaery saying, when he introduced the motion, that there would be a unanimous vote on it. There will be a unanimous vote, yet the Chief Minister has said that he does not agree with it. Who is in charge? Put the lunatics in charge of the asylum. It is very clear who calls the shots in this Government, and it is not the Chief Minister.

If anybody still harbours the thought that Mr Kaine is in charge, I would like to refer you also to the Tuggeranong Valley View, dated 14 August. Under the heading "Cabinet Post for Valley?" it states:

Executive Director for planning and the environment, Norm Jensen, is poised to become the ACT Alliance Government's fifth Minister if the move gets Assembly approval this week.

The Tuggeranong Valley View was even ahead of the Chief Minister. Who the heck is in charge? Mr Speaker, it is quite clear that the Chief Minister has lost control of his Government, that he is being held to ransom by his Residents Rally colleagues. He was caught out well and truly in the Monday Canberra Times, because Mr Collaery probably had not even spoken to him.

Mr Collaery has hijacked the Government's agenda here. Has moved on with this motion, even though it is quite clear that members of the Government believe that it is politically damaging. In any normal government the head of government is in control of ministerial arrangements. That is obviously not the case with this Alliance Government.

The Residents Rally has succeeded in getting its 30 pieces of silver, despite Mr Kaine's opposition, and Mr Kaine is

not prepared to face the flak that he should face over that. It is the Residents Rally tail that is wagging the Liberal dog. I think that the motion that is before us today demonstrates the real priority of this Government, and that is to put your snouts in the trough while you can. You know you have a limited time, as Mr Collaery said, and you are determined to get absolutely everything that you can out of it. If anybody doubts that, you should bear in mind Mr Berry's interjection by way of a joke yesterday, "Why didn't you go for all 10 ministries?", to which Mr Duby responded, not by way of a joke, "That's what I said". I think that says it all - jobs for everyone.

The real reason for this motion is to give even more lurks and perks to the people opposite in the 16 or so months that remain to them in government. But I think it has to be said, Mr Speaker, that they are treating the Government of the ACT as a game in which they win all the prizes. Their priorities are becoming increasingly clear. They are quite happy to close schools, close hospitals, cut services, hike up the rates and taxes in an unbelievable manner, despite their promises not to do that, and to spend all the money on themselves.

We have heard repeatedly that this proposal will not cost any more money. Yet, did Mr Collaery address that question at all in his remarks to the Assembly? Not a word. He has led everybody to believe that he has some incredibly clever trick to make six Ministers somehow equal four Ministers and six lots of ministerial staff equal four, and so not have the proposal cost any more money. Yet he has not given us a word of detail on that.

I think the Government has shown the most enormous effrontery to the Canberra community by standing up in this place after their onslaught on that Canberra community and arguing for more Ministers. It will be very interesting indeed to see how many extra schools will have to close to pay for these ministerial salaries, the staff that will go with them, the cars that will go with them, the change of letterheads and so on.

Mr Collaery's arguments about workload have been absolutely non-existent. He has just not put a case; he has not presented one iota of evidence that the workload justifies it. If you look at the work record of this Government you will see that during the seven months that we were in government we introduced much more legislation than it has in its period in office, and it was much more substantive legislation. You will see, Mr Speaker, that this Government has not taken its workload at all seriously. You would even see at this point, I think, that the private members' business on the notice paper exceeds the Government's business. So what has it been doing?

There is clear evidence that it cannot cope, but I do not think there is any evidence whatsoever that any more of you, made into trick Ministers, will cope any better. You

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are hopeless, and the fact that you have put up this motion at this time indicates your contempt for the community.

MR HUMPHRIES (Minister for Health, Education and the Arts) (3.39): I rise to support the motion of the Deputy Chief Minister. In doing so, I note a certain inconsistency from those opposite. I must admit that I am a bit confused by what those opposite say. I seem to recall them saying repeatedly earlier today that this is a quasi-Liberal government, that this is a government that the Liberal Party has taken over and run away with. Now Ms Follett asks us to believe that the Residents Rally has taken over the Government, that the Residents Rally tail is wagging the Liberal dog. The confusion that is obvious on that side of the house, I am pleased to say, does not extend to this side of the house. It appears that those opposite, as I said before, have different standards in government to those that they have when they are in opposition.

I also think it is worth putting on the record that Ms Follett is quite wrong with respect to the claims she makes about the volume of legislation put through by her Government. I am advised - and I am sure that the figures, when checked, will show this quite conclusively - that 25 Bills were introduced into the Assembly by this Government and passed during the whole - - -

Mr Berry: What about the quality aspect she raised?

MR HUMPHRIES: Quality? I understand. The Follett Bills were quality Bills! There have been as many Kaine Bills, but they have not been of the same quality! Now I understand. Poor me! I thought by pointing out that this Government introduced and passed 25 Bills during the last sitting period, equal to the number of Bills introduced and passed by our colleagues on the other side of this house, despite the fact that they had twice as many sitting days in which to do it, would show conclusively that Ms Follett was wrong. But, of course, if she wants to introduce a notion of quality it is all different, is it not? The fact that the Bills that have been put through in many cases would be much the same as those that would be put through, no matter which government is in, is wholly irrelevant, apparently.

Ms Follett: We did a budget, too. You have not even done a budget yet.

Mr Collaery: We will not do a women's - - -

Mr Berry: Bernard Collaery will not do a women's budget.

Mr Collaery: We will not exploit women in the budget in the way that you did.

MR HUMPHRIES: I am glad, Mr Speaker, that Mr Collaery raised the question of women because the suggestion was made by those opposite that perhaps we could introduce a

notion of gender equity into the ministry by having an extra Minister. Perhaps that will occur. One never knows. However, I have to say that if gender equity means to this Government what it means to the Opposition, particularly as far as the sorts that are possible under the notion of gender equity are concerned, we would certainly not accept gender equity as defined by the ALP.

To use gender equity as an argument to do your friends in the other faction in the eye, by exploiting the old trick that they have the wrong sort of candidate and they get knocked off, would not be the way we would do things in this Government. If that is what Ms Follett suggests, we reject it utterly. I also reject the idea that backroom deals are part of this Government's agenda. They certainly were not part of the agenda of the Left on the last occasion that the ACT branch of the ALP met.

Mr Speaker, it is quite apparent that there are enormous pressures on Ministers of this Government, as there were pressures on Ministers of the previous Government.

Ms Follett: Yes. We coped, though - four of us.

MR HUMPHRIES: That is a matter of some doubt, Ms Follett. The mess that was left by the previous Government in the areas of health and education shows pretty clearly that it was not able to cope very successfully with the pressures of office. The fact that the hospital budget blew out by \$7m apparently has nothing to do with the fact that Mr Berry was under any pressure.

I think it is quite obvious that there is pressure on governments in this place with only four Ministers. There are pressures on Opposition leaders. They cannot stand the heat and have to run out of the kitchen. I think we can prove that in a fairly empirical fashion. I do not think I need to ask those opposite to take my word for it, even though they know in their heart of hearts that it is true because they have been in that position and they had many problems.

There are pressures, and they can be demonstrated by making direct comparisons between the sizes of ministries in this place and places such as Tasmania, the Northern Territory or any other jurisdiction in this country. I think one needs only to make a comparison between those jurisdictions and this one to see that there are ample reasons why the ACT could profit from having an extra ministry or two.

I want to compare the number of members of parliament as a proportion of the population in Tasmania with the number in the ACT. On any of those standards, the ACT is undergoverned and certainly has fewer Ministers per head of population than anywhere else.

But I accept that we have to prove that. I think we are able to do so quite comprehensively by demonstrating the

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volume of work that passes across the desks of Ministers. I know that we, in this Government, spend a lot of time here after hours and on weekends. I wonder whether those opposite ever found that necessary. I suspect that they did.

Mr Speaker, I think it is worth repeating what the Deputy Chief Minister said when he spoke on this matter yesterday. He said:

Although this resolution will be carried, let me make it very clear that the prerogative for the appointment of Ministers and for the nature and style of those appointments lies with ... the Chief Minister. It may well be that one or two Executive Deputies are given ministerial statutory powers without increased material resources by way of accommodation or personal staff ...

Ms Follett said that in Mr Collaery's remarks there was no reference to the question of resources. That is obviously untrue. Ms Follett has misrepresented the situation, and this is evidence that the Deputy Chief Minister did raise that matter. I accept that there are problems with the timing of such a motion. It will certainly cause problems, but it may be that there is never a good time to move a motion of this kind. Perhaps we should accept that and state what we believe ought to be done rather than argue about whether it is an appropriate time.

I finally want to say that those opposite have speculated on whether this Government might fill 10 ministries. I cannot say whether that would happen - it is highly unlikely - but I can take comfort from one fact, and that is that if we need to fill 10 ministries with competent, capable people we can, unlike those opposite.

MR STEVENSON (3.49): With regard to a fifth ministry for this Assembly, I am sure the people of Canberra would not mind if there was not going to be any extra cost. No cost, no problem. However, if there is going to be a cost it certainly is not okay. I note that Mr DUBY is nodding and Mr Collaery is nodding. Mr Jensen, would you like to nod as well?

