



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

24 October 1990

Wednesday, 24 October 1990

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

SCHOOL CLOSURES - WEETANGERA PRIMARY SCHOOL

Debate resumed from 17 October 1990, on motion by **Mr Wood**:

That it is the opinion of this Assembly that Weetangera Primary School remain open to continue to provide high quality education.

MR WOOD (10.30): Mr Speaker, in this, as in other debates, I have raised a number of details concerning the proposal to close Weetangera Primary School. I have shown that the decisions were made in ignorance. Indeed, I did not have to show that because some Government members have said that when they voted on this in the joint party room they did not know some of these facts. So it has not been left entirely to me to show how much ignorance there was at both departmental and party level when these decisions were made.

Indeed, we have found that the Government has been endeavouring to catch up from the day it announced that it was going to close up to 25 schools. Such planning as it has done has been catch-up planning, and it has taken rather feeble measures to try to justify what it has been doing. In the 15 minutes that I have spent on this speech so far I have tried to show where it is wrong in detail. But that detail, in the end, is not particularly important. I have used it to show how little the Government knew about what it was doing.

The important fact is simple and clear: Weetangera school should not close. Even if there are savings down the track from school closures; even if some \$200,000 a year can be saved by closing a school - and that figure remains much in dispute - that does not justify the closure of any school that is a bustling, thriving, sound educational institution. I made these remarks to this Assembly some six months ago, and they have not changed. The basic fact remains that the school should not close.

While we in this chamber may debate points about enrolments, costs and where a school is situated in relation to others, these points remain relatively minor. Let us not get away from the major issue, namely, that we have a great educational institution here and that it should not close. Today is important because members of the Alliance Government, and in particular its backbench,

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have a chance to stand up and be counted. Some of them have made it clear that they do not support the Government's decisions. I might add that we have never seen them on their feet in this chamber expressing a view one way or the other. We are told that only five of the 10 Government members support the school closures program and that 12 out of 17 - - -

Mr Duby: It is not true.

MR WOOD: It is not true?

Mr Duby: No, it is at least six!

MR WOOD: At least six, so you put yourself in that position; that is fine. But 11, maybe, of the members of this Assembly do not want schools to close. Some time ago we in the Labor Party endeavoured to introduce a Bill to prevent this, but we were prevented from doing so because of interpretations of the standing orders and the Australian Capital Territory (Self-Government) Act. This motion does not provide a requirement that the Government has to proceed not to close the school, but it does make a very powerful statement that the Government cannot overlook.

I would say to those people on the other side of the house who have said words of sympathy to the various school communities, including Weetangera - people like Ms Maher who is not here today, Mr Jensen and maybe others - that when the vote is taken I hope that they vote in favour of this motion. If they have ever indicated any support for the schools in their battle, if they vote in favour of this motion they will give such a powerful message to the Government that it cannot be ignored.

MR COLLAERY (Attorney-General) (10.35): Mr Speaker, Mr Wood has spoken in this debate for 15 minutes, and I guess he has spoken for hours and hours on this issue to date. Much of it is useful and reasoned debate. But the Labor Party has not concentrated on explaining to us its commitment on school closures. It had a pre-election policy, Mr Speaker, which I have read into the record before and which has always produced considerable agitation on the other side of the house.

Mr Wood: Not at all.

MR COLLAERY: It is this sort of agitation, Mr Speaker. Thank you, Mr Wood.

Mr Wood: Is that agitation?

MR COLLAERY: Yes. It gets louder, usually. I will read again the ALP's policy on school closure which, very hypocritically, the party has kept out of the limelight during this debate. Essentially, its policy is:

In general, no school will be closed -

I emphasise the words "in general" -

or amalgamated -

so it endorses amalgamation as a possibility as well -

unless the school community agrees.

Members interjected.

MR COLLAERY: There we are, Mr Speaker; they react. They hate me telling them their own policy. It goes on:

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. 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.

Anyone reading that can see that it has hedged its bets, Mr Speaker. You have to examine the actual performance of the Labor Party in relation to school closures. In 1988 it closed six schools almost overnight. It did not go through a long period of consultation. It did not chance its arm and issue a discussion paper - - -

Mr Wood: Who are you talking about?

MR COLLAERY: Which is one of the greatest things you do in politics, Mr Wood - through you, Mr Speaker - as you well know. Any government that has the courage to issue a discussion paper will have it examined, analysed and articulated upon by one of the most articulate and informed communities in Australia. The Government exposed itself to that.

That was not what the ALP did in 1988, was it? When we came to government I think there were still six vacant schools, with the grass having to be mowed and vandalism an issue. Those schools were closed 18 months before the Assembly election, but the ALP maintained its commitment to school closure. It maintained a pre-election commitment to consider, in general, schools to be closed when certain circumstances occurred.

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Mr Speaker, let us deal with some of the hypocrisy that we have seen in the last few months. I am delighted to be on my feet at last. Part of Labor gamesmanship is to run debates to the bell so that we cannot get to our feet. That was the experience watched by Weetangera parents who were present in the chamber for the last debate. We watched the whole school debate fall out the window because of a petty and very tragic point-scoring exercise on the Mandela issue. I am pleased that Bill Wood finally got to speak, and he was given extra time by the Government to complete his speech.

In this chamber the Labor Party members have said - and parents have been here to hear it - that they will reopen every school and that it is their policy. Mr Speaker, I challenge the Labor Party members to prove that that is their conference policy. I want them to say which is their policy at the moment - this one from the agreed policy which has gone through the branches and been approved by the administration committee, or is there a new policy? If there is a new policy, where was that developed and is it in concrete?

I expect one of the speakers to stand up and provide us with a signed, certified or evidenced policy that any school that is closed, including those that were closed in 1988, will be reopened. I want to hear from the Labor Party what its commitment is to reopen the Page school. I think we are entitled to that, and we are entitled to have this debate out once and for all. The Labor Party members have made a great point-scoring exercise of this budget problem of the ACT. It has been tremendous and luxurious for them to sit out there, holier-than-thou, and thump us for what their good friend and factional leader, Ros Kelly, did only two years ago. Was it not great?

We see Mr Moore posturing, too. He supported the Residents Rally policy, which was the same as the Labor Party's policy, on school closures; yet he has disavowed that. He alone, with his vast and newly burgeoning economic expertise, is going to solve the whole problem. He is going to sack policemen to keep schools open. It is very simple - you just shift bodies around. He is going to knock \$10m or \$20m off the police vote, just like that. Presumably he would assist the Government to deal with the Australian Federal Police Association and all the women and children who would be affected when Mr Moore effectively talks down our case - that is the tragedy, Mr Speaker - that is before the Commonwealth Grants Commission at the moment.

There is no more horrendous sabotage happening at the moment than the sorts of actions in which Mr Moore is engaging, talking down our arguments to the Commonwealth for extra funding in a number of areas. You cannot isolate Mr Moore's arguments from those relating to the schools. The very clear fact is that Mr Moore has this micro approach to economics. He believes that you can shift

people and functions around as if there is a new, you-beaut theory that solves the particular pressing financial problems of our system in the Territory.

This Alliance Government has been accused of having an ideological mind-set against schools. As former honorary solicitor to the P and C council, I do not believe that the community has accepted it. One issue that is clear to the school communities with which I mix is that, instead of facing up to the fact that we have before us a Territory-wide challenge, the Australian Labor Party decided to offer no comfort and no solutions and not to mediate or facilitate; it has given no suggestions. School groups have had to devise and argue, effectively in many instances, their cases, with very little help, except rhetoric, from the Australian Labor Party. In this Territory the Labor Party has provided rhetoric; it has not provided resources. How many of its members have put money into the school fighting fund? How many of them, personally, have put money where their mouths are? I wonder.

Mr Moore: Have you?

MR COLLAERY: I wonder what it is. You would be surprised at that, Mr Moore. We would like to hear what their level of commitment is, apart from wanting to score some votes on the issue. The motion before the Assembly is:

That it is the opinion of this Assembly that Weetangera Primary School remain open to continue to provide high quality education.

High quality is the great aspect of education in the Territory, and it is an aspiration to which we all agree. The term is very cunningly placed there so that, if we do not support the motion, the press release can go out saying that we do not support high quality education. I think the community is bored with Labor's gamesmanship. It really wants politicians who will get into this Assembly and help solve the problem, not sit away from us and help exacerbate it. It wants people in here offering a solution.

Mr Connolly: You are the problem, Bernard.

Mr Moore: You are the problem.

MR COLLAERY: See? They are becoming vocal again, Mr Speaker. When you start pricking them, out comes a bit of noise. The Government has, for better or worse, taken a number of decisions. They have been submitted to an independent review, not one that the Federal ALP or the local branches and their minions sitting opposite supported. Was an independent review demanded by the local ALP branches when Ros Kelly closed the schools? How can they fault, in many respects, the attempts that this Government has made, for better or worse, to hear the community voice, to provide an independent review and the

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rest? The realms of legal remedies available in this Territory, because we have advanced systems of administrative law, have also provided the groups with scope to pursue, if they can, legal remedies. That is a pretty good democracy. That is a hell of a democracy.

The Labor Party would be well advised to heed what one of its members - I believe it was Ms Follett - has said a few times now, namely, that the community, this Assembly, government in the Territory should really be run by committees. Many people think that that is utopian, but she argues that we have to get together cooperatively in this Assembly and solve the problems. What cooperation have the Labor Party members offered to the Liberal Party, the Residents Rally and the Independents Group on the schools issues? Have they ever invited us down to their floor or come up to the fifth floor and said, "Listen, why do we not sit down and sort this out?". I thought it was good that the Weetangera residents saw that Mandela debate the other day. That debate need not have occurred because it was a point-scoring exercise designed again, as with the treatment of the schools issue, to maximise some perceived votes and to let out a few good press releases.

Not once did Labor members sit down and say to us, "Look, you are quantitatively wrong here. You are qualitatively wrong on these issues. These are the social justice issues". When the Government was looking at the social issues on the closure and considering such issues as the density of Housing Trust tenants and the social impacts on certain areas, did Mr Moore or members of the Opposition come to us once and argue for their constituents? Not once did they knock on our door and say, "Let us look after the very strong collection of single parents whose only outing in the day is to go along with little Johnny and little Mary to the school". Did the Labor Party members look after their constituents even once?

The horrendous, tragic fact is that the Labor Party members probably wanted us to take the school closures position because it was great political material for them. We all know that Mr Moore used his classic - you will forgive me if I use this phrase - Young Liberal term "win-win". "It is a win-win", he said, and it echoed up and down the corridors - "Beauty, they have closed some schools. It is a win-win. We are going to score some points. We are not going to help resolve the situation".

I think the community is pretty sick of this. It knows that the Alliance Government now is submitting to that independent inquiry and that the Government is doing its level best to work the situation through and see what is going on. Clearly, Mr Moore challenged me, as the Rally leader, to get up. I am supported again today with another letter from a constituent; they are coming in more often now. It is addressed to Mr Jensen, and the writer says that we should not go out of government on just this issue because the Labor Party members cannot convince anyone that

they can govern this Territory as an alternative. They are factionalised, barely riding in the same lift, and certainly they are not a group that we could trust. It is only two years since they closed six schools, arbitrarily and summarily, yet we hear these pious incantations from Mr Bill Wood - whom I respect personally, I hasten to say - about school closures being a dreadful thing.

Mr Berry: Poor Bill!

MR COLLAERY: Mr Berry uses that firemen's union language. He says that we committed an atrocity on the schools system. Get the word "atrocity"! Has he gone out and helped us see through these issues with the community? I have not seen him at Burnie Court, Lyons, working out how many youngsters are there with the single mothers who might want their children to have schooling there. We have not seen the Labor members on the ground; we have seen them only where there is a camera, where there is a gathering, and they push themselves to the front for that. As a community-based political leader, I am disgusted with their performance on this. It has been designed, almost from the start, to knock over the Residents Rally, very cynically. They are in for a heck of a shock, I can assure them.

Finally, to put the required issue - I am speaking now as Attorney-General and Minister responsible for the court system - this motion requires this Assembly to direct an opinion to the community. The legislature is one of the three arms of constitutional government. The motion is that, in the opinion of the Assembly, Weetangera school should remain open. We all know that a vote on this issue will pre-empt the matter that is before the Supreme Court of the ACT now.

Mr Connolly: The decision to close them pre-empts the action.

MR COLLAERY: I will come to that. As other members are well aware, the Government is engaged in very sensitive and important negotiations with the Commonwealth and the Supreme Court judges about the conditions under which the Supreme Court would transfer and become part of our constitutional structure. Issues that are for the court's consideration - that is publicly known, and I will not go further into those negotiations - there not being a vice-regal representative or administrator in the traditional sense, are the extent to which this Assembly can retain, firstly - I use the word advisedly - the confidence of the judiciary and attend to some urgent concerns that the judges have widely - - -

Mr Wood: What are you rabbiting on about?

MR COLLAERY: I am not rabbiting on. I seek an extension of time, Mr Speaker.

Leave not granted.

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Mr Kaine: Mr Speaker, I move that so much of standing orders be suspended as would prevent Mr Collaery having an extension of time.

MR SPEAKER: Order! Chief Minister, you do not need to move suspension of standing orders. You just have to move a motion to extend Mr Collaery's time.

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

That Mr Collaery be granted an extension of time.

MR COLLAERY: Mr Speaker, I was rounding off, anyway. Since it is the first time I have been able to get to my feet on the schools issue, it is classic that they would try to chop me off. I think that stands in the record.

Mr Moore: You have spent 15 minutes saying nothing.

MR COLLAERY: The voice from the pillar - the little democrat from Reid - was the prime mover on that. Mr Speaker, I am trying to draw out members opposite on the seriousness of what I am saying. There is an increasing sensitivity of the judges, as Mr Connolly well knows - it was addressed by Sir Gerard Brennan in his recent Blackburn lecture - to the relationship between the government of the day and the courts.

Mr Moore: On a point of order, Mr Speaker, on standing order 62, relevance.

MR SPEAKER: Order! It is overruled in this instance, Mr Moore. Please proceed, Mr Collaery, but be brief and to the point.

MR COLLAERY: Mr Speaker, they are determined not to let me get on. You can see their contribution to the schools debate. In the Blackburn lecture some short time ago Sir Gerard Brennan said:

I do not venture to predict how the tenure of judges of proposed Courts of the Australian Capital Territory may be secured.

Mr Berry: What has this to do with this? On a point of order - - -

MR COLLAERY: I will bring it together, Mr Speaker.

MR SPEAKER: Order! Thank you for your observation, Mr Berry, but I believe there is a - - -

Mr Berry: I ask for a ruling.

MR SPEAKER: Order, Mr Berry! I believe there is a court case on the schools issue. Therefore, I believe this is relevant.

Mr Berry: That is not what he is talking about. Would you just rule on it?

MR SPEAKER: Resume your chair, please, Mr Berry. I have ruled on it.

Mr Berry: I did not hear the ruling, sir.

MR SPEAKER: If you had not been talking at the time you would have heard. Please proceed, Mr Collaery.

Mr Berry: I raise a point of order, on the issue of relevance.

MR SPEAKER: Yes, I have given you an indication. I believe it is relevant, but I have asked Mr Collaery to draw his points together. Please proceed, Mr Collaery.

MR COLLAERY: His Honour went on to say:

The problem relates to the isolation of judges from influence by government, whether the influence be by generosity or parsimony.

In the July edition of the Australian Law Journal there was an article on the same point by Mr Justice McLelland. The effect of our voting on this motion today, whilst the matter is before the court, would be for the legislature to express an opinion. That could be interpreted as a direction to the court, as a view of the legislature as to how the judges should bring down their decision. Members will well recall that no such motion was put during the vexed debate on the Canberra Times site. No-one sought to put a motion to prejudge the court's decision. Mr Moore well appreciates that because that was discussed and discarded.

This motion has the effect of expressing, by the legislature, an opinion on a matter which is currently sub judice, before the Supreme Court of the ACT. As Attorney-General, the first law officer who is responsible for our relationships with the ACT Supreme Court, I say very strongly that this motion should not proceed to a vote. I am not denying the debate at all; the debate is quite okay. Let it not proceed to a vote at this stage.

Mr Speaker, I trust that members will look at those references that I have given and understand the necessity to act prudently in this situation. The views of the parties are well known; they are on the record. Nothing new will arise out of this, except the gamesmanship of putting the legislature against the Supreme Court while the matter is before the court. Indeed, I suspect that Mr Moore should clarify whether he is a litigant in that matter. We need to know that, and we should be told. He well knows the rules in the green book about litigants prospering or prejudicing their claims by use of this Assembly.

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I trust that Mr Moore will look very carefully at the sub judice rules. But as Attorney-General I make it quite clear to the Assembly that I oppose us as a legislature giving a directive, in effect, to the Supreme Court about the opinion of this Assembly on a matter which is currently subject to litigation before the courts. There are only a few weeks to go, Mr Speaker, and I think this Opposition should concentrate more in that time, if it wants to, on assisting materially and intellectually, if it has the ability, the school groups rather than try gamesmanship here day after day on this issue to see whether it can get some division in the Government.

MR CONNOLLY (10.56): Mr Speaker, I wish to enter into this debate only briefly, to put down the arrant nonsense that we have just heard, namely, that this Assembly ought not to debate or vote on this issue because there has been some indication that a group of citizens may wish to bring the matter before the court. No writ has been issued; no date has been set for trial. The sub judice convention is quite clearly stated in the green book, at page 491, as:

Matters of a civil nature shall not be referred to from the time the case is set down for trial or otherwise brought before the court, not from the time a writ is issued.

It says that we can debate a matter even after a writ has been issued, but no writ has been issued. Mr Collaery's view of the sub judice convention makes government unworkable. He is saying that, whenever any community group says, "We may wish to litigate a matter", the parliament cannot express a view on it. It is an absurd ruling on the sub judice convention. It is merely an attempt, Mr Speaker, to avoid having to vote on this issue, because the Residents Rally, quite properly, is scared to show its true colours.

MR MOORE (10.57): Mr Speaker, I must say that that was a most extraordinary speech of the Deputy Chief Minister. It was a speech of somebody who feels caught in the middle, and quite rightly he should feel caught in the middle. The debate and motion state that the primary school should remain open to continue to provide the high quality of education. There is no doubt that that high quality of education has been provided at Weetangera, and it ought to have the opportunity to continue.

I would like to take a couple of points from the notions that Mr Collaery put. He started by saying that the only one who has parted from Residents Rally policy is Michael Moore. When I look around to the gallery I see Dr Kinloch sitting with members of the Weetangera school community. On this issue I have said on a number of occasions publicly that I admire the stance that Dr Kinloch has taken. Clearly, he had before him the same information as the rest of the Government. He made the hardest decision of all, to

take a stance against the Government on the school closures issue. One of the reasons for that is probably that he remembers the debate about the education policy of the Residents Rally and how it came to be in the actual wording, which is:

The Rally remains committed to the idea of neighbourhood schools.

If you refer to the planning document that was obtained under the freedom of information legislation and the Estimates Committee, you will realise that the first page of that document reinforces the idea that primary schools are the basic building blocks of the neighbourhood. In the Residents Rally planning background, it recognises its commitment to neighbourhood schools as part of a suburb, part of the neighbourhood and part of the planning concepts for Canberra. The policy states:

The Rally remains committed to the idea of neighbourhood schools. The Rally believes that no school in the ACT should close ...

