



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

25 October 1990

Thursday, 25 October 1990

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

CULTURAL ACTIVITIES AND FACILITIES - SELECT COMMITTEE
Amendment of Resolution of Appointment

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

That paragraph (2) of the resolution of appointment of the Select Committee on Cultural Activities and Facilities be amended by omitting "by 25 October 1990" and substituting "as soon as possible".

Members will be aware that I am to present an interim report of that committee almost immediately. That has taken a considerable time. I will explain that shortly. We anticipate completing the report very soon.

Question resolved in the affirmative.

Performing Arts Facilities - Interim Report

MR WOOD (10.31): Mr Speaker, I present the following report:

Cultural Activities and Facilities - Select Committee - Performing Arts Facilities - Interim report, dated October 1990.

I move:

That the Assembly takes note of the report.

Mr Speaker, it should be obvious that this report has taken a considerable time to prepare. I believe that the time we have taken is justified. We have considered what facilities will occupy a central and important parcel of land in the ACT - that land being the area across the road circling City Hill. It is certainly a prime piece of real estate in the ACT.

Decisions that will be taken will determine what is on that central site for 50, maybe 100 years. So, the committee has to get it right. It has earlier been decided that cultural facilities will occupy that site. Within our committee, we have determined that the cultural facilities to receive priority will be a territorial library, an art

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gallery and museum, and heritage space. If the Playhouse is to be demolished as part of the casino project, obviously its replacement must take first priority. Members will note that we do not recommend a major new theatre complex. That, perhaps, will be a point that needs some elaboration. Members may recall that over the last few years quite a wish list has developed about what should go on that site. At various times - and I think the library was the first to receive a mention - there have been comments from members of parliament that if the casino project were to go ahead we would get facilities of the nature of a library or gallery or a new three-theatre complex and a new Civic Square.

As I checked the documents as part of my membership on the casino inquiry, it was clear that no promises were ever given. The politicians at the time were politically careful and there was no promise of anything; more an example of what might be provided from the premium from the casino - a wish list. In total, that added up to something over \$100m. In the end the committee decided to take no note of what had been proposed beforehand and to take no particular account of the casino project and what income might be generated for capital expenditure from that.

We decided to report - and that is why we are reporting ahead of any report from the special projects group - firstly, on the basis of what Canberra needs and, secondly, on what Canberra would utilise. That is very much the basis of our report. We have not gone for any proposal for some massive edifice or some monument over there that may be infrequently used. So, we have decided that there will be no major theatre complex.

There have been three reports in recent years - and this report indicates which they are - elaborating on the need for a theatre complex. The most recent of those, the Murray Edmonds report, was required to comment on the need for theatre spaces. We have rejected the findings of that report. We believe it is not realistic and it is certainly over-optimistic. We have laboured long and hard for such an important decision as this, a decision that rejects what has been an expectation held by many in the community. I think it justifiably demonstrates why we have taken a long time to make this decision. We have considered this most carefully, and I believe we are making the correct decision.

Mr Speaker, we have a good theatre facility over the road now. Twenty-five years ago it was the first and the best in the ACT. It is still a good theatre complex, though it is rather dated. Figures taken indicate that attendances at that theatre have been falling for many years. That is certainly no fault of the Canberra Theatre Trust or of the theatre management. It derives from other sources, which are three in number. Firstly, there is competition from venues completed in recent years, venues such as Llewellyn Hall, Bruce Stadium and the Theatre Royal. While these are

not theatres, they nevertheless take performances away from the Theatre Centre, and it is our intention that we should not duplicate facilities. If there are facilities in the ACT that handle performances, we do not need to spend millions of dollars replicating them.

Secondly, the Theatre Centre is having some trouble in attracting all the shows it would wish because of technical limitations such as the size of the stage, the size of the fly tower, and so on. We have listed those. It is also, according to many, not quite the right size. There is an argument, which I accept, that we need 2,000 seats in order to provide an economic theatre, so that we can attract the crowds and get the shows in and out quickly and in that way be economic. Thirdly, there is another factor which causes troubles to the Canberra Theatre Trust, and that is a policy of the major funded and non-funded touring companies, which now require that the Canberra Theatre Trust underwrite the risk of any venture. Some of the non-funded ones, supposedly entrepreneurial, seem to wish to take no risk at all. Obviously the theatre company cannot accept the considerable risk that is often entailed.

For these reasons, while the Canberra Theatre Trust is continuing to provide high quality entertainment, it is nevertheless finding it difficult to attract all the shows it would wish. We believe that the construction of a 2,000-seat lyric theatre, though it would bring increased productions to Canberra, would not bring them in sufficient numbers to justify the very considerable expenditure that that theatre would entail. There was an expectation that there would be an 800-seat theatre specifically for drama, and we recognise that as a very high priority. There have been suggestions that perhaps the existing theatre could be remodelled to take 800 only, but we believe we cannot justify pulling 400 seats from the present theatre to enable the creation of a more specialist theatre.

The Canberra Theatre is filled beyond 800 seats on many occasions and it serves adequately, if not perfectly, as a drama theatre now, so we did not propose a replacement drama theatre of some 800 as has been frequently expected. It may be that the Playhouse Theatre will be demolished. I would regret that. I think that, if we could have our time again, that would be seen as unnecessary. If it is demolished as part of the casino project, it would need to be replaced as a matter of high priority.

Mr Speaker, my colleagues on the committee, Dr Kinloch and Mr Stefaniak, may have something more to say about the Playhouse, and certainly the Link theatre space which we wish to keep. I will conclude by making greater comment on those matters that we have recommended, or that we have flagged that we will recommend in our substantive report, as providing the cultural precinct, at this stage, on section 19.

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There is no question that this city needs its own State-type library to carry out a range of functions that are not provided at the moment. We are under considerable pressure from the National Library to take over what are legitimately Territory functions. We need a library, not just the municipal-type library, but a State-type library that will function for Canberra citizens. As an associated development, and very much integrated with it, we need some art gallery space - not of a major nature at this stage - and some territorial museum space and heritage space combined.

These are matters of some importance. We have to take steps in this direction to provide Canberra with the sorts of facilities that all States have, and these are properly matters that will benefit - if there is to be a benefit - from the casino project. We will have more to say about those matters in our major report that we now indicate is not far away.

Mr Speaker, as is customary I want to thank the members of my committee who I believe have worked very hard and with some anxiety, as they have shared the anxiety about making quite significant decisions. I want to thank the secretary of the committee, Mr Ron Owens, who has guided us through that research effort. I believe that what we are recommending here today is quite significant. The recommendations also point to the need for a unified plan for that whole area. Further developments should not be piecemeal, but should be part of a total coherent total cultural precinct. I will allow my colleagues to elaborate on that or on other points.

MR STEFANIAK (10.43): Firstly, may I start by endorsing the comments of our chairman, Mr Wood, in relation to our committee secretary, Mr Ron Owens. I will add my personal comments in relation to the three gentlemen I worked with on the committee - the chairman, Mr Bill Wood; Dr Kinloch; and our committee secretary, Mr Ron Owens. It was a pleasure to work on this committee, Mr Speaker. We certainly did deliberate long and hard and worked very hard over a number of months to bring down this interim report. At no stage was there any real problem on this committee, and it was certainly a pleasure for me and an honour to be part of it. I intend to speak on only a couple of points because our chairman, Bill Wood, has covered the general thrust of the report very ably.

Mr Speaker, as a result of the committee visiting State theatre complexes in Adelaide, Brisbane, Hobart and Melbourne, it became quite obvious to us when we looked at the usage of the Canberra Theatre, at the size of Canberra and at the cost of those theatre complexes and also at the numbers of persons visiting those complexes, that at this stage in Canberra's development a 2,000-seat lyric theatre really would not be an economically viable undertaking for the ACT Government. That is not to say that a 2,000-seat

lyric theatre should not be built in Canberra, and the committee looked at other ways in which such a complex could be built. Those are addressed in the report.

For this Assembly to embark upon building a 2,000-seat lyric theatre really was not on; the numbers in Canberra simply would not justify that. We gained that idea fairly early in the piece when we visited the cities I have mentioned and looked at their operations. Running a theatre, especially a large theatre, is a very costly business. I think the complex in Melbourne is probably the most cost-effective, and it still gets back only about 83 per cent or so of the money needed to build and run it. Even in the larger cities occupancy rates are not perhaps as high as the managers of those theatre complexes would wish.

As the chairman indicated, Mr Speaker, we prepared this report separately to whatever happens to section 19, although I suppose we had to be mindful of the possibilities of what might happen in relation to section 19, hence some of the recommendations we made at times were prefaced by what could happen on section 19. In relation to the lyric theatre - points 3.18 to 3.23 - we looked at the possibility of what could occur there in the future and we supported the views expressed by the manager of the Canberra Theatre in the evidence he gave before the committee. He said that one of the committee's tasks should be to set the parameters for a blueprint for a future theatre development in the Territory. We were informed that the complex as a whole should be planned, and that was certainly a view the committee supported. Although it is our view that a large lyric theatre cannot be sustained by the Territory at this point in the Territory's development, that does not preclude the Government from making a serious long-term commitment to a lyric theatre; nor does it prevent important planning decisions being made now.

There were, however, not only local but also national needs that have to be addressed. Canberra is, after all, the national capital, and we gave some detailed consideration to the national aspects of the performing arts in the Territory. We were surprised to learn that Canberra is one of the few national capitals not to have a national performing arts venue of some kind. The committee was concerned about this lack of a national venue, and we believe that perhaps the Territory Government should approach the Commonwealth Government concerning the construction and maintenance of a national lyric theatre in the Territory. This would provide the national performing arts venue that is currently lacking in the Australian cultural scene, and a facility for all Australians, especially the over one million tourists that visit our national capital each year. Accordingly, we recommend that the Government ask the Commonwealth Government to construct

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and maintain a national lyric theatre, and that the Government also encourage any proposal to elicit national or local support for the development of a national lyric theatre.

That, of course, leaves open some of the proposals floating about in relation to section 19, should those proposals still be there. But the bottom line is certainly that a lyric theatre is something the Territory itself simply cannot afford. I am not going to dwell on any other part of the report, because Dr Kinloch is going to speak on some other specific areas and Bill Wood has already given a broad overview. But I will talk briefly about the Childers Street theatre.

This is a very popular little theatre situated in an area of Canberra that logically at some future stage is a prime candidate for redevelopment. It is sitting on prime real estate, and the committee appreciated that perhaps that area would be redeveloped not before too long, simply because of where it is. Accordingly, we saw the need for that theatre to be refurbished but that should be done at minimal cost and it should be available for use by community theatre groups. We felt it best that the management of that theatre should be vested in a management committee, comprising members of those groups using the theatre. As an interim measure, that theatre should be made available for use by community theatre groups, subject to the appropriate fire and safety regulations and by-laws which are applicable to that complex. The cost, I think, should be minimal in relation to refurbishing that theatre, because in all probability at some future stage those buildings there will be demolished. Some very good redevelopment could go on there, and I would imagine that in the long term whatever redevelopment took place would incorporate a small theatre to replace the existing Childers Street theatre.

The committee will continue to work in relation to other cultural facilities to be provided for the Territory. I look forward to participating further in the committee, and to our next report in relation to other cultural facilities.

DR KINLOCH (10.49): I join with Mr Wood and Mr Stefaniak in thanking our staff, especially, of course, Ron Owens. We all felt a great sense of involvement in this project, not least, of course, because we spent many hours on the road together. I want to stress that, although we take the greatest interest in all committees. The three of us, with our committee secretary, felt very much concerned, as we went from place to place, about what lay ahead for the future of the arts facilities in the ACT. To some degree we joked about this; we had visions of the Bill Wood theatre and the Bill Stefaniak library, and perhaps the Hector Kinloch toilet block, but we were thinking about the twenty-first and twenty-second centuries. In due course, what we are on about is what this Territory, this city,

this national capital, will have for its cultural facilities, and the committee secretary had the same stance. In other words, we were concerned about the vision of the city for the future.

I endorse what my two colleagues have said. This is a unanimous report; we had relatively little disagreement in coming to these conclusions. Although some of them do seem to be contentious, they were not contentious for us by the time that we arrived at our final conclusions. Although some of us might have had different points of view at the beginning of the process, we were unanimous by the end. Let me talk briefly again about that vision.

Mr Stefaniak has already indicated that sections 3.18 to 3.23 relate to the possibility of a national theatre. I would just want to add this comment: who would have thought that our city would ever have had in it a national gallery of the dimensions and extent of the one across the lake? It is extraordinary for a city of a quarter of a million. But, of course, it is not being built for a quarter of a million; it is being built for the 20 million or 25 million people of Australia. Similarly with the National Library; how fortunate we are to have these national institutions.

The question of the national theatre I believe is in that same area. We do not have the population to justify the 2,000-seat theatre that we support. It is not economically feasible, as any careful look at the evidence reveals, especially that chart on page 8. But, if this is put in the same relationship to Canberra as the National Gallery and the National Library, then a wonderful national theatre surely should be on the drawing boards eventually. It is something the nation needs and might eventually afford, although perhaps this particular year is not the happiest time to be dealing with it.

I come to some of the short-term issues that Mr Wood has already raised, and come again to the question of Childers Street. We are dealing here with some immediate problems, as indeed the department of the arts is dealing with those problems. I note that the department of the arts is currently circulating a discussion paper on small-scale performing arts spaces, and our committee and the options in that document are really very close. We have to come to the recognition that the Tau Theatre has been destroyed and that there are other small theatres that do not have adequate space.

I would like to reflect on what we saw when we went to Childers Street. It is not in such a state of neglect as I had been led to suppose. It is still a sturdy building, but there are serious problems related to fire hazards. At first sight you would think it was a very poor quality building; but we understand that, given enough basic refurbishing, it could become a useful theatre for the sorts of needs that small groups have for the next five, 10

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or 15 years while other matters are discussed and other plans are made. We would all urge that this recommendation about Childers Street is a short-term recommendation. It does mean that the whole Childers Street area needs to be looked at in a planning sense, and I look to several of my colleagues here. We are not trying to close off the possibility of planning that entire site; it is just that there are some immediate needs and those needs need to be met. At some point there will be a whole new development on that site. I am making a distinction between the actual theatre itself, with "Fortune" painted on the roof which needs refurbishment, and the entire complex. We are not in the business of suggesting that we replan the entire complex; that is a larger concern for all of us in the Territory. I do believe that such groups as Tau, Eureka, Jigsaw and other groups would rejoice if we could provide them with a solution to the problems that presently face them. To be sure, a better option would be if we had enough money to clear the site and build a new theatre. We are faced with cost problems and problems of time - all the time that it would take to do that - meanwhile there could be some relatively fast refurbishment of a usable theatre for that kind of activity.

I would now like to reflect on the Playhouse, as Mr Stefaniak noted, and I turn your attention to pages 12 to 13. In all discussions the question would come up, "Will the Playhouse be demolished?". People would say, "The Playhouse is going to be demolished". We kept hearing this. But always in every group, perhaps with one or two exceptions, there would be the feeling, "What a pity that the Playhouse has to be demolished". Those of us who have been there will surely agree with that. It is a delightful small theatre; it is effective for the kinds of productions that are put on there; and it is certainly one of the more comfortable theatres in Canberra. Comparing it with certain others - and I had better not mention them - some of us can barely sit in them, given our size. The Playhouse is a comfortable, appropriate theatre for certain kinds of small productions. Some of the actors who have worked there like it as a theatre; they think it is a good working theatre; they are not worried about some of the technical problems that are indicated at point 4.10. Those technical problems, of course, do exist; we would not for a moment suggest that they do not. Some of the people in theatre, however, suggest that not all of those things need to be done - it may not have a fly tower, there may not be adequate wing space, but that depends on the kind of production that is put on there. At least one theatre said that it was ideal for their purposes.

Another problem related to getting rid of a small theatre and putting up an expensive new theatre is that the small groups - I want to stress this and underline it three times - are very worried that, if a large and expensive theatre with all kinds of technical facilities is put up, they will not be able to afford to hire it for the productions they wish to put on. In some ways they like

the Playhouse, with its lack of technical excellence, because they can afford it for many of their productions. It is an excellent little theatre and we have made many comments about it. We do, of course, recognise that, if some other decision were to be made in some other place or in this place that would lead to its destruction, it would, of course, have to be replaced with a new theatre.

There are some of us who would be distressed about that, but that is a personal matter. We would raise the question, as is raised here: what is theatre? Theatre is not bricks and mortar and technical buildings, although you certainly need those. Theatre is what can happen on the street or in any building or in any location where imagination and creativity take place with human beings in a number of situations which can be described as drama. Surely, the Playhouse has represented that. So, we are unanimous in endorsing the usefulness and value of the Playhouse and regret any suggestions that it be pulled down.

I now come to the question of what has been promised. I would point out that public opinion surveys done by the casino inquiry under Geoff Caldwell were done on the assumption that there would be a territorial library and so-called lyric theatre in return for sanctioning a casino. (Extension of time granted) The assumption in those surveys - I wish I had one in front of me - was something like this: given that the public would receive a territorial library and a lyric theatre, would you approve of, et cetera, et cetera. That assumption was there, no matter what promises would be made. I suspect that, if you asked the people who have been following this matter for about two years what would be received and returned for a casino, they would say: a library and some theatres.

Finally, I would like to come to this question of a territorial library. We will be raising this again, of course, as we come to the conclusion of the report. May I stress, though, at this point that we are not talking about some larger version of what is now in the North Building. We are not talking about one branch of the ACT library system, not even a super luxury branch perhaps to be compared to that marvellous branch in Tuggeranong, which surely must be one of the most attractive libraries in the whole of our city. This territorial library is to be a necessary part of the very fact that we are a separate State and/or Territory under self-government.

The National Library has reached the point where it is telling us that it cannot continue to service us in the same way that it has been doing in the past. Indeed, I understand that questions were even being raised about readers' tickets. The National Gallery and the National Library have national roles, as one day the national theatre will have a national role. We have to find a way to fill that gap, to create a State/territorial library which is comparable to the State/territorial libraries in

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other parts of Australia. We especially looked at Hobart - and I had a chance to look at Adelaide and other members of the committee went elsewhere - where there is one central reference and administrative library for the entire city. We have put considerable stress and will be putting considerable stress on that as a prime target for any future development - a future development with or without a casino.

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

ADMINISTRATION AND PROCEDURES - STANDING COMMITTEE
Alteration of Reporting Date

MR SPEAKER, by leave: I move:

That the resolution of the Assembly of 19 September 1990 concerning a proposed Standing Committee on Ethics be amended by omitting "no later than 1 November 1990" and substituting "by 11 December 1990".

Mr Moore: I would like to know why.

MR SPEAKER: The situation is that my staff are still carrying out investigations to enable a presentation to the members of the committee such that they can take a valid and reasoned decision on the issue.

Question resolved in the affirmative.

DAY OF NEXT MEETING

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

That the Assembly, at its rising, adjourn until Tuesday, 20 November 1990, unless the Speaker fixes an alternative day or hour of meeting on receipt of a request in writing from an absolute majority of Members.