Mr Jensen: No worries.

MR STEVENSON: We have most of the Alliance in agreement that there will not be an extra cost.

Mr Humphries: You have got the numbers, Dennis. You have got the numbers.

MR STEVENSON: Yes, that is right, we have the numbers. So if there is no extra cost there will be absolutely no problem. I have done a limited survey of people in Canberra. I did not feel I needed to conduct one of our usual surveys. I think it is fairly obvious that people do not want extra money spent on a fifth ministry.

After all, what is a fifth ministry? It is simply a position for which someone works. If Mr Jensen wants to take on an increased workload - I know he is committed - perhaps he would be able to do that. I think it probably would be worthwhile when he does make his speech; but, if there happens to be a new ministry that is not going to cost the Canberra people any more, he might here and now state that there would be no possibility that he would accept an update from his current Ford to a Ford Fairlane like every other member in this Assembly who has had the opportunity to do so except Rosemary Follett.

Mr Duby: I do not have a Fairlane.

MR STEVENSON: You do not have a Fairlane?

Mrs Grassby: But you cannot drive.

MR STEVENSON: A good point. I also acknowledge that Mr Duby has no Fairlane. May I say that comparisons with other parliaments in Australia are not particularly relevant, as I think most people understand that Australia is far and away the most heavily governed country. The number of politicians per head of population in this country is absolutely appalling. So that is not a particularly relevant point. One would have to look at the situation of the ACT.

References have been made to the No Self Government Party. There is one point that I would like to make regarding a principle - the principle of switching parties - and I take this opportunity. I believe that, if someone is hired by people under a particular party banner and if that person disagrees with what that party is doing, he or she would well be able to - - -

MR SPEAKER: Order! Relevance, Mr Stevenson.

Mr Connolly: It is very relevant, Mr Speaker. You should listen to this.

MR SPEAKER: All right, as long as it is.

MR STEVENSON: I just make the point of the principle that, if someone wishes to resign from a party because of a principle he held before and if he feels the party is not following that principle, I think that is perfectly acceptable. However, I do not think the situation should be that one should join another party with different principles from those on which one stood in the first place. Perhaps one could resign from the party, become some sort of an independent, and when the next election comes up then one could make one's new allegiances known.

MR SPEAKER: Order, Mr Stevenson! This really is not relevant.

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Mr Connolly: It is very relevant, Mr Speaker. You should be ashamed of yourself.

MR SPEAKER: Thank you for that interjection, Mr Connolly.

DR KINLOCH (3.54): Mr Speaker, in Mr Kaine's absence I want to make one point very clear. It has been made, but I want to re-emphasise it, in relation to something that the Leader of the Opposition said. I understand Ms Follett's comments, but the Chief Minister is honouring an accord that was due to have been concluded much earlier than this time. Those of us who put our signatures to that accord are of the belief that that is now being honoured.

I do not really like the reference to the 30 pieces of silver. That is not it at all. I am not a candidate or applicant for one of these ministerships; indeed, if offered, I would not take it. I am very content and happy to be on those excellent committees with Bill Wood, Ellnor Grassby, Dennis Stevenson, Robyn Nolan, Carmel Maher, Bill Stefaniak and others. That is what I like about this Assembly most, and that is what I propose to keep on doing.

Indeed, you could say that those of us who are anxious to have two more Ministers - never mind one - are engaging in a kind of power play because we want to be on more committees because that is where the real, gutsy work of this place is done. So I do not see 30 pieces of silver, nor do I see that we are putting snouts in the trough. Frankly, if many of us in this room were in the market for what we are worth - let me be very careful about this - we would have salaries of about - and I do not exaggerate - \$80,000, \$90,000 or \$100,000 a year. As it is, we have salaries which certainly keep us comfortably but which cannot in any way be seen as snout in the trough salaries. Indeed, I would say that some of the members, backbenchers in particular, could easily walk out of this place and double their salaries overnight. So I do not see this marginal increase in costs as a factor. Similarly, for lurks and perks: what lurks and perks, I ask? A 15-hour day, seven-day week? That is the sort of thing that we all do, do we not? I recognise the workload problem. I recognised it when the Labor Party was in government, and I recognise it now. Let us say some new party called the Informal Party wins the next election in 1992 - I suggest that name to anyone who is welcome to borrow it - with nine seats.

Mr Moore: They would turn around and become the Formal Party and take government.

DR KINLOCH: Indeed, they probably would. I would argue that, by having six Ministers, the Informal Party would be more efficient than if it had four Ministers. So I do think it is a question of workload, of honouring a commitment, and not of troughs in snouts or vice versa.

MRS GRASSBY (3.57): Mr Speaker, I rise to join my colleagues in speaking against having not one extra Minister, we understand, but two new Ministers. I do not think the Government can justify this, when it is closing schools, hospitals and health centres, where old people go for respite care during the day.

Mr Collaery: Shame!

MRS GRASSBY: No, it is not shame. The point is that you are doing this, yet you are still wanting to spend more money, as I say, on not one but two Ministers. As for them telling us that it will not cost any more money, let me tell you, Mr Speaker, that it reminds me of those wonderful phrases such as, "This will not really hurt" or "The cheque is in the mail" or "I am only here to help you" or "I am really upset. My mother-in-law went over the cliff in my new Mercedes" or the really awful one which is used, "Of course I will respect you in the morning". They are wonderful phrases. They say, "It is not going to cost a penny".

Mr Moore: Or "Of course we will vote against self-government".

MRS GRASSBY: And "Of course we will vote against this. Of course we do not believe in it". Mr Speaker, they are motherhood statements. We have heard them for years. They say, "It is not going to cost" when we know it is going to cost. We know that the Chief Minister has said that he does not agree with this, and we have had Mrs Nolan, "Honest Robyn", on her feet saying, "It will not cost anything, I am sure". But she said, "I do not agree with it", and I am sure she believes that.

Mr Berry: Don't go overboard.

MRS GRASSBY: No. If there is to be a new Minister, I am voting for Robyn; I have told her that. The waste of money is not accountable, and they cannot account for it.

Mr Collaery: We are still paying for the suite in Tuggeranong.

MRS GRASSBY: You can do something about that.

Mr Stefaniak: That is worth about a school.

MRS GRASSBY: Do not preach to us. You could very easily have done something about that the moment you came into government. You could have stopped that going ahead. So do not worry about that. You took over the Government. That was not from my department, and I would not have recommended that the money be spent on it. If you looked at my expense account when I was Minister, or Wayne's expense account, or that of the Chief Minister, you would find that there was no moving to new offices and there was no money wasted. Let us get it straight now.

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Mr Jensen: I thought he was in your faction.

MRS GRASSBY: Listen, what got me, Daffy, was that you were always wanting stuff moved out.

MR SPEAKER: Order! I would ask you to withdraw that.

MRS GRASSBY: Yes, I am sorry. I mean Mr Jensen. I withdraw that. He was always wanting money spent in Tuggeranong. Now he wants to be a Minister, with more money spent. It is the spoils of the job that he is after. Is that what it is? Is he not happy to sit here and do the job as it should be done for the people of Canberra? How do the pensioners in Canberra feel, trying to live on very little money with the cost of everything going up? What about the people who are trying to pay off houses? You want another two Ministers. Why do you not all take ministerships?

Mr Collaery: Well, why don't you melt down your earrings?

MRS GRASSBY: I worked very hard to get these, outside in a job. I did not ask for the people to pay for them. You are asking for the people of Canberra to give you more money for two more Ministers. Snouts in the trough - that is what it is all about; it is nothing else. I am afraid that there is no way that I, as a member of the Labor Party, could support this. Of course you can all earn more money outside. Well, go out and earn it. Do not ask for it here.

MR DUBY (Minister for Finance and Urban Services) (4.01): Mr Speaker, from the outset I would like to get this debate back on track. One of the first things that I want to clarify in this debate is that it has been pointed out by a number of speakers on the other side that this motion does not have the support of the Chief Minister. I want to refute that because the Chief Minister has said that the whole issue was a matter of an agreement that was made, when this Government was formed, that we shall seek to raise the number of members of the ministry because of the well known fact that, given the four Ministers that we had previously, and assuming that they are reasonably capable of work, they seemed to be snowed under, and we did not want the same thing to happen on this side of the house.

I also want to refute any argument or suggestion that this is being led and pushed by the Deputy Chief Minister, that somehow he is pulling the strings and saying who shall be appointed to which position and who shall not. In his statement yesterday he said:

... let me make it very clear that the prerogative for the appointment of Ministers and for the nature and style of those appointments lies with ... the Chief Minister.

What could be clearer than that? Once again, I guess this boils down to the typical sort of malarkey that is put up regularly by the members of the Opposition.