I must continue, as I do not want to misrepresent it, but the "no" is in capital letters for emphasis. That is where we ended the debate. At that stage the members of the Rally who were putting this policy together debated for a long time what would happen if somewhere like Hackett decided that it wanted its school to close. We could perceive that being a possibility. Under those circumstances we felt that it would be appropriate for the community to allow its own school to close, and that is why this extra bit was added:

... until all alternatives have been considered and the school community -

The school community, as we discussed it, was the local community for that local school. So, if the Weetangera school community in this case decided that it has only 50 students coming to the school, that the quality of education is suffering and that the school should close, the Rally left itself an out, so that the community could effectively close a school under those circumstances. The Rally policy reinforces "the school community" by stating that it is the students, parents and teachers. Quite clearly, we are not talking about the broad school community; it is referring quite specifically to that individual school community.

That was the nature of the debate; but, because we were not framing things in legal terms, now we can have a debate about the term. I am sure Dr Kinloch remembers that. I have spoken to other members of the then Rally executive, who were vitally interested in education. They recall that that was the flavour of the debate. Teachers have had an opportunity to discuss the proposal and make recommendations on future ramifications. Those future

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ramifications are very important in this discussion in terms not only of the students but also of the planning of Canberra.

For the Deputy Chief Minister to suggest that I have not followed Rally policy and that there has been cheap political point scoring is absolute nonsense. I know that people from the schools community realise the number of hours that I have put into it. If I were just after cheap points, it would be a matter of knocking out an occasional press release.

Mr Collaery asked how much money we have put into this. I think it is appropriate, in response to his request, for me to declare that I am a litigant in the case to which he referred. That case is not before the Supreme Court. The suggestion that it is before the Supreme Court also needs clarification. It is one of the areas in relation to which Mr Collaery likes to present things a little off from the truth. That case went initially to a hearing in an attempt to get an injunction, in such a way that the Government was not represented so that the litigants were not hit with costs. That was the thinking behind that. The costs could be extreme, and it may have been impossible for them to handle it that way. Following the failure to get that injunction, there was an attempt to establish a time for a hearing, but a time has not been established.

So, to suggest that it is sub judice is, as Mr Collaery knows, absolute nonsense. It is just an attempt by him to weasel his way out of this debate. The Residents Rally knows that it has let down the community once again, with the exception of Dr Hector Kinloch who can feel proud that he has taken appropriate action to attempt to do his bit to prevent this ridiculous school closures move by the Alliance Government which, contrary to what Mr Collaery says, has a group of conservatives as an ideological base.

There are plenty of other ways in which it could save the \$2m. Let me give you an example. The Estimates Committee was given information about rental paid by Mr DUBY's department which failed last year to present program by program what we spend on rental in the ACT. Overall the rental in the ACT is in the order of \$15m or \$16m. It has not been able to clarify it exactly because there are bits and pieces all over the place. The first figure that was presented by Mr DUBY's department is \$14,229,692 per annum.

Mr DUBY: What was that for, Michael?

MR MOORE: That was for rental paid out by the ACT Administration. Approximately another million dollars is to be spent by the education department on Macarthur House, and who knows how many other bits and pieces there are. His department says that accounts for approximately 70 per cent, I think it was, of the rentals in the ACT. We can presume that there is a lot more.

We had the opportunity to take small units out of ACT Administration and have them working with schools. We could have saved the money that we spend on rental. When we spend between \$15m and \$16m each year on rental there is plenty of opportunity. The schools - this alternative was never presented to them - might have been unhappy about bringing those people into the schools at the time; but, if the Government proceeds with this madness of closing schools, let us not bulldoze them. Let us look at where they can be used appropriately for office blocks.

Let me give the best example of all. This Assembly spends over a million dollars a year on rental. What an excellent opportunity we would have to move to the Pearce Primary School, for example, and convert it, with a one-off capital expense. We know there will be some one-off capital expenses, but the recurrent savings would be well worth it. This Assembly could move to one of those primary schools. That would be a major contribution of this Assembly to education in the ACT, and would allow half those schools to stay open, if there were a million dollar saving.

There could be many other moves. The planners advised this Government not to close almost all the schools, and certainly not to close Weetangera school because of the safety issues.

Mr Duby: That is not true.

MR MOORE: The advice not to close Weetangera school is absolutely true. Do not mislead the Assembly. The advice is there in black and white. They said that if you must go ahead with some form of closure you could allow K to 3 to stay open. That was the advice. It is there in black and white.

Mr Duby: Table it. I defy you to table it.

MR MOORE: I would be delighted to table it. I will go up and get it, and I would be delighted to table it.

Mr Duby: Some time tomorrow? Tomorrow never comes with you, Michael.

MR MOORE: I will table it today before this debate ends. It is an ideologically driven school closures system. Mr Speaker, it is not necessary for me to speak any longer, and if more members kept to their time we would get through more business.

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

That the debate be adjourned.

Mr Wood: Mr Speaker, on a point of order: this is private members' business. The tradition is that the control of private members' business is in the hands of private members. The Standing Committee on Administration and

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Procedures, Mr Speaker, as you know, meets and determines the order. It basically asks the private members what they want. The Government members participate in that. On a point of order, Mr Speaker, I request that you rule that request for adjournment out of order.

MR SPEAKER: Mr Wood, I do not believe there is any standing order that would allow me to abide by your wish.

Mr Wood: Custom is what we are looking at.

MR SPEAKER: I do not agree that there is a custom there that would allow me to take this into my hands. I believe that it is quite proper for the vote to be taken as requested.

Mr Berry: Are you speaking on this, Mr Humphries?

MR SPEAKER: Order! There is no debate on the motion.

Mr Moore: On a point of order: I think we can debate the adjournment motion.

Mr Humphries: Mr Speaker, I might draw the attention of members opposite to standing order 65, which states:

Except for a Member who has spoken to the question, or who has the right of reply, any Member may move the adjournment of the debate, which question shall be put forthwith and determined without amendment or debate.

Mr Speaker, might I speak briefly to that?

Mr Moore: You just said you cannot speak. I raise a point of order.

MR SPEAKER: Order! There is no debate on the issue.

Question put.

A vote having been called for and the bells being rung -

Mr Collaery: I think you were knocked for six this morning.

Mr Moore: Why? By your lies?

Mr Duby: Mr Speaker, I demand that that be withdrawn.

MR SPEAKER: Order! Yes, even though there is no debate before the chamber, please withdraw that, Mr Moore, or move a substantive motion.

Mr Berry: I do not think there is anything that can be withdrawn, Mr Speaker, because the bells are ringing. I do not think there can be any debate while the bells are ringing.

MR SPEAKER: That is true. I ask members to remain silent.

The question is: that the debate be adjourned.

Mr Wood: The question is the reputation of this Assembly.

MR SPEAKER: Order, Mr Wood!

Mr Wood: That is what the question is.

MR SPEAKER: Please desist, or I will have you removed.

The Assembly voted -

AYES, 9

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

NOES, 7

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

Question so resolved in the affirmative.

**A.C.T. POLICE FORCE
Proposed Select Committee**

MR MOORE (11.14): Pursuant to notice, I move:

That a select committee be established by this Assembly to examine -

- (1) the financial arrangements governing the functions and provisions of the ACT police force;
 - (2) the standards of effective policing achieved within the ACT police force and the necessity for improvement therein;
 - (3) the possibilities of crime prevention as an alternative and effective means of reducing the incidence of crime in the ACT;
 - (4) the social ramifications of community involvement in crime prevention schemes;
 - (5) any other matters pertinent to the subject matter which the committee considers should be drawn to the attention of the Assembly; and
- that the committee report to the Assembly by 30 April 1991.

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Mr Speaker, I have opted for suggesting a select committee on this occasion. I am aware that we have a Standing Committee on Legal Affairs, but this matter crosses many social as well as legal aspects, and the Legal Affairs Committee deals mainly with the legal aspects of this Assembly. With that in mind, I consider that what I am presenting is considerably different from what would normally be dealt with by the Legal Affairs Committee and is something that could well be a cross between legal affairs, on the one hand, and the Standing Committee on Social Policy, on the other hand, remembering that the Social Policy Committee also has a number of references before it.

I have given the reporting date for this proposed committee as 30 April 1991. One of the reasons for giving that reporting date is that already a tremendous amount of information is available on crime prevention, and it is really a matter for the committee to assess the crime prevention aspects to see to what extent they can be implemented in the ACT.

I refer, firstly, Mr Speaker, to the article by Peter Clack and AAP, which was in today's paper. It states:

The ACT clean-up rate was rated lowest in Australia for the past three years ... consistently equal lowest for 10 years.
...
Of 20,111 reported crimes in the ACT in 1988-89 only 4190, or 20.83 per cent, were cleared by police, the report said.

I think it is very important to emphasise here that the clean-up rate is only one small measure of police performance and that it is a very small portion of the picture. That has not been, I believe, fairly reported in the Canberra Times this morning. The rest of the picture does a great deal of credit to our police force who have put a great deal of time and effort and a tremendous number of their resources into community policing. It may well be that in moving their resources that way their clean-up rate lowers but their crime prevention rate increases. If that is the effect of what they have done - that needs to be assessed, so it would be part of the role of this proposed committee - it would be a great credit to the police. The community has to ask to what extent we want that role to be handled by the police and to what extent we believe that the police are funded appropriately for that role.

It is quite clear that police funding has increased by more than 67 per cent over the last couple of years. If we go back to 1985-86 and look at the Commonwealth Grants Commission's findings, we find that there has been a significant increase in the amount of money per capita that we in the ACT pay to retain a police force, compared with the rest of Australia. There are long arguments in the Australian Capital Territory's submission to the

Commonwealth Grants Commission, accounting for quite a deal of that funding. Much of it is to do with the national capital aspects and a series of other things.

I accept that there are reasons for us to consider that we may not have to cut our police back to being level with the other States, at 67 per cent. Whatever the case, thanks to the Alliance Government being a signatory to the agreement with the Australian Federal Police, before too long we will be in a position in which we will have to suffer significant cuts to our police force. Instead of dealing with this in the media, as Mr Collaery would like to say, for cheap political point scoring, it is appropriate for us to do it through a select committee so that we can assess the best way of handling cuts in funds, if they need to be made. I assure you that they will need to be made. The Chief Minister has already indicated in this house that significant cuts need to be made to our police force.

The second point of the motion concerns the standard of effective policing achieved within the ACT police force, and the necessity for improvement therein. To have an elected group to attempt to assess the standards achieved by the police, I think, is a quite appropriate way of looking at them. It is an important role, particularly when we have, in effect, taken on a new role for our police force. The Attorney-General, Bernard Collaery, certainly, constantly talks about the high standards and the effectiveness of the ACT police force. The community, I believe, has a very good and positive attitude towards the police in the ACT, as, indeed, I do. I believe that, generally, the police are effective. Sometimes, of course, there are articles, like that referred to this morning, that cast some doubt on that.

With reference to the particular agreement that has been made, Mr Collaery has indicated some problems with it in an article - again, in this morning's paper but on a different page - where he is talking about the Federal police in effect taking on an FBI role. In that article, Mr Collaery is reported as saying:

Such a new role for the AFP may well syphon off some of our most promising officers and promote the Australian Federal Police into an FBI-like role.

Mr Collaery then talked about the decision to do that and the effect on the ACT. Mr Collaery is also reported as saying:

The decision on the commission's proposal was taken at the Federal, States and Territories Attorney-Generals' meeting in Alice Springs last June.

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Mr Collaery was excluded from the closed door agreement and only received details later. This is with reference to our police force and the agreement that he signed, and the agreement that was supported by the Alliance Government. It makes for real concern as to what this agreement is going to mean for the ACT, and is further reinforced, of course, by Mr Eaton, the national secretary of the AFP Association, saying that we have one police force and not two. I quite accept that. One has to look very carefully at the arrangement that we have entered into. It should be a role of a committee of this Assembly to do that and report back for discussion.

The most significant thing here is that, if we are going to spend \$54m on police, then it is appropriate for us to determine to what extent we ought to be spending that money on the conventional or old-time role of police, and to what extent we should be spending the money on crime prevention.

The Australian Institute of Criminology has done a great deal of work on crime prevention. One of the best summaries of that is contained in a book titled *Crime Prevention: Theory and Practice* from the Australian Institute of Criminology and written by Susan Geason and Paul Wilson. That publication, along with a series of other publications from the Institute of Criminology and a series of other publications on crime prevention, would give the committee a flying start on how to deal with crime prevention; how best to spend \$54m or \$44m, or whatever amount it is that this community decides it can afford to spend on police.

What is quite clear - and this has become clear from most of the research - is that heaping more money into police forces in their traditional role is not the best way to spend money if you want to reduce crime. On page 1 in the introduction to the book from which I have just quoted, *Crime Prevention: Theory and Practice*, it is stated:

The lesson is clear: it is too expensive to wait till crimes are committed; crime must be prevented.

In regard to crime prevention techniques, as part of the introduction there is a series of dot points which include: preventing vandalism, preventing fraud, preventing armed robbery, and preventing arson. There is a series of about 11 or 12 publications that the Institute of Criminology has available on the whole range of matters that we now have to try to determine, and, particularly, how that sort of information, and any other information that can be assessed, can be applied to the ACT.

The theory behind crime prevention falls into four main categories: corrective prevention, punitive prevention, mechanical prevention, and environmental prevention. Corrective prevention has to do with establishing appropriate neighbourhoods. In Canberra we are very fortunate to have a system of planning that has allowed us

to have the opportunity to very clearly establish this sort of crime prevention technique. It is an area, of course, where those basic building blocks of neighbourhoods - which include primary schools - come into focus.

The punitive prevention is the one that we most normally jump to, and that is increasing fines and gaol sentences, and so forth, in order to increase the deterrent effect in terms of crime. There is now growing evidence that the deterrent effect is having less and less effect; that there are rational decisions about how people make crimes. Nevertheless, we know it has some effect, but it must be considered in perspective.

The mechanical prevention is another one. A good example of mechanical prevention is the glass shields at banks that prevent people from being able to walk into a bank and commit an armed robbery. Another example of mechanical prevention is the electronic door locks on motor cars which prevent people from breaking into motor cars, as well as window designs where you cannot just slip a piece of wire down the outside of the glass, and twist and open. I have certainly watched somebody I know very well legally open a car by this method, as fast as I can do it with a key. When somebody knows how to do that, it is a very effective way of opening cars, and it makes those sorts of preventions important, as well as steering locks and that sort of thing.

Environmental prevention, of course, is another factor which must be considered. Environmental prevention is the design relationship between buildings and their environment to help prevent other sorts of crimes. The notion of crime prevention has to be rather specific. The whole notion is that you are aware of a specific style of crime, and you take action to prevent that style of crime. There are those that argue that the crime will, therefore, go elsewhere. I think that that argument may well be true in many of the cases. If only half of them do not go elsewhere, then what you have is a very effective and good dollar value method of crime prevention.

Crime prevention can go into three levels: individual level, community level, and environmental design. Community level is the first important level, I think, because it is something that has been done very effectively by the Australian Federal Police in Canberra, and that is through the Neighbourhood Watch system. No doubt, there is still more room for improvement at community level. We are very fortunate that our Australian Federal Police have taken very seriously the notion of crime prevention and their role in community policing. I would not like anybody to interpret this committee in any way as being an attempt to undermine what the police have done, and I have made that comment on a number of occasions.

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However, we are facing a serious problem in funding. We are going to have to face that problem in a very straightforward manner and try to determine what is the best way we can spend our money in order to reduce criminal activity in the ACT.

The other measure that I have put forward - apart from point 5, which is a normal, general, catch any matter that comes to the attention of the committee concerned with this - is the social ramifications of community involvement in crime prevention schemes. I think it is quite important for us to realise that, whatever happens in terms of our decisions, there are broad social ramifications to everything we do. There will be a social reaction in terms of any suggestion, for example, to reduce policing as an after effect of clearing the clean-up rate. It may well be that those hard decisions need to be taken. Mr Speaker, I recommend this motion to the Assembly.

MR CONNOLLY (11.29): I rise fairly briefly to support Mr Moore's proposition and to commend him on a very thoughtful and valuable contribution to this debate. This could perhaps be one of the most important tasks that this Assembly has yet assigned to a committee. The agreement which the Attorney-General signed in July of this year with the Commonwealth to provide contract policing for this Territory, which was supported by the Opposition, was of fundamental importance to this Territory. Its financial magnitude is clear. We will be spending, in the next financial year, some \$54m, or probably more, of public money on providing policing for this Territory. It is essential that the community be satisfied that they are getting the best value for their dollar.

It is almost expected in this chamber, when concern turns to the police contract, that Assembly members will all make suitably flattering comments on the Australian Federal Police for the service they provide. I suppose we are not essentially departing from that, but the Canberra community must be concerned at the report in this morning's paper referred to by Mr Moore. That was the Institute of Criminology publication *The size of the crime problem in Australia* launched yesterday at a function in Brisbane at which, I think, the Attorney was present.

We, perhaps, have come to expect in Canberra that when we compare ourselves to national averages - and there is a whole range of services - we will come better than average. It is cause for real concern, when we look at the clear-up rate for offences, that the ACT is, in fact, the worst in Australia, with a 20.83 per cent clear-up rate, compared to a national average of 30 per cent. One must seriously wonder why it is that the ACT is less well served than anywhere else in Australia.

I thought that, perhaps, one of the simple explanations for that might be that we are an enclave within New South Wales. Motor vehicle thefts figured prominently in that

problem. One could understand that the vehicles might be moved across the border and disappear into New South Wales. It would make the task of the Australian Federal Police more difficult. Unfortunately, when one looks at the size of the crime problem documented at page 47, one sees that the ACT, in fact, has a higher than national average clear-up rate in relation to motor vehicle offences. We clear up 14.7 per cent of motor vehicle thefts, compared to a national average of 14 per cent. So, that simple explanation as to why we have a worse clear-up rate than the national average simply is not available. That is an important factor that this committee ought to look at.

The other factor that this committee ought to be looking at is the extent of the crime problem in the ACT. There is cause for some satisfaction. Despite the increasing ACT crime rates, in common with the rest of Australia, this document clearly shows that the ACT is still the safest place in Australia in which to live, and that the crime rate for all types of offences - ranging from homicide down to car theft - is significantly below the national average. In most cases we have the lowest rate of crime in Australia. There is no need for sensationalism or fear at an apparent increase in the crime rate. We are growing, in common with the rest of Australia; but we remain the safest community in which to live.

The concern of the Opposition - and it is a concern that Mr Moore referred to - is that perhaps it is time, when we are looking at the problem of crime, to look at an alternative to the usual simple knee-jerk solution of politicians. I am not making a partisan point here. I think all parties, historically, have been guilty of responding to public concern on crime by producing more police. Whether you have a Liberal Attorney-General, or a Labor Attorney-General, or Minister for justice or police, it always makes a good photograph for the evening news to see the justice Minister in front of more police cars or a newly graduating class of police.