CARELESS USE OF FIRE (AMENDMENT) BILL 1990

MR DUBY (Minister for Finance and Urban Services) (11.04): Mr Speaker, I present the Careless Use of Fire (Amendment) Bill 1990. I move:

That this Bill be agreed to in principle.

On 26 July 1989, during questions without notice, my colleague the Chief Minister, then the Leader of the Opposition, raised the issue of the protection of volunteer

firefighters from common law legal actions resulting from legitimate activities that may be undertaken during bushfire suppression. The main purpose of this Bill is to address that issue by providing statutory reassurance to volunteer bushfire fighters of the Government's commitment to ensuring the maximum indemnity cover possible.

In addition it provides reciprocal cross-border protection provisions for bushfire fighters and allows for the creation of an organisational structure which recognises and provides for the coordination of all the Territory's bushfire fighters. The Bill also addresses management responsibility for fire prevention and fuel management by placing a legal obligation on landowners, which includes the ACT Government Service as the Bill binds the Crown in the right of the ACT, to exercise sound bushfire prevention practices in the way they manage the land under their control.

This obligation is supported by providing inspectors, currently appointed under the Careless Use of Fire Act 1936, with the powers to inspect fire hazardous areas and, through the Chief Fire Control Officer, recommend action to be taken to ameliorate the identified hazardous situation. At present all bushfire fighters are legally covered for damage that may be caused in extinguishing a fire, but are not obviously indemnified from costs or legal action that may result from injury and subsequent common law legal action that may occur as a consequence of such fire suppression action.

This circumstance exposes the ACT bushfire fighter to possible legal action and costs that are not clearly provided for within the current protection provisions of the Act. This is a most unsatisfactory situation if we wish to maintain a volunteer firefighting force within the ACT. This Bill corrects that anomaly, and brings the protection of bushfire fighters acting in a bona fide manner in line with the provisions that apply in every other mainland State or Territory within Australia.

Volunteer bushfire fighters are obviously important in providing the level of protection from wildfire that most of us have come to expect. However, a volunteer firefighting organisation is currently not recognised within the provisions of the Act, although such a very efficient organisation exists. This curious anomaly is rectified within the Bill by providing a means to give such recognition and powers to a rural firefighting service. The structure, functions and powers applying to the rural firefighting service will be defined in a rural fire control manual. The manual will be a disallowable instrument under the provisions of the Subordinate Laws Act 1989. The Bill allows for six months from the commencement of these amendments for the Bush Fire Council to prepare such a manual.

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In 1985 the ACT and the adjoining Yarrowlumla Shire experienced the impact of one of the worst fire seasons on record. A shortcoming identified after that season was the lack of legal protection for New South Wales firefighters entering the ACT, although ACT firefighters were fully protected legally when they entered New South Wales under New South Wales bushfire legislation. Obviously fires do not recognise borders; therefore it is essential that every effort be made to ensure the highest level of cooperation and dispel any confusion during such emergencies. This cross-border anomaly is rectified within the Bill. The Bill also addresses the term of office of the Bush Fire Council by extending the term from one year to three years, and providing for the chairman and deputy chairman to be appointed by the Minister. I commend this Bill to the Assembly. I now present the explanatory memorandum for this Bill.

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

CONSUMER AFFAIRS (AMENDMENT) BILL 1990

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

That this Bill be agreed to in principle.

MR CONNOLLY (11.09): Mr Speaker, the Opposition supports this amendment to the Consumer Affairs Act. It is, as the Attorney-General explained in presenting the Bill, essentially a mechanical amendment which makes changes that are consequent upon self-government. While at first glance there may appear to be grounds for opposing this Bill in that it is replacing a statutory advisory council, with real power to issue notices in relation to consumer products, with a purely advisory body and vesting power in the Minister, in truth that type of advisory council is no longer appropriate in a self-governing Territory.

In the pre-self-government era it was appropriate for powers which affect the public to be vested in community bodies so that the population of the Territory had some say in the exercise of those powers. Now that we have a self-governing body politic in this Territory it is more appropriate that that type of power which would be vested in a Minister in the other States or Territories be vested in that Minister who is in turn accountable to the Assembly.

It is pleasing that while making this mechanical change provision has been made for the retention of an advisory body. The Opposition has long stressed the need for consultation and for more open styles of government - a subject canvassed at some depth in the Leader of the Opposition's noted speech at the Canberra University this year. Generally Opposition members support more open and

advisory styles of government, but in the circumstances of this amendment we are happy to accept the abolition of a statutory community body and the vesting of powers in the Minister.

That being said, Mr Speaker, the Opposition remains disappointed that it has been presented with a Consumer Affairs (Amendment) Bill that is purely mechanical, rather than the long-awaited and, we have to say, long-promised substantial reforms to consumer protection laws in this Territory. Opposition members still await the tabling of such legislation by the Attorney-General. That being said, Mr Speaker, we support the Bill now before the house.

DR KINLOCH (11.12): Certainly, the Government would endorse most of Mr Connolly's remarks. Government members too, of course, would like to see full, complete, thorough consumer legislation, but meanwhile we have this particular Bill on this particular topic. So, I would like to support the introduction of the Consumer Affairs (Amendment) Bill.

The Bill, as Mr Connolly has already suggested, replaces the existing Consumer Affairs Council with an advisory committee which is appropriate for a self-government situation. This is a welcome measure, as the original council was not designed to suit the circumstances of self-government. The Consumer Affairs Council and its functions were designed, in part, to compensate for the lack of representative government in the ACT. Now, as we have self-government, it is time to introduce these amendments. These will enhance the advisory role of the new committee and remove the resulting duplication of functions which existed between the council and the Consumer Affairs Bureau.

Given the new arrangements, may I hope - and I would lay this before my colleagues and, indeed, before the entire Assembly - that the advisory council will in future include on it adequate representation from those members of the community who are over 65. I would remind us all that we have, over the past year and a half, been concerned about the needs of the ageing. One of the areas that are particularly important for the ageing - and we are all ageing, but I am thinking of people over 65 - is this very considerable area of consumer affairs. There are new needs, new problems and new challenges for this growing area of the population of the ACT.

At the moment the new advisory committee has members appointed by the Government. Committee members have, in fact, already been chosen, with the committee meeting twice informally. The members do represent a wide range of consumer and trader interests, but I do ask that that over-65 question be considered very carefully in future. Thus both consumer and industry groups will have direct input to the Government on consumer affairs issues and policies, which is a great gain to all of us, both community and Government. This arrangement allows great flexibility which will make the committee a valuable tool.

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Members can be and have been chosen to represent areas that are of concern to the bureau. Of course, new ones come up all the time - and let us think about petrol prices. In this way the committee will work alongside the Consumer Affairs Bureau. We have already seen one benefit of this. Last week Jennifer Needham was appointed to the committee. She has expertise in the area of environmental markets. As you would be aware, this is a new issue that is of growing concern to the Government and, I hope, to all of us. Now that Ms Needham is on the committee the Government has an adviser close at hand.

The Act, as amended by this Bill, will also allow for the establishment of other committees for specific issues for temporary purposes. Here again there is the question of the aged. I am rather honing an axe here, am I not? This flexibility is simply not present in the Act as it stands, and I hope it will be in the new arrangements. A further advantage of this committee, Mr Speaker, is that it is more cost-effective than the existing council, as members of the committee volunteer their time. This advantage is not one that any of us can afford to overlook. Thinking of that volunteer effort, often people over 65 are the ones who are best in a position to do that.

MR STEFANIAK (11.15): Mr Speaker, I, too, would like to bring the advantages of the Consumer Affairs (Amendment) Bill to the attention of the house. The Consumer Affairs Council had, as one of its functions, the responsibility for the banning of dangerous goods and the prescribing of safety standards in relation to products. With self-government it is appropriate that such matters should be in the hands of the Minister who is accountable to the electorate and advised by the Consumer Affairs Bureau, rather than by a body of government nominees.

Before self-government it was appropriate that these matters should be dealt with in this manner because the Federal Minister responsible was not close at hand. However, the ACT now has its own representative and responsible Government and the old structure is no longer applicable. The ACT Consumer Affairs Bureau is now a member of the New South Wales product safety committee and has always had a product safety officer. Thus it stands to reason that a Minister should be responsible for product safety. The council duplicated, in part, the work of the Consumer Affairs Bureau. It is also appropriate that matters such as consumer education, consumer investigations and inquiries should be the responsibility of the Minister who is here in the ACT and who is accountable.

Mr Speaker, there is one last issue that I would like to address, and that is that these amendments will update and rationalise the penalty provisions of the Act. The original Consumer Affairs Act was introduced in 1973. The penalties have not been increased since then and therefore are unrealistic and out of date. The Consumer Affairs Act imposes penalties in three areas: people administering the

Act who divulge information face a maximum penalty of \$5,000 or two years imprisonment; those who hinder or obstruct the administering of the Act could pay \$1,000 or face six months imprisonment - the penalty for the offence is \$5,000 for a company; and the penalty for breaching product safety orders or standards will be raised to \$5,000 or two years imprisonment for an individual, and \$25,000 for a company. Those penalties need to be introduced if ACT law is to be consistent with penalties in other jurisdictions and with sound legal policy.

MR COLLAERY (Attorney-General) (11.17), in reply: Mr Speaker, I thank members for their comments, I thank the Opposition in particular for supporting this Bill, and I thank Dr Kinloch for that useful observation about representation for those aged over 65 years. Members will recall that one of the first amendments moved to a Bill in this Assembly was that moved at the behest of Dr Kinloch to exclude the age discrimination which still pervades much of our legislation. It concerned those who may be appointed to statutory committees and the like who are aged over 65 years. That was a discriminatory device and the Assembly - largely unreported - adopted that recommendation unanimously and agreed to it.

Mr Speaker, Mr Connolly mentioned that the Government had not brought forward major consumer reforms. He was not specific; but, if the Opposition had allowed the Government to table its legislative program when it offered to, the Opposition would have known, of course, that a whole variety of instruments are scheduled in this area. My colleague Mr Humphries has foreshadowed amendments to the pure foods legislation and the rest, and the Government has moved decisively to appoint Jennifer Needham to this consumer committee. She has had practical working experience both as a retailer in a health food store and as a person who is well attuned to the organic farming, organic food issues that currently attract many Australians, and also to the environmental marketing issues, particularly the marketing issues involving deceptive advertising and deceptive packaging of products. Sometimes a false appellation is placed on some product, such as the use of green spots when the product itself does not have any involvement at all in organic production or preservation of the environment.

Mr Speaker, I have sought advice from my office in relation to the question as to whether the current committee has anyone aged over 65 years. I am waiting for that advice. Mr Speaker, the explanatory memorandum for this Bill has indicated to the Assembly and to the Canberra public that the Alliance Government is committed to areas such as consumer education, consumer investigations and inquiries. The main role of the Consumer Affairs Bureau is principally in the areas of education and regulation. Certainly in recent weeks the bureau has put a lot of work into monitoring the price of petrol, for instance. It also determines whether there are any issues that need to be

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examined, either in the context of the activities of the Prices Surveillance Authority or in the context of our own regulatory controls.

Mr Speaker, in recent months I have attended a meeting of the Consumer Affairs Ministers. There the ACT played an important role in bringing forward uniform credit legislation for this country and there the ACT signed a national protocol on uniform trade measurement issues and legislation. The Government has introduced the door-to-door trading legislation to the Assembly and, as members are well aware, the Government is moving forward with the fair trading legislation in the commercial tenancy arena as well. Also, the Government has referred the very strong consumer issues to do with landlord and tenancy reform to the Law Reform Committee, and I could go on. Another area is the control of tobacco absorption. There the Minister for Health has moved decisively, with the support of the Opposition, to look at those consumer issues. As well, the Government is paying close attention to the under-age drinking aspects of liquor sales and to liquor regulation itself. Importantly, the Social Policy Committee of this Assembly has taken on a vital new reference to do with youth behavioural issues.

I cannot see any substance whatsoever for Mr Connolly's trite throwaway line that this Government is not looking at consumer issues. There is a very strong consumer platform and a very strong and vibrant Consumer Affairs Bureau. The public servants are working so hard, as members know, and those who read the press - particularly the village press, as I could call it - know that the Consumer Affairs Bureau is responding well to the requirements that this Alliance Government has placed. So, it is with great pleasure that I respond to Mr Connolly decisively and overwhelmingly on that trite criticism. Nevertheless, I thank the house for its support for the Bill.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

MENTAL HEALTH CRISIS CARE SERVICE Ministerial Statement

Debate resumed from 12 September 1990, on motion by **Mr Humphries**:

That the Assembly takes note of the paper.

MR COLLAERY (Attorney-General) (11.24): The issues before the house in this debate are very broad. Mr Berry stood in the adjournment debate recently and used the situation and condition of a named person in the community for political

benefit. I thought that was one of the lowest performances I have seen in the house. To the great credit of the Government, no-one responded to the use of that troubled youth's name and the situation of his family. That issue is being resolved on an amicable basis.

Mrs Grassby: It was reported in the Canberra Times, for God's sake.

MR COLLAERY: Through you, Mr Speaker: if Mrs Grassby wants to adopt the standards of all journalism in this Territory she is entitled to, but this Government will not.

Mr Moore: Are you attacking the hardworking journalists of this Territory?

Mrs Grassby: Are you attacking the Canberra Times again? The Government is always attacking the Canberra Times.

MR COLLAERY: Through you, Mr Speaker: I would never attack the hardworking journalists of the Canberra Times. I might have something to say to the editors and chiefs of staff, though; but that is not for this debate.

Ms Follett: Why not? It is about mental health.

MR COLLAERY: Ms Follett interjects and says that I should, because this debate is about mental health. I will let her address those issues directly to those persons. I am not here to malign the mental health of our editors and chiefs of staff.

Mr Berry: You should seek some counselling, I think.

MR COLLAERY: Mr Berry, of course, has a strong interest in the counselling services in the mental health area. Too bad he did not have a strong enough interest when he tried to influence his left faction in the budget last year, because he gave some paltry sum for 24-hour mental health relief that would not have bought more than a few upholstered couches. The fact is that we were left to carry that can as well, out of the tizzy little cosmetic budget that Ms Follett brought down. That tizzy little budget left out a heap of things, as we know, in a whole range of areas. The voices are out on this one because they are sensitive. They really rise every time I get to my feet these days. It is tremendous to see them, and certainly it is an apt subject on which to have them perform.

Mr Deputy Speaker, I support wholeheartedly the measures recently announced by my colleague Mr Humphries. Yesterday I had the experience of speaking to a skilled, renowned and well known mental health crisis interventionist worker from New South Wales during one of the Assembly adjournments. That person, who has been down here for an important meeting in our region, discussed with me in detail the initiatives that Mr Humphries is taking and those of my department, with its overlapping care responsibilities in

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the intellectual disability area. We are trying to pick up the loss of the seven months while the Follett-Whalan axis was in power. That has put us behind in self-government. Self-government started on 6 December 1989; we are here to stay and this is a further plank in the platform we will go on at the 1992 election.

Members interjected.

MR COLLAERY: The Opposition makes fun of it being a plank, but I assure its members that mental health is of vital importance to the community. It is not a thing to be joked about as the Opposition is doing here today - or some of the Opposition. I exclude Mr Stevenson and I note that Ms Follett has once again vacated the Assembly.

The mental health crisis service will complement another initiative which was recently announced in the 1990-91 budget context - the adolescent day care unit. How many times over the past 10 years have people who knew something about this area asked for psychiatric day care for troubled adolescents and youngsters? When did the Federal Labor Government respond to that? The answer is never. And did the Follett Government respond to it? The answer is no. It was left to the Alliance Government to fund that psychiatric day care centre through its troubled budget. We did it, and that day care centre will be one of the two examples of areas where we are going to work closely with agencies in providing a new network of specific services for young people.

The adolescent day care unit is expected to be developed progressively over a three-year strategy. It will be run by a committee, with a wide-ranging membership of government agencies, such as mental health, welfare and education, and community agencies. The unit will focus on maintaining the strong community links that I believe are a feature of our Alliance Government. Contrary to some perceptions that have been put about by the Opposition, these links will bring us back, in recognition, in 1992. The operations of the adolescent day care unit and the unit proposed by my colleague Mr Humphries will be aimed at plugging gaps in the provision of existing services, particularly for those people experiencing severe emotional and behavioural problems in the ACT.

Many community agencies have contacted us, and quite a number have congratulated our Government for recognising the need for the unit, for providing pragmatic funds and for providing the support services to go with it. The unit will provide a daytime therapeutic environment for young persons aged between 12 and 18 years, particularly those experiencing severe emotional and behavioural problems. It will have a focus on different models - for example, educational, vocational or recreational - to assist those young people to return to work or school, or to pursue other alternatives. Mr Berry knew that was in our budget, yet he stood in the adjournment debate to take a few quick,

sharp, nasty points off a Canberra Times article which was balanced and well reported. Mr Berry tried to convert that journalist's script into a suggestion that it was an attack on the Government.

Mrs Grassby: Boomerang again.

MR COLLAERY: And, of course, we hear those hollow calls from the other side that it is a boomerang. That is another term that we first gave to them.

Mr Deputy Speaker, this model that we are developing, particularly for those with severe psychiatric disturbances, will be complemented by the proposal announced by my colleague Mr Humphries. The mental health crisis care service will mean that at any time of the night or day intervention is available for those people who are troubled, emotionally and severely, by a trauma, a deep event in their lives. Those of us who have worked in the community sector know what terrible grief, or a terrible trauma, or a terrible breakup can produce at any hour of the night or day. People need to be cared for. That has been a long-felt need, and people will be cared for in a facility that will probably be adjunctive to the casualty area of one of our hospitals. Certainly it will be a stand-alone concept, where there are skilled professionals on hand to provide immediate intervention. They may well be on overnight contact, so that the best and most appropriate professionals can be brought in to deal with those traumatic situations.

That will save lives. Hopefully, it will decrease the advent of suicidal situations and, certainly, where young people are concerned, it will provide for one of the most heartfelt needs this community knows. I need not, in this Assembly, enlarge upon the issue of youth suicide, because to do so is to give it a currency which we all know can relate in peer behaviour. But I am sure all members appreciate how deeply many parents in this community feel at this stage, particularly those who have been struck by a tragedy within their own family circle.

Mr Deputy Speaker, this facility was one that we pressed very strongly for during our budget-Treasury negotiations, and Mr Humphries and I are very pleased to have a role in bringing this service to our community. We have a community that did not have a 24-hour mental health crisis intervention service. Can you believe that a Federal government, which nationally is presented as having mollycoddled us, did not provide that for us during its tenure here? And can you believe that we still do not have a hospice? But our Government, even given our parlous financial situation, is moving towards the creation of that much needed hospice for the dying. These are social justice initiatives taken by an Alliance Government that the Opposition constantly paints as ideologically to the right, as conservative and reactionary. Government members are putting the lie to that.