We know that there will be no increase in costs, and that has been the general statement that has been made from the outset. What I object to, more than anything else, is the way that the Opposition members can take any issue and distort and twist the facts. They say that this is supposedly a lazy government, that we are not doing our work, and various other things like that. They make malicious statements in the Assembly, but when they are caught out is there any retraction? No. We heard the Leader of the Opposition say quite categorically today that when she was in government, when the Labor Government was in power between May and December, it introduced more legislation than this Government. It simply is not the case. We have demonstrated that in almost half the number of sitting days which that Government had available to it we introduced more legislation. Yet when the fact was put to them, did anyone say, "Gosh, I guess we got the number wrong"? No.

In my view we have a lazy, disorganised Opposition that is a disgrace to this Assembly. In its attacks on this Government, it never relies on research; instead it relies on innuendo, complaints and deliberate and malicious distortion of the facts. Today we had the prime example. As usual, the Leader of the Opposition is too lazy to be here. She comes in; she never makes an impromptu speech; all she ever does is read prepared speeches that have been written by her loony Left associates who work in her office.

Mrs Grassby: On a point of order, Mr Speaker - - -

MR SPEAKER: Order! Yes, I think it is unfair to attack the members' staff.

Mrs Grassby: Yes, I will not have the Leader of the Opposition's staff referred to as loony Left.

MR SPEAKER: Thank you. I am speaking on your behalf. Please resume your seat.

MR DUBY: I am sorry. I withdraw any allegation that they are loony, but there is no doubt about the fact that they are Left and belong to what is commonly referred to as the loony Left faction of the Labor Party. Can I leave it at that? As I said, no constructive work comes from the Leader of the Opposition. She sits in this house with her nostrils flared and a scowl on her face as if - - -

Mr Berry: It is getting a bit personal, I think.

MR SPEAKER: Thank you, Mr Berry. Please resume your seat.

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Mr Berry: I hope you exercise the same lenience when I get to my feet in a little while.

MR SPEAKER: Mr Berry, thank you for your observation.

MR DUBY: She sits there with a scowl on her face and her nostrils flared, as if Mr Berry had just committed a social indiscretion and she has just got wind of it. That is about the size of it.

Mr Berry: That is a bit over the top, I think.

MR SPEAKER: Your objection is overruled, Mr Berry. Please proceed, but get to the point, Mr Duby, please.

Mr Berry: I am not going to sit down on that one. That is an outrageous position for the Speaker to hold, in my respectful view. For Mr Duby to say such disgraceful things about a member of this Assembly, whether - - -

Mr Duby: Who is not here to defend herself.

Mr Humphries: Mr Speaker, on the point of order, can I remind members that Mr Berry is the man who described Mr - - -

MR SPEAKER: Order! Mr Humphries resume your seat. Mr Berry, you are out of order.

Mr Berry: I have not finished yet.

MR SPEAKER: You are finished because you have not sought the leave of this house to make a statement. If you wish to make a statement, that is the appropriate way to do it. Please read your standing orders, and resume your seat.

Mr Berry: I am raising a point of order. I am talking about imputation.

MR SPEAKER: You are not talking about anything because you do not have the leave of the house to do it.

Mr Berry: I am talking about a point of order.

MR SPEAKER: No, you are not debating a point of order. If you have a point of order, as has been ruled before, you will give me the number.

Mr Berry: I just said there was a personal imputation.

MR SPEAKER: It is not a personal imputation at all. I have ruled that it is not. Thank you. I call Mr Duby.

MR DUBY: Thank you very much, Mr Speaker. There is never a good time for a motion of this nature to be put. Frankly, I dare say that members of the Opposition are pleased that this Government had the guts, I guess, to move it. There will never be a good time to increase the size of the Executive of any government. Everyone knows that.

We have an increased workload following the taking on of police powers and magistrates courts, and I also believe that there is an increased workload for the members of the Executive as a result of the increased acceptance of the fact that there is a local government to which members of the community may take their objections and their complaints.

Mr Berry: On a point of order, Mr Speaker: I refer you to standing order 55. I take you back to Mr DUBY's statements about the Leader of the Opposition and allegations about me. It states:

All imputations of improper motives and all personal reflections on Members shall be considered highly disorderly.

I would ask you to call on Mr DUBY to withdraw those remarks.

MR SPEAKER: Mr Berry, thank you for your interpretation of the standing orders. My interpretation is that the words used, in the vein in which they were used, were not imputations that were disorderly. Please proceed, Mr DUBY.

Mr Berry: Personal reflections.

MR DUBY: There was certainly no reflection upon Ms Follett's character in any way. As I said, Mr Speaker, that is the simple situation. The community is coming to realise that there is a local government here, that the workload generated by constituents' queries, et cetera, is much greater now than it was 12 months ago. There is no doubt in my mind. In addition, people have realised that they do not need to go to their Federal members, as they used to, in relation to every query; that they can now put it to their local territorial members.

Mr Wood: So you cannot handle the job; is that it?

MR DUBY: No, I am simply suggesting that the workload has increased quite dramatically. Finally, I take umbrage at this objection to costs and these continual references to snouts in the trough, et cetera. I notice that Mrs Grassby made a great effort in trying to say that somehow this was done in an effort to increase our fringe benefits or whatever. I would challenge Mrs Grassby to ask a question of the Chief Minister or me at the next sitting of the Assembly. I will get the information for her. Talk about snouts in the trough! Ask a question, Mrs Grassby, about how much money was spent on hospitality by the previous Government in seven months and how much money has been spent on the hospitality vote by this Government.

Mrs Grassby: What about Commonwealth cars?

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MR DUBY: We are talking about snouts in troughs. How much money has been spent on the hospitality vote by this Government in nine months of government? You will find that it is substantially less, to the point of being downright embarrassing. So, next time we talk about snouts in troughs, I dare you because the figures will be revealed. As I said, next time be careful before these issues are raised because, as usual, you will find that they boomerang back upon you. As usual, whenever this crowd make accusations they live to regret them. I support this. I think it is an eminently sensible proposal, and I look forward to the day when the Executive of the ACT Government does have six members.

MR BERRY (4.10): I smell bacon. Mr Speaker, in the first place, this is clearly about snouts in the trough, but when all of these mealy-mouthed people over here talked about there being no extra costs the pigs flew overhead. This is about power. This is about Trevor Kaine's lust for power, in the first place, and Mr Collaery's ambition for power, secondly.

We have heard these people talk about the accord and how hard worked they are. I would have to say that I am very pleased that none of these people argued the many work value cases that have been argued for workers in this country. If they had, the workers would be starving to death because the arguments that these people have put forward have been completely hollow.

It is clearly a case of snouts in the trough. What is most interesting about it - and I think it rips the carpet from under their feet - is that this great accord, which they all signed and in which they agreed that it would come to pass that there would be extra Ministers as soon as some were called for, was done before they had any experience in the job.

How would that stand up in any arbitration commission? I do not think it would get too far. I would have to say that it will not get too far in the community. That is my greatest concern about the actions of these members opposite because it is the community that has been bucketing this Assembly because of the dismal performance of those opposite since the election was held and this rabble was elected to this place.

It is the electorate which has been screaming about the performance of these members opposite, and now these members opposite invite more criticism, and they drag this place down further. The problem with that is that the responsible members of this house have to wear it as well. I do not like it; neither do my Labor colleagues.

Mr Speaker, why do these people encourage more discredit? It is because some of them know they will not have to be here in the future, and they want to get in and get as much as they can out of it as quickly as they can. It has been

drawn to my attention that it really boils down to the point that most of them will not be here next time. I expect that that will be true because again the community will be invited to bucket this Government, these members opposite, for their self-interest and greed. It is selfish ambition. It has nothing to do with delivering good government to the community.

There has been some discussion about whom the Territory will be lumbered with as extra Ministers. The choices are somewhat daunting, but I expect that the Territory - - -

Mr Humphries: At least they do not include you.

MR BERRY: There are some people that I will not get into bed with, Gary. Mr Speaker, this mob opposite have signed an accord that there will be extra Ministers, without any discussion of what their duties might be. It is purely an issue of greed - no more than that. A little while ago, when the issue of legislation was brought up by Ms Follett, we heard some squirming. She talked about the lack of quality and substantive legislation being introduced into this place.

Mr Humphries: That was not what she said. That was what you added to it. She did not talk about quality. She talked about quantity.

Mr Jensen: No, get it right, Wayne, get it right. Do not misquote.

MR BERRY: I just draw to the attention of the tetchy members opposite the following: the Pawnbrokers (Amendment) Bill 1990, that is a fairly substantial piece of legislation; the Second-hand Dealers and Collectors (Amendment) Bill 1990, that was heavy, and the Truck (Amendment) Bill 1990, that was a big one. I would also like to draw to your attention a fax which reads:

For the urgent attention of the members of the ACT Legislative Assembly.

This is from the Pharmaceutical Society of Australia. It goes on to say:

The Bills to amend the Poisons and Drugs Act 1978 are currently before the Assembly for presentation but the Government is unable to give a guarantee that they will be dealt with in this session.

Although it is apparent that the Minister for Health wishes to progress these Bills, it is clear that the Assembly is unable to cope with important legislation because of the sheer volume before it -

My goodness, "the sheer volume before it", when we bear in mind those pieces of legislation that I have just mentioned -

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and that these Bills have not been accorded appropriate priority.