The simple fact, as Mr Moore said, is that constantly increasing the level of resources devoted to the police is not the answer to the crime problem. The situation is very well and clearly expressed by Paul Wilson in his recent autobiography *A Life of Crime*. I quote from page 9:

Undeniably, a certain level of policing is needed in order to control crime. But international research consistently demonstrates that, once such a level is reached, more police does not mean less crime.

In the comparatively criminal environment of big city streets in the United States, for example, a patrolling officer will come upon a street robbery in progress once every 14 years. His chances of being in a home (where much violence and sexual assault occurs) when a crime takes place is about once in three hundred years.

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In other words, constantly pouring more resources into police numbers is not going to solve the problem of increased crime rates. It is time we started to look at alternatives. South Australia has probably the most innovative jurisdiction in Australia in this regard. It was more than a cosmetic change that the Attorney-General of that State now has the portfolio of Attorney-General and Minister for Crime Prevention. The South Australian Government is consciously raising the profile of crime prevention. That is not to say that they are decreasing the profile of policing.

It was interesting to note in the recent publication *The size of the crime problem in Australia* that the South Australian Police Force continues to have the highest approval rating of a police force in Australia. The Australian Federal Police were not included in that survey. We should be able to benefit in the same way that South Australia does, in that you can have an effective crime prevention program only when you have a police force which is held in esteem by the community. We have such a police force, and we are able to take advantage of some of the innovative approaches to crime prevention. I will not outline what they may be. It is, perhaps, inappropriate to do so as we are, after all, suggesting that this go to a committee. Mr Moore gave a very effective outline of new and innovative approaches to crime prevention.

The simple facts are that the community is properly concerned about crime. The community properly expects that they can feel secure in their own home. Despite the odd sensational media story, this Territory remains a safer and more secure place in which to live than anywhere else in Australia. We do have ground for concern with clear-up rates and clearance rates; although, as Mr Moore said, if you are looking at a community policing crime prevention strategy, perhaps, some of the clear-up rates may decrease as you prevent new crime. That probably is a fair equation.

The bottom line is that we will, in the next financial year, have full responsibility for the policing of this Territory. The decision as to how that money will be allocated ought to be made not purely by the Executive Government but by the Executive Government taking into account the views of an Assembly committee. There could be no more important subject for a select committee of this Assembly than this policing issue.

The Opposition supported and gave encouragement to the Government in entering into the contract with the Australian Federal Police. We resisted taking, perhaps, an easy political point there. We knew that was the only alternative for this Territory, and it had to be undertaken. We pointed out at the time that we hoped the Government would take into account the views of the whole Assembly when we go into the most important part of

establishing policing in this Territory, which is the long-term financial relationships and the essential decision on what resources are put into police and what resources are put into crime prevention. Mr Moore's motion can be of long-term and lasting benefit to this Territory. I commend it to all members.

MR COLLAERY (Attorney-General) (11.38): I did not find much I could disagree with in what Mr Connolly said. I think it is a question of timing. I will come to that. Mr Moore had foreshadowed this motion to me some month or two ago. I did not move to, in any way, head it off or put it on our agenda. It is clearly a necessity that at some stage this Assembly connect the community with these issues through its democratic voting base.

What I say is that we have the review of the police instrument itself coming up in December. We have the Grants Commission inquiry hearings also just before Christmas. We should have the Grants Commission recommendations in March. As a tactical matter, I am not going to play our hand here to the Grants Commission. I am prepared to enter into any briefing arrangement the Opposition wants on all these issues to do with policing; but, as a tactical matter, I think it would not be politic or useful at this stage to have us doing an independent inquiry where the Grants Commission will see all our arguments, probably in advance, will be able to second guess a number of issues, and will know how strong or - and I stress - weak some of our evidential arguments are. The fact is, as I have said, that the police are spending a year in a goldfish bowl. We have, as Mr Connolly indicated, broadly supported a policing arrangement. We are yet to find out whether the allocation of resources, and the prioritisation, is what we want, and whether it is efficiently distributed. We are yet to resolve formal asset transfers from the Commonwealth on a number of assets and facilities. This motion is simply premature. I was hoping that Mr Moore might hold off till the New Year.

Mr Moore: Avoid everything; that is the story, is it not?

MR COLLAERY: Certainly, as I indicated in the earlier debate, there is no group that has more avoided biting the bullet on school closures than the Labor Party. They are posturing around now with a further conference policy.

Mr Moore: They bit the bullet and made it quite clear.

MR COLLAERY: I will talk about that later. I think they were shown up this morning. I do not want to get partisan on these issues, but they were shown up badly this morning.

Mrs Grassby: The people from Weetangera told you outside.

MR SPEAKER: Order! Mrs Grassby, your volume is overtaking this chamber too often. Please keep it down. Please proceed, Mr Collaery.

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MR COLLAERY: What I am trying to say is that never can we reach a concordat or a pact, on this floor or off this floor, with this Opposition. When I go around the country, as I do a lot, and talk to Ministers in all of the State governments - Labor, Liberal and so on - I see them come to our ministerial meetings saying, "I have discussed this with the Opposition. We have support on this, this and this". Quite frankly, none of us here know how to trust most of you in giving you confidential issues that require, at times, bipartisan support.

If there is one issue we need to talk about behind closed doors occasionally, it is how we battle the Commonwealth in this budget exercise. The Treasurer knows more about that than I do. Certainly, I want to say that part of this reference to a select committee is going to make negotiations and arguments with the Grants Commission, initially, and with the Commonwealth, more difficult.

There is another way of attending to this before March. Certainly, the police, whilst I have been Minister, have released their reviews. You have seen a major community review released that has a two-year ongoing basis for community reaction on issues and you have had the actual police report on the move on powers. You have seen a very open release of documents that the police make available to me. If I were confident that Mr Moore would not talk down our case, again, before the Grants Commission, I would make more information available. At the moment we have this spoiling exercise that is vote gathering, obviously, and that creates a problem for our Government. It comes from one member, particularly.

Quite frankly, I would trust Mr Connolly with the information. My problem is that I would then have to give it out in a wider forum, and that is a worry. Mr Speaker, the objective of the AFP in the ACT is to continue to improve the quality and responsiveness of police services. I went to a conference yesterday where Professor David Bailey, from the University of New York, who is a leading proponent of community policing and a world authority who has worked with the police forces of many countries around the world, including Australian police forces, said that with financial strains on policing throughout the Western World - and probably in wider areas - the only way we can really attend to those budget and funding gaps is to mobilise community resources to assist in policing.

He believes, as does the assistant commissioner in Queensland, that more than 90 per cent of a police budget goes on human resource management. They are very important issues that we need to argue before the Grants Commission - levels of policing, and the extent to which we can get community support. There are fundamental questions such as: "What is law enforcement?"; "Is a school police education program law enforcement?"; "Is Neighbourhood Watch law enforcement?"; "Is the Police Citizens Boys Club

staffing and resourcing law enforcement?". There are some very wide, fundamental issues to resolve on a policy basis, hopefully on a bipartisan level, before we know precisely the case to put to the Grants Commission, and other areas.

I would welcome a dialogue with the Opposition, but each time I reveal details, or operational matters, I am sure we will see, certainly, Mr Moore in his usual style - as we saw him leave the chamber last night - make some opportunistic point and say, "Quick. I will dash upstairs and I will do a press release". Government does not work when you have an independent like that in this chamber. We know that that is a spoiling problem at the moment in government. Mr Moore is a problem. I might add that the Weetangera parents know that, certainly, if Mr Moore had remained true to the community we would have had his vote on issues.

Certainly, the AFP are improving community access to police services. They are establishing shopfronts. We are moving into a community policing mode. I addressed a national conference yesterday about this great experiment we are moving into in the Territory. An experiment it is. It is well on the way. It is well supported by the standing independent consultant review that has been commissioned by the ACT to look at the social research aspects of community policing. The first quarterly report from Frank Small and Associates - it is merely an instinct - is available to the Opposition if they wish. I made comments on that yesterday. One thing that is not done around the world is that community policing is not evaluated.

We are the first police force in Australia to have an ongoing independent evaluation of police performance. There is a, perhaps, intrusive questionnaire that asks what the community has to say about police; even whether they are polite. It goes down to that. It goes into very detailed issues of neighbourhood policing and the rest. We are doing that. We are developing something different here. To have a political point-scoring exercise in the middle of it, and to have to play our hand to the Grants Commission, is not appropriate.

I am not going to say we are going to support this in March, but, certainly, we would not see at this stage any reason why we could not establish a select committee, after we have the Grants Commission's findings, to work through them. The ACT police are, as Mr Connolly said, not to be judged on an across-the-board statistical exercise. One issue that is quite evident in the Territory is that the level of crime reportage is very high. Even Mr Berry reports his milk money when it has been stolen. That is a statistic. I do not know whether he drinks milk, but I wish he would. The milk of human kindness would flow, Mr Speaker, and certainly they are - - -

Mrs Grassby: On a point of order - - -

MR COLLAERY: I withdraw the suggestion that Mr Berry drinks milk, Mr Speaker.

Those statistics do reflect a lot of property offences when many of them are derived from vulnerable workday practices, such as leaving keys in the ignition, and the rest. The fundamental issue that society needs to face is how to reduce crime itself; how to do away with the factors that lead to the drug addicted people making all those property and burglary attempts; how we deal with domestic violence, violence in the home, and the rest. They are the issues that community policing will tackle. They will make people feel secure. The first survey revealed that 57 per cent of citizens feel the police and citizens have a joint responsibility for preventing crime.

MR STEVENSON (11.48): Mr Collaery makes a valuable point on what we really need to look at in preventing crime. Certainly the community needs to be involved. No police force ever has or ever will effectively handle the problem of law and order without community support, and anything we do to encourage that will be valuable. There is a far more important aspect of this entire debate. It is the key to the debate, which basically has not been covered. People become criminal when they have no sense of responsibility; when they have no understanding of ownership of property; when they have no real understanding of the rights of others. So, when the opportunity comes they do what is good for them as they see it at the time.

Where does someone learn responsibility; where does someone learn values; where does someone learn to be a useful member of the community? I think we would all understand that it is not so much that we learn these things as adults, but that we learn them when we are young. I use the word "learn" advisedly. It is not what we are taught in educational establishments so much, but it is what we learn, and we learn majorly from observing the actions of others. You can teach people in the schools various things and you can say various things in parliament, but what people really take heed of is the actions of those people in authority. We will never handle the problem of adults having irresponsibility, of adults taking criminal actions under certain circumstances, if we do not instil in our young people a sense of being part of society, a sense of responsibility, an understanding of ethics and integrity.

It is unfortunate that our society does not give attention to strengthening the family unit and individual responsibility; rather it gives attention to what are called rights but it basically ensures that people do not accept their rights. When we teach that people have rights without a greater teaching of their obligations and responsibilities we are creating the criminals of the future. We say to people that they should demand their rights, that they have the right to a job, for example, without giving them an understanding that that right would put on someone else's shoulder an obligation to employ

them. It is an interesting idea indeed. Why should a person who is involved in business have an obligation to employ someone? It is done within a free enterprise system. Too much emphasis is placed on what are called rights when the emphasis should be placed on what are truly responsibilities and obligations.

When we look at criminals it is interesting to see whether they have any responsibility. A myth in society, which is perpetuated by certain television programs, is that there is honour among thieves. There is no honour among thieves. In this place we talk about the clear-up rate of crime. There is a decent clear-up rate because criminals rat on each other, for personal survival or monetary gain. They do not have responsibility.

Until we induce responsibility in our young people, we will not have the result of a society in which crime is prevented. In our education system, which is where it must start, where is the subject of responsibility taught? Where is the subject of integrity taught? How would a child understand the concepts of wholeness, supporting other people and working to gain a return, not that society owes them a living?

Mr Wood: It happens all the time; ask any teacher.

MR STEVENSON: It is all very well for Mr Wood to say, "It happens every time; ask any teacher". If we ask students, which I do, we find that they do not have a valid understanding of ethics and integrity. One of the other reasons for this is that in our society much attention is placed on politicians at all levels. Politicians would say to members of the community that we should accept responsibility, that we should reduce that and prevent crime, that we should not speed, et cetera. Do the words communicate to people? I would say that they do not.

I would say that politicians are vastly disliked not so much because of what they have said but much more because of what they have done. A politician would say to the community that it should accept various responsibilities, but when it comes to telling the truth all too often politicians do not set a good example. It is almost taken for granted that prior to every election politicians make promises that they will break very soon after. Again and again, politicians make the claim that they represent the people, yet when it comes to doing the will of the people most frequently they fail to follow that will. The schools debate in this Assembly is a perfect example.

With crime it is quite often the case that when people have an opportunity to break the law, particularly feeling that they will not be caught, they take that opportunity. I think it is fairly commonly accepted that when politicians have an opportunity to take advantage of their power they do so. They do not maintain the ethical standard and vote according to the majority expressed will of the people.

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They will submerge their own integrity and vote along party lines. There was an exception in this Assembly when Dr Kinloch voted against school closures. It is unfortunate that, until we teach values, set an example of values in parliament and, throughout our society, teach obligations and responsibility rather than so-called rights, we will not change the situation. Until we do that, we will not prevent crime; rather, we will increase it.

MR STEFANIAK (11.57): I indicate to Mr Stevenson that, despite the sentiment expressed in some of his points, the Government will be opposing the motion on the basis that it is premature. Mr Collaery mentioned a number of points. I will be speaking mainly in relation to the financial arrangements, Mr Speaker. He mentioned a very specific review that is being carried out by Frank Small and Associates. It is a very detailed review that covers, I think, all the points that were made by Mr Moore in his motion. The review has been operating, if my memory serves me correctly, since about April of this year, and information is being progressively released. Mr Collaery has indicated that some of that information has been released already.

The financial arrangements have to be considered, and there will be a review of them again in November and December. That will be a very crucial review. For that reason alone, Mr Moore's motion is premature. Mr Moore's motion, which might need a bit of tidying up, may well become relevant early next year, as other members have said today. It might be put on in March next year, after a few events have occurred; but at this stage, Mr Speaker, it is premature.

The financial arrangements for ACT policing are included in the arrangement between the Commonwealth and ACT governments. The total cost of ACT policing this financial year is based on 1989-90 levels, with provision for indexation. The budget provides for expenditure of \$54.68m in this financial year. The general revenue grant that was paid to the ACT was supplemented by an equal amount. That also included superannuation costs for policing, which are quite substantial. The arrangement recognised Commonwealth financial responsibility for any higher than State level costs attributable to the Commonwealth's retention of powers over salary levels, and terms and conditions of employment, including superannuation. Compensation for those costs will be assessed in accordance with the findings of the Commonwealth Grants Commission, along with compensation for other disability factors normally assessed by the commission.

The arrangement formally recognises a Commonwealth commitment to the ACT that any specific transition problems encountered in the provision of policing will be taken into account in determining general transition arrangements for this year and the next financial year. ACT policing has previously been reviewed by the commission, and it will be reviewed again in November-December this year. Concerns

have been expressed in the past about the reliability of expenditure data provided. The level of expenditure now identified represents a further large increase due to the inclusion of superannuation costs which will be treated separately by the commission, salary changes introduced as part of the restructuring of the AFP, and the inclusion of program costs such as Comcare premiums not previously included but properly attributable to policing.

The Grants Commission assessed ACT expenditure in 1986-87 as \$6.12m, or \$23.50 per capita, above the level necessary to provide a level of service comparable with the States. In other words, this was about 26 per cent above the standard level. That is something that has to be addressed. We have a unique police force here, and we probably have a quite significant input to make in November-December to ensure that the level is maintained in the ACT.

It would be inappropriate to pre-empt the outcome of the commission's current inquiry. The matters that the commission must consider are complex and include: retained Commonwealth powers over terms and conditions of staff and salary levels; head office costs of the AFP attributed to the ACT, and costs of responding to national capital concerns in the ACT. If you go to Parliament House, any national demonstrations and other national functions here, you will see the ACT component of the AFP, the general duties people, looking after the function. That is something that has to be, and is being, looked at. The findings of the current inquiry will depend on the commission's treatment of these issues which are vital.

The ACT has put the view that the Commonwealth's continuing financial responsibilities should be commensurate with its continuing policy responsibilities for ACT policing. This is reflected in the agreement that was signed by Senator Tate and Mr Collaery some months ago. Given the major changes in the costings of ACT policing since previous inquiries and the unique nature of the ACT police arrangements, we cannot attempt to anticipate the outcome of the commission's current inquiry. (Quorum formed)

Finally, having dealt with those financial arrangements, I had a bit of a chuckle at paragraph (3) of Mr Moore's motion, which reads:

the possibilities of crime prevention as an alternative and effective means of reducing the incidence of crime in the ACT.

It is a very nice motherhood statement. Perhaps Mr Moore should not have put forward his amendments last night because I do not think they would be terribly conducive to crime prevention. If he is really interested in crime prevention, I hope he will be voting with the Government when it knocks out Mr Wood's rather unfortunate attempt to

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knock over the move-on power which has been shown to be one of the most effective forms of prevention in relation to certain crimes in Canberra in recent times.

Question put:

That the motion be agreed to.

The Assembly voted -

AYES, 7

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

NOES, 9

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

Question so resolved in the negative.

POLICE OFFENCES (AMENDMENT) BILL 1990

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

That this Bill be agreed to in principle.

MR STEFANIAK (12.08): Mr Speaker, I indicate that the Government opposes Mr Wood's Bill. On 2 May, at pages 1484 to 1488 in Hansard, Mr Wood introduced what was a most regrettable Bill to rescind one of the better Bills put before this Assembly, which gave the police what have been colloquially called move-on powers.

On that day Mr Wood made a number of references to a committee he was not on. I have had the pleasure of working with that gentleman on many committees, but I think some of those comments were unfortunate. As a member of that committee - I am sure I speak for Mr Collaery and Ms Maher, my two colleagues - I know that in a fairly short period we looked at a lot of submissions and agonised over a lot of matters. In my view, that was one of the fairest committees - I think all committees of this Assembly are pretty fair - of this Assembly. I think his comments were unfortunate.

When Mr Wood introduced his rescission Bill I interjected:

Seventy per cent of ordinary Canberra citizens do not agree, Bill.

He said:

I am quite happy to have that written into the record.

He asked me to back it up. I refer Mr Wood, the Labor Party and Mr Moore, if he is going to vote against the very important legislation that is currently in force, to the Canberra Times survey of 19 August 1989. A poll of 651 people, which is pretty big for Canberra, showed that 69 per cent of all respondents favoured police getting more powers, with women, at 73 per cent, being more in favour than men, at 66 per cent. Only 25 per cent of the population surveyed were against the powers, and the rest were unsure. Mr Speaker, as I said when the original Bill was introduced, when that poll was first available to us, 58 per cent of those aged 18 to 25 - young people - were in favour of the police getting these powers.

Mr Berry: Which powers?

MR STEFANIAK: The police move-on powers. Also in favour were 66 per cent in the 25- to 39-year age bracket, 74 per cent of the 40- to 54-year-olds, and 81 per cent of the 55-year-olds or over. It is a very popular piece of legislation, and it has been used quite extensively by the police, to very good effect. Mr Berry indicated that the last report that was before the Assembly - I think Mr Collaery has had some other reports since then - indicated that in May 700 people had been moved on.