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Over the next 18 months those initiatives and others, including those that hopefully we can take in our next budget, will create a new momentum in this country; a new momentum will come out of the Territory as we break down some of the traditional, ideological perceptions of government. This is a new type of government. This is a government which has proven that the Labor Party does not have a mortgage on social equity and social justice issues. Government members have established that conclusively. Recently we have seen some comments from Mr Greiner in New South Wales that prove that the Liberal Party itself has moved to equate itself more closely with the types of initiatives which coincidentally we are taking in the ACT. That is great news for me, coming from a community political base.

Mr Deputy Speaker, I have chosen to make my remarks in this debate in that manner because the bell is tolling for the Labor Party. It is tolling nationally. It is tolling all over the country and, of course, it is a muffled drum in the ACT because it is a wake. The Labor Party cannot even get the horses pulling its funeral carriage to run at the same pace. It has a factionalised structure that means that in the adjournment debate the other night Mr Berry, in the most shallow fashion we have seen - and we have seen a few shallow stunts this week from the Opposition - had to try to build on the trauma and life-loving problems of a member of the community.

When there was a straight up and down report in the Canberra Times, Mr Berry had to turn it into the fault of the Alliance Government. How cheap! What a cheap week it has been. We saw Rosemary Follett trying to bring down the image of the Territory with her original motion at the beginning of the week, and we have seen Mr Berry try at every possible juncture. Those are the types of activities, Mr Deputy Speaker, that belonged in the old-fashioned union yards. They do not belong in this Assembly.

Mr Berry: On a point of order, Mr Deputy Speaker: I do not mind him having a shot at the Labor Party on social justice because he does not know what he is talking about; but, when it comes to getting right off the track, perhaps relevance - - -

MR DEPUTY SPEAKER: Mr Collaery, please stick to the point.

MR COLLAERY: I thank you, Mr Deputy Speaker, for letting me go so long.

MR DEPUTY SPEAKER: Now, could you stick to the point?

MR COLLAERY: He is going to be tough now. Mr Deputy Speaker, I have directed my department to work as closely as possible with Mr Humphries' department of health in ensuring that we interact our services. Mr Humphries'

mental health crisis care service, the adolescent day care unit and the proposed new residential care facility will considerably improve the help available to mentally and emotionally distressed persons and to some extent relieve the burden of care carried by their families.

I want to choose this opportunity to make a serious announcement. The situation of the family adverted to opportunistically by Mr Berry in the adjournment debate was one that we have been looking at - as he well knows - carefully and constantly for some months. I have agreed to my department setting aside a housing trust home and putting care workers into that home so that we have two- or three-to-one care for both that troubled youngster and another troubled youngster, whose plight fortunately was not publicised by Mr Berry. We will be putting care workers into that housing trust house so that we can have two- or three-to-one, 24-hour care for that situation.

That situation, if I summarise it, is the situation of troubled youngsters with aggressive tendencies which make it difficult for us to place them in other facilities and make it difficult for hospital carers to have them in a normal ward where there is less than one-to-one supervision. Mr Deputy Speaker, that is a new initiative. It has been taken quickly to meet the need. It will overcome a current and transitory deficiency in the services we have inherited from the Federal Government.

Hopefully, our services to behaviourally and psychiatrically disturbed persons will ameliorate over the next few years. We have to start again. We had a nineteenth century-type situation presented to us at self-government and we are working through to a solution. I am happy to say that the mother of the child referred to by Mr Berry in the adjournment debate is fully cognisant of these moves and is supporting us in our attempts to resolve the situation of her son.

Mr Berry: You got around to replying to her; that is good. I am glad you replied to her.

MR COLLAERY: Mr Deputy Speaker, Mr Berry says that he is glad we have replied to her. I have personally met the good woman on several occasions and she has been in constant, almost daily or several times daily, contact with the relevant departmental officials. That is pretty good hands-on government. I wish Mr Berry could give support to members of the bureaucracy in the extremely depressing times - 24 hours a day - when they are called out. When the general manager of my bureau, Mr Horsham, has personally to put everything down to deal with an excellent case, that is what I call hands-on government. I am very proud of them. I am very proud that they worked out a solution for that case this week. I congratulate Mr Humphries and support the move he has taken.

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MR JENSEN (11.39): Mr Deputy Speaker - - -

Mrs Grassby: We know you will speak.

MR JENSEN: Despite the inane interjections from across the chamber, I will continue my discussion on this very important subject. I think it is time that those opposite took these sorts of issues seriously, rather than seeking to make cheap political points. This service is long overdue, and I think it is the only way that self-government will be given some credibility in this Territory.

Mr Deputy Speaker, I rise to add my support to the steps being undertaken by this Government to address some of the problems and the needs of the ACT community in the provision of mental health services. We are fortunate in having lower psychiatric hospital admission rates than New South Wales. I understand that the prevalence of schizophrenia is actually decreasing - a world-wide observation. Nonetheless, for those individuals and their families who suffer from depression, schizophrenia, severe behavioural disturbances and other mental ailments, the distress and trauma are real, so professional caring support is needed.

Might I add at this juncture, Mr Deputy Speaker, that this is particularly the case amongst the young of our community, who are falling more and more under the pressures from within our own society. I think a lot of work needs to be done in relation to the reasons why this is happening. I think it is also important to ensure that the sort of support that is needed by families in such situations is provided as closely as possible and as early as possible. I look forward to that sort of activity taking place under the enlightened moves of the Alliance Government.

Sometimes, Mr Deputy Speaker, such illnesses or disturbances erupt suddenly, giving rise to dangerous or desperate behaviour. As we have observed, such outbursts are not confined to normal working hours, and the need for a 24-hour crisis care service has become apparent. In fact, it is a need that has been unmet in Canberra for many years - years of Federal Government neglect, as my colleague Mr Collaery has clearly outlined. We have already heard and identified how those opposite paid little more than lip service to the whole area of mental health services when they were in government. Despite fine speeches by Mr Berry, it is notable that after seven months in government Labor had failed to allocate sufficient - I repeat, sufficient - resources to set up an adequate crisis service. Nothing had been achieved beyond words.

In contrast, I am pleased to see that the recruitment process for appropriate psychiatric nursing staff is almost complete, and the service should shortly be up and running. Anyone who has had anything to do with this sort of welfare area anywhere within Australia would know that it is a very

difficult area for people to work in. It has a very high drop-out rate as people suffer considerable stress in relation to their day-to-day workloads. I think there will probably always be a shortage of trained and experienced practitioners in this area, and I guess it is something that the whole community, not just the ACT, must look at very carefully to ensure that trained and fully equipped workers are provided to assist our community.

Aside from the obvious benefits of relieving families of some of the strain of dealing with disturbing situations, early intervention by professionals in these traumas will help lessen the number of hospital admissions. I think we all know, Mr Deputy Speaker, that the total cost to the community of health care would be considerably reduced if action could be taken at an earlier stage to prevent the expensive matters related to having to admit people to hospital.

Experience overseas would clearly bear this out. For example, a pilot scheme in the town of Buckingham in the United Kingdom, in which highly trained psychiatric nurses have been placed with each general practice in the town, has had startlingly good results. The number of psychiatric admissions from this community of some 35,000 people has fallen dramatically. That is the sort of support that is required at a very early period in the development of any such problems.

One feature to come out of this and other studies is the importance of the appropriate psychiatric services being accessible to the members of the community who need them. The counselling unit, which is currently located at the Kambah Health Centre, by a quirk of planning, has become isolated from the community over a period of time. It was never developed to its potential. We have seen a number of areas moving out of that location and that particular centre has been difficult for residents of Tuggeranong and Weston Creek to gain access to. It is pleasing to see that this unit will be relocated into the new health centre in the Tuggeranong town centre near the bus interchange. Therefore it will be more accessible to Tuggeranong and Weston Creek residents.

May I conclude, Mr Deputy Speaker, not only by commending the introduction of the crisis care service, but also by expressing the hope that, following its phase of public consultation, the forthcoming review of the Mental Health Act will quickly result in mental health legislation that is more in line with late twentieth century thinking in dealing with mental illness rather than the nineteenth century legacy left to us by years of Federal neglect.

MR CONNOLLY (11.45): Mr Deputy Speaker, I rise briefly in this debate to welcome the fact that something is at last being done in relation to a mental health crisis care service. I wish to place on record the fact that seeding money for this project was one of the initiatives in the

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Follett budget of last year, one of the initiatives which were rejected by the Alliance Government in January when the furphy was put around that the money had already been spent elsewhere. This was shown to be a furphy by recent events. Clearly this would have happened from January had it not been for the decision of the Alliance Government. We welcome it happening; but we place on record that this was an initiative of the Follett Government, as were improved psychiatric facilities at the Belconnen Remand Centre, another initiative dumped by the Alliance Government in January.

MR HUMPHRIES (Minister for Health, Education and the Arts) (11.46), in reply: Mr Speaker, in rising to close this debate it is appropriate to respond to some of the issues that have been raised by some of the speakers. As the Government, our approach to mental health is founded, as in all areas, on a commitment to consultation with the community and, in this area, with mental health practitioners. Representatives in both these areas come together in the Mental Health Advisory Committee. Earlier this year, that committee agreed to a set of 11 top priorities, at my request. I want to highlight the progress in regard to the top three of those 11 priorities. Obviously it is important to set priorities where there are limited resources. (Quorum formed)

The first priority which the Government indicated and the community felt ought to be followed was to fully open beds at Woden Valley Hospital, that is, Ward 12B. Ward 12B has a full 32 beds open at this stage and they have basically been available since Easter. The second was the establishment of a review of legislation on mental health, to which Mr Jensen referred, and I should point out that Mr Berry made some promises on this subject when Minister. He said on 24 May:

We have made a commitment to review the Mental Health Ordinance and I will begin this process as soon as possible.

However, in the seven months that followed, nothing actually happened - another non-achievement of the Follett Government. (Quorum formed)

Mr Deputy Speaker, calling for quorums is a very unfortunate precedent. Obviously those opposite are afraid of what I am going to say about mental health, because they know that their own record in this area is not as attractive as has frequently been portrayed in the media.

Mr Jensen: Misrepresentation, Mr Humphries.

MR HUMPHRIES: Indeed, Mr Jensen. The fact of life is that, despite the promises of a review of the Mental Health Act, in the seven months following that promise, nothing was done. In contrast, this Government got the review up and running within a matter of weeks of coming into office.

Submissions have been received, a public hearing was held and the report of that review is due by the end of this year.

The third priority identified by the Mental Health Advisory Committee was the establishment of an after hours crisis service. Today I emphasise again that it will be in place by the end of this year. The Government proposes to provide an after hours crisis service by employing additional psychiatric nurses who will work outside of Monday to Friday business hours to provide telephone advice, improve the nature and rapidity of assistance to psychiatrically ill persons arriving at the A and E department at Woden Valley, improve the arrangements for after hours admissions to the psychiatric ward and provide domiciliary assistance where this is essential for the adequate management of a problem. There will be one nurse on duty on all after hours shifts, requiring 3.6 full-time equivalent staff. There will also be additional call-out assistance if home visiting is required, and this will be provided from a pool of staff available for a second on-call roster.

The mental health after hours crisis service will be based initially at the A and E department in the principal hospital. A purpose built psychiatric unit is being established there as part of the redevelopment program at that site. This unit will have an admissions centre which will replace the A and E department as the location for emergency assessment and care of the psychiatrically ill. The after hours crisis service will also be based and managed from that site. The cost in a full year is expected to be \$280,000.

I want to refer at this point to comments made by Mr Berry when he was responding to this ministerial statement. He alleged - I regret that he is not here at present - that although the previous Government had outlaid \$150,000 in the 1989-90 financial year the full year effect of that \$150,000 outlay was \$600,000. That is a very strange claim. I suspect that if one looked at it very carefully one would see that it is very unlikely. The commitment was due to begin, presumably, some time towards the end of 1989 - that is, for more than half of a full financial year. If that outlay translated to \$150,000, how a full year's outlay, surely no more than double that initial \$150,000 outlay, could equal \$600,000 is a matter of great mystery to me.

What is more, despite Mr Berry's assertions that he intended a full year effect of \$600,000, I have been unable, and my department has been unable, to find any evidence whatsoever that that was the intention of the previous Government. Mr Berry says that he intended to spend \$600,000, but he made no statement to that effect at any stage in the course of that debate. I think one could reasonably draw the conclusion that Mr Berry is

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reconstructing events in a different fashion from the way in which they would have transpired had he remained in government.

Mr Speaker, the full year effect of a \$150,000 outlay by the previous Government would have been about \$210,000 - insufficient to establish a service of the kind that this Government is now talking about. That is the fact of life. Frankly, I do not think it is entirely accurate or honest to suggest otherwise.

The implementation process for the mental health after hours crisis service nursing staff is nearly complete. Applications closed on 12 October and interviews have been held. Expressions of interest have been called for from existing clinical staff interested in staffing the on-call pool. The working party responsible for the implementation of the service has met four times and is developing the service's aims as well as its objectives and training procedures for the nursing staff. The working party will also liaise with other agencies - for example, police - about the service and it is my hope at this stage to launch a service on 3 December this year.

A couple of recent studies from the United States have tended to support the kind of service which we are establishing here in the ACT and I acknowledge that there are a range of such services which we could use as models. In a study in Cincinnati 80 per cent of clients using the service went to the hospital. Home visits were proportionately low but were still an important part of the service.

The history of the service highlights the contrast between the planned response of the Alliance and the knee-jerk response of the previous Government. In his first major statement to the Assembly Mr Berry announced that he would establish a 24-hour mental health crisis service and he actually said:

Today I will be instructing my Department to take such action as is necessary to implement a 24 hours crisis centre.

That was a wonderful statement. It was a welcome statement and one which I believe on that occasion I endorsed. However, on leaving government seven months later, approximately, nothing had happened - absolutely nothing. I would not think that people listening to that statement - "Today I will be instructing my Department to take such action as is necessary to implement a 24 hours crisis centre" - would be assured to discover that seven months later in fact nothing had been done, except to promise money.

The then Minister expressed his announcement during Schizophrenia Week. That was, I think, obviously one piece of evidence to point to the fact that Mr Berry was probably

responding in haste to the particular circumstances of his announcement rather than to the way in which that might be achieved within the timeframe allowed. (Extension of time granted)

His statement apparently went beyond the public service. In answer to a question he said:

The Government is examining options in consultation with the ACT Council of Social Service for an improved crisis service, and have announced this morning that we would be dealing with that as soon as possible in recognition of Schizophrenia Week".

The second reason why I think Mr Berry was basically speaking off the top of his head is that the copy of the ministerial statement lodged with the Secretariat did not contain the paragraph making the announcement. Mr Berry, quite clearly, was shooting from the hip, which is why so much of what he is supposed to have been planning to do since that time is mired in doubt and ambiguity. It is entirely fair to say that much of what he announced he was going to do was no more than the creature of Mr Berry's mind rather than the intention of the Government as a whole.

Mr Kaine: It could even be a figment of the imagination.

MR HUMPHRIES: At any rate, seven months later absolutely nothing had been achieved. He has a very fertile imagination, I suspect, and that imagination was working overtime on the mental health crisis service. The fact is that seven months later he had not done anything. He had failed to come up with the goods. He did announce in July that \$150,000 had been allocated to fund the crisis centre. He claimed afterwards, incidentally, that this was all dependent on the budget passing, and therefore he had not done anything more until the budget passed. Well, that remains to be seen. This Government has done things without having to wait for that process to begin, and I think he could have done so on the same basis.

The convenor of the mental health task force, Ms Libby Steeper, pointed out, however, on 5 February in the Canberra Times, that this sum - the sum of \$150,000 Mr Berry had committed - was insufficient to cover the centre's costs. In other words, the promise Mr Berry had made did not come up to scratch. The money was not enough. It was pie in the sky. The contrast, I think, is stark. This wet-behind-the-ears Minister, as he then was, came into government and thought he was going to make some big decisions. He was going to be the big spender. However, he got in too deep. He made his promises and he could not live up to them, quite frankly.

Mr Duby: He is just entering now.

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MR HUMPHRIES: Here he is now. He is coming back to make some more promises, no doubt, about what he will do when he gets back into government. The Alliance Government did not fall into the same trap, Mr Speaker. Our Ministers have resisted the temptation to grab headlines by throwing up half-baked ideas. We thought through our proposal and we have delivered on that promise. On 3 December this year Mr Berry will see what this Government can do as opposed to what his Government could merely promise.

The Government is aware that expenditure on mental health services over a large number of years in this Territory is low compared with the States and that some of our services are underdeveloped. Underfunding can only be redressed in the medium term as overfunding is reduced in other health areas. The underfunding will be addressed progressively and systematically - with no knee-jerk responses to complex needs. Expenditure which is not planned is expenditure obviously wasted. Mental health services in the ACT are, however, much better, compared with other States, than the dollar expenditures might suggest. This is because in most of the Australian States most of the dollars are spent on fairly outdated and inefficient mental hospitals. In the high-spending States, namely Victoria and South Australia, community mental health services are very poorly developed, and certainly less developed than in the ACT. While there is concern about our own service deficiencies, I do not think we should be exaggerating the extent of the problem.

Mr Speaker, the other day Ms Follett rose in this place and offered a cooperative approach on the part of the Opposition towards issues to deal with ambulances, and I would invite the Opposition to make the same kind of commitment in respect of this service. Every time this crisis service is attacked - and it has been attacked on many occasions and I have quotes here about when it was - people who might need to rely on that service lose a little bit of faith. They wonder whether it is going to happen; they wonder whether it is going to be enough, and they worry. That is bad. That is bad for all of us because all of us depend on a community which is better able to cope with its problems on a personal level and better equipped to deal with crises as they arise.

All of us in this chamber, every one of us, should be committing ourselves to making this crisis service work. We should be putting our weight behind it, making an effort to make that service a success, and then all of us perhaps can bask in a little bit of the glory that comes from that particular success.

Question resolved in the affirmative.

COURT STRUCTURES IN THE AUSTRALIAN CAPITAL TERRITORY - REVIEW
Ministerial Statement and Paper

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

That the Assembly takes note of the papers.

MR STEFANIAK (12.02): Mr Speaker, I think it is probably very timely, with the advent of self-government, for my colleague the Attorney-General to commission a review of the court structure and have a discussion paper prepared about this most important subject. There is a number of problems with the ACT courts, which this paper addresses. I stress that it is a discussion paper, as the Attorney himself said when he introduced it.

Views have been sought from all relevant bodies, such as the Law Society of the ACT and the Bar Association, and I certainly look forward to seeing the input they have in relation to this question. I think one of the biggest problems we have in the ACT - as much as anything else - is the physical layout of the current courts. There is, of course, the main court building at Knowles Place in Civic, with its two main Supreme Court rooms there, with jury facilities. Court No. 6 is a smaller court, which is largely used as a third Supreme Court. It does not have any jury facilities, and it is also used at times as part of the Magistrates Court. Courts Nos 5, 4 and 3 are the main Magistrates Courts there, and, of course, there is the main court administration for the Magistrates Court and the Supreme Court. As well as that, of course, we have Childers Street. There are two Magistrates Courts there, and that is where the Children's Court is based. It is also where the Chief Magistrate has his chambers.