These are the sorts of things that you are denying: further delays in the implementation of these amendments have important public health implications, Minister for Health. There is denial of public access to a number of safe and effective drugs which have been moved from prescription to non-prescription status in other States. One example is non-sedating antihistamine, which is indicated for the relief of hay fever, at a time of the year when the Canberra population suffers most.

This is about proving work value, Minister. You do not seem to understand that. You have to prove that you are worth the money, that you are worth the position and that you need the positions. You have not proved it, and it looks as though you do not even intend to try because, try as you might, on the basis of your performance in the past, you could not. There is not an arbitrator who would give you a rise; there is not an arbitrator who would give you extra help because you have collapsed in a heap.

What I have seen most of, which might demonstrate that there is some stress on Ministers, is Mr Collaery wandering around with a long face and mumbling, "It is all too hard". That does not constitute a work value case either.

These members opposite, in the backroom, stitched up a deal for extra Ministers long before they had even tested the water. They all wanted to get their snouts in the trough because some of them had to be bought off. This was the big buy-off. If Bernard Collaery wanted to find his way to the top, he had to have extra Ministers; he had to have more control and more power. Because of that, we are going to be lumbered with the likes of Mr Jensen as a Minister. That is what is going to happen.

The difficulty for the people of Canberra is that they sit back each night waiting for more information to come through to them, via the television, about the dismal behaviour of this Government. Some, I think, live in hope that they will hear no more of it, but most are disappointed because day after day they hear about the dismal performance and mistakes and the tragic results of its actions in relation to services in the ACT, particularly health and education. Now I expect they will be saying, "Heavens, we are going to have two more to help them do all this. Does that mean there is going to be more damage to the Territory?".

Mr Speaker, as I said when I started this speech, I smell bacon. This is clearly about snouts in the trough, and the delivery of any promises is about as likely as pigs flying overhead.

MR MOORE (4.21): Mr Speaker, there are some great ironies about this move for more ministries at this time. Certainly for the joint party room to go ahead with it and to hear Mr Duby supporting the move is in itself ironic, as we remember that he was elected on a no self-government basis and then said that if he got elected he would be going for lean, mean government. The potential of an extra couple of ministries to be lean and mean is debatable.

On the other hand, one cannot help feeling that there are some indications of need in this way. Certainly the incompetence with which the health and education portfolios have been handled indicates that perhaps Mr Humphries is working too hard. Nobody can deny that he is working too hard. At times when I come here very early in the morning or late at night - not necessarily to sleep but to pick something up - I often note that Mr Humphries' car is here. No doubt he is working hard; I do not debate that. He has two of the most difficult ministries. Perhaps the point is that it is just too much for him. Perhaps that is why he has not been able to see through the snow job that has caused him to want to close down schools and hospitals.

Whilst I am reluctant to support this move in any way, I can see that on that side of things there may be some reasons. Similarly, with each of the portfolios, the way they are handled does make one begin to think that perhaps they are just too much for the people handling them, and one solution is to put more ministries in.

But it will provide us with some practical problems. The first, and probably the most significant one is how we are to increase the size of the front bench. Clearly there just will not be room to put six Ministers across the front bench. I think this is something that we should have been considering because obviously the reason that they were after these ministries was to make sure that everybody got a reasonable share. If everybody is to get a reasonable share and these ministries are to be equal, we have that particular problem. How we resolve that is a practical difficulty.

There are other practical difficulties, and they have to do with things such as travel and travel expenditure. Clearly, while we have four Ministers, they cannot attend everything, so with another couple of Ministers we might get an increase in travel expenditures. I understand that Mr Duby's department spent about \$500,000 in the last year on travel and so forth.

Mr Duby: I beg your pardon?

MR MOORE: I understand that Mr Duby's department, in the last year, spent about \$500,000 on travel.

A member: I think you left the word "department" out.

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MR MOORE: If I did, Mr Speaker, allow me to withdraw any imputation because it certainly was not intended that Mr DUBY would spend that himself. Clearly, if we had a couple of extra ministries, the increase in costs would be great.

But there are other problems. What would the new ministries be? One clear one is to split the education and health ministries so that Mr Humphries would have enough time to be able to do the job competently. I think that is one possibility. Having cut that in half, though, we have to determine what the other ministry will be. I suppose the imagination goes quite wild. If Mr Kaine is looking for a very competent Minister - as he has said on many occasions, he would prefer to choose competence over everything else - he might establish a ministry for X-rated movies and bring Mr Stevenson in. That is a possibility.

Of course, there are others. But if he looks across his own backbench he might decide that Mr Jensen would be an appropriate one. If Mr Jensen had a lobotomy first that might improve things, and then he could have a ministry. There is great difficulty for Mr Kaine who has said that, when he has his ministries, he would like to have competent people around him. I can see that this is going to be a great problem.

Another great problem is the one to which Mr Collaery drew attention when he was talking about women and the budget. With a slip of the tongue, he talked about exploiting women in the budget, but I believe he meant preventing the exploitation of women. I recognise that.

The problem is that, if we are to have any sense of fair play and competence, Mr Kaine will have to look to put at least a couple of women into his ministry, and that is going to shift the power play between the two groups - the Liberals with their five and the other five. What is going to happen there, especially when we look at that notion, that somebody mentioned before, of the tail wagging the dog? I pictured a small yappy dog and decided that the tail wagging the dog was about six inches out.

Let me go on to say that this notion of having a couple of extra ministries at this particular time really is very questionable indeed. The people of Canberra are cynical enough already about self-government. The reality is that their cynicism arises particularly from the turnaround antics of many of the people who are now in government. I presume that this will also be seen as part of the same thing. It will, of course, drop the confidence of the people in the Assembly even further, and that in itself is enough reason to leave this sort of discussion, this sort of proposal, until at least the second parliament.

It is also important to note that, if one increased the number of ministries to six, it would be very hard in the next parliament to backtrack to four ministries. It may well be that whichever minority government is in power at

that time it may not have enough people to provide for the six ministries, which was a problem for Labor in the first government of this parliament.

With those few little thoughts, Mr Speaker, I will leave this debate, having expressed, more than anything, a disinterest in this, other than to say that the timing is totally inappropriate and that this Government will further bring into disrepute the reputation of this Assembly.

MR BERRY, by leave: Concerned parents from Higgins Primary, Mr Speaker, have been at the Legislative Assembly all day.

MR WOOD (4.29): Mr Speaker, I want to make some brief comments at this late stage of the debate and draw out the similarity between the debate now and the debate on education matters - especially the one on the motion of censure that we moved this morning. The Government uses the same tactics - - -

ADJOURNMENT

MR SPEAKER: Order, Mr Wood! It being 4.30 pm, I propose the question:

That the Assembly do now adjourn.

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

Question resolved in the negative.

MINISTERS - NUMBER APPOINTED

Debate resumed.

MR WOOD: The Government is employing the same tactics in two debates. When we raised the motion of censure against Mr Humphries, what was the Government's tactic? It was to attack the ALP. It gave no justification for its own actions; it did not seek to defend the Minister for Education. Perhaps its grounds were rather spurious, but one would have thought there would have been a spirited defence of its Minister. The same tactics apply in this debate; that is, it has been very largely, although not entirely I concede, an attack on the ALP. One would have thought we would have a better argued case for the fifth ministry. I would not want members opposite to appear for me in any court or any arbitration area, because I do not think they put up a very good case.

It is intriguing to speculate on how things may develop. There are 10 members on the other side.
Out of five

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Liberal Party members, it is planned that two will be Ministers - 40 per cent, that is, if the present system holds - and that would be the two we have now. Out of the three members of the Residents Rally, two - 66 per cent - would be Ministers. That is right. And there would be one Minister out of two - 50 per cent - from what was the No Self Government Party; I am not sure what the title is now legally - Independents or whatever. So the Residents Rally would find itself in a very strong position should this go ahead. It would have 66 per cent of its members in Cabinet positions. That is very interesting. I wonder what the Liberal Party, with 40 per cent of its members in such an Executive position, would say about that. Will it allow this to happen? Or is this the reason for the proposed sixth ministry? Instead of the Liberals having two out of five, they may then have three out of five, and we would have Mr Stefaniak, perhaps, gracing a very large front bench here. That would give the Liberals 60 per cent.

I wonder whether your parties argue about the proportional representation. I wonder how you are going to work it out. Of course, that is a very cynical way to do things. It is an approach that looks purely at numbers, but that is how you got there in the first place - and I do not gripe about that because this is a place where numbers do count. No doubt they count as significantly in the joint party room.

I want to go back to the main thrust of the debate: do we need a fifth ministry? I saw the Follett Government operating from close quarters. I was the one person in the Labor Party who was not in an Executive position.

Mr Humphries: Shame, shame.

MR WOOD: No, I was very happy with my position, Mr Humphries. I saw them, as you say, working very hard and very effectively. There is no question about that. It is not a part-time job and I do not question that members on the other side of the house also have to work hard. But the work is accomplished.