Recent information indicates that since its introduction, on 6 September 1989, to 30 September 1990 there have been 106 situations, with 120 formal directions to approximately 1,450 people. Mr Speaker, only 12 people have been arrested for non-compliance. I note that when the original Bill was introduced the Attorney-General said that he hoped that we would see a decrease in court of such charges as offensive behaviour. That has occurred. Information given to us indicates that there has been a decrease in arrests for offences against good order, such as offensive behaviour. It is interesting to note that the decrease in the number of arrests for these types of offences has occurred since the power was introduced.

Mr Berry: How much is the decrease?

Mr Connolly: Can you table those figures?

MR STEFANIAK: I will give you some figures if you listen. From 1 September 1988 to 31 August 1989, before this power was operative, there were 150 reported offences against good order, including 48 incidents of offensive behaviour. From 1 September 1989 until 31 August 1990, when we had the move-on power - it came into force on 6 September - there were only 102 reported offences against good order, including only 19 incidents of offensive behaviour, instead of 48.

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For the information of members opposite, a charge of offensive behaviour does not look too good on a record. It carries a fine of up to \$1,000 and/or imprisonment for six months. I remind members opposite that the most you can get fined for failing to move on is \$200. It is not a gaoling offence; it is not as serious an offence as that of offensive behaviour. Remember that, of 1,450 people moved on, only 12 were arrested. That has led to a decrease in court time for offences which need not come before courts. Many offences used to come before courts because the police simply did not have the power to stop trouble before it started. It is one of the real instances in which crime prevention can be seen to be occurring in the ACT.

Mr Speaker, I will read now from the police report that was tendered to this Assembly and from another one which I understand the Attorney-General will be tabling.

Mr Wood: As a result of my question it was tendered, was it not?

MR STEFANIAK: It was being tendered anyway, Mr Wood, I will have you know.

Mr Wood: As a result of my question, it says. Read it.

MR STEFANIAK: Your question of 20 March certainly might have prompted something, but there is another police report as well.

Mr Wood: Thank you. It was not coming otherwise.

MR STEFANIAK: It was available when you made your speech. In the conclusion to that report, dated 20 April 1990, which is before the Assembly, Assistant Commissioner Bates says:

Implementation of this legislation has resulted in police, in certain circumstances, removing the potential for:

- i. violent situations developing;
- ii. members of the general public feeling intimidated; and
- iii. damage being caused to property.

The power is considered a valuable law enforcement tool.

In the conclusion to a report that was tendered to the Assembly on 8 August 1990 he states:

From a policing point of view this legislation continues to be an effective means of preventing the commission of crimes involving violence.

Mr Speaker, let us look now at a few of the situations described in the first report, which is before the Assembly, to indicate just how effective this power is. A

lot of people and the Opposition have continually been saying that the original Bill was against young people. But it protects young people. A lot of young people go out, have a good time and get a bit rowdy. They might get a bit too rowdy and might end up in court as a result of an assault or offensive behaviour. It does not look good on the record; neither does malicious damage to property.

It is much easier if the police simply have the power to tell them to move on, and it saves some of those young people or some innocent passers-by getting injured as a result of some drunken melee that might eventuate. I think it is trite to remind the Assembly that young Grant Cameron would not have died had the police had move-on powers then, prior to this Assembly starting. I go now to annex E of the report of 20 April. On 11 November 1989, at 3.45 am, at Weedon Close, Belconnen, outside licensed premises 30 persons were present. The report states:

Police were called ... to a disturbance, including an allegation of assault ... two persons were arrested. While these inquiries were being undertaken about 30 persons had gathered in front of the premises, in two factions. There were verbal exchanges between these factions.

Attending police saw the exchanges develop, threats were made by the factions and the police believed that the use of violence between those factions was imminent. They consulted their duty superintendent, and the persons were directed to move on. The crowd dispersed without further incident. A potentially violent situation involving 30 people was defused.

On 13 November, at 10.00 am, in Garema Place 15 to 20 people were present. The report states:

Police were called to a disturbance and one person was taken into custody. As police were conveying this person away, the remainder of the persons in the area commenced exchanging verbal threats between themselves, and towards police. Police had an apprehension that further violence would occur. The persons were directed to move-on. They dispersed without further incident.

Mr Speaker, I could not use my hands and my toes to count the number of times, when I was a prosecutor, that people were arrested for obstructing police in the execution of their duty. Often people ended up resisting arrest and assaulting police when the police did not have power to disperse people in such a situation. Four or five squad cars would be called, about 20 people would be arrested, and there would be a lot of injured police and injured drunken revellers. With the advent of move-on powers, these situations are becoming less of a problem in the ACT.

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On 8 February 1990 there was an incident involving two people in Garema Place. The report states:

The two persons were involved in a fight on licensed premises. They left the premises ... Once outside they continued this dispute. Even with police present they kept making verbal threats. A crowd was building around these two. Police believed that a fight would occur, possibly involving other members of this crowd ... The two persons were directed, individually, to move-on. Both complied with the direction and no further incident occurred.

They were not arrested; they moved on. If that had continued, the people would have ended up in court, and there would probably have been injuries to not only the people concerned but also police. That was another effective use of the power.

On 3 March 1990, at 1.00 am, in the car park in Brierly Street, Weston, 100 people had gathered. The report states:

Licensed premises had closed and persons were standing around in carpark. A number of fights had occurred ... Police believed that further fights, and possible damage to property, would occur.

Police reported quite a bit of property damage in February-March to a number of shops in the Weston Creek area. The report continues:

A direction to move-on was given and the crowd dispersed without further incident.

On 16 February 1990 three people were seated in the Woden bus interchange, consuming alcohol. Problems at bus interchanges have been identified as one of the social and crime problems that we have in this Territory. The report states:

They were using intimidating language and actions to other persons in the area. The three were individually directed to move-on, and they complied with these directions.

How often have we in this Assembly heard of citizens, especially women and old people, being intimidated around bus interchanges? Here is a classic use of these powers, stopping three people using intimidating language and actions, protecting members of the public and also, incidentally, those people from themselves.

On 8 March 1990 at the Woden bus interchange there were 10 people. There was no indication of alcohol being involved. Alcohol is often a very big problem, but sometimes it is

not. This group was standing in the interchange and using intimidating language and actions to other members of the public. They were given a direction to move on, and they complied with that direction.

Apprehensions by police that violence might occur is one of the other areas that are covered by the legislation that was introduced and passed in this Assembly last year. On 30 December 1989 in Badham Street, Dickson, there was an incident involving one person. The report states:

A person was being spoken to in relation to a traffic matter when an unknown person placed himself between the offender and the police member. He was asked to remove himself so that further conversation could take place between the traffic offender and police. The male then became argumentative and a crowd began to gather. He was asked to move-on, which he did. The other spectators, who had gathered, also dispersed.

If that had continued, Mr Speaker, that person would have been arrested for hindering police. A violent situation could have developed, and other members of the crowd might have got into a fight with police. People could have ended up in court; people could have been injured. It was another classic case of the use of the powers stopping matters getting out of hand and protecting everyone.

On 2 March 1990, two people were in a public area at Woden Plaza. The police report states:

Both persons were consuming alcohol and using intimidating language to other persons in the area. One of these persons was underage. While police were obtaining information for an underage drinking caution the second person became aggressive towards police. Subsequently both persons used aggressive language to police. The situation was defused when each of the persons complied with an individual direction to move-on.

Apprehension that damage or injury may be caused is part and parcel of section 35 of the Police Offences Act, of which Mr Wood and his comrades in the Labor Party would deprive the citizens of Canberra if they had their way. At Burnie Court, Lyons, five people were involved in an incident, with no indication of alcohol, on 22 February 1990. The report states:

Damage had been caused to property in the area. One of the five youths was spoken to. Police believed that further damage would be caused and a direction to move-on was given to this person. All five persons left the area.

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Here is an incident of domestic violence, Mr Speaker. On 24 March 1990, at 5.20 am, at Fitchett Street, Garran, the power was used to prevent possible domestic violence. The report states:

Police attended in relation to a disturbance call ... they saw two females standing in the front yard of the premises, and a male standing on the nature strip. The male was using threatening and intimidating language to the females. The two females informed police that the male had originally come to their front door and had only left the property when told that police had been contacted. Police advised the male to go home and attempt contact at a more reasonable hour. He declined to accept this advice and made further intimidating statements to the females. He was then directed to move-on but refused to comply with this direction. He was arrested. This person has been found guilty of this offence in the ACT Magistrates Court and a fine was imposed as the penalty.

That was a domestic violence situation, Mr Speaker.

Mr Berry: Why did the move-on powers work there?

MR STEFANIAK: Because he moved on, Mr Berry, without the police having to take any further action, saving him, the ladies, the police and the courts a lot of trouble.

We have more recent reports from the August 1990 review. On 6 April 1990 in Canberra City three males were involved in a fight. They all complied with the direction to move on. Another incident involved skateboard riders intimidating other members of the public. That was on 6 April 1990.

Mr Berry: They need to be locked up!

MR STEFANIAK: Sometimes they do, Mr Berry. At 7.55 pm in Canberra City four skateboard riders were using intimidating language and actions towards other persons using the area. They were spoken to and complied with a direction to move on. Skateboard riders usually are young people. That saved them having to go to court for something more substantive.

Mr Berry: That is enough to indict them for a start, in your book, Bill.

MR STEFANIAK: Mr Berry, only 12 people have been arrested and gone to court as a result of this. That means that only 12 possible fines or penalties could be imposed.

Mr Berry: Can you run the figures past us again? How many people were moved on? What was the arrest rate?

MR STEFANIAK: Twelve people, Mr Berry.

Mr Berry: But 1,450 were moved on.

MR STEFANIAK: Yes, 1,450 were moved on, Mr Berry.

MR SPEAKER: Order! Address your questions through the Chair, please, Mr Berry.

MR STEFANIAK: That is what I have been told. At Bruce Stadium on 19 April 1990, five people were involved. The police report states:

A group of young persons had gathered outside the Alice Cooper concert, Bruce Stadium. Their abusive language and threatening comments to persons entering the concert gave rise to police believing violence would result if they continued in that vein. They moved on at the direction of police. They were not ticket holders.

On 18 May 1990, at Grattan Court in Tuggeranong, approximately 40 people had gathered outside a skating rink. Brief inquiries from the police revealed that a group of 15 young people from Belconnen had attended the area for the specific purpose of having a fight with Tuggeranong lads. The police directed the group to move on, and they dispersed without further incident.

An incident in relation to a public telephone box occurred on 7 April 1990, at 8.30 am, in Garema Place, Canberra City. Three persons were under the influence of intoxicating liquor and behaving in a manner that was causing concern to other persons in the area. The behaviour, as the police arrived, also raised concerns that damage would be caused to a public telephone box. The people were spoken to, and they complied with the direction to move on without further incident and without any further problems in relation to that telephone box.

Mr Speaker, this is a very popular piece of legislation. When Mr Wood introduced the Labor Party's Bill to attempt to rescind the legislation, I was sent, as a result, a submission from Mr Gus Petersilka and a number of traders in Garema Place. It states:

We, the undersigned traders in Garema Place would like to express our justified concern and opposition to the attempts to remove the "move on" power from the Fed. Police in the ACT. To deny the police the discretion and power to "move on" members of the public, if their behaviour warrants it, is removing a basic necessity to keep law and order on the street. We agree with the Australian Federal Police that the "move on" powers are a valuable law enforcement tool.

Small Shop Owners, Action Group ACT, Convener - Gus Petersilka.

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It is signed by Cafe Noshes, Mr Yeeros, Canberra Tobacco & Gift Store, Olympic Travel Agency, Christis Hair Salon, Civic Chicken Gourmet, Develin's Pharmacy, Alaa Dean Lebanese Restaurant, Mama's Trattoria, Pierre Glasson, Mopokes Restaurant, Esquire Restaurant, Garema Health Foods, Neil Grano, Garema Terrace Coffee Lounge, Joseph Menswear, Pizzaria, City Camera House, Attila Studios, Gus' Coffee Lounge, Canlab, Africasia Gifts, Happy's Chinese Restaurant - - -

Mr Kaine: Do you want the telephone directory, Bill?

MR STEFANIAK: Trevor, it goes on forever. It is a long one. It is also signed by AM PM Cellars, Hansen's Jewellers, Sorrento Pizza Bar, Bon Marche Deli, MacKinley Optical, Music Room, Angus and Robertson, Gilbert's Bookshop and Ali Baba.

Mr Berry: And how many said no?

MR STEFANIAK: No-one said no, Mr Berry.

Mr Berry: How many refused to sign?

MR STEFANIAK: You might like to count them, Wayne. I think you will find that there are not too many other shops. If you look back to last year's debate you will see that 100 per cent of shopkeepers in Weston Creek, 100 per cent of shopkeepers in Rivett and 95 per cent of shopkeepers in Garema Place - the other 5 per cent could not be contacted - were in support of this power. It is something for which the shopkeepers, the small business people of Canberra, have been clamouring for some time.

Mr Speaker, this power is no big deal. It is basic commonsense. I am disgusted at the Labor Party's continued paranoia and opposition to it, as I think a lot of the old-style Labor people also would be. John Curtin and Ben Chifley would probably turn in their graves if they could see their latter-day colleagues opposing a commonsense, practical power such as this, which protects the ordinary men and women of Canberra, the people whom the Labor Party purports to protect.

The power especially protects the old, the infirm and women from being intimidated. It is a commonsense power. It is socially beneficial, in that even the people who might tend to prey on the weaker members of our society, perhaps through their inexperience or the fact that they have had too much to drink, have a chance to avoid arrest for more substantive offences because it gives them the chance to move on before anything too serious occurs. Mr Speaker, we are opposing it. I hope that a couple of members opposite might see sense and oppose this motion by the Labor Party.

MR SPEAKER: Order! As the time for private members' business has expired, the debate is interrupted in accordance with standing order 77 as amended by temporary order.

Sitting suspended from 12.28 to 2.30 pm

QUESTIONS WITHOUT NOTICE

Community Facilities

MS FOLLETT: Mr Speaker, my question is to the Minister for Urban Services, Mr DUBY, and my question is - - -

MR SPEAKER: Order! Chief Minister, would you like to direct that question to any of the other Ministers in his absence?

Mr Kaine: I am sorry; I was not aware that the Minister was not present, Mr Speaker. If the Leader of the Opposition cares to hold back the question, he may appear. If not, I will take the question.

MR SPEAKER: Thank you. He is outside being interviewed, I believe. Would you like to defer to another member, Ms Follett?

MS FOLLETT: Yes, all right.

Bankruptcies

MR CONNOLLY: My question is to the Chief Minister and it relates to bankruptcies. I refer to your statement yesterday that it was "totally wrong and not based in fact" to say that there had been a 63 per cent increase in bankruptcies in the ACT, and the assertion by the Registrar in Bankruptcy that those figures were absolutely correct. Do you stand by your assertion of yesterday or will we see another humiliating withdrawal?

MR KAINE: No, we will not see any sort of withdrawal, humiliating or otherwise. I stand absolutely behind the comments I made yesterday in response to a similar question. It is my firm and committed view that on two occasions now the Canberra Times has given an unnecessarily alarmist view on figures on bankruptcy in the ACT. Mr Speaker, I do not intend to get into a debate on the figures. I think, however, that the members of the Opposition may well ask the Registrar, despite what was on the front page of the Canberra Times this morning, whether he is satisfied with the way that the Canberra Times has handled the information. I think you will find that he is not and is as equally concerned about the treatment of the figures

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as I am. His concern is that information that was made available to the Canberra Times has been dramatised and does not reflect his view.

It is my view that it certainly has been overplayed. As I explained yesterday, Mr Speaker, there are aspects of those statistics that need to be explained and drawn out. I tried to mention it yesterday. The members of the Opposition are not interested in that at all, of course. I think that the Canberra Times has sought to create conflict and inconsistency where there is no conflict or inconsistency, or ought not to be. I believe that the question of bankruptcy deserves more responsible treatment than the Canberra Times has afforded it, and I would expect that they would give it more responsible reporting in the future.

Community Facilities

MS FOLLETT: My question is to Mr DUBY, the Minister for Urban Services. Is the Government compiling an inventory of all community facilities that are presently provided by the ACT Government? Is each facility being costed, and does the Government propose introducing a regime of user pays for community facilities presently provided free?

MR DUBY: I thank the Leader of the Opposition for the question. Undoubtedly we currently know what facilities we have in the ACT, and what belongs to the Government and to the people of the ACT. But in relation to the other areas of the question, I shall take them on notice and provide an answer at the appropriate time.

Bible Lane - Waste Problem

MR STEFANIAK: My question is to the Minister for Urban Services. Mr DUBY, what have you done about resolving the waste problem in Bible Lane?

MR DUBY: Thank you, Mr Stefaniak, for the question. There is no doubt that there has been a problem in connection with the accumulation of waste occurring in Bible Lane here in Civic behind Bible House near Garema Place. That accumulation has been investigated by officers of my department and infringement notices have been issued to those able to be identified as owning the waste. Of course, that is a quite difficult problem. How do you determine where a couple of eggs came from? It is quite difficult. Some of those persons have removed their waste. However, I know this problem has been - - -

Mr Kaine: You should get super sleuth down there.

MR SPEAKER: Order!

MR DUBY: Yes. He will do a bit of backtracking and see what he can find out.

Mrs Grassby: Well, he did, and that is why it has been fixed now.

MR DUBY: Thank you, Mrs Grassby, for being able to tell the Assembly that, yes, indeed, I have fixed the problem. There was an accumulation of waste because the area had been declared black by the relevant union involved and they had simply refused to take away the rubbish. Once again, to my way of thinking it was an irresponsible use of union power, as we are seeing at other sites around the city. But, good sense prevailed and at a union meeting last night the bans on that site were lifted and the accumulation of rubbish in Bible Lane has now been completely removed.

What we have to do in the future is to overcome the incorrect waste disposal practices occurring in that area. It is proposed that departmental officers take the issue up with the building owners and tenants through the Chamber of Commerce, which may well be able to liaise with the owners and the tenants in that area so that waste is not being just haphazardly dumped at the rear of premises. Not only is it a health hazard; it is a fire and safety hazard as well.

I must say that, whilst the problem existed, department of health officers have inspected the site and they have advised that, although unsightly and occasionally a wee bit smelly, the dry waste at the location did not pose a health problem. The simple fact is that it has been cleared up and hopefully the situation will not arise again.

School Closures - Inquiry

MR STEVENSON: My question is to Mr Humphries. Mr Humphries has stated that Mr Hugh Hudson will determine the criteria under which he will conduct the inquiry into school closures. Would Mr Humphries indicate whether Mr Hudson has already determined those criteria? Of course, I do not talk about terms of reference; we well know those. If so, what are they?

MR HUMPHRIES: I think that Mr Stevenson might be labouring under a misapprehension. I do not know whether I have used the term "criteria" in respect of any of the issues that Mr Stevenson is referring to. What I have said in the past is that Mr Hudson would be conducting the inquiry with a format that he determined rather than one that was laid down by the Government. That format, or that procedure, is not a matter on which the Government has sought advice from him. In other words, we have not asked him to state the manner in which he proposes to proceed to conduct his inquiry.