Also in Childers Street we have the Family Court, which is, of course, the responsibility of the Federal Government, and the Federal Court sits there as well. There are several court buildings there which have a purely Federal function, or are administered under Federal Acts. Also we have Murray House where there is one small court, and some court staff operate out of there as well. At times the AMP building is used by the ACT courts.

This is probably not the most efficient or cost-effective use of space for the courts. I think it is probably long overdue - and I am pleased that this review recommends it - for the courts to be centralised in one building, and the staffing arrangements between the courts rationalised. If that in fact does eventuate in the next few years, the ACT Government, and through it the ACT taxpayers, will save a lot of money which they are paying now and would otherwise continue to pay because of the actual physical layout of the ACT courts. So I am pleased to see that question addressed.

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The review goes on in its discussion of the ACT court system to make a number of perhaps controversial recommendations as to how best the dispensing of justice in the ACT can be done. We are fairly fortunate in the ACT in that the time it takes to get certain matters heard, especially in the Supreme Court, is less than it is in New South Wales, for example. The situation has improved, certainly in the criminal jurisdiction in recent years, in that about five years ago it would often take nine months or so to have a matter come to trial in the Supreme Court if the defendant was on bail - considerably less than that, of course, if the defendant was in custody; those matters had priority.

I am pleased to see that, at least in that court - and I think perhaps the advent of the Office of the Director of Public Prosecutions had a lot to do with this - the structure and the hearing of Supreme Court criminal matters has speeded up considerably. I think we are now seeing trials occurring with less than six months delay where persons are out on bail, and that is certainly a very commendable step for all involved.

But there are still big delays in the Magistrates Court, and I think the appointment of two new magistrates and some special magistrates in recent times has alleviated those delays. Certainly in my days as a practitioner, I wondered why some of those delays occurred because it was rather rare, in years gone by, to see any Magistrates Court sitting after 2.00 pm each day. In recent times I am pleased to see court time utilised better, and those courts do tend, as a rule now, to sit well and truly after 2.00 pm, and quite often go past the normal 4 o'clock rising time for the Magistrates Court.

I think that is indicative, too, of having a greater workload. There are more magistrates now, but they are sitting for the full time. There are some delays for hearings in the Magistrates Court, which I think really do need to be looked at, and I think the paper also goes into the question of delays as well. For example, for a hearing matter in a Magistrates Court - after you get an adjournment for a hearing - it is not uncommon to wait anything up to about nine months for the matter to be heard. And then, if the matter does not conclude, quite often you might be waiting another six months before your matter is heard again.

This is not uncommon. I have certainly been involved in many matters in the Magistrates Court which were not completed for some two years. I remember one case in point, involving alleged indecent assault on about six little girls, which went on for about 2 years by way of committal in the Magistrates Court, and we finished the three trials that evolved out of that within a year in the Supreme Court. There were probably a number of factors in relation to that particular matter which was somewhat

complex, but certainly the trauma that caused for the little girls and their families was very regrettable, not to mention the defendant and his family as well.

It is important that justice be speedily administered and a review of the court structure naturally looks both at that and at maximising the efficiency of the courts. It is interesting to note Mr Lindsay Curtis' comments in relation to a single court within the Territory, with provisions in relation to the sitting of certain judges when there are appeals against decisions by that court. That is probably one of the few things I have some difficulty with, having grown up, I suppose, with the system where you have very much a Magistrates Court and a Supreme Court.

Certainly I agree with a number of Mr Curtis' comments in relation to extending what jurisdiction the Magistrates Court has at present. We do not have an intermediate court in the Territory, and in my view nor should we. Certainly in terms of the number of courts we should have, a Magistrates Court and a Supreme Court are ample. The question is whether we go all the way as suggested by Mr Curtis in relation to a single court.

Certainly the concept of the Magistrates Court is less formal than that of the Supreme Court. The Supreme Court is very formal. Barristers are robed, whereas if you appear as a barrister in a Magistrates Court you are there in a suit. Magistrates in recent years have donned robes, but they do not wear wigs; whereas the judges of the Supreme Court are there in their full regalia - and there are certain reasons for this. The Supreme Court is the superior court of review; the Magistrates Court is the court of first contact for the vast majority of members of the public who come into contact, for whatever reason, with the courts. Certainly that is something that the legal profession will be looking at long and hard in relation to Mr Curtis' report. It is certainly something the Government also will naturally be looking at long and hard to see where we go in relation to a Supreme Court and a Magistrates Court, or one unified court.

It is a welcome discussion paper with the advent of self-government. There are a lot of recommendations here which I am sure would have bipartisan support. There are a number of controversial recommendations as well which will need careful study. The profession, I know, is certainly looking at this and will be giving it detailed study before it gives its views to the Attorney-General.

I commend the Attorney on commissioning this review and this discussion paper. It has provided a lot of food for thought and I certainly hope that whatever comes out of it and is put into practice will involve greater efficiencies in the justice system in Canberra - efficiencies that will benefit the people of the ACT and be much more cost-effective than the current way of running our justice system, which is very expensive indeed.

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MR MOORE (12.11): Mr Speaker, in some ways it surprises me that I am in a position to comment on this, and I do it very much from an outsider's perspective - that of somebody who is outside the legal system. But in recent times I have had some experience in dealing with the legal system and I think that it is important to make a few comments on this report.

I suppose the most significant thing that has come to me is the question of to what extent this report should be involved with courts and to what extent it should be involved with justice. It seems to me that, with the efforts that the courts and the legal profession make to deliver justice to the people, one thing that is most clear is that the lack of accessibility of ordinary people to the courts has left a huge gap in the delivery of justice. When I look at this particular report, that whole area seems to me to be missing. When I tried to work out why, I finally got to attachment A - the consultant's brief on the review of the courts.

It is not so much what the consultant had to say but the way in which he was constrained. I think that is a most significant aspect of this report, and it reflects the Government's and the Attorney-General's lack of willingness to go for broad consultation. It is not the first example of this lack of broad consultation we have seen from the Alliance Government. It is the same sort of consultation that we saw on the schools - the sort of consultation that says, "Okay, we are going to close schools; you decide which ones". In this case it is, "We are going to have a unified court system. Mr Curtis, tell us how to go about it but do not cover the whole area". So I looked at the Attorney-General's specific objectives in that attachment and saw:

that the most flexible and cost-effective use is made of available judicial and quasi-judicial resources -

and I thought, "Good", and I then saw:

to simplify litigation by avoiding undue jurisdictional overlap.

As for "to simplify litigation", I thought, "Wow! We are actually getting somewhere". But, as for "by avoiding undue jurisdictional overlap", I thought, "Sure, that is important, but there is a lot more to it than that". Then there was:

to enable a streamlining of court procedures with consequent reduction in the cost of litigation -

also a positive report but also narrow. The next was:

to achieve economies in court administration.

Who can complain about that - apart, of course, from the administrators? The next was:

to allow merits review, associated questions of law, and enforcement to be brought together in one forum -

and that is certainly a restricting clause. The final one was:

generally to provide an efficient and effective resolution of disputes which require recourse to litigation.

So I think that, whilst the Attorney-General is interested in setting up a genuine review of the court system - and I think there is a positive aspect in that - there is certainly a major gap in what needs to be done in this area. That gap is probably emphasised by the further restriction that was put on Mr Curtis, and that is found in these words:

The Attorney-General has specifically directed the development of a unified court system as a model for reform.

So Mr Collaery has the idea that he wants a unified court system, which may be very good; it may be very bad - I am not an expert - but there is no room for manoeuvre on it. There is no room for discussion. The work that has been done in this rather extensive review has been done within that restriction, and that process of consultation within that restriction seems to me to lead to a specific result in the same way that the school closures lack of consultation process led to a specific result - and there is a problem.

I do not want you to mistake me and say that I think that this process has been terrible. What I am saying is that there is a role for this process, but that is not enough. It is a restricted process and what we need is a much more open process whereby we have the opportunity, indeed the responsibility - which the Attorney-General has taken on - to review our courts and to look at what might be the best way to deal with those courts. Indeed, I could go on further in that way, but I think it would tend to be repetitive.

What I really would like to emphasise is that the most important thing for ordinary people is not how the lawyers are going to be able to deal with the court but how ordinary people can get in and use the court system with the least possible flak and the least possible cost, and I do not believe that this review in any way starts to address those issues. That is no reflection on Mr Curtis. Rather it is a reflection on the Attorney-General, who has not given him the opportunity to do that because he has restricted Mr Curtis in the specific objectives and has not allowed him to operate beyond those objectives.

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MR KAINE (Chief Minister) (12.17): Mr Speaker, I am constantly confounded by Mr Moore's approach to some of these subjects. This discussion paper is the result of a deliberate act on the part of the Attorney-General to open up the debate about what the court system in a self-governing ACT should look like.

Mr Moore: He closed the debate into a particular narrow area - a unified system; no debate. What can we debate within the unified system?

MR KAINE: You seem to have a mind-set about something, Mr Moore. I suggest that you open your mind a little bit and instead of - - -

Mr Moore: Mind-sets reading from his terms of reference.

MR SPEAKER: Order! Order, Mr Moore!

Mr Moore: Mr Speaker, I raise a point of order. Could you ask the Chief Minister to direct his comments to me through the Chair.

MR SPEAKER: Thank you, Mr Moore. Please proceed, Chief Minister.

MR KAINE: Mr Moore always begins on the assumption that whatever the Attorney-General does is wrong.

Mr Berry: You should have a look at the terms of reference. The Chief Minister has not even bothered to look at the terms of reference yet.

MR KAINE: That is always the presumption from which he begins. Instead of - - -

Mr Moore: You did not listen to what I said.

MR KAINE: Mr Speaker, do I have to engage in a continuing debate with these mimics across the floor? Mr Gumshoe up front here ought to be told to keep quiet once in a while.

MR SPEAKER: Order!

MR KAINE: You never stop talking during any debate.

Mr Moore: Look at the book. He has only turned over a couple of pages.

MR SPEAKER: Order, Mr Moore, please!

MR KAINE: Mr Moore seems to totally set aside the basic idea, which was originated by the Attorney-General, that we should look at our court system and aim to do two things: firstly, to find out how the courts can better do their work and, secondly, to find out how to do it more cheaply - the very things that Mr Moore is criticising us for not

doing. The terms of reference do, in fact, imply that there is a better way of setting up the administrative arrangements for the courts. If you have half a dozen courts with half a dozen different sets of administration, it is clearly going to be more costly and less effective, in the public interest, than having one system of administrative support. That is what a unified court system means.

I know Mr Moore will try to interpret that as something sinister. But that is what was intended; and that is a legitimate term of reference to give to somebody who is doing a study and writing a discussion paper - I repeat, a discussion paper - on the subject. Mr Moore attacks us because, he says, in terms of public consultation this is "not enough". Now, I do not know what is enough.

The fact is that this is a discussion paper that is out there for public consultation - and that is what it is about. That is how Mr Moore knows about it, and that is how he has the opportunity to get up here and criticise instead of saying something constructive. But, apart from the fact that it is a discussion paper prepared for the very purpose of generating public debate on the matter, the Attorney-General has organised a seminar for special interest groups; in other words, for people who are practising the law. That will be held on 7 November. He is also arranging an open seminar at University House on Saturday, 1 December 1990, so that anybody, including Mr Moore if he wants to take the trouble, can go along and participate in a public discussion on the matter.

What does Mr Moore want? Does he want us to send out the press-gangs to grab people off the street and bring them in to make sure that they actually discuss it with us? Is that what he is on about? Is that what he is on about when he says that this open discussion that the Government is involved in is "not enough"? Perhaps he can suggest some more creative ways, other than press-gangs, whereby we can force some people to discuss this whether they want to or not. Perhaps that is what he wants.

From where I sit, this is a valuable document. It raises issues of great concern - great concern to this legislature, great concern to the people of the ACT and certainly matters of great concern to the judges in the courts themselves. For example, it raises the question of the relationship of our judges to other courts with which they are associated and whether or not a judge of the Supreme Court, under the new arrangements, will continue to be, for example, a judge also of the Federal Court or other courts with which they are currently related. It has to do with the degree to which - - -

Mr Berry: They are very sensitive about this because Bernard has been found out again for duplicity.

MR SPEAKER: Order, Mr Berry!

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MR KAINÉ: I just do not understand it. How low will this man go before he finally shuts up, Mr Speaker?

Mr Jensen: Lower than a snake's belly, Chief Minister.

MR KAINÉ: Yes; well, you cannot get much lower than that. There are matters of great concern as to the involvement of the judges of our court system in the proceedings of other related courts. It is a matter of grave importance, and it is a matter that has to be addressed. It talks about judicial tenure and the independence of the judiciary. I know that the judges of the Supreme Court are very concerned that unless this legislature makes some specific provision they will perhaps not have the same protection and the same independence under self-government that they currently enjoy, because there will be no constitutional arrangements such as those currently applying to them to govern their relationships with the legislature and the Executive under self-government once the Supreme Court transfers. These are matters of very grave concern. They have to be dealt with, they have to be discussed, and we have to be sensitive to the interest of the judges concerned.

Mr Berry: We are.

Mr Moore: We are.

MR KAINÉ: If these matters are not raised for public discussion - and old Gumshoe himself over here and the mouth, Mr Moore, criticise us for not putting things out for consultation - how else are they going to be addressed? Do Mr Gumshoe and Michael Moore want to get in a back room and discuss it amongst themselves? Is that what they are on about? I do not mind them doing that if they like. But the result will be that, as always on every major issue, they will make no contribution to the debate in this house; they will make no contribution to the public debate. All they will do is sit there like a couple of eight-year-old schoolgirls and titter and mutter amongst themselves and make their funny little asides which, incidentally, are mostly recorded on the Hansard tape and will make interesting reading one of these days.

Instead of them sitting over there tittering, having a little laugh amongst themselves and having a little snigger with all the other little eight-year-old girls, they might make a positive contribution to this debate one of these days - if we all hang around long enough. But I doubt it, because they are not interested in doing that. All they want to do is sit over there, be critical and hope that somehow some journalist will pick up some smart remark they make and they will get a headline in the newspapers. That is their ambition.

Mr Moore: You have only two minutes left. You had better start saying something.

MR SPEAKER: Order! Order, Mr Moore!

Mr Moore: I rise on a point of order, thank you, Mr Speaker, under standing order 62, tedious repetition. We have heard that. We are waiting for the Chief Minister to actually add something to this debate.

MR KAINÉ: I already have.

Mr Moore: You were debating with us all this time, and saying that we did not offer anything to debate.

MR SPEAKER: Order! Mr Moore, please!

Mr Jensen: On a point of order, Mr Speaker: I seem to recall that Mr Moore has been called to attention innumerable times this morning. Surely it is about time you took some positive action to shut him up.

MR SPEAKER: Thank you for your direction.

Mr Moore: On a point of order, Mr Speaker: I think he means "innumerable".

MR SPEAKER: Order! This is getting a bit out of hand. Please proceed, Chief Minister.

MR KAINÉ: Mr Speaker, there is the general question of how the courts can be run, in the interest of the general public, and the question of reducing costs. That is what a great deal of it is about - a central registrar system; a single chief executive who is responsible for the administrative arrangements for the entire court system. I find this an acceptable proposition, because I believe that it would result in less cost to the community and would simplify the workings of the courts. But, apart from that, there are these other very major issues that people should be addressing. Yet here we get this criticism that the Attorney-General suggested some sort of a unified court system. A unified court system, in my view, is exactly what we want. So that all of the judges - - -

Mr Berry: Will it be the same story tomorrow? Will your attitude be the same tomorrow, or will it be different?

MR KAINÉ: Yes; my attitude does not change overnight like yours does, Mr Berry - and nor do I set about to deliberately distort and misrepresent the facts. I will stand up here and try to make some sort of a positive contribution to the debate - unlike you. If you get to your feet at all on this matter, you will do nothing but be a knocker. That is your whole approach. You are a knocker, and I would like to hear you get up, just for once, and make a positive contribution to a debate.

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

Sitting suspended from 12.28 to 2.30 pm

QUESTIONS WITHOUT NOTICE

Sub Judice Rule - School Closures

MS FOLLETT: My question is addressed to Mr Kaine, the Chief Minister. I refer the Chief Minister to the Attorney-General's ruling yesterday - a ruling which was endorsed by the whole Government - that it is a breach of the sub judice rule for this Assembly to vote on a matter when that matter is the subject of a legal action. Does it follow from this ruling that the Supreme Court action in relation to school closures will prevent this Assembly voting on the budget which is premised on school closures?

MR KAINE: Mr Speaker, I am not certain of the issue here. I do not believe, first of all, that the Attorney-General made any such ruling and, if it is an opinion on a ruling of the Attorney-General that is being sought, I think that it is improper to ask me to voice such an opinion and the question should be addressed to the Attorney-General.

MS FOLLETT: I ask a supplementary question, Mr Speaker. I ask the Chief Minister: Why is the Government prepared to allow debate on its Bills which effect school closures while it gags debate on private members' Bills on the same subject?

MR KAINE: I do not know what Bills on school closures the Leader of the Opposition is talking about. I do not have any Bills on the table.

Sports Commission

MRS NOLAN: Mr Collaery, my question is addressed to you in your capacity as Minister for Housing and Community Services. It is in relation to your ministership under the auspices of sport. Has the Minister made any progress in examining the proposal to establish an ACT sports commission which he announced shortly after the presentation of the 1990-91 budget?

MR COLLAERY: I thank Mrs Nolan for the question. It is a very pertinent question at the moment because, of course, the people in the sports community are very interested in this Government proposal, a proposal which they welcome and which, according to comments from many of them, they have been waiting for for years.

Certainly the Office of Sport, Recreation and Racing within my department is currently finalising a brief for a consultancy. The office will be seeking expressions of interest from suitable consultants next month. The consultancy will be oversighted by a small steering

committee of leading members of the ACT sporting community and relevant Government officials. The consultant will be specifically examining the current arrangements for the delivery of assistance to sport and the advantages and disadvantages of establishing an ACT sports commission. The investigation will review strategies adopted both locally and elsewhere for providing sport and recreation opportunities to encourage the highest participation rates for all levels of ability and performance.

This proposal is a milestone in the development of Government policy on sport and recreation issues. We will be providing the community - I stress that, Mr Speaker; and I wish Mr Wood would listen - with opportunities to contribute to the consultancy and I expect to be in a position early next year to consider the recommendations from the project. I have no intention at this stage of introducing any knee-jerk legislation to set up a sports commission until there has been that full round of community consultation. It is the type of consultation that all in our Assembly have endorsed, and certainly that legislation will not be introduced until there has been adequate consultation with sporting groups and appropriate consideration by the Government of the recommendations. Clearly we are moving towards creating and putting forward that proposal on the sports commission - - -

Ms Follett: Gunna Collaery. You're gunna do it.