There is a wide scope of activity to be encompassed; but it still is a community of just less than 300,000 people, so it is not the largest electorate in the world to which we have to attend. It is quite manageable. There is no problem about that, and, while each Minister - Mr Humphries, for example - covers a number of portfolios that in the States would have two or three Ministers, the scope of it is nowhere near as great as in the States.

Mr Humphries: You reckon?

MR WOOD: The scope of it is not; you cannot - - -

Mr Collaery: Bill, you have not served. You do not know.

MR WOOD: I have been very close to it. Perhaps some people are more capable of handling these things than

others. Think about that. It may be, Mr Collaery, that my colleagues here were more capable of coping with the stresses and the strains than members on your side.

Mr Kaine: You do not sound very sincere, Bill.

MR WOOD: I am very sincere. I saw them operating; I saw them working long hours and hard. But I never saw them under the apparent stress of having to say, "Gosh, we need somebody else". You know that is not the case.

Mr Kaine: But even if you had the opportunity you did not have the members to appoint, you see, Bill - except you.

MR WOOD: That is not the case. You have come here with an argument that you cannot sustain, because you have two contradictory arguments. You are saying on the one hand that you had an agreement before you came into government that you needed a fifth ministry, that you had to have that fifth ministry, before you had experienced it, before you knew about it. Now that you are there, you suddenly seem to want to mount an argument that says, "We have to have the fifth ministry; the workload is too great". There is no basis in that. There was an agreement; there was a backroom deal to have that fifth ministry and now you want it. The workload, or the supposed workload, has nothing at all to do with that.

But then let us follow the next step. Are we to have a fifth ministry? Are we also to have a sixth ministry? It is a question that has not been debated seriously today by members on that side of the house. I would have expected the person who led off the debate, Mr Collaery, to stand up and say "We will have a fifth ministry only". Perhaps he will say, when he replies and closes the debate, "We will have a fifth ministry. We do not want a sixth ministry. That is some years down the track". Will he do that? Will he assure us that there will be no sixth ministry?

I want to support the remarks that my colleague Mrs Grassby made about costs. It seems that there is some agreement on that side of the house that this is not going to cost any more. I do not know whether that means that Mr Jensen, Mr Prowse, Mr Stefaniak, Ms Maher, or anybody who wants to be a candidate for the position, has signed away any salary increase and will reject the Remuneration Tribunal's extra \$15,000 or whatever it is. Have they signed that away, or do you pool your salaries and make it up to the successful candidate? You have not justified your arguments. If you claim that there is no additional cost, tell us how that is going to be achieved.

It is the education debate all over again. Mr Humphries has told us that closing schools will save us money but he has not demonstrated that. Today, this proposal is not going to cost us money, so it is said; but it has not been demonstrated. Now if you were serious about your arguments, if you had any real concern for the need for a

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fifth ministry, surely you would have something on paper to show us on this item alone how you can justify the claim that there will be no increase in costs. You have no credibility in this chamber, as it is, on matters affecting costing. Let us see you put something on the table, before this debate is concluded, about how you intend there to be no extra cost. I will sit down now and I will wait most anxiously for that response.

MR COLLAERY (Attorney-General) (4.39), in reply: Except for one or two speeches - interestingly, those of Mr Stevenson, Mr Moore and Mr Wood - there was very little substance, only rhetoric, in the issues raised in this matter. It was mere rhetoric and I do not propose to respond to the rhetoric. I believe that there were significant contributions made by those three members, and let me remind the house of the final words of my speech on the motion. The final words I used the other day were:

Although this resolution will be carried, let me make it very clear that the prerogative for the appointment of Ministers and for the nature and style of those appointments lies with ... the Chief Minister. It may well be that one or two Executive Deputies are given ministerial statutory powers without increased material resources ...

I found it very churlish of those opposite to oppose those sentiments. It is well known that, as we move into the first mid-term phase of self-government, there is clearly a far more onerous workload and a far more involved number of issues that our Government is tackling. Mr Speaker, we have a major hospital redevelopment program. For better or worse, depending on the Opposition's view, we have major contentious issues in the public domain and we have a Chief Minister who is attempting to balance a most difficult budget. There are profound issues before the Government at the present time. I am not going to put my heart on my sleeve and talk about my ministries. But I did notice that the Leader of the Opposition challenged me to give some evidence. She said, "Give some evidence of what sort of workload or pressures there are on a Minister". Well there is no secret about my diary. I have asked my secretary to run off my daily diary over the periods of 12 June to 26 June and 16 July to 30 July, and you can ask for any other period you like and you will see the type of day that any of the Ministers here work. And as Michael Moore so graciously - - -

Mrs Grassby: Mr Speaker, could we ask the Minister to table that. We want him to table it.

MR COLLAERY: Mr Speaker, they would love to pore over this and know what it is about. I will table those at the end of my speech.

Mrs Grassby: Oh, good. Thank you.

MR COLLAERY: Thank you, Mrs Grassby. Certainly, Mr Moore graciously acknowledged the presence of Gary Humphries' car in the basement at all hours - not that he sleeps here. Certainly, there seems to be no real dispute, factually across the house, as to the pressures on the Government. It is simply whether you want to be decent enough to give the Chief Minister the scope to do some more innovation with respect to his ministry - his ministry, I said; not mine, Craig DUBY's or Gary Humphries', but Mr Kaine's ministry. Let me make that very clear for the record. There were also the pious utterances of the Leader of the Opposition about the fact that her Government handled matters satisfactorily. I think she would be in government now if she had. When we took over the attorneyship, for instance, no Minister had gone to the State Attorneys meeting and developed issues of law reform and the like. There was no evidence that a Minister of the Labor Government had gone. Competent officials were sent, but there was no evidence that a Minister had gone.

There was so much pious nonsense in the speech of the Leader of the Opposition. It really typifies her response for her to draw upon Mrs Kelly today and to say that Mrs Kelly's reaction was appropriate. You all know - and I am sure that Mr Connolly, as a lawyer, knows - that Mrs Kelly's reaction was quite wrong. Before she even heard the case advanced by this house, she prejudged it. She said what she thought of us without even hearing our argument. I think it is a shame on Mrs Kelly. As my colleagues Mr Humphries and Mr DUBY made clear, the Chief Minister supported this move at question time in response to a question from the other side of the house.

That is just empty rhetoric. I think we have got clear why you have behaved in this way today. That is because you wanted to speak to an audience. You wanted it to believe it. The people of Canberra know the issues facing government - people in the welfare sector, the homeless youth area, housing, community facilities, health and education, particularly the manner in which we have tackled the problems of the aged. We have issued an options paper for housing for the aged.

We have done many more things per day in our period of office than your Government tackled in a week, and that is quite clear. The people of Canberra are very happy to see a stable, solid alliance serving the Territory. As we move into the next 18 months of our term we will ensure that our Government is marked - - -

Mrs Grassby: If you are going to join the book of the month club, do it a week at a time.

MR SPEAKER: Order, Mrs Grassby! I warn you.

MR COLLAERY: Our Government is marked by informed attention to issues, by a willingness to confront the issues. No-one denied that Gary Humphries has gone out and

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faced every community group that he could possibly fit into his calendar. You know that, and you heard Mr Humphries, in that censure motion, described by me as courageous, competent and all the rest.

We just hear the Labor Party, Mr Speaker, putting on the record things which obviously have no substance. One issue that was run today was a supposed matter of privilege. What a nonsense issue was put forward today. It was just to grab a headline.

Mr Berry: Point of order.

MR SPEAKER: Order! Mr Collaery, relevance, please.

MR COLLAERY: Yes. I will move directly to the issue, Mr Speaker. The issue is whether open consultative government will be enhanced by the Chief Minister exercising the powers that he may have if this resolution is accepted by the Federal Executive Council and approved by way of regulation by the Governor-General.

I sincerely hope that the Opposition members will, once they lose this vote, accept that the Chief Minister of this Territory is entitled, like every Premier in this country, to shape the ministry the way he wants. This is the only Government which is constrained by act of parliament, by a paternal instrument that should be repatriated to us, as to how it forms its ministries by number. The Federal Act states that we can have a Chief Minister and three Ministers.

Mr Berry: You stitched up the deal. What a disgrace! Sit down. You make us sick.

MR COLLAERY: Mr Speaker, this interruption is extremely distracting, and it has continued. I ask you to rule on that man's behaviour.

MR SPEAKER: Please proceed, Mr Collaery, at this late stage.

MR COLLAERY: Mr Speaker, I made the point that the self-government Act creates a paternal system over us by the Federal Government. At this stage we need the approval of the Federal Government. But the Federal Government has enough sense to realise that we are a democratic chamber and that self-government is here in the ACT and, therefore, it would be proper for the Government to accede to the democratic vote of this Assembly.

Moreover, it would be proper for the Executive Council and the Minister sponsoring the resolution before that to accept the Hansard transcript of today and the other day to see the comments of members, because it would be entirely appropriate for them to inform themselves more fully and not from the "folksy" comments we heard from Madame Ros Kelly today. They were unfortunate comments which were

directed against the people of the ACT, against them achieving the representation that they may want to have through the choice of their Chief Minister.

Question put.