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I do know, however, that Mr Hudson has received a large number of submissions and is obtaining information from people in a very large number of ways. In particular, I know that he has visited some schools and has met a number of parents. He is talking to principal players such as the P and C Council and, I think, the Teachers Federation - a number of organisations such as that. I am not concerned by his approach. It appears to me to be a highly sensible one and I propose to let the inquiry run its course.

MR STEVENSON: I have a supplementary question, Mr Speaker. Would the Minister ascertain from Mr Hudson exactly what the criteria are that he mentioned? While he may not be concerned, I think many members in this Assembly are concerned, as are many members in the community. Would he be good enough to find out what the criteria are and inform the Assembly?

MR HUMPHRIES: Mr Speaker, as I said, they are not criteria; they are not rules by which he works. He is taking evidence in a flexible fashion, as I understand it. However, I am very happy to make an inquiry of his office and establish what methods he has used up till now to make those inquiries and supply them to Mr Stevenson.

Public Hospital Redevelopment

MRS GRASSBY: My question is to Mr Duby. On 27 September 1990 the AFCC were notified of their appointment as consultants to coordinate industrial relations and occupational health and safety on the ACT public hospital redevelopment project. Why was that contract cancelled three weeks later?

MR DUBY: I thank Mrs Grassby for the question. I shall take that matter on notice and advise her at a later date.

Liquor Licence Fees

MR JENSEN: My question is addressed to the Attorney-General, Mr Collaery. I refer the Attorney to recent media statements about the requirement for liquor licence owners to pay liquor licence fees on a quarterly basis. Can the Minister advise the extent of bad debts for liquor licence fees for the 1989-90 financial year and whether the proposal for quarterly payments will assist in reducing the extent of bad debts of this type in the future?

MR COLLAERY: I thank Mr Jensen for the question. Certainly the extent of - - -

An incident having occurred in the gallery -

MR SPEAKER: Order! Please remove the demonstrators.

MR COLLAERY: Thank you, Mr Speaker. The question was: what comment do I have about recent media reports that there are concerns about a proposed new liquor licence fee collection system based on a quarterly return of liquor sold? The principal complaint is from certain suppliers who believe that they cannot turn their stock around in the assessing period. I believe that concern needs to be looked at. It will be addressed and we will try to fine tune the collection system.

But our ACT Government lost, in the last financial year, a total of \$444,965.70. Of that sum unpaid, one defaulter owed \$247,000 and another sum of \$100,000 is estimated to be owed by that licensee for a further period.

Mr Speaker, a football club also is in default in the sum of about \$18,000 and, from memory, there is a supermarket in default for a somewhat lesser sum. There are significant and sizeable defaults in the system. The system is patterned on something that has probably gone on for 50 years. It is out of date and needs an overhaul. I authorised and instructed the Law Office to overhaul the system.

The proposal they have made seems to have some teething problems, but the Government fully stands by its commitment to collect these fees and ensure that there is no loss to revenue of the extraordinary nature that has occurred. I am sure the members opposite who criticise the Government for this are well aware of what a liquidation or section 10 arrangement means in this area. A supplier can simply go into liquidation months and months after the liquor has been taken in and sold and, in effect, the return that should have gone to the Government has gone elsewhere.

Mr Speaker, we defend our Government from that criticism but undertake, on behalf of those genuine people who may not be able to turn a large stock over inside a quarterly period, that we will do all we can to ensure that they do not have to pay in advance of sales. But I put this to the house, Mr Speaker: Clubs mainly draw their revenue from over-the-counter sales where there is a high turnover from their cellar. How they can knock up these debts and then knock the Government for wanting a quarterly collection, I do not know.

Political Parties - Headquarters

MR MOORE: My question is directed to the Chief Minister. If you will bear with me for a minute, Chief Minister, I will just give a little preamble from an article by Pilita Clark that appeared in the Sydney Morning Herald a couple of days ago. It said:

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Alan Bond and Christopher Skase tried it. Now the ALP and Liberal Party are looking at whether they can get richer by going further into debt.

Over the past couple of months, both parties have been quietly talking to the ACT planning authorities about shifting home to better spots within the Parliamentary triangle, Canberra's most sought-after real estate.

Both have their eyes on two large vacant blocks opposite the National Press Club, about 10 minutes walk from Parliament House.

I will extract another three little bits from it. It states:

The Liberals don't make a cracker from their abode, despite its prestigious position.

But the ALP makes about \$1 million a year before tax by renting out offices on the bottom floors of its building.

The ALP has figured it can probably double this revenue by building a bigger office with more tenants on another block.

Further on the article states:

The ALP has already negotiated to sell a third of its building to an ACTU-led consortium to help cancel out its campaign debts.

The question, Chief Minister, is this: Is it appropriate for the ACT taxpayer to be supporting these campaign headquarters in terms of special leases under our leasehold system, and is there any intention to grant special leases to either the Labor or Liberal headquarters and give them such opportunities?

MR KAINE: There is some truth in the article, to the extent that both the Federal Liberal Party and the Federal Labor Party are negotiating for new sites for their national headquarters. A lease over block 3 of section 13, Barton, was granted to the Liberal Party of Australia in 1963 for the sole purpose of conducting the business of the Federal Secretariat of the Liberal Party of Australia. In recent years the party has considered the possibility of redeveloping this site and has applied for a new lease with a wider purpose clause based on similar terms to those that apply to other national association leases in Barton. Subsequently, however, the Liberal Party sought to pursue another option - that of acquiring a new site. Block 2 of section 16, Barton, which has been identified as suitable for development by a national association, is the site considered for the Liberal Party.

Current policies which permit the direct negotiation of a sale for national associations require the Liberal Party to pay full market value for this block if it goes ahead with the purchase. A number of options exist for disposal of the Liberal Party's existing site, that is, block 3 of section 13 in Barton. These include the surrender of the lease back to the Territory, in which case we would have to compensate them for improvements. We could approve a transfer of the lease to another approved national body or we could transfer it to an approved association with a 50 per cent commercial component, in which case betterment charges would apply. But since we still have a long way to go before the Liberal Party decides whether it wants to acquire a new site or not, it is a little presumptuous to consider what we might do with the old site.

The Australian Labor Party currently occupies block 12, section 6, Barton, known as John Curtin House, for the purpose of the ALP National Headquarters and offices. The purpose clause also provides for a bank, a kiosk and a restaurant of limited floor space.

In September last the ALP applied for a new site in Barton, located in section 22. This area is designated national land. The National Capital Planning Authority has declined to identify further sites in Barton until it has completed planning studies for York Park, which is section 22, and adjacent undeveloped land. The ACT Government is currently participating in a comprehensive review of the stormwater drainage system for that area, which is a bit of a problem, before any of it can be redeveloped. Again the ALP will pay full market value for the lease of that site.

Mr Humphries: At least.

MR KAINE: At least. Both these national associations will pay full commercial value. Significant buildings in the order of 6,000 square metres gross floor area and of an estimated total value of \$30m will be constructed if they both go ahead with their plans. Both of them, I submit, have some value to the ACT in today's depressed world because these projects, if they proceed, will provide a substantial boost to the local construction industry. In summary, Mr Speaker, those two blocks, if they are sold to those organisations, will be sold at full market value.

MR MOORE: I have a supplementary question. I must say I am delighted to hear that, Chief Minister. One of the points that I drew attention to was that the ALP makes about \$1m a year before tax by renting out offices in the bottom floor of its building. This is a special purpose lease. Is that rental carried out as part of the conditions of the lease or are they in contravention of the lease conditions? And if so, what are you going to do about it?

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MR KAINE: I do not know the specific answer to that question, but that is the significant difference between the Labor Party and the Liberal Party. The Liberal Party uses its entire site and none of it is used for any other purpose. The Labor Party does use part of their building for other purposes. Such use is not inconsistent with leases to national bodies in that area. But I can certainly find out and confirm that the use of the lease is consistent with the purposes that apply.

School Closures

MR WOOD: I direct to Mr Humphries a question concerning the school closures. Mr Humphries, why did you undertake a deliberately divisive course of action in requiring one school community to criticise another - that is, the Hawker school community was asked to comment on the submission of the Weetangera school community in relation to the closure of Weetangera school?

MR HUMPHRIES: It certainly was not the intention of the Government to make any of this debate divisive and to pit one school against another, although I might say that some schools have certainly articulated that in the debate that has followed. It was not the intention of the Government at any stage to ask the Hawker school to comment on the submission from the Weetangera school, but there was a stage where the Weetangera community put up a twinning proposal to the Government. Naturally, were such a proposal to be acceptable, it would have to be done with the support of the Hawker community, and a group of parents from both the Hawker school and the Weetangera school came to see me, and I think Dr Kinloch also.

We discussed the implications of their proposal and I asked for feedback from both school communities as to whether this proposal would be a successful one. Subsequently a meeting was held at the Hawker Primary School. That group of parents rejected the proposal and that view was conveyed to me in due course. I indicated then in turn to the Weetangera community that I did not believe it was appropriate to proceed with a twinning proposal where one of the twinning partners was unwilling to proceed.

That is not the Government pitting school against school; that is a school community attempting to negotiate an arrangement which suits itself and its neighbouring communities. I do not apologise for that kind of arrangement.

MR WOOD: I have a supplementary question, Mr Speaker. No, we are talking about different things, Mr Humphries. The Hawker school was asked to comment on a defence that the Weetangera school made. In order to resolve the issue, would you agree that where assessment of a school's claims needs to be made it should be done by the reshaping team rather than another school?

MR HUMPHRIES: I think in general I would agree with the proposition Mr Wood puts; but I do not think, at the same time, that other schools should be excluded from commenting on issues. I am not aware of the circumstances to which Mr Wood refers. I do not know in what manner another school came to be asked to comment on a particular aspect of the schools reshaping project and I will inquire as to what it is that Mr Wood is referring to. Perhaps if he gives me details I will be able to follow that up. Generally speaking I would think the schools reshaping team ought to deal with those issues, but there may be occasions where others should do so. Obviously, Mr Hudson's inquiry is an example of that.

Hospital Services

MRS NOLAN: My question is also to Mr Humphries, this time in his capacity as Minister for Health. Can the Minister explain whether specialist hospital services will be adversely affected by transfer to temporary accommodation at the principal hospital site?

MR HUMPHRIES: I thank Mrs Nolan for her question. Patient services transferred to the principal hospital site at Woden will not be adversely affected by the move into temporary accommodation, and I regret the many inaccurate statements that have been made about the issue, even by some medical practitioners. It is true that a group of some five to 10 doctors at Royal Canberra Hospital have voted to object to the fast tracking of services to the principal hospital site because of their perceived views of how services will operate from temporary buildings on that site.

I might point out that many other specialist medical staff at Royal Canberra are supportive of the move and are participating in consultations to ensure a smooth transfer of services. In other words, those particular doctors are very much a minority - a rather small minority, I might say - of doctors on that site. The services transferred to the principal hospital site will be located in high quality temporary buildings where patients will receive a comparable level of service to that they are currently receiving.

I have been advised that staffing levels, especially in the specialist service areas, will not decline. The majority of resident medical officer staff will be retained in their current positions next year. An active recruitment campaign for medical officers has also been very successful. I understand that specialist units moving to the principal hospital site will retain their specialised nursing components and will be more able to attract appropriate senior nursing staff because of the new principal hospital type arrangements.

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As I indicated on the Pru Goward show the other day, in-patient services will continue to be provided from within existing buildings or within buildings that are going to be built on the site. This will mean that in-patients - could I have some order, Mr Speaker?

Mr Moore: Mr Speaker, Mr Stevenson was trying to clarify with me whether it was a ministerial statement or not.

Mr Stevenson: I had been out for a moment or two. I thought the clock might be wrong.

Mr Moore: I said, "Yes it is, but they are using question time to make it".

MR SPEAKER: Order, Mr Moore! Please proceed, Mr Humphries.

MR HUMPHRIES: Mr Speaker, this will mean that in-patients will not need to be taken to and from any temporary building. Out-patient services and administration only will be provided from the temporary accommodation. The medical services working group, which is the overall representative group of the medical profession rather than the Royal Canberra Hospital Medical Staff Committee, has indicated that no service will be transferred if there is any risk to patient safety.

Ambulance Officers

MR BERRY: My question is directed to the Minister for Health, Mr Humphries, and relates to the requirement for all ACT ambulance officers to hold advanced life support qualifications. Since it will take the recently announced seven new recruits four years to fully qualify as ACT ambulance officers, what will the Minister do to address the shortage of qualified staff in the meantime?

MR HUMPHRIES: Again I can only say to Mr Berry that the issues that he has raised are not new issues. They came to the attention of the authorities quite some time ago. I gather that they must have come to his attention while he was Minister, although I cannot be terribly sure, and they have come to my attention while I have been Minister. Unlike Mr Berry, I am doing something about them.

As for the staff who have been trained and who are coming on stream in the ACT, even if they are discounted, even if one ignores those newly trained and recruited staff, there are still more officers in the ACT Ambulance Service under this Minister than there were under that former Minister across the chamber. There are still more ambulance officers than there were at that time.

Mr Berry: But you are not supplying ambulances. You have mismanaged it. There are no ambulances.

MR HUMPHRIES: Mr Berry interjects about ambulances, as if to say that the shortage of ambulance stations open at any one time relates to ambulances. That is not true. There is no shortage of ambulances in the ACT. The only reason why ambulance stations might not be open is that there are not sufficient ambulance staff to man those ambulances. Therefore the fact that there are more ambulance officers available under this Minister means that there should, on average, be more availability of ambulances, as a rule, than there were under Mr Berry. I am confident that the situation as from the beginning of next month, when those new ambulance officers become fully operational, will improve quite dramatically and it already, in my view, is better than it was under Mr Berry's tutelage.

Anti-discrimination Legislation

DR KINLOCH: My question is to Mr Collaery in several of his roles. I am not really sure which of them is appropriate; it could be several of them. We are well aware of the group called ACT UP. I am not implying criticism of that group for their - - -

Mr Humphries: Acting up.

DR KINLOCH: They probably did not realise that they should not act up in this chamber. There are some issues before us. I think one issue is one of a threat to the Attorney-General, and that is a worry. I would like him to tell us about that and respond to that. Is it the case that we are delaying legislation and therefore discriminating against people who are HIV positive?

Ms Follett: Hear, hear!

MR COLLAERY: I thank Dr Kinloch for the question. We heard that person across here, whom we are all losing respect for, quickly say, "Hear, hear!". Nothing was on my desk when I became Attorney-General that had been prepared by this woman, this former Chief Minister.

Mr Connolly: This woman? A woman in parliament! That is appalling.

MR COLLAERY: This woman. I will make it relevant. I will make this very relevant. Nothing had been prepared in the important areas of discrimination, particularly those affecting equal opportunity and the rest, and she purports to say, "Hear, hear!" when that question is asked. It is typical of what we are getting to. No law reform process at all was started under that Chief Minister.

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Mr Berry: I take a point of order. I think he should just direct his attention to the question that was asked of him by Dr Kinloch.

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

MR COLLAERY: Thank you. Mr Speaker, I have been corresponding - - -

Mr Berry: I think the response has to remain relevant.

MR SPEAKER: Mr Berry, thank you!

Mr Berry: The issue was relevance, and I did not hear your ruling, sir.

MR SPEAKER: If I ask him to proceed, that means that you have been overruled; otherwise I ask him to get to the point or remain relevant. I will interpret for you on each occasion.

Mr Berry: I draw your attention to the standing orders which require the answer to be relevant to the question.

MR SPEAKER: Thank you, Mr Berry. I understand that. Please speak to the point, Mr Collaery.

MR COLLAERY: Mr Speaker, the Government very quickly set about the preparation of a draft anti-discrimination Bill. Members will recall that, in the days after we moved the no-confidence motion and the inevitable day when we moved this group out of power, a discussion paper was issued on the subject of anti-discrimination. That is as far as that Chief Minister got on the subject in seven months in power. Very quickly, our Cabinet processed some complex recommendations. We looked very quickly at some up-to-date legislation on age discrimination, which was not part of the package, and we looked quickly at the HIV AIDS discrimination issue. There are complex legal problems associated with those - with the former, superannuation problems; with the latter, the whole ambit of infectious disease and other legislation.

There has been a Cabinet decision and a draft discrimination Bill is in an advanced stage of preparation. Legislation on the AIDS issue is sought of us by ACT UP and other people, and properly sought of us, although one could question their tactics, particularly in respect of the other issue that Dr Kinloch referred to. There is hope that by Christmas we will have a draft Bill before this house.

School Closures - Hearing Impaired Children

MS FOLLETT: My question is again to the Minister for Education, Mr Humphries. Has the Minister been made aware that the Human Rights Commission is investigating the situation of the hearing impaired children at Weetangera school?

MR HUMPHRIES: I have heard the suggestion that the Human Rights Commission might be involved with that matter on the basis that a parent or a group of parents took the issue to that body. I understand that the charter of that body is to answer inquiries of that kind. To say that the matter is under investigation does not necessarily imply that there is, at this stage, a case to answer, I might emphasise. It would certainly mean that the issue has been raised by people concerned about the matter and it deserves to be addressed. I am confident, whatever the processes that are gone through, that the Government will be shown to have considered very responsibly the issues concerning the hearing impaired unit and to have addressed them in the way in which it made provision for that unit to transfer to the Hawker Primary School.

Fluoridation

MR STEVENSON: My question is to the Minister for Health. I have been requested by a constituent to ask a question regarding fluoridation. If someone, either child or adult, suffers ill health or is proven to have a health defect induced by fluoridation, can the ACT Government be held to be legally liable? I emphasise that the situation I am referring to would be one where it was acknowledged, medically, that the problem had indeed been caused by fluoridation of the drinking water.

MR SPEAKER: Mr Stevenson, I believe that question seeks a legal opinion. The Minister is not required to give you an answer.

Driver Training Site

MR MOORE: My question is to the Chief Minister and it relates to a matter of the environment. Will the Government be seeking an environmental assessment of the proposed redevelopment of the Australian Federal Police driver training site?

MR KAINE: Mr Speaker, I thought that I had made the Government's position on this matter pretty plain. If I have written one letter to interested people on this matter, I have written 30 or 40. I have made a couple of public statements about the matter. I have always made it quite clear that, when the responsible people who are

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dealing with that matter within the administration come to the Government with a recommendation, all of those matters will be properly considered and we will not do anything to redevelop that site until a proper environmental study has been carried out. I think I have made that quite clear many times in the past. I do not know how many times I have to repeat it before it makes an impression on Mr Moore.

Ambulance Service

MR CONNOLLY: My question is to the Minister for Health, Mr Humphries. Does the Government support Mr Duby's statement in this house yesterday that the four ambulances per shift requirement is now merely an aim and no longer a minimum requirement? If so, when will this aim or minimum requirement be met?