MR COLLAERY: Mr Speaker, we sure are gunna do it, as the Leader of the Opposition said - and we are gunna do it without any knee-jerk reaction and without any show Bills on the floor of this house, because show Bills are not too important in the legislative process.

School Closures - Transport Arrangements

MR WOOD: I direct a question to the Minister for Education. Has advice been given to chairpersons of school boards that bussing of Lyons Primary School children to North Curtin Primary School on a permanent or extended basis is now a very definite option?

MR HUMPHRIES: Not to my knowledge.

Minister for Community Services

MR MOORE: My question is directed to the Chief Minister. I am going to quote some of the draft Hansard and, rather than have him saying I am misquoting, I have highlighted a bit and would be delighted to pass it across to him. I will just give a little bit of background. I refer him to pages 1539 to 1542 of the Estimates Committee Hansard, where evidence was presented that Mr Collaery's Community

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Services Department in program 15 had actually increased spending on his bureaucracy while decreasing in real terms his spending on non-government organisations funded through program 15.

MR SPEAKER: Order! Mr Moore, I do not believe that this is appropriate.

MR MOORE: It is already public knowledge, Mr Speaker. Mr Collaery was not able to refute the evidence and we are still waiting for him to do so. However, he did say, and I quote - - -

Mr Jensen: I raise a point of order, Mr Speaker. I just draw your attention to standing order 117(e)(ii), Mr Speaker.

Mr Wood: Mr Collaery asked you to.

Mr Jensen: I was going to do it anyway, Bill.

MR SPEAKER: I am tossing that one up, Mr Moore. I really believe that it is out of order because it is on issues relating to the funding rather than asides that were made in the Estimates Committee hearings which I have allowed to be asked about before. I think in this case it is out of order.

MR MOORE: I have finished the reference to it, apart from the actual quote from a little bit of Hansard that I was going to give to clarify the position to the Chief Minister. I said to Mr Collaery:

I am asking you is it an intentional policy to increase the public service sector on community service and decrease the non-government organisations sector?

Mr Collaery's reply was:

I have said on many occasions I have sought to find savings, for example, by readjusting and finding bureaucratic savings so clearly it is not my intention to do that.

So it is not his intention to do that sort of thing. Now I am getting to the question; that was really background. In attempting to assess the Government's stance on this matter, I looked for Alliance Government policy and then looked further. I could find no Alliance policy on welfare, on youth, on justice administration, or on maintenance of law and order. So my question to you, Chief Minister, is: Are you content for the Minister to respond in a knee-jerk fashion on welfare and justice issues or is Mr Collaery one of your 60 Minutes Ministers that you would prefer to manage without?

MR KAINE: Mr Speaker, I do not think the question deserves an answer.

MR MOORE: I ask a supplementary question. On the matter of lack of policies on welfare, youth, justice administration and maintenance of law and order, does the Alliance Government, then, intend, at some stage or another, to present policies in these areas - or are we just going to let Mr Collaery work on the basis of how he feels at the minute?

MR KAINE: I will take that question on notice, Mr Speaker, but I suspect that our policies will be just as comprehensive as those under which the previous Labor Administration worked for seven months on all those issues.

Higher School Certificate Examinations - Canberra Grammar School Students

MRS GRASSBY: My question is directed to Mr Humphries. Will the Government be subsidising students from the Boys Grammar School to sit the New South Wales School Certificate examinations?

MR HUMPHRIES: The answer to that question is yes.

Mr Moore: Oh, shame!

Mr Connolly: Are they going to get a free oval, too?

Mr Kaine: Just like you did last year.

MR SPEAKER: Order!

MR HUMPHRIES: I indicate that it is the case that in previous years the ACT Government has funded the participation by the Canberra Boys Grammar School in the - - -

Mr Berry: I raise a point of order. If we wanted to ask the Chief Minister a question we would have directed it to him.

MR SPEAKER: Thank you, Mr Berry. Mr Humphries, please proceed.

MR HUMPHRIES: The answer is: the Government will be resuming the practice that was the case for a number of years under previous governments, including previous Labor governments, to provide - - -

Mr Wood: Not the Follett Government.

MR HUMPHRIES: That may be the case, but it was certainly the case under previous Labor governments. I take it that those opposite consider the Federal Labor Government to be

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a Labor government - although one would be doubtful sometimes. Under the Hawke Government that was certainly the case and it is now going to be the case again. The Government considers it appropriate to provide funding at the same level at which the Government provides funding to ACT schools to provide participation in the Year 12 assessment. It will be provided at the same level. That obviously will not cover anything like the cost of the Canberra Grammar School taking part in the New South Wales HSC; but it seems that, if we are to fund other institutions to provide a similar participation, then it is appropriate for the ACT to do so in respect of that school as well.

I might remind members that other schools have other arrangements for assessment than that which is provided by the ACT Government, including, for example, the international baccalaureate certification or assessment at Narrabundah College. I think that, in the circumstances, to acknowledge the appropriateness of that range of assessment options and to make appropriate funding arrangements is entirely appropriate.

MRS GRASSBY: I ask a supplementary question. Was there allowance made in the 1990-91 budget for this and, if so, how much was allocated?

MR HUMPHRIES: I suggest that she ask that question of the Treasurer, Mr Speaker.

Mrs Grassby: It is your portfolio, if you do not know it.

MR HUMPHRIES: Well, it may or may not have been the case. I cannot recall. But the amount in question is fairly small, and it would not necessarily entail a separate budget allocation.

Mr Berry: \$50,000? \$70,000?

MR HUMPHRIES: I would very much doubt that the figure was anything like \$70,000, Mr Speaker.

Mrs Grassby: Well, could you get back to us with a figure, then?

MR HUMPHRIES: I will certainly get back to you with a figure, Mrs Grassby.

Ambulance Service

MR BERRY: My question is directed to the Minister for Health and it relates to the lack of an ambulance. Is the Minister aware of the case of a 15-year-old boy with a parry-spinal abscess and a risk of paraplegia who required an ambulance to take him to Sydney for an evaluation of his condition, who could not get an ambulance and whose

parents, who have ambulance cover, I should add, had to borrow a station wagon and put a mattress in it? His doctor had to modify his intravenous drip and provide antibiotics and extra pain-killing drugs so that he could make the trip in an unsatisfactory vehicle, with increased risks and pain from his condition, and in breach of road safety rules.

MR HUMPHRIES: Mr Speaker, the answer is that I am not aware of such a case. However, if such a case occurred, I will inquire as to the circumstances in which it occurred and take appropriate action if there is any reason to suggest that the circumstances of that case pointed to some impropriety in the way in which procedures were followed. I am no more pleased to see cases of people missing out on high quality service than is Mr Berry. I have made it clear throughout the debate that has been generated in the last few days that there are circumstances, certainly, where I would like to see a better standard of care provided.

However, it needs to be pointed out that the problems experienced by the ACT Ambulance Service are not new problems. They are not problems of the invention of this Government. Ms Follett made an invitation, I think, on Tuesday to the Government to proceed on a cooperative basis to deal with the problems of the Ambulance Service. I think, with the greatest respect, that Mr Berry's question is not designed to further that cooperative approach.

MR BERRY: I have a supplementary question. Does the Minister at last accept that this incident confirms that his Ambulance Service is in crisis because of over 10 months - I repeat, over 10 months - of inaction on recruiting?

MR HUMPHRIES: Mr Speaker, there has not been a period of over 10 months of inaction on recruiting. There has been prompt and, I believe, sufficient action on the question of recruiting. I do not believe that the circumstances of that case indicate that there needs to be, necessarily, any change of circumstances until I assess the circumstances of that case and decide, first of all, whether the facts are as Mr Berry has put them forward and, secondly, whether they indicate any improper procedures or inadequacy of procedures followed in this case.

Private Hospital Development

DR KINLOCH: My question is to Mr Humphries as Minister for Health. Many of us are concerned about hospital development, especially in the private hospital area. Can the Minister assure the Assembly that the development of a private hospital will not result in a downgrading of the public hospital system?

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MR HUMPHRIES: I thank Dr Kinloch for that question. The Government decided to approve a new 150-bed private hospital in north Canberra. I want to emphasise that the provision of that hospital not only will increase options available to both patients and health professionals but also will provide substantial benefits to the public hospital system. A better mix of private and public hospital beds will improve the public hospital service in two ways: First, the private hospital will increase the capacity of the public hospital system to provide public hospital services to public patients. That pressure is very evident at the present time and to take away that pressure would certainly be of some assistance.

The ACT has among the lowest proportion of private to public hospital beds in the country, even though we have an above average rate of private health insurance per household. This means that there is a large volume of private patients being treated in the public hospital system. Providing more private beds will free up more beds in the public hospital system for public patients.

Furthermore, the development of the public hospital system is designed to provide a greater number of beds than is presently available. As we adjust the private-public mix and increase the number of public beds we should experience an improved supply of hospital services and a reduction in our already exemplary waiting times.

The second major benefit is that the development of a private hospital will be a significant financial benefit to the public hospital system in the ACT. Private patients are seen in private hospitals at no cost to the Territory and receive limited Medicare subsidy. Private patients in public hospitals, on the other hand, cost the Territory around \$320 per day each. These financial imperatives are inherent in the Medicare agreement designed by Labor and preached as gospel.

Labor cannot provide incentives for a mix of public and private health and then turn around, as those opposite do, and accuse us of destroying the public hospital system when we participate in that same Medicare agreement. In conclusion, Mr Speaker, I assure the Assembly that the development of a private hospital, far from downgrading, will encourage efficiencies and quality of care in the delivery of public hospital services.

Weetangera Primary School

MR SPEAKER: Members, I would just like to advise that we have a group from the Weetangera Primary School in the gallery. On your behalf I bid them welcome.

Federal Government Funding

MR STEVENSON: My question is to the Chief Minister and Treasurer and concerns the promised Federal Government funding after the self-government election. Initially \$21m of that funding was withheld by the Federal Government but \$7m of that was paid last year. This year there was another \$23m withheld, making a total current withholding of \$37m. The question is: Did we receive interest on that money? Will we receive interest on the money? If not, what action can be taken to at least get the Federal Government to give us the increase in the money that we should be getting?

MR KAINE: Mr Speaker, in answer to that part of the question that asks, "Did we receive any interest?", we have not received payment from the Commonwealth of anything but the \$7m that was paid to us last year out of the - - -

Ms Follett: Paid to me.

Mr Berry: Paid to Rosemary Follett. Negotiated by Rosemary Follett.

Mr Collaery: After the no-confidence motion.

Mr Berry: Negotiated by Rosemary Follett.

MR SPEAKER: Order!

MR KAINE: Is this a debate, Mr Speaker, or am I supposed to be answering a question?

MR SPEAKER: Thank you, Mr Kaine; please proceed. Mr Berry, please desist.

MR KAINE: The only money received from that fund so far is the \$7m that the Commonwealth released last year. My understanding is that the money that remains in there is accumulating interest; that in fact at the end of this fiscal year the amount of money actually in that trust account will be approaching \$50m by the time the interest is taken into account; and that that interest will be paid to us when and if the rest of the money is paid.

Ambulance Service

MR CONNOLLY: My question is directed to the Minister for Health. In this house on Tuesday Mr Berry revealed that there had been only 2.5 operational ambulance crews on duty on that day. You claimed yesterday that there had in fact been five crews on duty. Why, Minister, did you fail to inform the house that, of the five extra staff required to make up those five crews, three were not qualified to staff operational ambulances, one was an officer taken off light duties and one was a station officer required to work a

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24-hour shift, and that as a result of increasing the number of crews there were no staff available for the clinical transport service?

MR HUMPHRIES: Mr Speaker, first of all I might correct a mistake Mr Connolly has made. I do not believe I referred to yesterday; I believe I referred to Tuesday.

Mr Connolly: To Tuesday. I am sorry.

MR HUMPHRIES: Tuesday is the day on which there were five crews operating.

Mr Connolly: Yes, you said it yesterday, referring to Tuesday.

MR HUMPHRIES: Yes, all right. In terms of the other matters that Mr Connolly refers to, I do not believe that any of the circumstances whereby those crews are manned or the circumstances which Mr Connolly just brought to the attention of the Assembly whereby crews are manned are exceptional or out of the ordinary. They certainly do happen frequently from time to time, as they happened when Mr Berry was Minister. For example, it is often the case, frequently the case, that people without the highest level of qualification operate ambulance crews, and if one thinks about it, Mr Connolly, one realises that that is entirely logical. How else will a trainee ambulance officer get on-the-road experience, except by getting in an ambulance and being part of an ambulance crew?

Logically one has to train on the spot, on the job. One's training is not completed till one has finished one's training in real life situations rather than just on a blackboard, and it follows that sometimes crews will consist partly of people who are in training as well as those who are fully qualified. To my knowledge, we have not experienced, under this Government, any occasions when crews have consisted of no fully qualified people - to my knowledge, that is the case - but I can assure Mr Connolly and those opposite that it is not unsafe to have trainee officers on ambulance crews. It is an entirely appropriate circumstance and was certainly the case under Mr Berry.

MR CONNOLLY: I have a supplementary question. Will the Minister admit that, of the 71 staff of the Ambulance Service, only 28 are qualified and currently available to staff operational ambulances?

MR HUMPHRIES: Mr Speaker, we went through this debate in great detail yesterday, at great length, and the facts were indicated there. I am very happy to bring them back to Mr Connolly's attention if he missed them yesterday. The fact of life is that we went through all those details yesterday and I suggest that he pay a little more attention to what is going on. If they were not provided yesterday, of course I am very happy to take the question on notice and provide the information. It will be of no surprise at all

to Mr Connolly to hear that I do not carry around in my head exact numbers as to how many people happen to be qualified at any particular point in time.

However, Mr DUBY has brought something to my attention. I will answer Mr Connolly's question by providing information that was provided on Tuesday by Mr DUBY in the debate on ambulances. I quote:

But we have a ratio of qualified to unqualified staff within the service. It currently has 32 qualified staff and 19 staff at various levels working towards full qualifications. The remaining 20 staff include 11 station officers ...

So the question was answered yesterday. If Mr Connolly wants further information he should go back to the Hansard at first call.

National Women's Health Program

MR STEFANIAK: My question is to the Minister for Health, Education and the Arts. Mr Humphries, following your signing in May of an agreement for ACT participation in the national women's health program, what progress has the Government made in implementing that program?

Ms Follett: Make a ministerial statement.

MR HUMPHRIES: This is not a ministerial statement, Mr Speaker; this is a perfectly legitimate response to a question on an issue which has been raised by a member. I think it is entirely appropriate for members of this Assembly - perhaps not Ms Follett, but other members may well be interested - to ask what progress has been made in implementing the national women's health program, which is a very important matter.

In May of this year I signed an agreement with the Commonwealth Minister for Community Services and Health, as Mr Stefaniak mentioned, for joint funding for the first year of ACT participation in the national women's health program. ACT participation will see the establishment of a community based, independently managed women's health centre organisation. This centre was recommended as a priority need by a community workshop held in February this year which was widely representative of women's health interests in the ACT. The centre will be jointly funded over four years under the program and its establishment will be a two-stage process.

In the first two years it will be primarily a women's health information exchange and provide a meeting place for women's health groups. It is not intended that the centre will duplicate or replace any existing women's health services in the ACT. In the third and fourth years the

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centre, under the direction of the independent management committee, will also provide specially targeted primary health care services for women.

There is also Commonwealth funding available from a consumer education and information strategy under the program. The ACT will focus on a major theme in each of the four years, while maintaining the flexibility to respond to immediate needs. This year's funding has been devoted to the theme of menopause and related health issues for women.

South East Economic Development Council

MS FOLLETT: My question is addressed to Mr Kaine and it concerns the South East Economic Development Council. Mr Kaine, I refer to your decision to abolish the Canberra Development Board and establish the South East Economic Development Council. Could you tell the Assembly what is the cost of the new council, including the cost of abolishing the Canberra Development Board? How will the costs be distributed between the ACT and New South Wales? What are the terms of reference for the council, and what arrangements have been made for individuals currently employed by the Canberra Development Board?

MR KAINE: Mr Speaker, I could attempt to answer that and could probably answer only some of the questions partially. I think it sensible that I take the question on notice and provide a comprehensive response.

Health Services - Industrial Relations

MRS NOLAN: My question is to Mr Humphries in his capacity as Minister for Health. Can the Minister indicate whether he has been able to improve the Territory's industrial relations record in health?

MR HUMPHRIES: Mr Speaker, I am very happy to answer Mrs Nolan's question. I do recall assertions, particularly by a certain Labor health spokesman, that my record in industrial relations is a bad one. I assure the Assembly that, as usual, these assertions are inaccurate. As so often happens when Mr Berry opens his mouth to attack my record, he forgets that he has a record as Minister which is far less defensible. Industrial relations is a case in point.

I am informed that from 11 May to 5 December last year 345 working days were lost due to strike action under Mr Berry as Minister. That works out at an average of 51 days per month. In the more than 10 months that I have been the Minister for Health 260 working days have been lost. That constitutes an average of 25 days per month. Industrial

disputation in health has therefore dropped by more than half under the Alliance Government. In contrast, and contrary - - -

Mr Collaery: Gary, you are going to talk them up now, though.

MR HUMPHRIES: Well, that could be. In contrast, and contrary to Labor's rhetoric and myths, the Alliance has developed a strong, cooperative working relationship with the trade union movement. We respect the capacity of responsible unions to provide leadership in the process of change. Labor in government goes beyond this legitimate relationship. Structurally integrated with the trade union movement as its political wing is, Labor and Mr Berry in particular found that they could not put aside trade union allegiances to accept rational decisions.

Bankruptcies

MR MOORE: My question is directed to the Chief Minister. Chief Minister, now that the figures used by the Canberra Times earlier in the week, the figures which you attacked so vehemently on Tuesday, have been verified by a letter in this morning's paper, are you prepared to apologise to the journalist of the Canberra Times for that vitriolic attack and to apologise to this house for the extent to which you misled us?

MR KAINE: The answer is no, Mr Speaker. As I said in answer to a question yesterday, I have reviewed the information and I have no reason to change what I said to the Assembly on the previous day. I still have no reason to change that view.

MR MOORE: I ask a supplementary question. Chief Minister, clearly, in the letter in this morning's paper, the Registrar verified the figures, although he did not comment and ought not comment. He clearly verified that the figures used were appropriate. You said those figures were wrong on Tuesday and I think an apology is appropriate.

MR KAINE: I would also point out, Mr Speaker, that the Registrar, in his letter, also clearly indicated his displeasure at the way the information was used.

Fairbairn Park

MR JENSEN: My question is directed to Mr Collaery in his capacity as sports Minister. I am sure the Minister is aware of press comment in the paper today in relation to the provision of Government assistance to the Canberra Automobile Racing Association for track construction at the Fairbairn Park motor racing complex. Can the Minister

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advise what Government assistance was provided to CARA? Have they met conditions associated with the grant and is it true that the documentation was confidential, as claimed?