The Assembly voted -

AYES, 10

Mr Collaery
Mr Duby
Mr Humphries
Mr Jensen
Mr Kaine
Dr Kinloch
Ms Maher
Mrs Nolan
Mr Prowse
Mr Stefaniak

NOES, 6

Mr Berry
Mr Connolly
Ms Follett
Mrs Grassby
Mr Moore
Mr Wood

Question so resolved in the affirmative.

PERSONAL EXPLANATION

MR SPEAKER: I wish to make a statement. Earlier today, during a personal explanation, Ms Follett requested the withdrawal of the word "deceptive" which was used by Mr Collaery in relation to Ms Follett's actions whilst she was Chief Minister. Mr Collaery could not recall using the word. I have called forward a copy of Hansard and must inform Mr Collaery that he did in fact use that word. I hereby request Mr Collaery to withdraw the comment.

MR COLLAERY: Mr Speaker, thank you. I am indebted to you for showing me the transcript, and I unreservedly withdraw the word "deceptive".

DIARY ENTRIES

MR COLLAERY (Deputy Chief Minister): I table the two diary entries to which I referred in my speech, namely:

Deputy Chief Minister - Copy of diary entries for -
Tuesday, 12 June to Thursday, 26 June 1990.
Monday, 16 July to Monday, 30 July 1990.

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SCHOOL CLOSURES

MR WOOD, by leave: Mr Speaker, I present the following paper:

School Closures - Copy of paper prepared by Ms H. Szuty and Mr G. Evans entitled "There are alternatives to School Closures".

This was prepared in response to a general request from the Minister for Education, and I should draw it to his attention that they gave this to him some time back, in late July, and he should have had the sense to read it.

PRIVILEGE

Proposed Reference to Standing Committee on Administration and Procedures

MR BERRY, by leave: Mr Speaker, I move:

That the matter raised by Ms Follett (Leader of the Opposition) in relation to a breach of privilege by Mr Collaery (Deputy Chief Minister) be referred to the Administration and Procedures Committee forthwith.

Mr Collaery: On a point of order, Mr Speaker: this motion uses the words "a breach of privilege" and is decisive in itself. The word "alleged" must be there, for this debate to proceed. It is determinative in itself.

MR BERRY: I do not have any difficulty with that. I accept that. I will include it by leave, if you like - "an alleged breach". Do I need to seek leave to include it?

MR SPEAKER: No, it has been accepted by the chamber. The motion now reads:

That the matter raised by Ms Follett (Leader of the Opposition) in relation to an alleged breach of privilege by Mr Collaery (Deputy Chief Minister) be referred to the Administration and Procedures Committee forthwith.

MR BERRY: My apologies, Mr Collaery.

Mr Speaker, the matter of privilege is an important issue because there are certain privileges which members of the legislature enjoy, and this legislature is no exception to that. May I refer to House of Representatives Practice, the second edition. On page 682 there is a definition of privilege by May. He describes parliamentary privilege as:

... the sum of the peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament, and by members of each

House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals. Thus privilege, though part of the law of the land, is to a certain extent an exemption from the ordinary law.

The issue of privilege for members of the legislature, Mr Speaker, has to be guarded most strenuously. If it is not guarded, then the privilege itself falls into disrepute. No legislature can afford that, and this is particularly relevant to this legislature because of the disrepute that has been earned for it by some of the more irresponsible members of the Government opposite.

The reason that I moved this motion, that the matter be referred to the Administration and Procedures Committee forthwith, was that I think there needs to be a statement from the members of this Assembly that they, too, endorse the necessity to guard strenuously the issue of the privilege which members of this legislature enjoy. I look forward to support from Government members opposite in relation to this motion. I have had no indication of where the Government stands on this issue, but I look forward nevertheless to their support for this particular resolution, because, if we do not get general support for this sort of resolution, then in my view that is a strong indication from the members opposite that they do not regard the issue of privilege seriously enough. If that is the case, Mr Speaker, then I feel that some of them really need to gain a better understanding of the responsibilities which they bear as members of this Assembly.

I know there may be some members of the community who would say that the people who are attacking their services are irresponsible, and how could - - -

Mr Collaery: I raise a point of order, Mr Speaker; relevance. He is not speaking to the issue of privilege whatsoever. He is delaying the house.

MR SPEAKER: Speak to the point please, Mr Berry.

MR BERRY: Mr Speaker, the issue of responsibility to which I referred is particularly relevant in relation to the protection of the privilege enjoyed by members of this Assembly. This is why I drew attention to the view of members of this Assembly and their actions which is held by members of the public. This is why we need to ensure that the public's view of the members of this Assembly and their responsibility is improved. This is why my party colleagues and I think that this matter needs to be referred quickly to the Administration and Procedures Committee. It is this committee which would have the ultimate responsibility in deciding where we should go in relation to the alleged breach of privilege by Mr Collaery.

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I know that Mr Collaery will be uncomfortable about having this matter referred to the Administration and Procedures Committee, and I, too, would be nervous on that score, because such an allegation is a serious matter and members ought to be deeply concerned about the protection of the rights they enjoy as members of a legislature. The privilege that members of this Assembly enjoy is not to be scoffed at. It is to be protected and, wherever there is a question of a breach in relation to this matter, it must be dealt with properly. It would be dealt with properly by members of the Administration and Procedures Committee, who themselves enjoy a level of privilege which would ensure that this very important matter is dealt with and reported on to this Assembly in due course.

Mr Speaker, in my speech I have made out that this is an important issue, but it requires the attention of the Administration and Procedures Committee and it requires the support of all the members of this Assembly. With that I will sit down, but I urge members opposite to support this matter being referred to the Administration and Procedures Committee as a matter of urgency.

MR MOORE (5.03): Mr Speaker, in my short comment I would like to quote from the 3 May 1990 Hansard, page 1628. I take great joy in quoting the words of Mr Jensen:

In these early days of the Assembly, I believe it is appropriate that any possibility that a member has breached parliamentary privilege be fully investigated and the issue put to rest. This will ensure that the appropriate procedures are established as soon as any potential problem arises.

This is exactly what I suggest here and I agree with Mr Jensen. I presume Mr Jensen has not changed his mind since uttering those words that I have just quoted, and he will, of course, support this matter going to the Administration and Procedures Committee in order to ensure that we have the appropriate conduct established by this Assembly.

MR HUMPHRIES (Minister for Health, Education and the Arts) (5.05): Mr Speaker, I follow this debate, like most of the debates that are initiated by the ALP in this place, with a certain feeling of *deja vu*. We have the spectacle of the Opposition attempting to make mountains out of molehills and, to add another metaphor, whipping up storms in teacups.

I note from the copy of House of Representatives Practice that I have that it refers on page 672 to protection in legal proceedings - the sort of privilege we are talking about in this debate. It says:

The protection afforded a witness in relation to oral evidence given before a committee also applies to documentary evidence that witness may give. This protection is now conferred explicitly under the Parliamentary Privileges Act, but the submission of a written statement is not deemed to be the giving of evidence - - -

Mr Berry: On a point of order, Mr Speaker: I am afraid Mr Humphries is arguing the case. I think this is entirely improper. One should not argue the case about the matter of privilege which really should be decided before the appropriate committee. It is most inappropriate for this matter to be argued here.

MR SPEAKER: Thank you for your observation. I uphold Mr Berry's objection. I think we should get to the point of whether it should be referred to the committee and then we can debate it.

Mr Humphries: Mr Speaker, I submit that Mr Berry's point of order is not in order and I seek your leave to make a submission on that point of order.

Mr Berry: You cannot argue it here; it is wrong.

MR SPEAKER: The point of order has been upheld by me and therefore we would like to have it before - - -

Mr Humphries: Mr Speaker, in this case I cannot put an argument against this motion because the argument was going to be based on the validity or not of the matter that Mr Berry wants to refer to that committee. It is obviously impossible for us to debate it.

MR SPEAKER: Order!

Mr Berry: On a point of order: this is another example of Mr Humphries arguing with your rulings, Mr Speaker, and I think he should be ordered to sit down.

MR SPEAKER: Thank you, Mr Berry, for your observation.

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

That the question be now put.

Question put.

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The Assembly voted -

AYES, 6

Mr Berry
Mr Connolly
Ms Follett
Mrs Grassby
Mr Moore
Mr Wood

NOES, 9

Mr Duby
Mr Humphries
Mr Jensen
Mr Kaine
Dr Kinloch
Ms Maher
Mrs Nolan
Mr Prowse
Mr Stefaniak

Question so resolved in the negative.

ADJOURNMENT

Motion (by **Mr Kaine**) proposed:

That the Assembly do now adjourn.

Assembly Business

MR BERRY (5.14): This is the end of the last session before we come back for the budget session, and I think it would be most appropriate if a few words were said about what has happened in these sittings and, in particular, today.

In this set of sittings we have seen the Government confirm that it will continue to dismantle the health system. We have seen this Government confirm that it will continue to rip the education system apart. And, what is most significant about this last day of sittings is that, while this Government opposite refuses even to debate the school closures Bill which was put forward by Ms Follett, this Government opposite is setting itself up with a couple of extra Ministers.