MR HUMPHRIES: Mr Speaker, Mr Connolly was not listening very hard, obviously, during that debate because the comments that Mr Duby made were made in very similar terms by me only shortly beforehand. If he had been paying attention he need not have asked the question about whether we agree with each other. It has always been the aim to achieve that desired standard, to achieve that level of coverage for the ACT. It varies very widely according to occasions. I might say that the desired standard is exceeded on occasions, as for example yesterday when in fact there were five ambulance crews available for service in the ACT.

Mr Berry: What time did the fourth one and the fifth one come on?

MR HUMPHRIES: I might point out for Mr Berry's benefit that there are plenty of ambulances to accommodate five crews. In terms of when that might be achieved, it has not been achieved for a long time in the Territory, if ever.

Mr Connolly: Apart from yesterday.

MR HUMPHRIES: I think you mean, Mr Connolly, as a general rule, on a permanent basis.

Mr Berry: Rubbish, rubbish!

Mr Jensen: Did they do it when you were Minister, Wayne?

Mr Berry: My word it did.

MR HUMPHRIES: Mr Berry has again said something that is totally inaccurate and he would very much regret pressing that point in the chamber. In fact, Mr Berry's ambulance service was very little different in that regard. There was no consistent period during which four ambulances were always available and that is the case now, as I indicated

very clearly yesterday. It is my desire, my ambition, to improve the situation. I expect that to be the case. I cannot assure Mr Connolly that this improvement will become permanent and will achieve that desired standard of four ambulance crews at all times 24 hours a day in the Territory in the near future, but I certainly expect it to move nearer that standard in the course of this Government.

MR KAINE: I request that any further questions be placed on the notice paper, Mr Speaker.

PAPER

MR COLLAERY (Deputy Chief Minister): Pursuant to subsection 97(3) of the Audit Act 1989, I table the audit report on the financial statements of the ACT Institute of Technical and Further Education.

DOG CONTROL Ministerial Statement

MR DUBY (Minister for Finance and Urban Services) (3.08), by leave: Mr Speaker, ACT dog laws have been reviewed in response to growing public concern at the lack of responsibility shown by some dog owners and the problems caused in the community by roaming dogs. The Government has received representations on the need for stronger dog control legislation. These have included a substantial petition presented to this Assembly, personal and written representations from constituents, media publicity and comments from the judiciary following some bad dog attack cases.

The Government has completed a comparative review of State and Northern Territory dog control legislation to ensure consistency with other States and the Northern Territory, and particularly New South Wales. The previous Government launched a community education program in September 1989 to create an awareness in the community of the responsibilities of dog ownership, and I congratulate Mrs Grassby for that initiative. Members will remember the campaign "Your Dog, Your Responsibility", which was run in the media and posters and brochures widely distributed throughout the Territory.

During the first four months of the campaign the number of complaint calls fell from 2,150 to 1,030. However, the number of owners who fail to meet their responsibilities to the community remains too high. The Government is very concerned by the fact that at least two-thirds of the dogs in this community are not registered. This causes continued community concern and, of course, loss of revenue and places an unacceptable burden on ACT Government resources.

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Community views have been received through petitions and have been obtained through a survey distributed to the Canberra community through the Canberra Chronicle and Tuggeranong Valley View newspapers. The survey sought views on a number of proposed changes to the ACT Dog Control Act. Over 2,000 people responded to the survey. Results indicate that there is strong community support for proposals to provide for greater limitation on acceptable behaviour by dogs and, of course, their owners. There is also strong support from the community to require owners to control dogs or face higher fines or on-the-spot penalties.

The Government also received submissions from the Royal Society for the Prevention of Cruelty to Animals, the Canberra Kennel Association and the Companion Dog Club. Healthy Cities, Canberra has supported the program to increase owner responsibility from its inception.

Mr Speaker, it is clear that poorly controlled and uncared-for dogs and irresponsible dog owners generally are a major problem in this community. There are also problems with the existing Act - in particular, unrealistically low penalties. For example, an offender, for a minor offence, has to be proceeded against by summons, with a maximum penalty of \$40, whereas the maximum penalty for a serious dog attack is only \$200. When one considers the seriousness of some of these dog attacks, particularly to children in the community, I think that penalty is grossly inadequate.

There are no provisions to control backyard breeding of dogs and this causes an unacceptably high number of unwanted stray dogs and associated community and enforcement problems. The effectiveness of the Dog Control Act depends on dog owners taking responsibility for their animals and on an improved attitude to the control of dogs in the community. Irresponsible owners are placing an unacceptable burden on the community as a whole by disregarding the law, and that law has penalties which are no real deterrent.

As a result of its review the Government has decided to make significant changes to the Dog Control Act 1975 and will continue a community education program and wide community consultation to achieve a more responsible attitude to dog control by the community.

It is proposed to change the Act to require dogs to be registered from three months of age when the dog can begin to have an impact on the community - under that age they are generally regarded as pups - instead of six months as at present. A licence to keep more than three dogs at a household will be introduced. Applicants for the licence will have to fulfil conditions to keep a number of dogs. (Quorum formed) The conditions are aimed at controlling such factors as the size of the house yard, the size of the dog, uncontrolled backyard dog breeding, the proximity of

neighbours and problems such as health, smell and noise nuisance caused by an excessive number of dogs on a suburban block. This proposal, I might add, is supported by the Canberra Kennel Association.

Dogs will have to be under effective control at all times. Effective means of confining or restraining a dog to premises will be compulsory. The problem of dogs roaming freely and causing a nuisance, menacing or attacking, is a matter of great community concern. It will be compulsory for dogs to be on a lead when in public places. Exercise areas will be designated by signs as places where dogs can exercise off a leash. However, the dog will still need to be responsive to the commands of a competent person in order to ensure effective control.

Mr Deputy Speaker, responsible dog owners will have access to a discount registration fee which recognises the benefits of obedience training. This will be available to owners whose dogs can demonstrate obedience to an acceptable level with a Canberra Kennel Association affiliated club or the Canberra Greyhound Racing Club. This benefits responsible dog owners. I think that is something which we really need to get into the community - the problem of being a responsible owner of a dog rather than just an owner of a dog that is allowed to run free. A discount is already available to owners of desexed dogs. The concessional rate for dogs who have completed obedience training is proposed to be the same as that for a desexed dog.

Free registration will only be available to recipients of categories of aged, invalid and repatriation pensions and to owners of guide, sight and hearing animals. This provision has the effect of removing the waiver for unemployed people introduced in 1984 and recognises that employment status is not a long-term category of pension for most recipients. This is consistent with the practice followed by the Queanbeyan City Council and other areas throughout New South Wales in applying the New South Wales Dog Act.

On-the-spot infringement notices for minor offences will be introduced, with a wide range of inspectors authorised to issue notices. This will improve the administration of the Act by making owners more responsible for their actions and for those of their dog, of course, by imposing a penalty at the time of the offence - an on-the-spot fine. This penalty will be set below the statutory limit. If paid immediately it would remove the need for court action, simplifying the administrative process and reducing costs of dealing with minor offenders. It would also make more effective use of a wide range of officials to enforce the laws.

Increased penalties will be introduced for serious offences such as dog attacks and hindering officials. The owners of offending dogs must bear the cost of their dog's actions,

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thus providing a real deterrent for irresponsible owners. It is proposed that the new penalty for an attack will be \$1,000. A new offence for a dog to attack wildlife will be created. The present attack provisions of the ACT Dog Control Act apply only to attacks on a person, a domestic animal or a farm animal and do not include wildlife.

Attacks on wildlife by roaming dogs are common and the current deficiency in the Act should be remedied. This is something which I think all people who have a care and a love for our native animals will applaud. The Registrar of Dogs will have the discretionary power to hold a seized dog for a minimum of 14 days to enable investigation of the matter, particularly attacking dogs. The present law permits offending dogs to be held for seven days, which is an inadequate period of time in which to initiate prosecution, effectively requiring the return of a dog to its owner and often leading to a repeat of the problem.

The Government is determined to make dog owners responsible for their dogs and to change the attitude of irresponsible dog owners through these amendments to the Dog Control Act. Irresponsible dog owners cost the public purse far too much each year and it is a substantial amount of money. The community should feel free to use the extensive recreational facilities and environment that have been preserved in this beautiful city without fearing the menace of uncontrolled marauding dogs and packs of dogs.

These amendments to the Dog Control Act will provide a very strong piece of legislation for the Dog Control Unit to enforce. They can only benefit responsible members of our community. Mr Deputy Speaker, I am pleased to have made that statement. I present the following paper:

Dog Control Act 1975 - Amendments - Ministerial statement, dated 24 October 1990.

I move:

That the Assembly takes note of the paper.

MR MOORE (3.21): I am just going to say a couple of words, Mr Deputy Speaker. It seems to me that a first reading speech or an introductory speech for a piece of legislation has now been made. I will be looking forward to seeing the legislation.

MR JENSEN (3.21): Clearly this matter is not going to be adjourned; so I will seek to make a few comments on it here and now. I support very strongly the proposals that have been put forward by the Minister today. As a member of the community who has been involved with dog ownership and dog training for a number of years, I think it is most important to remember one very important thing in relation to dogs. There is no such thing as a delinquent dog, just a delinquent owner. That is an issue for which we clearly have a responsibility. I also note with keenness the

reference to an organisation that I have had some involvement with, both as a member and as a qualified trainer - that is, a dog obedience club. I have been involved with dog training in three States of Australia, participating as a club member and instructor as well as a person who has gone through the sorts of exercises and arrangements that Mr Duby talks about in relation to companion dog training. I guess the requirement that Mr Duby is talking about is something that we used to call companion dog, which is the first stage of training.

Those of us who move around our Canberra suburbs at various stages have seen a number of dogs moving uncontrolled, particularly around our schools. Dogs seem to gravitate towards school areas because there are a large number of children there. I think this often creates some sort of tension amongst the children. They seem to think that a dog which clearly is just seeking to play with them in fact may be attacking them.

There are cases, of course, where dogs do get involved in incidents, both against other pets and against people and children. In a lot of cases there are two causes. One is the failure of the owner to correctly look after and maintain the dog and provide an appropriate area for it. The other, of course, is a degree of provocation. That sometimes happens with some of our younger children who do not seem to understand the true nature of a dog and its attitude. A dog, in fact, is really only, in those situations, protecting its territory. It is carrying out its hereditary instincts.

In fact, anyone who has had anything to do with a blue heeler, for example, will know full well that that particular dog is probably one of the best dogs to use for protection of your property. Certainly that has been my experience. They are very good at that, and really all they are doing is protecting the property and acting out the role of a true companion dog. I think it is important that we take due note of that, and maybe it is necessary that that be part of the education program that Mr Duby is talking about. Part of the education program within our schools is to ensure that children are made fully aware of their responsibilities to dogs, be they their own pets or others' pets, to ensure that the sorts of mistreatment problems that sometimes occur do not take place.

In my closing comments on this matter it is appropriate to make some reference to the issue of another companion animal that I see as part of the process involved in the companion dog review as part of the animal welfare review report that Mr Duby brought down earlier this week. I refer, of course, Mr Connolly, to the moggie, or the cat. Those of us who have anything to do with the nature conservation area know full well the sort of damage that that particular animal can do within the environment. That is a more difficult problem, of course, because cats are

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much more difficult to control and keep in one place - as Mr Connolly will well know, and as I am sure Ms Follett will acknowledge as well.

We have to look at that issue. I think the major problem we have in that regard is indiscriminate breeding of cats, and I think that has to be considered by the Government. It is a difficult exercise, I would suggest, to determine how we go about controlling that. Probably we have to look at it in a similar way to the way we are looking at controlling dogs. It may be that we have to look at similar controls over the breeding and maintaining of cats with a view to having more cats neutered rather than being able to breed freely around our area. So I also look forward to that companion animals review which will include this issue.

In closing, I would like to pay a tribute to those members of dog control bodies within the ACT and throughout Australia who spend many hours, free of charge, to provide a very important service to the community by ensuring that dogs become a true companion animal to provide the necessary support for the community as a whole.

MR DUBY (Minister for Finance and Urban Services) (3.27), in reply: Mr Deputy Speaker, I thank Mr Moore and Mr Jensen for their comments.

Question resolved in the affirmative.

SCHOOL CLOSURES : AFRICAN NATIONAL CONGRESS **Discussion of Matter of Public Importance**

MR DEPUTY SPEAKER: Mr Speaker has received a letter from Mr Stevenson proposing that a matter of public importance be submitted to the Assembly for discussion, namely:

The need for the Chief Minister to seek further funding from the Commonwealth Government for ACT education so as to avoid the need for closing schools, especially in the light of the Commonwealth's decision to give \$15m in support of, and in consultation with, the African National Congress.

MR STEVENSON (3.28): It is highly relevant when the Federal Government says that it has not enough money - - - (Quorum formed)

Mr Deputy Speaker, it is indeed a sad commentary that, while the Federal Government has said that it does not have enough money to honour its promises to the ACT, it gives money to what will inevitably, if it continues, establish a Marxist dictatorship in South Africa. I do not think the ACT Government should stand aside while such activities continue.

We all understand that prior to the ACT election last year the Federal Government made a promise that it would fund the ACT for three years. After the election it broke that promise and said that it would fund the ACT for only two years - or that the first year was the one that had previously gone. From that point of view it could have said that it would fund us for 10 years and said that the last eight were the ones that had just gone.

This is an appalling situation and it should not be allowed to go unhandled - or handled simply by asking. When the Federal Government refuses to honour that promise, or its various other responsibilities, we simply should not sit by and allow it to continue. We should stand up as a government and take whatever action - - - (Quorum formed)

It is interesting to note that there is not a single member of the Labor Party in the chamber. I make that point because of the Labor Party's earlier statement concerning the African National Congress. It would appear, particularly from statements made last night during the adjournment debate, that the Labor members are in total support of the ANC; yet they will not allow freedom of speech on the matter. Labor members do not wish to hear anyone suggest any viewpoint other than theirs - which in actuality supports terrorism because that is what the ANC was dedicated to.

I think it highly relevant that we look at what the Federal Government is spending our money on. I think there could be no better way to explain the point than by reading a letter in yesterday's Australian by the chief of the Zulus, Buthelezi. It is headed "South Africa's hideous black violence" and it reads:

Sir - An article by Bruce Haigh, director of the Australia-South Africa Training Trust (26/9), accuses me, among other numerous ghastly deeds, of being "the fire under the South African cauldron".

I seek the opportunity and space to defend myself against some of his appalling accusations and to put forward another perspective on the issue of the hideous black-on-black violence in my country.

His biased, inaccurate and vicious attack on me and the Inkatha Freedom Party sought to present us as the unpopular "bad guys" (to put it mildly) and the African National Congress as the popular "good guys". Simplistic propaganda but nevertheless extremely damaging to us when we are wrongfully accused of being a "cruel and destabilising force ...".

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In calling for our international isolation one gets an early clue of where Mr Haigh is coming from. Finally, in his last paragraph he lets the cat out of the bag: Inkatha must be "deprived" of funds.

Inkatha believes choice is what democracy is all about and that all South Africans, regardless of race, creed or colour, should at last (after suffering the evils of apartheid) have the right to freely support the leaders and organisations they wish to.

How can a multi-party democracy have any hope in hell of getting off the ground in South Africa if international favour (and finances) are significantly weighed now towards some to the exclusion of others.

The horrors of one-party State rule are well-known throughout Africa and what chance have we got if the Bruce Haighs of this world assist in perpetrating a climate of political intolerance and encouraging external manipulation?

In praising those who have, he claims, denied me access to your country, he is preaching the kind of tyranny that denies freedom of speech, not only to me but to many others. Until now I didn't realise people of this ilk had such power in Australia.

He asserts, incredibly, that Inkatha with 1.8 million paid-up members has "very little" support. The ANC (according to Newsweek magazine - October 15) has yet to reach the 200,000 mark in its ongoing membership drive.

Far from "sponsoring" so-called "tribal" violence, which I denounce, I have espoused peaceful change and negotiation all my life and, at great political and personal cost, refused to ally myself or my supporters with the ANC's armed struggle and with terrorism in any form whatsoever.

For that the ANC set out to teach Inkatha, and me in particular, a lesson and in 1985 it officially declared its intention (at its National Consultative Conference in Zambia) to "work to win over" my supporters, make Kwazulu "ungovernable", and to "deprive" me of my "social base".

The stage was then set for conflict and we have witnessed a sickening cycle of action and counter-action which, for the most part, is now completely out of control.

The violence appals me and I despise the fact that Inkatha supporters have been drawn into the bloodshed. I have never encouraged or directed violence and I take great exception to being accused of unleashing a "wave of terror".

Let me also categorically deny that I work "in league with members of the highly unsavoury white Right ...". I am a black South African who has felt the boot of racists on my neck for as long as I can remember and to be accused of stabbing my own people in the back, in cohorts with fascists, is just too much.

For a real understanding of the causes and effects of the violence between the ANC and Inkatha one needs to first examine what apartheid has done to this country and how it has ruthlessly fragmented black and other political opposition to it.

Add to this dimension the winner-takes-all attitude of the ANC which sees itself as a government-in-waiting. It tolerates no opposition and those of us who called for a "multi-strategy" approach towards liberation were declared the enemy many years ago.

Simply put, if you were not "with" the ANC you were given a death sentence - as the widows of many town councillors and black policemen can readily testify. Inkatha is not the only organisation to have faced ANC guns, bombs and hit squads. Others, including the PAC and AZAPO, are as vocal as I in denouncing their bully-boy tactics and are also, like us, burying their dead.

The ANC long ago instigated a culture of violence in South Africa, called for the country to be made "ungovernable" and the results are clearly evident now.

To date more than 100 Inkatha branch leaders have been systematically assassinated. In addition, I have 90 pages available listing more than a thousand Inkatha members and supporters (that we know of) who have also died violently. ANC killers have set out to murder me, of which there is proof. There are 6000 homeless Inkatha refugees in Natal/Kwazulu and nearly 500 in the Transvaal.

The ANC embarked on an "armed struggle" (terrorism) to achieve its political goals and to this day employs trained and equipped forces beyond our borders.

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ANC insurgents captured only a few weeks ago in Natal/Kwazulu (after the ANC had agreed to suspend the activities of its armed wing) admitted they had been sent to "stoke the violence" in the region and to "eliminate" Inkatha members.

I rest my case.

Mangosuthu G. Buthelezi, President,
Inkatha Freedom Party, Ulundi, South Africa.

Yet, who in Canberra, or who in Australia, knows the truth about the funding that is going from Canberrans, and from all Australians, to support such terrorist activities that involve murder and the horror of necklacing which is used to simply terrorise people to prevent them from speaking out; to silence them against the communist, the Marxist takeover of the South African Government? That is what the ANC stands for. Yet we in Australia are paying \$16m already, and another \$15m is to be paid to support activities supported by, and ascertained by consultation with, the ANC.

I think it highly relevant that the ANC has such tiny support in South Africa, whereas Chief Buthelezi, who has long called for peaceful democratic reforms in Africa, has a paid up membership of 1.8 million people. Yet where does the money that is taken from Canberran taxpayers, in part, go? Instead of supporting schools it goes to support terrorism in South Africa. It is simply not okay.