MR COLLAERY: I thank Mr Jensen for the question. Yes, that was an interesting report in the Canberra Times and I understand that those named in it might be seeking advice in relation to certain aspects, so I will mute my answer.

Certainly, Mr Speaker, a grant of \$45,000 - - -

Mr Moore: Oh, remember the schools. Sub judice. We ought not discuss it.

MR COLLAERY: It is not sub judice. A grant of \$45,000 - - -

Mrs Grassby: It is when you feel like it, and it is not when you do not.

MR SPEAKER: Order!

MR COLLAERY: If that group want to do a law course, they can.

Mr Moore: I take a point of order. I think we need a clarification, Mr Speaker. On one hand Mr Collaery has indicated that a matter that is likely to come before the courts in the schools case is sub judice. This matter is likely to come before the courts; so it must also therefore be sub judice and perhaps he ought not be discussing it.

MR SPEAKER: Thank you, Mr Moore.

Mr Connolly: You have to be consistent on these things.

Mr Moore: Is it consistency, or are we going to see more duplicity?

MR SPEAKER: Order!

Mr Collaery: I take a point of order, Mr Speaker. I ask that he withdraw that imputation.

Mr Moore: Are you going to vacate your office?

Mr Collaery: He is in one of his moods again, Mr Speaker.

MR SPEAKER: Thank you, Mr Collaery. Mr Moore, I would ask you to withdraw that.

Mr Moore: "Duplicity"? Mr Speaker, there have been many examples where we have illustrated that Mr Collaery is duplicitous, but for the sake - - -

Mr Kaine: Mr Speaker, on a point of - - -

Mr Moore: For the sake of the house and so that we may continue, I will withdraw it.

MR SPEAKER: Thank you, Mr Moore.

MR COLLAERY: No wonder the public are forming a view about this Assembly. I believe it is in the public interest that there be a question on this matter today. We do not have an Opposition that wants it, for reasons of its own. A grant of \$45,000 - - -

Ms Follett: We knew that you would ask it; that is why.

Mrs Grassby: We knew that you would ask it; that you would organise it, right?

MR COLLAERY: Mr Speaker, I arrange a question of myself when it is a matter in the public interest. That side have never once asked me a question - - -

Mr Connolly: We tried to ask you the other day. You were not here. You were up in Brisbane.

Mr Kaine: That is why she asked it.

MR COLLAERY: There was one question asked of me by Ms Follett since I have been in this Assembly. It was on Tuesday when I was in Brisbane. Right? That is the measure of that side of the house. Right? Mr Speaker, I think the public are entitled to - - -

Mr Stevenson: I take a point of order, Mr Speaker. I thought I heard the Attorney-General say "that side of the house". Perhaps he might - - -

MR COLLAERY: I stand corrected, Mr Speaker. I pointed towards that group up to the pillar, and not exactly Mr Wood.

Mr Moore: I raise a point of order, Mr Speaker. Mr Collaery is attempting to mislead the house. I also have asked him a question.

MR COLLAERY: But he does sit next to the pillar.

Mr Wood: This is the reason why we do not.

MR COLLAERY: You are leaning backwards.

MR SPEAKER: Order! Let us get our act together, please.

Mr Kaine: Is he engaging in pillow talk again?

MR COLLAERY: Mr Wood is leaning away from the other side. There is body language there. Mr Speaker, a grant of \$45,000 was approved from the community development sport development program (capital and equipment) in 1986 to the Southern Districts Hill Climb Association to construct part

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of the circuit at Fairbairn Park. The estimated total cost of the project was \$92,000. The Canberra Automobile Racing Association Incorporated was formed from the Southern Districts Hill Climb Association during 1986, on my advice.

The Hill Climb Association were offered the grant on 16 January 1986, according to the CDF grant conditions of the day. Progress payments were made, on my advice, to the Canberra Automobile Racing Association on the basis of evidence of costs incurred for the project and their ability to match the grant. An audited financial statement and treasurer's report from the Canberra Automobile Racing Association show receipt of the grant and payments for the track development. Other documentation shows receipts of payments by Nomad Constructions for work on the circuit.

Mr Berry: I take a point of order, Mr Speaker. I think a concise response is called for by the standing orders.

MR SPEAKER: Thank you, Mr Berry.

MR COLLAERY: Mr Speaker, I recall 10-minute long answers from members of the Opposition when they were in government, and Mr Berry's were the longest.

Mr Berry: I take a point of order. Mr Collaery does not recall much in his past, including his policies, so I cannot see how he would - - -

MR SPEAKER: That is not a point of order. I will not accept fruitless points of order. Please proceed, Mr Collaery.

MR COLLAERY: Unlike Mr Berry, at least we recall the working class and their needs.

Mr Moore: I raise a point of order, Mr Speaker. Given that we have had an admission today that Mr Collaery and Mr Duby have been disqualified from their office - a member vacates his office under section 14(1)(c) if he agrees to take an allowance - should this Minister be standing here answering a question, because in the Estimates Committee it was admitted that he had vacated his office?

Mr Kaine: Have you gone whacko or something? He has gone right over the edge. Where are the guys in the white suits?

MR SPEAKER: Order! Mr Moore, that is not a point of order at this time in the debate. If you have something to raise along those lines, please raise it as a substantive motion.

MR COLLAERY: Yes, Mr Speaker, I think that perhaps we do need more ambulances, and perhaps one stationed here, occasionally. Applications from the Canberra Automobile Racing Association under the 1988 and 1989 capital equipment program for further assistance to complete the track were not approved. They were not approved,

and none have been approved since self-government. These applications refer to difficulties with the contractor, et cetera.

Mr Speaker, there was a statement attributed to my office, which I have received some advice on, stating that the Office of Sport and Recreation considers the documents confidential. There are commercial-in-confidence aspects of this matter; but I have all the pertinent documents, on my advice, here. I am quite willing to make them available to all members of the Assembly forthwith. They are on my desk, Mr Speaker.

MR KAINÉ: I request that any further questions be placed on notice.

Mr Wood: Mr Speaker, after that waffle, thankfully, he does not get asked too many questions. That was 10 minutes.

MR SPEAKER: Order, Mr Wood!

Mr Stefaniak: Because there are so many interjections.

MR SPEAKER: That is a correct observation.

Cosmetics Manufacturer

MR KAINÉ: Mr Speaker, I would like to provide answers to two earlier questions taken on notice. The first was from Mrs Grassby on 17 October and it had to do with the Revlon complex in Hume and what was the status of that project. The answer is fairly straightforward and fairly short. Revlon has now rationalised its five local distribution centres to one centralised warehousing facility in Hume and is currently employing 85 staff. To date Revlon has invested \$7m in the ACT, including \$385,000 in relocation expenses.

Political Parties - Headquarters

MR KAINÉ: The other question, Mr Speaker, was from Mr Moore - talking about long questions - and had to do with the Labor Party's lease on a block of land in Barton. The answer to Mr Moore's question, Mr Speaker, is that the original lease for John Curtin House - that is on block 12, section 6 in Barton - was issued under the provisions of the City Area Leases Ordinance, not the Lease (Special Purposes) Ordinance. That, of course, was quite some time ago. The purpose clause of the lease permits the use of the premises not only for the purposes of the national headquarters of the Australian Labor Party but also for any conventions, conferences, auditoria or offices, excluding offices engaged in the business of insurance and the sale of goods, a bank, a kiosk and a restaurant. The use of the bottom floors of the building for offices is not inconsistent with the purposes of the lease.

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AMBULANCE SERVICES

MR HUMPHRIES (Minister for Health, Education and the Arts) (3.07): Mr Speaker, I seek leave to make a statement concerning the misleading of the house.

MR SPEAKER: Is leave granted?

Mr Berry: No, not until he tells us what it is about.

MR SPEAKER: Leave is not granted.

MR HUMPHRIES: Mr Speaker, I move the suspension of so much of the standing orders as would - - -

Mr Moore: Just give us a little detail. We would be delighted to give you leave; just give us a little bit more detail.

MR HUMPHRIES: It is in respect of a matter that was raised by Mrs Grassby on Tuesday in which she asked me to withdraw a statement that Mr Berry had misled the house, had told a lie, and I said that I proposed to come back here to indicate that, in fact, Mr Berry did tell a lie and to provide evidence of that fact.

Mr Berry: I take a point of order. First of all, the Minister has accused me of lying and that is unparliamentary. I think he has to withdraw that.

MR HUMPHRIES: I am going to prove it, Mr Speaker.

Mr Berry: Whether you prove it or not, the fact of the matter is that you are required to withdraw it. Mr Speaker, the other point of order is that if the Minister had chosen to give us notice of this issue he may have been given leave; otherwise he will have to seek the suspension of standing orders.

MR SPEAKER: Thank you, Mr Berry. Mr Humphries, under the circumstances I think you are pre-empting the proof that you have. Therefore I would ask you to withdraw the lie accusation - - -

MR HUMPHRIES: Mr Speaker, I am about to prove that Mr Berry lied to the Assembly.

MR SPEAKER: I recognise that, but you have not got to that point yet.

Mr Kaine: He wishes to make a statement in connection with that matter, I think, Mr Speaker.

MR HUMPHRIES: Yes. I wish to make a statement in respect of Mr Berry's statement to the Assembly.

Mr Berry: You have not been given leave.

MR HUMPHRIES: I seek leave.

Mr Berry: You are not getting it until you move for the suspension of standing orders.

MR HUMPHRIES: All right. Mr Speaker, I move:

That so much of the standing and temporary orders be suspended as would prevent Mr Humphries from making a statement concerning comments made by Mr Berry to the Assembly on 23 October 1990.

MR BERRY (3.08): Mr Speaker, this is just another of those issues where the Government has refused to give the - - -

Mr Kaine: We have touched a raw nerve, have we, Wayne?

MR BERRY: No, no; it does not bother me at all. The fact of the matter is that it is another example of the Government's arrogance in not drawing the attention of the Opposition to matters which it wishes to put before this house and which are not on the order of business for the day. In all cases, as I have indicated before, leave will not be granted unless appropriate notice is given. That is the reason why the Opposition has refused to give - - -

Mr Jensen: That is not so, because you will not - - -

MR SPEAKER: Order, Mr Jensen!

MR BERRY: In all cases the Opposition will resist that because of the lack of notice. There has been an awakening amongst the Government in recent times that it is better for them to seek leave and to give notice, and they have done so in recent times in relation to ministerial statements. When it comes to the substantive issue that Mr Humphries chooses to put before this place today, I suggest, Mr Speaker, that the appropriate way to deal with that is probably by way of a censure motion - the way that anybody else would have to pursue it - but I will raise that as a point of order when the matter is raised by Mr Humphries.

MR HUMPHRIES (Minister for Health, Education and the Arts) (3.10), in reply: Mr Speaker, Mr Berry will recall that on the previous occasion on which he raised a matter of a Minister misleading the Assembly he did so in exactly the same fashion; by means of a statement, not by means of a censure motion. For that reason I consider it appropriate that we suspend standing orders to hear my statement.

Question resolved in the affirmative.

MR HUMPHRIES (Minister for Health, Education and the Arts) (3.11): Mr Speaker, on Tuesday I was asked to withdraw a statement in the Assembly. I had said that Mr Berry had told an untruth to the Assembly. At the time I said that I

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would withdraw the comment but would come back and prove that Mr Berry had indeed misled the Assembly. Mr Berry this week has made much of an allegation that the Government - - -

Mr Berry: On a point of order, Mr Speaker: I think that accusations of untruths and misleading are most appropriately dealt with by way of a substantive motion and it is out of order for the Minister to proceed in this way.

MR SPEAKER: Thank you, Mr Berry. I will take advice on that issue.

Order, members! On advice, I take the view that we should refer to page 486 of House of Representatives Practice. Mr Berry's point is valid in that the manner in which we are approaching this at the moment means that he would not have an opportunity to defend himself and answer the charge. I would ask that this be raised as a substantive motion. That can be done in the normal manner or you could in fact move a motion to have the house accept that at this time.

Mr Kaine: On a point of order, Mr Speaker: I would remind you that the house has already suspended standing orders to allow Mr Humphries to make his statement. I do not think it is a matter for debate.

Mr Moore: No, we did not. This is the debate on it. This is the debate on the suspension.

Mr Jensen: Yes, we did.

Mrs Grassby: No, we did not.

Mr Kaine: We did. He stood up, in fact, to make his statement. It is too late to take points of order as to whether or not it is appropriate.

MR SPEAKER: Thank you for that observation, Mr Kaine.

Members interjected.

Mr Jensen: Terry is still getting the knives out of his back, mate. You could not lie straight in bed.

Mr Berry: Mr Speaker, you probably did not hear that, but it will be recorded on Hansard that Mr Jensen said that I could not lie straight in bed.

Mr Connolly: A very dignified comment!

Mr Berry: Very dignified! It should be withdrawn.

MR SPEAKER: Mr Berry, I did not hear that statement. There are more important things going on at the moment, I believe.

I am in a bit of a dilemma. It seems that we should have approached this in a different way and Mr Berry's point is still valid. I would ask that we proceed in this manner but allow the debate to continue to enable other members who wish to speak on the issue to do so. Is that acceptable?

MR HUMPHRIES: Mr Speaker, may I speak to your ruling?

MR SPEAKER: Yes.

MR HUMPHRIES: Could I suggest, Mr Speaker, that Mr Berry move to take note of the statement I make and debate it on that basis?

Mr Berry: No, I am not going to move to take note of the paper. That is stupid, Gary.

Mr Kaine: Well, you can move that the Assembly takes note of it and then he can debate it.

Mr Berry: I do not accept that, Mr Speaker. The appropriate course is for the Minister to move a motion and for the matter to be debated, as has been your ruling in the past. I am prepared to stand by that ruling and I expect that the Minister should stand by it as well.

MR SPEAKER: In other words, then, you want a second motion from Mr Humphries to - - -

Mr Berry: On notice, as everybody else would have to put it.

MR SPEAKER: Yes. We could, under the circumstances, suspend standing orders to allow that motion to be presented before the house now.

Mr Moore: I take a point of order, Mr Speaker. You have actually given a ruling and that ruling was questioned by the Chief Minister. You are now responding to that. If he is going to question your ruling, you have given us an instruction on how that should be done; he should do it in writing and with a day's notice.

MR SPEAKER: Thank you, Mr Moore, but under the circumstances - - -

Mr Moore: If we change our manoeuvres we have a new set of rules and a new precedent is set.

MR SPEAKER: Thank you for your observation, Mr Moore. We are trying to resolve an issue so that we all get this sorted out. It was my error, if you wish; I did not quickly inform Mr Humphries of the correct procedure.

Mr Moore: Yes, but since that time you have made a ruling and the Chief Minister has got you to rethink that. We will accept your previous ruling.

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MR SPEAKER: Thank you, Mr Moore.

Mr Kaine: Mr Speaker, I again point out that all of this debate that Mr Moore and Mr Berry are engaging in - the smokescreen - is totally irrelevant because we have suspended the standing orders to allow Mr Humphries to make a statement. Unless the Assembly takes another decision, that is the fact of it and we can talk about it until the moon turns blue.

MR SPEAKER: Yes, he certainly can make a statement, but it cannot be debated, Chief Minister. That is what the objection is.

Mr Berry: I will formally move that standing orders be resumed, Mr Speaker, in order that your rulings can be properly observed by this chamber. I move:

That standing orders be resumed.

MR SPEAKER: The question is that the motion be agreed to.

MR HUMPHRIES: Mr Speaker, I want to forget the motion. I want to withdraw the suspension of standing orders motion that I moved and instead simply move a motion of censure, as Mr Berry suggests.

MR SPEAKER: Is that acceptable, Mr Berry?

Mr Berry: That accords with the standing orders, so far as I can make out. We would not resile from the censure motion. The Government moves a censure of the Opposition. I think it is wonderful.

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

Mr Kaine: Not the Opposition; you personally. Let us get it clear.

MR SPEAKER: Order!

MR W.B. BERRY
Motion of Censure

MR HUMPHRIES (Minister for Health, Education and the Arts) (3.20): Mr Speaker, I move:

That this Assembly censure Mr Berry for misleading the Assembly.

Mr Speaker, on Tuesday I was asked to withdraw a statement in the Assembly in which I said that Mr Berry had told an untruth to the Assembly. At that time I said that I would withdraw the comment but would come back and prove that Mr Berry had indeed misled the Assembly. Mr Berry this week has made much of an allegation that the Government was in dereliction of its duty to provide adequate ambulance cover

in the ACT. He has implied that we allowed on-duty rostered ambulance crews to attend public sporting events and that on those occasions the ACT was not receiving adequate ambulance services. In particular he also indicated that the practice of doing that did not occur under his ministry. I said in the Assembly on Tuesday that in fact that was the practice Mr Berry employed when he was Minister for Health. Mr Berry denied this and I am happy to produce the Hansard. I think I might read the full context from Hansard. I read from page 32 of the proof copy of Hansard of 23 October:

He points out that there was an ambulance crew under contract at a race meeting and saying, it is said that was a rather disgraceful thing to happen. Mr Berry has conveniently forgotten the fact that when he was Minister crews were also contracted to cover race meetings and other occasions like that.

Mr Berry: Fifth crews. Extra crews.

MR HUMPHRIES: No, not fifth crews, operational crews, Mr Berry. Mr Berry is telling an untruth to this Assembly, operational crews on occasions were operated while he was Minister and those on occasions meant that some person was not working on a rostered duty period shift. So I think that Mr Berry really ought to - - -

Then Mrs Grassby interjected, asking me to withdraw, which I did. Now, Mr Speaker, I want to read into Hansard, or incorporate into Hansard, evidence indicating that Mr Berry's statements were untrue. I wish to incorporate into Hansard a letter which I will read. It is addressed to me and it is signed by Mr Noel Gillard, the Acting Director of the ACT Ambulance Service. It is dated today. It states:

Dear Minister,

In response to your request I have forwarded the attached copies of our ambulance case-slips relating to ambulance attendance at a number of public sporting events during the last months of 1989.

The attached cases were attended by on-duty rostered ambulance crews.

The above is consistent with operational management procedure which has been in place since mid-1988 which provides for the on-duty Supervising Officer to use his discretion to utilise available on-duty rostered staff to attend public sporting events, or to supplement these crews with additional staff being called on-duty, on an overtime basis. There is no policy restriction on the Supervising Officer's discretionary function.

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Attached to that letter are copies of seven ambulance case-slips, all dated in the last few months of 1989, prior to 5 December 1989, which indicate that the ACT Ambulance Service was contracted to provide stand-by ambulance services at various sporting events in the ACT, including the Canberra Harness Racing Club on 18 November, the ACT Racing Club on 21 October, the Canberra Auto Racing Association on 21 October, the Canberra Racecourse Club on 2 September, and the Fairbairn Park motorcycle races on 26 November.

Mr Speaker, I seek leave to have the letter and the attachments incorporated into Hansard.