People watching this smorgasbord by the greedy people opposite will be ashamed that they have ever been involved in self-government. What this Government needs to understand is the long-term damage that it is doing to the community. It does not seem to recognise this, although I must say that yesterday there was a glimmer of hope, albeit a very short one, when Hector Kinloch decided to vote for a motion which opposed school closures. I must say that he was pretty soon turned around - the mad bull's head was turned around and he has fallen in line with the Government. Of course, as a signatory to the accord, it would be a breach of contract for Dr Kinloch to persist with any measure that really resulted in protection for our health and education systems. If he was out of step with

those opposite, one wonders what they would do to him. According to Mr Kaine, it is a very firm accord and they are all fairly well tied into it.

Today we have seen the Chief Minister support the setting up of additional ministries when it was only just a little while ago that we heard him complaining that the timing was not right; that this was not the time for it. What it boils down to is that the people opposite are cutting back services for the rest of the people of Canberra and at the same time they are ensuring that they do well as a result. I think this is an absolute scandal. It will be remembered in the history books. It is, to use Mr Collaery's words, "an historical event", because these members will be remembered by their actions on the day when they cut back important services such as health and education but ensured that they, themselves, were looked after.

As to all this mumbo jumbo about it not costing anything, as I said earlier, I smell bacon. It is as likely as the pigs flying overhead that this will not cost the community more. It is about as likely as Mr Kaine's earlier statement that the Speaker's trip overseas did not cost the ACT taxpayer one cent. That is sheer baloney. Who pays the fees to the Commonwealth Parliamentary Association? Who pays those fees? The Chief Minister, on that occasion, misled the people of Canberra. That was a misleading statement and it should not have been made. The fact of the matter - - -

Mr Kaine: You do not want to belong to the Commonwealth Parliamentary Association; is that what you are saying?

MR BERRY: No, what I am suggesting is that the Chief Minister should not make statements that have no basis in fact. The fact of the matter is that the Chief Minister made a statement that had no basis in fact. It costs the people of the ACT money.

Mr Duby: It costs money to belong to the CPA. It cost no extra to go to the conference in the Cook Islands.

MR BERRY: It cost not one cent, the Chief Minister said. What I would like is for these people to be honest and tell us how much this extra ministry will cost.

MR KAINE (Chief Minister) (5.19): Mr Speaker, I do not often speak in the adjournment debate because I think that - - -

MR SPEAKER: Order! Chief Minister, you will be closing the debate if you speak at this time. Would you defer to Mr Moore as he was on his feet?

Mr Kaine: In that case I will sit down.

Mr Berry: On a point of order; I am afraid, Mr Speaker, the Chief Minister has spoken and the debate is closed.

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Mr Kaine: In that case I will continue speaking, Mr Speaker, if that is Mr Berry's attitude.

MR SPEAKER: Please proceed, Chief Minister. I am sorry, Mr Moore.

Mr Moore: Mr Speaker, surely common sense can prevail. Why do you not withdraw that and let us allow common sense to prevail?

Mr Kaine: I am quite happy to defer to Mr Moore and continue my comments after Mr Moore has finished speaking, if that is the wish of this Assembly.

Mr Berry: I want to hear him close off the debate.

MR SPEAKER: Mr Berry, I ask you to - - -

Mr Berry: I withdraw it.

School Closures

MR MOORE (5.20): Thank you, Chief Minister, for your graciousness; you, Mr Berry, for your application of commonsense; and yourself too, Mr Speaker. Mr Speaker, I would like to raise a couple of issues to do with schools. One of them has to do with a comment that reportedly Ms Maher made to people from one of the schools. It suggested that one of the reasons she could not vote as Dr Kinloch did with great courage yesterday, even though she is opposed to school closures, was that from then on the decision would be definite and final and - - -

Mr Duby: On a point of order, Mr Speaker: that is a clear inference that Ms Maher is opposed to school closures.

MR MOORE: I withdraw any inference that Ms Maher is opposed to school closures. There is certainly no evidence. I withdraw it.

Let me just say that there is an in-principle concept that once a vote is taken in the Assembly it may well bind the Government to something, but it does not bind it for all time. It only binds the Government until such time as another vote is taken and there is a change of climate or a change of attitude. I think for anybody, who shall remain nameless, to suggest such a thing would be to mislead the people it was being said to.

I have been asked to ask a question on the matter of school closures; but, question time not being here, I will present this as a possibility and perhaps Mr Humphries might, at some stage or another, deal with it. It is in relation to the transfer of students. We wonder whether the receiving schools are appropriately protected in terms of fire

hazards because of the proposed increase in enrolments in these schools. What are the fire safety regulations to do with this? We already know that the children are going to be put at some risk from a safety perspective anyway, unless very large sums of money are spent on road closures.

Mr Humphries: Rubbish. You are alarming people unnecessarily.

MR MOORE: Mr Humphries has no children and he clearly lacks the empathy, he clearly lacks the understanding and he clearly has none of the feelings that parents have who are concerned about the risks to their children and about their extra expenses. Mr Humphries, I just present this as another possible factor that you have probably not taken into account along with the rest of them.

Vietnam War

MR JENSEN (5.23): Mr Speaker, I rise this evening as it is my last opportunity to comment on a matter that took place some years ago, in 1966, in a far-off land. On 18 August 1966 the battle of Long Tan was fought. That battle was for Australians the most significant battle of the Vietnam war. Because of its specific focus, Vietnam veterans of all Services have for some years regarded 18 August as one day of remembrance special to all Vietnam veterans. Another day, of course, is the day that the veterans gathered in Sydney some five years ago when they were finally accepted by the population of Australia.

Mr Speaker, no doubt this fact influenced our Government in its decision to accord this day official recognition. I want to comment briefly on the battle of this day. The battle saw some 106 Australian soldiers, many of them national servicemen, of the Delta Company of the 6th Battalion of the Royal Australian Regiment pitched against some 2,500 seasoned enemy troops. It went for three hours in the midst of a monsoonal downpour which protected the enemy from attack from the air, but not from a very accurate artillery barrage from the Australian and New Zealand artillery batteries at Nui Dat. Seventeen Australians died in the battle and one later died of wounds. Enemy casualties were reported as being some 245. The battle was described by General William Westmoreland as one of the most spectacular in Vietnam to date, and the company subsequently became only the second Australian Army unit to be awarded the United States Presidential Unit Citation. Mr Speaker, I will be honoured to represent the Government on Saturday at a ceremony in relation to this event.

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Assembly Business

MS FOLLETT (Leader of the Opposition) (5.25): I rise in the adjournment debate for the simple reason that I would like to point out to the Government members opposite some of the unfortunate precedents that they have set during this current sitting of the Assembly. I think that they are unfortunate from a number of points of view, but overwhelmingly because they really do fly in the face of the tradition of parliamentary democracy.

The first incident that I refer to is the attempt by the Government virtually to rule out private members' legislation by the use of, in my view, nothing less than legal trickery. You have interpreted a legal opinion and the Assembly's own standing orders in order to deny the private members in this Assembly the right to bring forward legislation, and the extension of the argument -
- -

Mr Jensen: On a point of order, Mr Speaker: I believe that it was not the Assembly that interpreted the legal interpretation but the Acting Speaker. I suggest that Ms Follett get it correct.

MS FOLLETT: I believe it was, in fact, a member of the Government who moved the motion, Mr Speaker. Regardless of that, the Government has used its numbers in an attempt to deny private members the right to bring forward legislation. If the arguments used by members opposite are carried to their logical conclusion, no private member could ever bring forward legislation. This is a denial of parliamentary democracy.

The second incident that we have seen is the Government's treatment of censure motions. Censure motions are extremely serious matters. We have seen very few of them in this Assembly, as Mr Humphries has pointed out; but when they are brought forward in every other house they are treated as a serious matter and debated seriously. What we have seen again from the members of Government opposite is an attempt not even to debate the merits of the motion but to turn it right around; to turn it once again into a tirade against the Labor Party. Very few of you were prepared to stand up and debate and defend your Minister - for whom, incidentally, I think there are good defences available. None of you did it; none of you said he was right. You just turned it into the usual hysterical debacle. You are a disgrace.

Finally, this evening we have seen the Government use its numbers to deny a matter of privilege being sent to the Administration and Procedures Committee. In my opinion, this means that the standing orders which govern this house are worthless. The fact that you would not even allow that matter, which I brought up in absolute good faith, to be sent to the appropriate committee - the committee referred to in our standing orders - for examination and opinion in my view is a grave error on your part. In all three of

these instances you have flown in the face of parliamentary tradition; you have flown in the face of parliamentary democracy. You stand condemned for this, but even more I think you are guilty of reprehensible behaviour in this Assembly.