The suggestion by members of the ACT Labor Party that it is appalling that someone should speak out in this matter is, in itself, perhaps an atrocity. The fact that you could have an Australian member of parliament stand up and decry someone who revealed the truth of money going to support terrorist activities is an appalling indictment of what has happened in Australia to our political system in so many instances. People in Canberra are vitally concerned about the school system. The Federal Government made promises that it would give us money. It broke those promises. We should not simply lie back when it says that it will not give us the money. We should take whatever actions we need to take to make sure it honours its promises and obligations. We are in a unique situation in Australia to do that. We happen to largely control the ACT where its Federal Parliament is.

There are any number of ideas that could be used to bring pressure on Federal politicians to honour their responsibility to people within the ACT to fund the education system in the ACT which it was responsible for setting up. Instead, it gives money to support terrorism in South Africa. We should force it to support schools in the ACT.

MR KAINE (Chief Minister) (3.42): Mr Deputy Speaker, I was waiting for Mr Stevenson to get to the point of the linkage between his motion and ACT schools - and it took until the last 30 seconds of his speech to get to it. I think that that indicates the tenuous nature of the linkage between the two matters. I do not intend to engage in the debate about the Commonwealth Government's decision to fund certain work in South Africa. That is its prerogative. It has the expertise to make its determination about its expenditures on behalf of the Australian taxpayer in such matters, and I do not pretend to be better informed than the Government's experts or the Government. My own personal opinion is, I believe, irrelevant, and I do not intend to express it.

But I think there are some matters that emerge from Mr Stevenson's attempt to link that money with what is happening in the ACT. I think there are some things there that need to be noted. Of course, his matter of public importance makes an unwarranted assumption. The beginning of his matter of public importance reads:

The need for the Chief Minister to seek further funding from the Commonwealth Government for ACT education so as to avoid the need for closing schools ...

There is no need for the Chief Minister to seek funds from the Commonwealth for that purpose. The question whether a school needs to remain open or to close has nothing to do with whether we get sufficient money from the Commonwealth. It has to do with whether this community needs those schools and can afford them. No request has been made of the Commonwealth to provide funds in order to keep schools open; nor will there be any such request. So the matter of public importance is predicated on an incorrect premise. I have sought additional funds from the Commonwealth, out of the Trust Account of money which it is holding on our behalf, for matters that have to do with restructuring the ACT economy as part of our program of micro-economic reform and of dealing with the run-down infrastructure that we have inherited. None of that money, however, is intended for expenditure in the schools program. So there is no link between the two things. I simply wanted to refute any suggestion in the matter of public importance, as presented, that the Chief Minister had sought or intended to seek money for that purpose. Beyond that, I have no further comment to make on this matter of public importance.

MR DEPUTY SPEAKER: There being no further speakers, discussion on this matter of public importance is concluded.

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SOCIAL POLICY - STANDING COMMITTEE
Statement by Chairman

MR WOOD, by leave: I wish to inform the Assembly that the Standing Committee on Social Policy has resolved to inquire into and report on behavioural disturbance among the young. It is as simple as that. We will take some time to do that. It is an important issue and one we will set about with vigour.

MOTOR TRAFFIC (AMENDMENT) BILL (NO. 7) 1990

Debate resumed from 18 October 1990, on motion by **Mr Duby**:

That this Bill be agreed to in principle.

Mr Connolly: Mr Deputy Speaker, Mrs Grassby is on her way down. She may in fact be trapped at the lifts. I wonder whether Mr Jensen would take the call and Mrs Grassby could be given the call when she arrives.

MR DEPUTY SPEAKER: Yes, that is suitable, Mr Jensen, if you are happy to do that.

Mr Jensen: Mr Deputy Speaker, yes, I am happy to help Mrs Grassby out on this occasion.

MR DEPUTY SPEAKER: I call Mr Jensen.

MR JENSEN (3.48): I am pleased to support this Bill to amend the Motor Traffic Act 1936. This Bill achieves two purposes. Firstly, it amends the Motor Traffic Act 1936 to allow the auctioning of taxi plates and, secondly, it relaxes the requirement for a taxi or hire car licence holder to use, control and manage the licensed vehicle. This latter provision will allow leasing of taxi and hire car plates.

This Government intends to auction nine taxi plates before the end of this year. Presently the Motor Traffic Act 1936 only allows the responsible Minister to sell taxi licences for a determined fee. This prevents the release of plates by auction where the price paid for a licence is determined by competitive bidding. However, the introduction of this Bill will not only allow these nine additional plates to be auctioned but also will allow greater flexibility in the future release of taxi plates. This Bill will also allow a taxi or hire car licensee to lease his or her plate to another individual after notification, of course, to the Registrar of Motor Vehicles.

Anecdotal evidence suggests that illegal leasing arrangements are widespread in the public vehicle industry. Currently licence holders risk having their taxi or hire car licence cancelled if they do not have use, control and management over the taxi or hire car. Effectively, this

means that the person who owns the licence has to operate the business. There may be a very good reason why a person is unable to operate a licence for a period of time, and I think it is probably quite appropriate that that particular licence be allowed to continue to operate so that that vehicle can still be available for hire.

This amendment Bill will relax this requirement to allow the licence holder, another person notified to the Registrar of Motor Vehicles, or an employee of either the licence holder or this other person to use, control and manage the vehicle. This second option - another person notified to the Registrar, for example - gives the licence holder an opportunity to transfer control of the vehicle to another person, but only if the Registrar of Motor Vehicles is properly informed of the arrangement. This is an essential safeguard - for the Registrar to be notified of the person in control of the vehicle - to ensure that the operation is in compliance with the Motor Traffic Act and associated regulations.

This Government feels that, to be effective, it is by no means essential for a taxi or hire car to be operated by the licence holder. In fact, in many cases it would be advantageous to the community at large if leasing occurred. It is anticipated that a lessee would be more committed to keeping a taxi on the road for longer periods than the casual licence holder or part-time operator. Current operators who, for one reason or another, cannot operate their vehicles to full capacity can allow someone else to do so whilst retaining the value of their capital investment. In short, leasing arrangements of this type should encourage improved services to the community.

I seem to recall that my maternal grandfather, in fact, was the owner of such an arrangement for a taxi in Brisbane. This enabled him to maintain the ownership of the licence while allowing his son-in-law to operate the taxi, so that two families, in fact, could benefit rather than just the one.

Removing the prohibition on leasing of plates also allows entrepreneurs to control larger numbers of taxis than the present legislation allows, which opens up the possibilities of greater efficiencies associated with larger scale business. It also provides a more fertile environment for development of a second cooperative for Canberra. Clearly, any decision to develop a second cooperative will be made by the private sector on normal commercial principles.

Both these developments - permitting efficiencies of scale and a more fertile economic environment - could be expected to provide a better taxi service to the ACT community and the all-important tourist industry. A degree of competition, I would suggest, does not go astray as Canberra increases and develops in size.

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There is also a human side to this Bill. A taxi owner or driver who has been in the industry all his or her working life may still want the capital investment of the taxi plate in his or her retirement. This Bill will allow this licence holder to lease the plate to another operator while still retaining ownership of the licence.

Similar advantages could accrue for the family of the owner-driver who passes away, if they still wish to retain the capital investment without wishing to control the operation of the taxi - a suggestion that I have already related in terms of my own experience.

I understand that several such situations have occurred in the ACT. In one case, I believe, the husband passed away unexpectedly and his spouse had to sell the family's principal source of income, the taxi licence, as well as coping with the grief and suffering of the husband's death. This initiative opens up options for improving the effectiveness of both government and the public vehicle industry, and for this reason I urge all to support this Bill.

In closing, might I say that, if Mrs Grassby feels that she may lose out on some of her time as a result of her being unable to take her place on the floor, I would be quite happy to extend to her the opportunity of an extension of time.

MRS GRASSBY (3.54): Unlike the last speaker, we do not waffle on and on and need lots of time. We would like to get this over and done with, and we will have only one speaker on it too, Mr Speaker.

I am glad to see that this Bill has finally seen the light of day. I recall a long discussion with the taxi industry and the departmental officials when I was Minister for Urban Services. One of my recommendations was for the establishment of an ACT taxi advisory committee. I understand that Mr Duby has had the good sense to implement this recommendation. I congratulate him on that.

I am, however, a little perturbed that no reference to that committee appears in Mr Duby's presentation speech and I do hope - I hope Mr Duby is listening to this - that he has consulted adequately with the industry in preparing this Bill, as I have and did.

I have also spoken to the TWU about this Bill and I understand that it, like the industry, has no fundamental objections. As Mr Lamont is one of the members of the Taxi Industry Advisory Committee, I am confident that he would represent the best interests of his members.

I welcome the announcement by Mr DUBY that nine taxi plates will be auctioned before the end of this year, and I note that he mentions:

Auctioning these taxi plates with a reserve price will allow the market to determine the current value of the plates.

I recall that, while Minister, I agreed that the reserve should be at least 80 per cent - and I say this again - of the market value to ensure a realistic return to the Government. This was after full consultation with the industry and the union at the time.

As we know, this source of revenue has the potential to be very profitable for the Government, and it is a one-off. We should ensure that the reserve price is set at a level high enough to make sure that it does not devalue the taxi plates already in existence and to allow a proper benchmark to be set for future auctions. I also ask Mr DUBY for a commitment that the Taxi Industry Advisory Committee will be fully consulted in all future releases of taxi plates.

A further point I wish to make relates to the section on page 3 of the Bill on the assessment of rights. I note that an application shall:

... be lodged with the Registrar with the determined fee.

I ask the Minister: What is this fee to be, and has he consulted with the industry and union on this point? I note that it is at the top of page 3 of the Bill. I can see Mr DUBY is not quite sure of that.

Mr DUBY: I did not quite hear you, Mrs GRASSBY.

MRS GRASSBY: I am sorry. I will read that again. A further point I wish to make relates to the section on page 3 of the Bill. Have you got that?

Mr DUBY: Not in front of me, but keep going.

MRS GRASSBY: I note that an application shall:

... be lodged with the Registrar with the determined fee.

I ask the Minister: What is this fee to be, and also, has he consulted with the industry and the union on this point? The ALP believes that it is important that all aspects of our transport system be monitored for efficiency. I compliment the taxi industry and its workers for the very fine job they do for the people of Canberra. I will finish by saying that the ALP fully supports this Bill but would ask that the Minister consult fully with the taxi industry and with the union on all points, particularly on that fee. I would very much like to know what that fee is, and so would the industry.

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MRS NOLAN (3.59): I, too, am pleased to rise today to support this Bill to amend the Motor Traffic Act 1936 which will allow taxi licences to be sold at auction as well as to be leased. This Bill will increase the options open to government by allowing future plates to be either sold at auction or sold for a determined fee. It is now over four years since the last release of plates, and the value of plates has altered considerably in that time. Auctioning these taxi plates with a reserve price will allow the market to determine the current value of the plates. The reserve will ensure the Government receives a full return, and a very useful one, and it will be set at a level which will ensure that the value of existing plates is not affected.

Removal of the prohibition of leasing will promote greater interest in the forthcoming auction of plates. Investors who do not wish to be involved in the actual day-to-day operations of a taxi business can now lease. I think that that really is a very important point. This measure will also allow access to the industry by others who want to operate a taxi but lack the capital to invest in a taxi plate.

Longer term advantages arise when people entering into leasing arrangements do so with the knowledge that they need to work the business efficiently to make money. The incentive involved in greater efficiency flows on to the general community by way of a better service. I am confident that this, in turn, will benefit the industry by generating more demand for taxi services.

I feel sure that there are taxis and hire car licence holders who are not at present operating their vehicle around the clock. Rather, they may be more interested in the capital investment that that plate offers. As a small business owner, I believe that they really do have that right to determine which option is for them. Having the opportunity to lease the plate to another more committed operator will provide them with a regular return on their investment as well as freeing up the time to engage in other employment if desired with, again, these benefits being passed on to the community in improved taxi or hire car services as an end result of that.

Overall, I feel that this initiative will provide better opportunities, both for the industry and to the general community, and it is for this reason that I support the Bill. While the two changes may appear minor, they are - as was said when the Bill was introduced - very important in helping to develop a more vibrant client service orientated public vehicle industry. The new and existing operators will now have the potential to earn higher returns on their investment, and the travelling public, including people visiting our city, will benefit. That is vital, I believe, for our tourism industry.

Of course there will be those who say that it will immediately allow a taxi owner to multi-purchase. I probably understand this Bill more than most in this house, given my family involvement in the industry, although not here in the ACT. I accept that the Taxi Industry Advisory Committee has recommended this change. Upon asking, I was advised by Mr DUBY this afternoon that that in fact was the case. That is the relevant body to make the appropriate recommendation. I support this Bill and commend it to the house.

MR DUBY (Minister for Finance and Urban Services) (4.02), in reply: I am very pleased with the support given to this Bill to allow the Motor Traffic Act 1936 to be amended to allow taxi licences to be auctioned and leased. It is clear to me that an auction of taxi plates is the most appropriate method of allocating plates at this time. I am, however, conscious of the need to keep our options open in regard to the issuing of taxi plates, not only now but in the future, and I am therefore pleased that this Bill not only allows for the issue of plates at auction but also retains the option of selling the plates for a determined fee, such fee to be, as I said, determined by the Minister.

Removing the prohibition on leasing is, I believe, a step forward in opening up the industry to people who are committed to providing a better service. I am also encouraged by the requirement included in this Bill for lessees to be notified to the Registrar of Motor Vehicles. This will enable records to be kept on who specifically has use, control and management of a taxi vehicle, which, in turn, will allow safety requirements to be policed more effectively - and, of course, also allows the good public image of the industry to be preserved and enhanced.

During the debate Mrs Grassby raised a few points. I think I should put into the record some answers to the questions she raised. She specifically asked about the reserve price that we are placing on plates. In respect of the reserve price for plates at auction, we have looked at the value of the plates in conjunction with vehicles, and we have looked at the market, as we see it from advertisements in the newspaper, et cetera, and it has been determined that the reserve price will be set at \$100,000 per plate. I must point out that that does not include, of course, the price of the vehicle which is required to operate the business. But we think that is a reasonable price, and something which we feel the industry should be able to bear.

There is no question about the fact that consultation with the Taxi Industry Advisory Committee has occurred, and it is going to continue to occur in relation to the number of plates which are available to the public in terms of this industry. So TIAC has been advised and is fully aware of the issuing of these nine plates - one reserve and eight additional plates which are about to come on to the market. Of course, it goes without saying that any future issuing of plates would naturally be conducted after full consultation and cooperation with TIAC.

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The other question that Mrs Grassby raised was in relation to the assignment of rights. She referred to the paragraph at the top of page 3 of the amendment Bill - proposed section 27C, I think it was. It refers to the right of someone to purchase a taxi licence plate and then subsequently lease that out on either a permanent or part-time basis to somebody else. Specifically, it says:

A defined right -

the right to actually lease out to a third party or a second party -

is not assignable unless the Registrar approves the assignment of the right to the proposed assignee.

I think that is perfectly fit and proper and I am sure Mrs Grassby agrees with that. It then goes on to say:

The Registrar shall, on application in accordance with subsection (3), approve the assignment of a defined right.

The requirements in that subsection are that an application shall "be in writing signed by the assignor" and shall "specify the assignee". I think, once again, there is no problem there. Thirdly, it says that the application shall "be lodged with the Registrar with the determined fee". That is the question that Mrs Grassby has raised. She has asked, I suppose quite legitimately, what I anticipate that determined fee will be. My understanding of that is that this is not to be treated as a revenue raising item and that it will be the fee appropriate to the assigning of that plate to the second person.

Mrs Grassby: Will you be discussing it with the union before you come to the decision on it?

MR DUBY: The question Mrs Grassby has raised is: will I be discussing it with the union and will I be discussing it with TIAC? I undoubtedly will be having consultations with them; but, basically, that determined fee, Mrs Grassby, I am certain, will simply be a fee for service, a fee to cover the costs involved in the assigning of the right. In other words, it is not to be treated as a revenue item. In modern legislation, fees are usually charged on a cost recovery basis. I would anticipate that that fee would be quite commensurate with that amount and, as a result, not something people should be worried about as being on a revenue earning basis, rather than, for example, the predetermined fee for an auction.

Accordingly, I am very pleased that the Assembly as a whole supports this Motor Traffic (Amendment) Bill (No. 7), and I know that the industry also looks forward to this reform being brought into effect. I commend the Bill to the house.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

VENEREAL DISEASES (AMENDMENT) BILL 1990

Debate resumed from 20 September 1990, on motion by **Mr Humphries**:

That this Bill be agreed to in principle.

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

NATURE CONSERVATION (AMENDMENT) BILL 1990

Debate resumed from 20 September 1990, on motion by **Mr Duby**:

That this Bill be agreed to in principle.

MS FOLLETT (Leader of the Opposition) (4.10): Mr Temporary Deputy Speaker, I advise that we on this side of the house will not be opposing this Bill. It is an amendment to provide for archaeological excavations to be undertaken in wilderness areas. As I am sure the Assembly will recall, it was my Government which declared the Bimberi wilderness area in the ACT. I would hope that the archaeological excavations that may be required to be undertaken would always be carried out with extreme care, because I think that it has been the case in other wilderness areas and in other national parks - not only in Australia, but throughout the world - that occasionally very significant archaeological material has actually been removed from its site in a quite inappropriate way.

From the information we have on the Bill at the moment, I take it that there will be some controls exerted over that kind of activity, and that there will, in fact, be a requirement for a permit to be issued before archaeological excavations can be undertaken. I regard this as a necessary piece of legislation, and for that reason, as I say, we will not be opposing it.

MR JENSEN (4.11): Mr Temporary Deputy Speaker, on behalf of the Government I would like to thank Ms Follett as the Leader of the Opposition for her support for this Bill. She has indicated some concerns in relation to the requirement to ensure that any work done under such circumstances is properly done. That is provided for in

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the Bill in relation to the requirement for the restoration of excavation sites by permit holders, and also by the requirement for applications for permits and licences. Of course, that also relates to the permits to pick plants in those particular areas. Therefore, I think it is quite clear that this Bill provides the necessary mechanisms to solve any problems that Ms Follett may be concerned about.

I am very pleased to be able to speak in support of this Bill today. The Bill covers an area of personal interest to me, namely, the task of seeking out more about the cultural history of our region, especially that which relates to those who lived in those plains and within the nearby mountains prior to the settlement by Europeans. I have been fortunate to spend some months as a student at one of the most well-respected centres in Australia and the world on the subject of prehistory, particularly in Australia and the Pacific region. I refer, of course, to the Prehistory Department of the Australian National University. When considered in conjunction with the Australian Institute of Aboriginal Studies, the Research School of Social Sciences and Pacific Studies and Anutech, this department provides a wealth of experience, which I am pleased to see includes more members of the original inhabitants of this continent each year. I was fortunate to be a student with one of those members who has gone off with the experience gained in that school to participate in the exercise on behalf of his community.

This amendment will ensure that some areas in our wilderness zones which are now unavailable for such research will become available under strict controls. I am, of course, referring to some parts of the Namadgi National Park. As my colleague Mr Duby said when introducing the Bill, Namadgi National Park was declared under the ACT Nature Conservation Act in 1984. The park covers some 94,000 hectares in the southern ACT. It is the northernmost extension of alpine and sub-alpine areas, extending from the Victorian Alps, through Kosciusko National Park in New South Wales to Namadgi in the ACT. There is, in fact, an Australian Alps National Parks Agreement which covers the area and commits the ACT Government to conserve the outstanding natural and cultural values of the alpine national parks in cooperation with other governments.