Leave granted.

Documents incorporated at Appendix 1

MR HUMPHRIES: Mr Speaker, as the letter indicates, all these cases are cases where, during Mr Berry's thankfully short time as a Minister, on-duty rostered ambulance crews attended sporting events. That clearly is contrary to what he said on Tuesday to this Assembly and clearly is the basis on which he made a number of attacks against the Government on that question, implying that the practice of supplying on-duty rostered ambulance crews to sporting events is an innovation of this Government when in fact that is quite false and misleading.

This is a clear case, Mr Speaker, where Mr Berry has misled the Assembly. As I said earlier, he implied that we were in dereliction of our duty and that we were in some way involved in a cover-up. In fact he said "cover-up", quite explicitly. Mr Berry has conducted nothing but a shameful and dishonest campaign to discredit the Government for pursuing exactly the same policy as he did when he was in government. He has, to use his own favourite expression, been found out. I think it would be only decent for Mr Berry to do the proper thing and withdraw the assertions.

MR SPEAKER: Before we proceed, Mr Humphries, having just had a look at the ambulance case-slips that you have asked to have incorporated in Hansard, the quality of them is very poor. An alternative may be that we incorporate the detail therefrom or just table the documents.

MR HUMPHRIES: Mr Speaker, I acknowledge that the quality is rather poor, but I think it is very important for them to be incorporated in Hansard as proof of this important allegation made by the Government. Without those documents in Hansard it is not possible for the record to accurately reflect that Mr Berry's statements were in fact misleading and false. I would request that they be photocopied on to the pages of Hansard.

MR SPEAKER: We will do our best. The quality may be poor.

MR WOOD (3.26): Mr Speaker, I do not have any confidence in the Minister. And who would have confidence after sitting here for the last 20 minutes when a Minister of the Crown, supposedly with the knowledge and support of the Government, comes into this chamber to move a motion that he cannot move? Where is there any evidence of organisation or any sort of sound structure in this Government? They cannot get their act together sufficiently to move a simple motion that will be debated. How can we have confidence in Mr Humphries and his colleagues, and how can we have confidence in the strength or the weakness, might I say, of Mr Humphries' words? The last 20 minutes have been a shambles simply because you cannot organise yourselves, to use the old cliché, out of a paper bag. So, what notice can we take of you? Mr Humphries has demonstrated, I would think, very little knowledge of standing orders. Perhaps it is that there is very little interest in standing orders.

Mr Humphries: On a point of order, Mr Speaker: I do have knowledge of one standing order, which is relevance, Mr Speaker. I would argue that the manner by which we came to debate this matter is not relevant to the substantive debate. I ask Mr Wood to be relevant. The issue is the censuring of Mr Berry.

MR SPEAKER: I uphold your objection, Mr Humphries. Please get to the point before us, Mr Wood.

MR WOOD: The correct interpretation of the standing orders had to be pointed out to you because you were not aware of them. I suspect that, like Mr Collaery yesterday - - -

Mr Humphries: I take a point of order, Mr Speaker. The same point of order applies. Mr Wood has not - - -

MR SPEAKER: Yes, I recognise that. I thought Mr Wood was wrapping up his comments there. Please conclude those comments, Mr Wood.

MR WOOD: I am not wrapping up my comments at all. I have 13 minutes, if I wish to fill them out.

MR SPEAKER: Order, Mr Wood! Do not debate with me. I am asking you to wrap up your comments on the line of argument you are taking at the moment.

MR WOOD: Okay, fine; I am happy to do that, Mr Speaker. It is the same as Mr Collaery yesterday when he used - or misused - strange interpretations to prevent debate. But we are happy to debate this issue. Bear in mind that it was Mr Berry who suggested that this was the correct course to take if Mr Humphries was to go down any path. So we do not back away from any debate. It might be a strange thing that a Government Minister censures a private member of this Assembly, but we are quite prepared to engage in that debate.

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We do not close down the debate. The Government here now has a long record, evidenced again this week, that it is more than prepared to close down debate that it will find embarrassing, debate that it does not want to undertake. Mr Humphries, you have a cheek to stand up here - - -

Mr Humphries: I take a point of order, Mr Speaker. Mr Wood continues to debate the circumstances by which we came to bring this matter on today rather than the substance of the debate, which is Mr Berry's impropriety in misleading the Assembly. Ask him to be relevant.

MR SPEAKER: Mr Wood, please proceed to the point.

MR WOOD: Well, he has a cheek. He stood up yesterday and adjourned a debate because he was too embarrassed to engage in it. I do not think Mr Humphries should stand up on any point of order because he has no credibility in that area.

Mr Moore: But at least he did not say it was sub judice. He did not lie about that.

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

MR SPEAKER: I think I heard that.

Mr Collaery: I heard Mr Moore. I think we all heard him say, "At least he did not say it was sub judice. He did not lie about that". Mr Speaker, I do not think we will gain the respect of the public while Mr Moore is in the Assembly. I nevertheless ask that, each time he does that, you be vigilant and call him to order and ask him to withdraw it. He may persist at some stage in the future.

MR SPEAKER: Please withdraw that, Mr Moore.

Mr Moore: I said, "At least he did not tell a lie; he did not say it was sub judice". I did not say that the man lied, or any of that at all. I do not see the point that he is trying to make. If Mr Collaery feels that he has lied about something, then that is quite reasonable.

MR SPEAKER: Order, Mr Moore! By imputation you are reflecting on the integrity of the Minister. Please just withdraw.

Mr Moore: In order to allow the good workings of the Assembly to continue, Mr Speaker, I shall withdraw.

MR WOOD: Mr Speaker, let me make it quite clear, since I was challenged, that I have every confidence in Mr Berry. He proved himself to be a very competent Minister, much more competent than the present incumbent. He was, at all times, on top of the issues and provided an outstanding administration. I am quite prepared to see this debate continue. It may be in the end that the sheer weight of numbers, the ruthless enforcement of numbers, will see that

your motion is carried. But the facts will be very different. Mr Berry will not, in any way, be diminished by a simple numbers vote at the end of this debate.

MR BERRY (3.31): I must say that I am happy to rise to debate this motion which has been moved by the Minister opposite in an attempt to cover up his failures in the provision not only of ambulance services but services in the health area generally.

One of the first things that I think need to be made clear in this debate is that I am about providing better services for the people of the ACT. This Minister is responsible for providing worse services. That is the very clear thing. If you censure me, then you censure the services that are provided to the ACT and the services that I seek to support.

The second thing that I want to make very clear at the outset of this debate is that I said - it is on the record - that we were prepared to work with the Government and cooperate with the Government on this very issue, but the Minister's evasiveness on the issue of ambulance services has proved that he is more prepared to cover up on the issue. As I first accused, and as I have proven, he is more prepared to cover up than to cooperate to improve services in the ACT. Not once has the Minister spoken to me since I made the offer of cooperative action with the Government to improve ambulance services in the ACT.

Now, let me cite some examples, if we can keep the member opposite quiet for a moment, of where the Minister has - - -

Mr Humphries: Mr Speaker, I have heard quite a lot of Mr Berry's speech so far. He obviously is about to launch into a diatribe of other so-called shortcomings, alleged shortcomings, in my management of the Ambulance Service. But the issue we are debating, the relevant issue we are debating, is not my handling; it is whether Mr Berry misled the Assembly on Tuesday.

Mr Connolly: You will not even let him defend himself. What sort of an assembly is this?

Mr Jensen: He is not defending himself.

MR SPEAKER: Order, Mr Connolly and Mr Jensen! Mr Berry, I would ask you to remain relevant to the motion before the house.

MR BERRY: Indeed - which I do not have a copy of, incidentally, Mr Speaker, so it is a bit hard to be relevant.

Mr Humphries: It is pretty simple - that we censure you for misleading the house.

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MR BERRY: Thank you. I am going to make it very clear, Mr Speaker, during the course of the speeches that I make on the matter - and that might be something of an indication to the Minister - that what I have set out to do is to improve the delivery of services in the ACT and that the Minister's attempt to censure me will again, in itself, be misleading the people of Canberra about the provision of services in the ACT. All of the facts need to be laid on the table again to ensure that this motion does not succeed, because this motion is wrongly directed.

Mr Speaker, I said that I understood that in the 27 days between 26 September and 22 October 1990 there were 112 - - -

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

MR BERRY: Is this supposed to be a lie, too?

MR SPEAKER: Order, Mr Berry! Resume your seat.

Mr Humphries: Mr Speaker, Mr Berry is about to read his press release of Tuesday. With the greatest respect, I urge you again to remind Mr Berry that the issue is not what he said about the Ambulance Service generally; it is what he said about the Ambulance Service in one particular instance. It is about nothing else. It is not about my handling of the Ambulance Service. It is about his statement to the Assembly.

MR SPEAKER: Mr Berry, I do believe it is a specific issue.

Ms Follett: We have not got the motion.

Mr Connolly: We have not seen the motion. You will not let him defend himself.

MR SPEAKER: Would the house like to suspend the sitting until the motion is photocopied and presented, or would you like to proceed on the advice that there is a verbal understanding of what the motion is?

MR BERRY: The motion says "That Mr Berry be censured for misleading the Assembly", and I am trying to defend myself.

MR SPEAKER: Well, you now have a copy of the motion.

MR BERRY: That is right, and I will read it to you, Mr Speaker, just to refresh your mind. It says:

I move: "That this Assembly censure Mr Berry for misleading the Assembly".

So it is not specific. If Mr Humphries wants to put in motions that are specific he should do so. This is just another clumsy effort on his part when he wants to get a particular message across. This clumsy Minister is not only clumsy in these sorts of Assembly management matters;

he is clumsy in the way he has approached this issue and the way he has approached his portfolio. Mr Speaker, I put the position that there were 112 requirements for overtime shifts - 25 per cent of the total shifts - needed because of staff shortages. Mr Humphries has not - - -

Mr Humphries: Mr Speaker, I raise a point of order. Obviously Mr Berry is not anxious to face the music on this matter.

MR BERRY: I am very keen. That is why I wanted you to move the motion in the first place.

Mr Humphries: He is not anxious to face the music so he seeks to divert attention from what he knows is the subject of this debate. Nobody has alleged that Mr Berry has misled the Assembly in any of the matters that he is currently raising. That is not what has been raised, Mr Berry.

MR SPEAKER: Order!

Mr Kaine: Mr Berry knows exactly what has been raised and he is running for cover.

MR SPEAKER: Order, Chief Minister! The situation is that a motion is before the house that allows Mr Berry to take the approach that he is taking. If Mr Humphries wishes to alter that he can raise an amendment to his motion, which will restrict the debate, after Mr Berry has spoken. Please proceed, Mr Berry.

MR BERRY: Mr Speaker, I see that Mr Humphries has agreed. He now seems to be fumbling with his pen and has agreed that he has mucked up his motion. It is just like everything else that he touches. I said that there were 112 overtime shifts required - 25 per cent of the total shifts. That has not been denied. I therefore take that to be true. Fifty-seven of those shifts were not covered; that is, ambulance crews were short. That has not been denied. I therefore take it that that is true.

At least one station was closed on 32 occasions. I take it, Mr Speaker, that that is true. Staffing levels have been down to as low as 1.5 crews. I recall that Mr Humphries denied that, but I still say that that is the fact because the evidence has not been provided to me that would disprove that. So, on my advice that is fact. On 32 occasions three or fewer ambulances were in service. The minimum requirement in the ACT, before this Government said that it was only an aim, was four ambulances to operate 24 hours a day within the ACT. I take that statement to be fact. On 32 occasions or more, for 10 hours and up to 14 hours there were fewer than three ambulances. There has been no denial that I recall on that matter, so I take that to be fact.

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Mr Speaker, the list goes on. Ambulance availability is often below that which applied in 1973. There has been no denial of that. I take that to be fact, Mr Speaker, and still we go on. There was a motor vehicle accident resulting in a woman with a broken jaw and other trauma having to wait for 55 minutes for an ambulance while the fourth operational ambulance crew was just 1 minutes away under contract at a race meeting. Mr Humphries informed this house, I think, that that had not been reported to his managers.

Ms Follett: He did not deny it.

MR BERRY: But did not deny it. Mr Speaker, I take that statement to be fact. On Tuesday I also said, "Last night a Canberra medical centre required an ambulance for an asthmatic and had to wait unduly until an ambulance had completed another job". Mr Humphries said that that had not been reported either, but did not deny it. So I take that statement to be fact. I said that there had been three occasions when one person had been required to go out on a job alone. Mr Humphries said that he would be surprised if that occurred, but the information I have suggests that that is a fact.

Further evidence has been brought to my attention since this issue hit the headlines. The disgraceful performance of the Minister is becoming clearer. Mr Speaker, the Minister said that there were 71 ambulance staff available in the ACT, but what he did not tell the house was that today there are only 28 qualified ambulance people - let him deny this - that is, people who are qualified to sit in an ambulance, who are available to respond in an ambulance. People who can add up, of course, know that it takes 32, at all times, to provide the four ambulances which used to be the standard until the Government changed its mind in the last few days. The fact of the matter is that there are fewer people on shift than are required to staff ambulances.

The Minister also responded during question time - I must say, in a very misleading way - to a question which was raised in relation to ambulances. I would like to bring another fact to the attention of the Assembly. He was asked:

Will the Minister admit that, of the 71 staff of the Ambulance Service, only 28 are qualified and currently available to staff operational ambulances?

He said that there were 50-odd, or a number to that effect. I do not recall the exact number. Well, that is not true. We were talking about available ambulance officers. The fact of the matter is that there are insufficient members to fully man the ambulances that are normally in place. I seek leave

- - -

Ms Follett: An extension of time, Mr Speaker?

Mr Humphries: No.

MR SPEAKER: Is leave granted?

Mr Humphries: No.

MR SPEAKER: Leave is not granted.

MR BERRY: The gag!

Mr Kaine: Give him a go. He is on the run. Let him keep going. He is hanging himself. The further he goes, the better it gets.

MR SPEAKER: Order! Mr Humphries, are you prepared to withdraw that?

Mr Humphries: Yes, I am, Mr Speaker.

(Extension of time granted)

MR SPEAKER: Please proceed, Mr Berry.

MR BERRY: Thank you, Mr Speaker. This issue is a serious one for the people of the Australian Capital Territory because, since 7 December last year, this Government has done nothing to improve a situation which its former health spokesperson had claimed as a pet subject immediately before the Labor Government was thrown out of office.

The fact of the matter is that questions in relation to the Ambulance Service were raised rightly by Mr Humphries on the basis of information that was brought to his attention. I have no difficulty with that. That is what the Opposition is about - gathering information in relation to Government services which are not up to scratch and drawing it to the attention of the Government.

We moved quickly to address that situation and by the time we were thrown out a report, I was informed, was due to be given to the Government in relation to ambulance services. You cannot keep blaming a government of long ago. You cannot lock yourselves into the time warp forever. The fact of the matter is that you took over government on 7 December. You have had plenty of time to do something about it. The evidence is on the table; it is on the record. You have not been able to produce the goods.

The Minister has to stop deluding himself. The fact of the matter is that they have not produced the goods. They have to admit it. I do not mind cooperating with people who will admit that there are problems, and I will not make a fuss about it if there are problems and if they are fair dinkum about addressing them; but they have to make these admissions. This Minister continues to delude himself and, I suggest, continues to make misleading statements about the true situation of ambulances in the Territory.

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As I have previously brought to the attention of this Assembly, just today we were in receipt of further information about a very serious situation which would make most people of the Territory deeply concerned about why they pay ambulance cover, for heaven's sake. They are paying increased rates now and they are required to pay those increased rates through their private health insurance for a service that they are not getting, a service that they thought they were getting just a little while ago. That is misleading for the people of the ACT.

So it is the Government, and this Minister in particular, that ought to be censured. There is no doubt about that. This Minister has misled the people of the ACT in terms of the delivery of ambulance services. Mr Speaker, if there are those sorts of admissions and if there are decent attempts to address the problem, I do not mind cooperating with the Government; but I am not going to cooperate with people who continue with this misleading line on the issue of ambulances.

I will repeat what was said this afternoon in question time. I asked the Minister whether he was aware of a 15-year-old male with a para-spinal abscess and a risk of paraplegia who required an ambulance to take him to Sydney - and there was not one - for an evaluation of his condition. His parents have ambulance cover. They are paying for four ambulances and an ambulance normally would be available to provide that service if the four were there, but they were not last night. They had to put him in a station wagon, for heaven's sake. They had to have intravenous drip equipment modified and antibiotics and pain-killing drugs administered so that he could make the trip. The trip was made in an unsatisfactory vehicle, with a mattress thrown in the back, no seat belts, and contrary to the road safety regulations, so I suspect that his parents could have been pinched for carting their sick child to Sydney. That is absolutely outrageous.

I note that the Minister has said that he will look into that and find out what went on. But that is not going to change a thing. It is the 10 months of inaction that is the real problem here. You will not change it tomorrow. You have been sitting on your botts for 10 months and you have done nothing. The fact of the matter is that it was only on 8 October that any recruiting action was taken by this Government. Nothing has been done, despite the fact that this Minister, when in opposition, had criticised the Follett Labor Government over ambulances. That criticism was examined and action to address it was put in train immediately. There is no doubt about that.

I do not care what this Minister does in respect of motions that he might move against me. I will stand up and defend the provision of these public services for as long as I have breath in me.

MR JENSEN (3.47): Mr Speaker, I propose to move an amendment - it is about to be circulated in my name - in relation to this matter.

Mrs Grassby: I have just moved one.

MR JENSEN: I got the call, Mrs Grassby. Mr Speaker, I move as an amendment to the motion:

At end of motion, add the following words: ", in respect of his denial that operational crews were used under contract during his term as Minister".

I will speak very briefly on this because Mr Berry added nothing to what is recorded on page 32 of the proof Hansard of 23 October 1990. Once again it is very clear, if one reads Hansard, that Mr Berry sought deliberately to mislead this Assembly by seeking to indicate to the Assembly that he did something when he was a Minister and authorised something when he was a Minister that in fact did not happen.

That is why I think it is appropriate to ensure that the discussion on this matter is restricted as soon as possible to the exact nature of Mr Berry's incorrect and misleading statements to this Assembly.

MS FOLLETT (Leader of the Opposition) (3.49): I want to speak to the motion, Mr Speaker, not to any of the amendments. Mr Speaker, I think we have to accept that there has to be a good reason why a Government with a substantial majority in this house would seek to move a censure motion against a minority Opposition. Of course, there is a good reason, and the reason is that they are terrified of anything else going wrong for the week. This is a desperate, diversionary tactic by a Government in total disarray.

Mr Speaker, let us just cast our minds back to the recent history of censure motions. I recall that the Deputy Chief Minister, the current Attorney-General, Mr Collaery, publicly said that he would be moving a censure motion against me for having spoken out about ministerial travel arrangements. Well, that censure motion has not eventuated, so they had to have one on someone and they picked Mr Berry. The reason for that censure motion not having eventuated is, of course, that the Ministers opposite have been exposed not only for a quite extraordinary predilection to travel at the public expense but also for undertaking that travel in a manner which was not exactly legal - a little bit dodgy.