Assembly Business

MR HUMPHRIES (Minister for Health, Education and the Arts) (5.28): Mr Speaker, I wish to traverse only one issue that Ms Follett has raised - and I note that she is leaving the chamber. Apparently this is not palatable but this is a point that was lost in the barrage of points of order and objections yesterday when I raised the issue in the course of debate. I will raise it again since she has raised it again. Section 65 of the self-government Act is a shield behind which governments may hide. Let us face it, it is a protection to governments that allows them not to have to face some money Bills. Whether that is fairly put there or not, I make no comment on; but for Ms Follett to lecture the Government for using section 65 is grossly hypocritical when Ms Follett herself used section 65 when in government to prevent debate on private members' business. It is grossly hypocritical. I would accept the lecture we have just received from Ms Follett a little more easily if I knew that she would apply those same principles to herself when she is next in government. However, on the performance when she was last in government I have no confidence that this will be the case.

Assembly Business

MR CONNOLLY (5.30): Mr Speaker, the points that our leader, Ms Follett, made in the adjournment debate are serious points indeed, and it is unfortunate that they receive merely a partisan response. What seems to be happening in this chamber is that the Executive Government has the parliamentary representatives by the scruff of the neck. The non-Executive members are not prepared on any occasion to stand up and assert their rights as parliamentarians, as opposed to partisan members of a party. This is, as our leader has said, a very sad state of affairs.

Mr Speaker, the only other point I would like to make in the adjournment debate is, as Ms Follett remarked, that throughout the censure motion, which should have been responded to with reasoned arguments in support of the Government's position, we heard merely a diatribe against the Australian Labor Party, of which we are all proud to be members.

Mr Jensen has a habit in the adjournment debate of getting up and reminding the members of significant historical

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events. He reminded us of the battle of Long Tan which indeed, as he said, was a significant event in Australia's history. I will take the opportunity to remark, on the last day of sittings in August 1990, that it was in August 1890 that the maritime strike began in Melbourne - the strike between merchant marine officers and their employers. It was as a direct consequence of that dispute that the Australian Labor Party was founded. Mr Speaker, this party has been around a lot longer than any other party. It will be around when the parties presently in government are long gone and forgotten.

Censure Motion

DR KINLOCH (5.31): Mr Speaker, I do not again wish to make mountains out of molehills, but there have been some very general statements about people on this side of the house not speaking to the censure motion. I certainly wish it to be recognised, and I hope that Hansard will demonstrate this, that Mr Humphries' reputation was very solidly supported from this side of the house.

Assembly Business

MR KAINE (Chief Minister) (5.32), in reply: I began before and I apologise. I do not usually move the adjournment motion. The Deputy Chief Minister does that and I had overlooked the fact that I would be closing the debate. Just as I do not often move the adjournment motion, neither do I often speak to the adjournment motion; but, listening to the earlier comments, there are, I think, some things that need to be said.

First of all, the Opposition does act in a quite hypocritical manner quite often. Its own performance in this chamber, particularly as an opposition, is quite poor; yet it constantly attacks the Government for its performance. It is a bit of the pot calling the kettle black. I understand its chagrin because the Government is outperforming it, not only in opposition but also in what it did when it was in government.

We have had a few little complaints tonight about the way the Government deals with matters that are brought before it by the Opposition. If the Opposition took this house seriously and tried seriously to debate the issues instead of trying to distort, misrepresent and twist things, it would get a better reception. Its whole attitude seems to be, "Attack the individual, do not attack the issue". I will not say any more on that issue, but the members opposite might think about that a little bit.

Tonight the Leader of the Opposition has demonstrated her entire performance. She comes in; she makes a quite

vitriolic attack on the Government; and then she walks out. She does it day after day. She does not want to hear the response. All she wants to do is to pour out her feelings, usually unpleasant, on the floor of the house and then leave.

As to the performance of the Government, Mr Speaker, I find Mr Berry's comments bizarre and almost quixotic. He constantly repeats, as though by repetition somebody will begin to believe him, the assertion that the Government is attempting to destroy something. The fact is quite to the contrary. This Government, very systematically and with method and forethought and reason, is going about dealing with the problems confronting this Territory. Despite Ms Follett's comments, she produced a budget last year which in no way attacked the problem that was then just around the corner. It was almost as though the problem was not there; it was going somehow to go away. This Government has had to deal with it. It is dealing with it and it is not dealing with it without a great deal of thought. The general proposition that we as members of the Government are setting about to destroy something without any thought as to its cost to the community, its social cost, its economic cost, is absolute nonsense. We have spent a great deal of time trying to address this problem to find solutions. Some of them are short-term solutions and some of them will take five years to put into effect.

We are not only worried about this year's budget - this is the easy one. Next year's budget is going to be the tough one. After that I predict that it will become easier to deal with the problems that we have inherited from the Commonwealth. But we cannot sit and do nothing. There are problems that have to be addressed and this Government is attempting to do that. I do not accept the proposition put forward by the Opposition that the members on this side of the house are unfeeling, they have no concept of social justice and they are incompetent. These are the allegations that are constantly being put forward by the Opposition, on the basis that if you say it often enough people will listen and believe it. None of these things are true.

I have a child at school. I have had three other children during my lifetime who have gone through the education system. It cannot be said that I do not understand the problems of parents with children at school.

Mr Connolly: Private school or public school?

MR KAINE: I am talking about a public school. You can make jokes about Mr Humphries having no children, but he is only one of the 10 members of the Government. I think people need to stop and think occasionally and get rid of the misrepresentations, get rid of the distortions, get rid of the untruths and get down to the fact that I believe that this Government is doing the best it can and it is doing a good job.

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Privilege

MR SPEAKER: With respect to the matter of privilege, I would draw members' attention to standing order 71. Appropriate action on this matter will be taken by me in due course.

Question resolved in the affirmative.

Assembly adjourned at 5.37 pm until Tuesday, 11 September 1990, at 2.30 pm

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APPENDIX 1: (Incorporated in Hansard on 16 August 1990 at page 2970)

Australian Capital Territory
MINISTER FOR FINANCE AND URBAN SERVICES

1 Constitution Ave
Canberra ACT 2601

Ms R Follett MLA
Chairman
Public Accounts Committee

ACT Legislative Assembly

CANBERRA ACT 2600

Dear Ms Follett ,

Thank you for your letter of 17 May 1990 regarding the funding of the second domestic violence refuge in Canberra and the matters raised in the terms of reference by your Committee on the refuge.

I would like to confirm that the Department of Health had proposed that the costs of the second refuge was \$142,000 in 1989-90 and \$238,000 in a full year. The proposal met the criteria for funding under the existing Supported Accommodation Assistance Program (SAAP) Agreement between the Commonwealth and the ACT. In this financial year, SAAP has been funded to a level of \$4.2m (\$2.4m Commonwealth and \$1 .8m ACT). These amounts include a growth provision of \$300,000 which is a \$1:\$1 Commonwealth/ACT ongoing yearly contribution to the base and cost indices to maintain real term funding levels.

The former Government considered that the refuge could be absorbed within this allocation of \$4.2m. In addition, an extra \$100,000 was allocated to the Department of Health for youth homelessness as a separate approved new policy.

With respect to the issue about separate appropriation, the Audit Act 1989 and Finance Regulations enforce all Territory expenditures to be charged to the correct head of expenditure relating to the programs functions. Currently the Territory appropriates to a Program level within agencies. In this case, SAAP fell under the appropriation for the Community Services and Health Program as SAAP was part of its function. The Administrative Arrangement Order of 13 December 1990 now places SAAP under the Community Services Program, administered by the Housing and Community Services Bureau.

I hope this information assists the Committee.

Yours sincerely

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DEPUTY CHIEF MINISTER

1 Constitution Ave
Canberra ACT 2601

Ms R Follett MLA
Chairperson
Public Accounts Committee
ACT Legislative Assembly
1 Constitution Avenue
CANBERRA ACT 2601

Dear Ms Follett

Thank you for your letter of 17 May 1990, concerning the inquiry by the Public Accounts Committee into several specific matters connected with the funding of an additional domestic violence refuge. I apologise for the delay in responding.

I can confirm that a sum of \$142 000 was included in the Budget for "an additional domestic violence refuge ... to increase secure short-term accommodation for women...". It is also correct that the sum of \$142 000 was part-year effect only and that the full-year effect was estimated to be \$238 000.

With regard to the lack of a separate appropriation in the Appropriation Bill 1989/90, there was no need for a separate appropriation as any such funds would fall under the Community Services and Health Program. Regardless of whether the funds had been over and above normal ACT Supported Accommodation Assistance Program (SAAP) funds or not, they would have been included under this appropriation. The need for an "additional" appropriation for this refuge under this program did not arise as it was believed that the funds would come from SAAP.

Finally, in relation to the last question of the terms of reference, I am not able to supply you with detailed information. It would appear that although an additional domestic violence refuge was a high priority of the Follett Government and additional funds were sought in the 1989/90 Budget, competing priorities led to a decision during the Budget process that the funds for such a refuge would be sought from SAAP. I am not able to comment on why the Budget papers did not reflect this change.

As the funds were sought from SAAP, this priority of the Follett Government was subsequently included in the 1989/90 SAAP State Plan and with the following of normal SAAP funding processes, an additional domestic violence service was then funded from those submissions received.

I hope that this information is of assistance to the Committee.

Yours sincerely