Namadgi National Park was part of the area inhabited by the Ngunawal Aboriginal people. They have left a rich diversity of cultural sites and artefacts in the region, with many important sites located in Namadgi National Park. In fact, Mr Temporary Deputy Speaker, might I refer members to a very good book that covers this whole matter. It is called *The Moth Hunters* by Dr Josephine Flood, and it covers this particular area very well.

The sites that I have referred to include a number of rock art sites, which have recently been the subject of investigation by a scientist and an archaeologist of the

Australian National University, and also students from the University of Canberra. This is the only university in Australia, I might add, that actually conducts courses in relation to the conservation of museum artefacts, and that is something I think we in Canberra should be proud of. The rock art sites are regarded by many archaeologists as being very important, as there are not many examples of Aboriginal art in the southern tablelands.

This amendment, however, applies only to areas within the Act declared as wilderness zones under section 52 of the parent Act. While no clear definition of a wilderness zone is provided in the Act, if one turns to section 59 of the main Act, it is very clear what should not take place in wilderness zones. For example, at the moment, prior to this amendment, one is not able to excavate, establish a track or a road, or use a motor vehicle, except on a track or road that was formed for the use of vehicles having four or more wheels and was in existence at the time of the declaration of the wilderness zone. Some, of course, would say that a true wilderness area is one where there is no evidence of European habitation and that if one entered such an area one should not be able to identify anything that related to settlement by Europeans. Under such a definition not even a distant road or powerline, for example, would be allowed. However, clearly, that is not always possible.

In December 1989, as Ms Follett has already indicated, her Government declared the Bimberi wilderness zone within Namadgi National Park - a declaration that I can assure her was fully supported by the members of the Residents Rally. That put into place a commitment made in the management plan, and agreed to with the New South Wales Government, that a wilderness zone would be declared that incorporated the southern part of the ACT and part of Kosciusko National Park. Like Namadgi National Park, the Bimberi wilderness zone contains substantial cultural resources. The management plan for the park and the Nature Conservation Act require the conservator of wildlife to manage these resources appropriately. It is important to protect these values for a number of reasons: firstly, wilderness areas are large areas that are as close as possible to natural ecosystems where natural processes can take place with little disturbance from humans, and along with national parks, they are important for maintaining genetic diversity; secondly, many people use wilderness areas for recreation and for personal reflection. These values are becoming increasingly important in today's world, and the values are important if we are to improve the future quality of life for residents of the ACT.

An excellent example of an Aboriginal stone arrangement is located in the Bimberi wilderness zone. It is located on top of a high and remote peak and it is believed to have been used as part of initiation ceremonies. Many Aboriginal people were drawn to the Snowy Mountains and the Brindabella Ranges at this time of the year to feast on the

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bogong moths - a subject well covered by Dr Josephine Flood. The moths continue to come here as part of their annual life cycle. They congregate in the rocky crevices found in the large granite boulders that are a feature of mountains in the area including Namadgi National Park. However, as we are all well aware, these days they have chosen to stop off at the new granite structure on Capital Hill and maybe not fly quite so far. I am not sure whether there are any initiation ceremonies going on at Capital Hill at the moment, but certainly the moths are coming here and they are relating to Canberra.

There are also excellent examples of European cultural heritage in the park. One of those is Orroral homestead. Although it is not located in the wilderness zone, it is an example of scientifically conducted archaeological investigations which have required excavation. It is very important to ensure - as Ms Follett has already indicated - that such scientific work is conducted in accordance with the principles of good environmental management. The excavation is currently under way as a joint project between the National Parks Association and the Environment and Conservation Bureau. The objective of the project is to investigate the site for all early European artefacts and stabilise the homestead, so that it may be used as an example of a grazing property and shown to visitors as part of a guided tour. This Bill is related to scientifically conducted archaeological investigations of cultural heritage sites and wilderness zones. It is important that these investigations can go ahead with the appropriate controls, so that we can improve our understanding of the cultural heritage in the region and, in particular, the Aboriginal cultural heritage. I commend the Bill to the Assembly.

MR DUBY (Minister for Finance and Urban Services) (4.20), in reply: Mr Speaker, members will be aware that on World Environment Day, 5 June 1990, the Government announced the extension of Namadgi National Park to include the North Cotter, Mount Tennent and Blue Gum Creek. These amendments to the Nature Conservation Act are a further demonstration of the Government's commitment to the environment and to improving our knowledge of it.

Namadgi National Park is an important asset of the ACT, and the Government is committed to ensuring that it is afforded the best possible management. One of the ways in which the Government is improving this is by improving our understanding of the cultural heritage of the park and, of course, the Bimberi wilderness zone. Wilderness zones are declared under section 52 of the Nature Conservation Act, and section 59 of the Act specifically prohibits excavations in a wilderness zone. This is intended to protect the values in the wilderness area from being disturbed. There may be a requirement in the future to investigate the cultural resources of the Bimberi wilderness zone. At that time it may require a

scientifically conducted archaeological excavation to look at whether they are matters of Aboriginal culture or even post-settlement culture by white people.

The Government believes that the most appropriate course of action is to amend the Nature Conservation Act to allow for scientifically conducted archaeological excavations to take place. This Bill amends the Nature Conservation Act so that the prohibition on excavation in wilderness zones does not apply to excavations carried out as part of a scientific archaeological investigation with the consent in writing of the conservator of wildlife. The Bill allows for permits to be issued by the conservator of wildlife to organisations that can demonstrate that the archaeological survey is of benefit to our understanding of the cultural resources in that area, and that excavation is necessary. The organisation is required to rehabilitate the area once the excavation is complete.

Mr Speaker, the Bill as presented has no commencement date; it will commence from the date of gazettal. I am very pleased at the support given to this Bill by members of the Assembly, and I commend the Bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

AUSTRALIAN FEDERAL POLICE - MOVE-ON POWERS Papers

MR STEFANIAK, by leave: Mr Speaker, I table the following documents, which I think Mr Berry wished me to table when I referred to them during private members' business:

Australian Federal Police - Review of use of move-on powers -

Minute from the Office of the Chief Police Officer ACT region to Mr B. Collaery, MLA, Attorney-General, dated 17 October 1990.

Submission from Small Shop Owners Action Group.

Minute from Assistant Commissioner, Chief Police Officer, to Mr B. Collaery, MLA, Attorney-General, dated 8 August 1990, together with Annexes (8) relating to the use of move-on powers.

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ADJOURNMENT

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

That the Assembly do now adjourn.

United Nations Day

MR MOORE (4.24): Mr Speaker, I would like to take this opportunity on United Nations Day to make a couple of comments about the United Nations. I think it is appropriate for this Assembly, along with many parliaments throughout the world, to acknowledge the 45 years of the existence of the United Nations and some of the work that it has done. The United Nations began following a disastrous world war. It provided an opportunity to find ways in which people could work together, and it followed in that sense the failed League of Nations. I say "failed" in the sense that it had not been able to prevent a major conflagration from 1939 to 1945.

We still have major difficulties in the world. The United Nations is the main methodology we have for attempting to resolve those conflicts. We see them in the Middle East; we see outbreaks of wars in South America and South East Asia, and problems in Africa, including South Africa. I think it is with great hope that the people of the world look to the United Nations and expect the United Nations to be the main force in preventing any further major world problems.

When we see the military side of the United Nations, where forces get together, and when the United Nations reacts, particularly at the behest of major powers in an attempt to prevent war as in the Middle East, we ought to be aware of what I think is the much more important work that comes through the United Nations. That important work is the work of ensuring that the differences between nations and the differences between people are resolved so that they do not get towards the stage of going for armed conflict. It is about breaking down barriers. The United Nations has many agencies which work in various different ways to break down those barriers. To my way of thinking, that is its most important role and that is its most important function, and that is where we ought to be able to provide the support that it needs.

On a number of occasions in this Assembly we have had the United Nations Convention on the Rights of the Child brought up. It is those conventions that provide an opportunity for nations to work together for the betterment of people - in this case, children throughout the world. We have similar other conventions. One that I have become familiar with more recently is on psychotropic substances and narcotic drugs, which also has the intention of

ensuring that problems that face the world are able to be handled in a way that is agreeable to the nations that are working together in the United Nations.

I think it is important for us this evening to comment on the United Nations and to support its work. That does not mean we have to agree with everything it says and everything it does, because there is an opportunity for people to disagree. But while it exists, while people are still speaking, at least the opportunity exists for differences to be resolved in a logical and rational way.

MR SPEAKER: Before we proceed, I would just like to remind members that we have a CPA meeting on rising tonight.

United Nations Day

MR CONNOLLY (4.29): I rise briefly in the adjournment debate this evening, following Mr Moore's comments, to note United Nations Day today. Driving into the Assembly this morning it was very pleasing to see the pale blue flag of the United Nations atop City Hill. I am sure members will, as is usually the case in these debates, say nice things about the United Nations. It has become a tradition to do that annually. But this year more than most we can actually see that it is not just a pious hope for the United Nations to have a real role in world peace. We are actually seeing the breakdown of super-power tensions and the emergence of the United Nations in its real role.

Mr Speaker, Australia can be particularly proud of the part it has played in the United Nations. It was a key player in the negotiations leading to the formation of the United Nations and, of course, the Australian Labor Party is always proud, and has always been proud, of the role that Dr Evatt played in those early negotiations. Dr Evatt's proudest achievement, despite the enormous achievements of that great man - High Court judge, Leader of the Opposition for many years - was that he had served as first president of the General Assembly of the United Nations. I believe that his gravestone, which is here in Canberra, simply says, "Herbert Vere Evatt, First President". It refers to his presidency of the United Nations and that is the only office that is referred to. Australians were also rather involved in the League of Nations and the drafting of that covenant, but that is another story.

Mr Speaker, I rise, as members of my party and members of all parties have traditionally risen on United Nations Day, to salute the role of the UN, but this year more in real hope and real expectation than perhaps ritual hope. We have seen the United Nations this year and in the recent months playing the role that we all expected of it, and we hope to see much more of this.

United Nations Day

MR STEFANIAK (4.31): I, too, rise to acknowledge United Nations Day. Like Mr Connolly, I think that for the first time since the beginning of the Korean War we have some real hope for the United Nations. It, of course, superseded the League of Nations, which was a very discredited body which had no power. It was trampled over and its weakness was shown when the Japanese invaded Manchuria in 1931 and, again, when the Italians invaded Abyssinia in 1935. It was shown to be quite powerless - a sham.

Unfortunately, in its history, the United Nations too, because of super-power tensions, has been shown to be a sham. Indeed, a number of times the Soviet Union, at its aggressive worst until recent years, exercised its veto, especially in the Security Council, and showed just how much of a sham the UN could be. It has done some positive things, though, and now we have the real opportunity that Mr Connolly has alluded to, for the United Nations to be the world unifying force that people hoped it would be at the end of the very devastating World War II.

With relations between the two major super-powers, the USA and the Soviet Union, not only thawing but actually being quite friendly, for the first time since its inception, we have a real chance for the UN to be a very positive body and a very influential body in the world. I was delighted to see the action the UN very quickly took in support of efforts by most of its member states to counter Iraqi aggression in the Persian Gulf. I think the future augurs quite well for the United Nations because of the breakdown of super-power tension, and certainly any steps that can be taken for "jaw jaw" rather than "war war" in the world have to be encouraged. I think this is probably one of the most encouraging anniversaries of the UN. Let us hope that it can really be a unifying force and live up to its early promise.

United Nations Day

MR JENSEN (4.33): I would like to make some brief comments in relation to the UN. I would like to take a slightly different angle, in view of my previous background in the military service. I would like to comment on those members of the Australian armed forces who have served with various organised UN forces. I will start with those who served in the Korean War as part of the UN force there. Many, of course, did not return to Australia, and I think it is important to recognise their role and their sacrifice in that area and the sacrifice of their families.

I think it is probably also appropriate to mention at this juncture those members of the various Australian police forces around Australia who have participated in UN force operations in Cyprus. Some of them have, unfortunately, also been injured in answering the call of duty. I think it is appropriate to pause and reflect on those members of the forces of Australia, both military and police, who have served with distinction in the UN forces around the world. I would echo the comments made by Mr Stefaniak in the hope that with changing developments in world tensions, particularly in Europe, UN forces may no longer have to bear arms in conflict, and that arrangements may be made without the need for the force of arms and the subsequent loss of life that such activities often entail.

School Closures - Labor Policy

MR BERRY (4.35): Mr Speaker, I want to talk in this adjournment debate about some grossly inaccurate and misleading statements which have been made about the Labor Party's policy on the management of schools in the ACT. I have to say that Mr Collaery has, of course, persisted in pursuing this matter. The Labor Party's policy is clear, and this is what was read out by Mr Collaery some time in the not too distant past:

... no school will be closed or amalgamated unless the school community agrees.

Of course, Labor is serious about participation by the community. We are serious about empowerment of the community. We have promised to do it and we will do it. We promised, for this term, that no schools would close; but, of course, Mr Collaery has proven in the past that he is caught in some time warp at around about 1988 and cannot see the forest for the trees when it comes to the events of today.

Mr Speaker, I will read on to the record the Labor Party's policy adopted by the ACT branch at its most recent conference, so that it is very clear in the future and so that we cannot be - - -

Mr Wood: June this year, was it not?

MR BERRY: It was June this year, and it reads as follows:

Conference believes that the neighbourhood school -
which the Residents Rally allegedly supports -

is fundamental to local community identity and provides a focal point for community life. Neighbourhood schools are vital in providing a high standard of education because they are integral to their community.

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That seems to be something that the Residents Rally members of the Government have forgotten and turned their back on, even though they pretend to be doing something else. It continues:

The ACT branch of the Labor Party condemns the Alliance Government -

and all its factions -

for its decision to close neighbourhood schools. This decision shows total contempt for the educational needs of students, disregard for local communities and a lack of understanding of a central role that neighbourhood schools play in the social infrastructure of the Canberra community.

That is what these people stand for.

Mr Duby: Wayne, who wrote that, you or Sue?

MR BERRY: This Minister is good at his throw-away lines. All he is concerned about is the old snout in the trough; he is not interested in the future of schools in the Territory. The policy continues:

The Labor Party gives notice that on return to Government in 1992 it will impose a betterment tax of 200% on any school site made vacant by decisions of the Alliance Government -

and I include after that, "and all its factions".

Mr Speaker, this touchy lot opposite ought to be touchy, particularly the Residents Rally faction, because they are the ones who are responsible for the closures of the schools; they are the ones who are pretending that they are something which they are not; and they are the ones who are trying to mislead the people of places like Weetangera about the future of their school and what the Residents Rally will do in respect of schools.

Mr Speaker, the fact of the matter is, and I continue:

With the support and agreement of the school community and teaching unions Labor will reopen any school that the Alliance Government has closed, providing that the school building remains -

and that seems to be pretty important -

and will return multi-campus schools to individual school status.

Mr Speaker, that should clear the air in relation to the Labor Party's policy. Nobody opposite can equal that. It is a clear statement of the Labor Party's policy. Of course, the ACT UP people will not be able to zap Mr Collaery because they will not be able to find a spot to zap him. He zapped himself in both feet this morning.

Mr Jensen: Mr Speaker, in accordance with standing order 213 I request that Mr Berry table those documents from which he was quoting.

MR SPEAKER: Mr Berry, please table them.

Mr Jensen: All of them, Wayne; not just part of them.

MR BERRY: I table the following papers:

School closures -
Speech notes.

ACT Branch of the Australian Labor Party - Education motion for conference.

Mr Nelson Mandela - Visit to Canberra

MR HUMPHRIES (Minister for Health, Education and the Arts) (4.41): Mr Speaker, since we are reopening old debates - it seems to be a favourite pastime - I want to refer briefly to the debate about the granting of the key to the City of Canberra to Mr Nelson Mandela. I note, without comment, a newspaper report on 20 October on the subject of Melbourne's granting of the freedom of the city. The report said:

South African black leader Nelson Mandela has been granted the Freedom of the City of Melbourne - on the vote of an under-attended council meeting.

It made reference to the terms of the motion, which it seemed to me were rather paltry compared with the terms of the generous motion passed by this Assembly. It continued:

Only 16 of the council's 21 members were at the meeting last night.

That is a strange coincidence. That was exactly the same number as were here on that day when that motion was passed here. It went on to say:

At least two, Independents Cr Richard Meldrum and Cr Lyn Hatton, boycotted the meeting, saying Melbourne should keep out of international politics.

Another two councillors are in Leningrad on council business.

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Mr Speaker, we should seriously consider the relationship that the ACT might have with Leningrad and such exotic places in the future. The final paragraph I wish to quote gave me the heebie-jeebies because it said:

Cr Michael Moore submitted an apology, without explanation, for his absence.

I have to note that this is not the only occasion of a break-out of Michael Moores - he could be double dipping; he could be doing a job on the side. In fact, he could be doing a job on three sides because I notice that the present Prime Minister of New Zealand is a Mr Mike Moore, so perhaps he is doing a bit of a trans-Tasman midnight flit. Nonetheless, Mr Speaker, it is, in a strange way, slightly comforting to know that other cities also have problems with granting freedom of the city to particular international figures.

United Nations Day

MR COLLAERY (Attorney-General) (4.43), in reply: Mr Speaker, I get to my feet to commemorate United Nations Day on behalf of the Government. It is 45 years since 24 October 1945 and, as Mr Connolly said, Australia was among the prime movers in San Francisco at that famous conference. In concluding the debate Mr Connolly drew attention to Dr Evatt's great role in that affair and, as I have said before in the house, no greater monument in this country exists than that quite moving headstone in Woden Valley cemetery. It is just a granite rock that says, "H.V. Evatt, Son of Australia". It is a most extraordinary tombstone, and I would enjoin all people interested in peace and the aspirations that Dr Evatt had to go and visit that grave to commemorate this day.

Mr Speaker, the UN's primary objective is the maintenance of international peace and security. It is based on the principles of equal rights and self-determination. It seeks to foster good relations between nations in the broadest sphere, through economic, scientific and cultural cooperation. Certainly, the world is weary of violence. You have only to read the October newsletter of Amnesty International to see the level of violence and repression that exists in our community.

Mr Speaker, the ACT Alliance Government has moved early to support the UN Convention on the Rights of the Child, the International Covenant on Civil and Political Rights, and that dealing with the abolition of the death penalty. Certainly, we live in a happier world than do a great number of people elsewhere on the globe, and our Government is committed to furthering the aims of the United Nations - the aims of peace, the aims of reform in all of its good faces - whilst we are in government. Whilst the UN has attracted criticism in the past, it is certainly standing

up at the present for a number of issues of collective security and, at the same time, it has recently passed in the Security Council a motion condemning Israel for perceived problems on the West Bank and in Jerusalem. Those concerns are matters that all Australians and others should pay attention to, and note the United Nations initiative to investigate them.

Question resolved in the affirmative.

Assembly adjourned at 4.47 pm