Mr Humphries: I take a point of order, Mr Speaker. This motion is about censuring Mr Berry. Neither Mr Collaery's conduct nor Ms Follett's conduct is under debate. I think Ms Follett should restrict her remarks accordingly.

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Mr Jensen: They should be seeking to protect him. They cannot.

MR SPEAKER: Order! Order, Mr Jensen, please! I cannot even hear your own member. I did not get the thrust of the point of order, Mr Humphries.

Mr Humphries: It is not relevant, Mr Speaker. Mr Collaery's statements have no relevance to this matter.

MR SPEAKER: Thank you. Ms Follett, I would ask that your remarks be addressed to the person involved in the motion.

MS FOLLETT: They are indeed. They are addressed to the matter of censure of members of this chamber.

Mr Collaery: Mr Speaker, I have a further point of order. Ms Follett referred to travel conducted by members, referring, of course, to me.

MS FOLLETT: Ministers.

Mr Collaery: She said, "It was even Ministers. It was even a little bit dodgy". I ask, Mr Speaker, that she be directed to withdraw that imputation. It is a clear imputation that Ministers' travel has been dodgy.

MR SPEAKER: Yes, I would ask you to withdraw that, please, Ms Follett.

Mr Moore: It is not in accordance with the law. The Chief Minister has admitted it. On a point of order, Mr Speaker: the Chief Minister has admitted that much.

MS FOLLETT: Mr Speaker, I said that it was not exactly legal and I will not withdraw that if it is not. I will withdraw "dodgy" if it upsets the Dodgy Brothers opposite. Mr Speaker, if I may continue - - -

Mr Collaery: That is a qualified withdrawal.

MR SPEAKER: Mr Collaery, it has been withdrawn, I believe.

Mr Collaery: Mr Speaker, it has not been withdrawn; it has been repeated for the record. I ask that Ms Follett withdraw; that she make an unqualified withdrawal.

MR SPEAKER: Please withdraw "dodgy", Ms Follett.

MS FOLLETT: I have withdrawn the word "dodgy" on which they are so sensitive.

MR SPEAKER: Thank you.

Mr Collaery: That is a qualification, Mr Speaker. I ask that she withdraw the word "dodgy". That is all she has to do.

MS FOLLETT: I did.

MR SPEAKER: Mr Collaery, she did, and you are sensitive about it.

MS FOLLETT: Mr Speaker, I would like to continue with my remarks and to address even further the reasons why the Government is so desperate to adopt this diversionary tactic. In this Assembly this week we have had the Chief Minister caught making a totally untrue statement in regard to the Speaker. His expression "Mr ex-Speaker" - - -

Mr Humphries: Mr Speaker, I raise a point of order. I ask Ms Follett to withdraw the assertion that Mr Kaine made a false statement.

MS FOLLETT: He admitted it.

MR SPEAKER: Order! You can raise it as a substantive motion if you wish to proceed on that point, Ms Follett; otherwise, withdraw it.

MS FOLLETT: I withdraw it, Mr Speaker, but there is no doubt that Mr Kaine later had to do a total back-flip from his remarks about you. It was somewhat embarrassing. Furthermore, the Chief Minister has been caught in a public dispute on the question of the statistics on bankruptcy.

Mr Jensen: Mr Speaker, I thought we were debating the issue of Mr Berry misleading the house. I have yet to hear Ms Follett offer one word of defence for Mr Berry. I would suggest that she stick to the debate.

MR SPEAKER: Please draw your remarks to that point, Ms Follett.

MS FOLLETT: Mr Speaker, I am speaking to the question of censure of a member of this Assembly. That is the substantial side of the motion.

Mr Humphries: No, Mr Berry.

MR SPEAKER: Order!

MS FOLLETT: I believe that I am relevant. I think that the Government has got itself even further into total disarray over the Chief Minister's public spat with the Registrar in Bankruptcy. It is not a very edifying spectacle. And, of course, today we have the revelation of the Minister for Finance bouncing cheques. I am not going to comment publicly on that, but I bet they are terrified that I will.

Mr Collaery: I take a point of order, Mr Speaker. This Leader of the Opposition referred to the Minister for Finance bouncing cheques - plural.

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MS FOLLETT: I withdraw that, Mr Speaker. A cheque, as reported.

MR SPEAKER: Thank you. It is hardly enlightening the debate. Please proceed.

MS FOLLETT: As I stated - - -

Mr Jensen: Once again, Mr Speaker, I raise a point of order on relevance.

MR SPEAKER: Yes, relevance, please.

MS FOLLETT: This whole debate is a desperate diversionary tactic by a Government in total disarray. Now, let us have a look at what Mr Berry has done this week. Mr Berry quite properly has drawn to public attention and to the Assembly's attention the absolutely parlous state of the ACT Ambulance Service. Mr Berry has shown that that service is in crisis. He has pointed out one fact after another which the Government and the Minister have totally failed to deny or failed to rectify.

Mr Berry has pointed out that there were 57 shifts not covered. He has pointed out that a station was closed on 32 occasions. He has pointed to a number of cases of desperately ill people in the ACT who were not able to get ambulances. I do not know how many cases he has to pile upon cases before this Government indicates any kind of compassion for those Canberra people who are being denied the ambulance service that they are paying for.

The Minister has absolutely failed to refute any of Mr Berry's assertions. He has totally failed to deny that 25 per cent of the total shifts were required to be overtime shifts. He has totally failed to address the question of the impact that has on the staff of the Ambulance Service. He has totally failed to deny that on occasions the staffing level has been down to 1 crews for four ambulances. I ask you!

Mr Speaker, none of that has been denied. Mr Berry has acted most properly in drawing these matters to attention. Mr Berry has indicated his compassion for the people of the Territory who are not getting the ambulance service for which they are paying.

Members interjected.

MS FOLLETT: It is like talking in a bear pit, Mr Speaker.

MR SPEAKER: Order, please!

MS FOLLETT: Mr Humphries has totally failed to deny that there have been three occasions when one person had to go out on an ambulance job alone - to drive the ambulance, attend to the sick or injured, get them back into the ambulance, do whatever was necessary. One person! What

kind of a service is that? You would be better off sending for a taxi, and most people know that. What about the family of the young man who had to be taken to Sydney, desperately ill, on a mattress in the back of a station wagon? I think they would be very clear in their minds as to whose side they are on, and it would not be that of the current Minister for Health.

Mr Berry took up that issue when the Minister would not, when none of you were even aware of it, it seems, let alone cared about it. You have an enormous hide in seeking to censure this man. A censure motion from a Government which has a clear majority in this house! What are you hoping to prove? That you still have got the numbers? I do not deny it. Mr Speaker, this Government is acting like a rabble. They are, in fact, acting like a very poor Opposition. Why move a censure motion? We know that you have the numbers. The only reason that they are moving this censure motion, Mr Speaker, is as a desperate diversionary tactic. It is a desperate diversionary tactic. They know full well that they had to back down on the censure motion against me. They have had to back down on any number of issues all this week. You are looking like a bunch of idiots. You are moving a censure motion when you already know that you have the numbers. All you have not got, of course, is the facts. All you have not got, of course, is any evidence whatsoever that Mr Berry should be censured. It is a load of nonsense, Mr Speaker. In taking such a paltry action, knowing that you already have the numbers, what are you trying to prove? You are behaving like a rabble and you deserve to be censured, one and all.

MR MOORE (3.59): Mr Speaker, as you know, I had written out an amendment to this motion to turn it back around. I think it is important for me to share with the Assembly a public statement that I made today which may or may not be played on television or radio or whatever. After discussions with the Labor Party we are determined not to waste the Assembly's time by censuring Mr Duby and Mr Collaery for the situation which involved some question over their travel, which the Chief Minister admitted to the Estimates Committee.

Mr Collaery: I raise a point of order, Mr Speaker. This is entirely irrelevant. If Mr Moore has an issue here he should raise it at the right time under the right rules.

MR SPEAKER: Thank you, Mr Collaery. I believe it is irrelevant. Please proceed, Mr Moore.

MR MOORE: I am trying to point out the time wasting that is going on in this Assembly on this particular motion. And on this particular motion the - - -

Mr Kaine: Well, we will vote on it now. That is okay.

MR MOORE: The Chief Minister interjects, "We will vote on it now". Of course, having had their say, they are willing to gag debate.

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Mr Collaery: Mr Berry had extra time.

MR MOORE: I recognise that Mr Berry had extra time. So we have the system established. We have established that this is a pathetic attempt by this Government that does not have enough business on the paper. They do not know what to do.

Mr Collaery: We wanted to talk about schools again today.

MR MOORE: The matter of public importance Mr Collaery is referring to relates to planning. He ought to read his daily program a little more carefully.

Mr Collaery: It does not include schools?

MR MOORE: Some of us will probably bring the schools issue into that because it is such an important part of planning. It is very interesting that the Government should accuse Mr Berry of lying, because over the last week we have seen a pathetic range of lies in this Assembly, some of which have been disguised as jokes and others that have been disguised as other things. The sorts of issues raised on sub judice matters are a good example of the way that an Assembly can be given something that is off the truth. It may not be an absolute lie, but it is certainly off the truth, and that is the sort of situation we see coming from Mr Collaery, whose travel arrangements are, of course, shonky.

Mr Collaery: I take a point of order, Mr Speaker. He is determined to raise this imputation. It has no substance and no-one gives it credibility. It will only serve to create further unfavourable publicity for our Assembly. I do ask, Mr Speaker, that you try to restrain this man.

MR SPEAKER: I ask you to withdraw that remark, Mr Moore, or raise it as a substantive motion.

MR MOORE: I will withdraw the word "shonky", Mr Speaker. I was referring to something that is certainly a little beyond what is legal and that is why I was thinking of shonky, but I will withdraw the word "shonky". The situation is that we have this Government involved in a censure motion on Mr Berry when two of their Ministers have not acquitted their travel in accordance with the Australian Capital Territory (Self-Government) Act.

MR SPEAKER: Order, Mr Moore! This is not relevant to the debate. Resume your seat.

Mr Kaine: I take a point of order, Mr Speaker. That is a total misrepresentation of the truth, and Mr Moore knows it.

MR SPEAKER: And, Mr Moore, I would ask you to withdraw it and also get to the point. That is not the debate before the house.

MR MOORE: Mr Speaker, I do not know what I am withdrawing; but for the sake of the Assembly I will withdraw it, whatever it was. The point I am making, Mr Speaker, is that there is some question hanging over whether two Ministers should be sitting here or not sitting here.

MR SPEAKER: Mr Moore!

MR MOORE: This is important and relevant.

MR SPEAKER: This is not relevant to the debate.

MR MOORE: May I explain the relevance, Mr Speaker? I have just a couple of minutes here. Mr Speaker, may I have the opportunity to explain the relevance?

MR SPEAKER: Certainly not. I believe that you are right off the track, Mr Moore. Having seen your amendment that you tried to put to me, I know where you are going, and I would ask you to get back to the debate before the house.

MR MOORE: Not at all, Mr Speaker. I am not going that way at all. I was just trying to point out that there is some question over whether two of these Ministers should even be sitting in this house at all.

Mr Kaine: Mr Speaker, I object to this.

MR SPEAKER: Order!

Mr Kaine: He is totally misrepresenting the truth.

MR SPEAKER: I do not see that he is quite doing that, Chief Minister, but the point is that he is bringing in points that are not relevant to the debate. Please get to the point of the debate, Mr Moore. Your time is running out.

MR MOORE: Thank you, Mr Speaker. No, I have five minutes and five seconds. Mr Speaker, the point that I started with, and I think it is most important, is that a censure motion of this nature from a majority Government is really total nonsense at a time when in fact we should be getting on with the business of the house, at a time when in fact Mr Connolly and I discussed at length - - -

Mr Jensen: Stop telling fibs.

MR SPEAKER: Withdraw that, please, Mr Jensen.

Mr Jensen: I am sorry, Mr Speaker. I was referring to Mr Berry telling fibs. That is what we are debating. Mr Berry was telling fibs.

MR MOORE: That is quite right. Mr Connolly and I discussed whether we would waste the Assembly's time by debating a censure motion on a much more serious issue than this. We determined that it would be far better to

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continue with the business of the house and the matter of public importance. Instead, we have Mr Humphries raising a spurious accusation - spurious, more than anything else, because it is nothing different from what happens in this Assembly. What happens on most occasions is that the Government simply uses its numbers to protect itself. So the precedent has been set, time and time again, when people have been caught out for telling anything but the truth. We saw it just a minute ago with Mr Collaery's response on his travel arrangements.

MR SPEAKER: Mr Moore, I believe that you are going down the same path. You obviously do not recognise what you are saying. I would ask you to withdraw that imputation that Mr Collaery has somehow done something incorrect or against the law.

MR MOORE: Mr Speaker, the Chief Minister has told the Estimates Committee, quite clearly, that the travel arrangements were not according to the Australian Capital Territory (Self-Government) Act.

Mr Kaine: Mr Speaker, that is a lie.

MR SPEAKER: Order! Mr Moore, please! Chief Minister, I would ask you to withdraw that. You must raise it as a substantive motion.

Mr Kaine: Mr Speaker, I cannot withdraw a truthful statement.

MR MOORE: Mr Speaker, I cannot withdraw a truthful statement.

Mr Kaine: He just deliberately misquoted me.

MR MOORE: He just goes on like this all the time, and that is what he said. Under section 73, it was against the law. He said that in the Estimates Committee.

Mr Kaine: I withdraw it; but he will get his comeuppance, believe me.

MR SPEAKER: Thank you. Mr Moore, would you desist from talking over others and please get to the point? Have you withdrawn that point?

MR MOORE: No, Mr Speaker. I am in exactly the same boat as the Chief Minister. He said that what I said was a lie. I say that what he said was a lie. So we have not moved.

MR SPEAKER: Order! Mr Moore, the Chief Minister withdrew the statement. I ask you to do the same.

MR MOORE: I will withdraw it in exactly the same way as the Chief Minister withdrew.

Mr Jensen: Mr Speaker, I draw your attention to standing order 62. I think we have had enough of this.

MR SPEAKER: Thank you. I agree with you. Please debate the issue, Mr Moore.

MR MOORE: Thank you, Mr Speaker. Thank you, Mr Jensen, for bringing me back to the topic. Mr Speaker, the point is that for the Government to bring forward a censure motion like this at this time is absolutely pathetic.

MRS GRASSBY (4.08): Mr Speaker, I would like to move the amendment circulated in my name. Do you wish me to read it out?

MR SPEAKER: Thank you, Mrs Grassby.

Mr Jensen: I thought you were not going to waste time.

Mr Moore: If you were as slippery as you were with your travel you would be right.

MR SPEAKER: Order! Mr Moore, withdraw that.

Mr Moore: I withdraw it, Mr Speaker.

Mr Collaery: I take a point of order. This man has persistently and wilfully abused the privilege of this Assembly all afternoon. He is determined to create some slur on me. He is going to proceed with that until you use your powers as Speaker and name him, Mr Speaker.

Mr Moore: Mr Speaker, I shall not comment on travel again this afternoon.

MR SPEAKER: Thank you. I put you on warning that if you do so you will be out.

MRS GRASSBY: Mr Speaker, I would like to move the amendment circulated in my name. Do you wish me to read it to you?

MR SPEAKER: Yes, move the amendment circulated in your name.

MRS GRASSBY: I move:

Omit all words after "That", substitute "Mr Humphries be censured for his failure to provide adequate ambulance services to the people of the ACT".

I do not need to speak very long to this amendment because I think the evidence has been given by Mr Berry. He has quoted figures and facts in every way in his speech. The

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proof is in the eating of the pudding, as it is said. Mr Berry has given us the proof that Mr Humphries has failed in his job to have adequate ambulances for the ACT services. As he has given all this proof, I do not think I need say very much. I think that Mr Humphries should be censured for the fact that he has not been able to provide them.

MR HUMPHRIES (Minister for Health, Education and the Arts) (4.10): I wish to speak to Mrs Grassby's amendment. It is very unfortunate, Mr Speaker, that the Opposition should seek to do what they are doing today. I particularly want to indicate that, as far as Mrs Grassby's amendment is concerned, it is a very dangerous precedent. It certainly has been the case in the past that motions of censure have been turned around in certain circumstances. I am sure Mrs Grassby is well aware of the most famous example where that occurred when Mr Whitlam was sacked as Prime Minister. But the circumstances were exceptional.

I do no more than offer a word of warning to those opposite. If they wish to treat censure motions in this fashion, and in particular to refuse to admit an obvious untruth when it is brought to the attention of the chamber - so far in the entire hour of this debate on we have heard not one word why Mr Berry did not tell a lie; not a shred of evidence about his lie - if they choose to do that, they set a precedent which is going to come to our advantage in the future. It will be an advantage to people on this side of the chamber because one day, Mrs Grassby - I will admit it to you - you are going to have one of us on the ice. You are going to have us caught dead to rights. When you do, we will be entirely entitled to take the course of action that you have taken here today, that is, fail to admit the error and cover up. Now, if you want to do that, that is fine; we will play that game. But beware; you are setting a very dangerous precedent that will come home to roost.

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

That the question be now put.

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

Mr Collaery: Mr Speaker, I should inform the house that Mr Duby is travelling and will not be present.

The Assembly voted -

AYES, 8

Mr Collaery
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.

Question put:

That the amendment (**Mrs Grassby's**) be agreed to.

The Assembly voted -

AYES, 6

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

NOES, 9

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

Question so resolved in the negative.

Question put:

That the amendment (**Mr Jensen's**) be agreed to.

The Assembly voted -

AYES, 8

Mr Collaery
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.

Question put:

That the motion, as amended, be agreed to.

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The Assembly voted -

AYES, 8

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

NOES, 6

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

Question so resolved in the affirmative.

ADJOURNMENT

MR SPEAKER: Order! It being close to 4.30 pm, I propose the question:

That the Assembly do now adjourn.

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

Question resolved in the negative.

TREASURER'S ADVANCE Ministerial Statement and Paper

MR KAINE (Chief Minister and Treasurer), by leave: Mr Speaker, in accordance with the provisions of section 47(2) of the Audit Act, I am tabling a statement setting out particulars of all of the expenditures that remain as a charge to the Treasurer's Advance for the financial year ended 30 June 1990.

The Audit Act enables me, as Treasurer, to make moneys available from the Treasurer's Advance for expenditures which are required to ensure the efficient management of ACT Government programs and which are in excess of specific appropriations or not specifically provided for by appropriation. It is a requirement that the total expenditure so charged does not exceed the amount appropriated for that year under the Treasurer's Advance.

For the financial year ended 30 June 1990 total expenditure from the advance amounted to \$12,790,997. The details relating to the expenditure of that amount are set out in the statement for the information of the Assembly. Mr Deputy Speaker, I table the following paper:

Audit Act - Statement of expenditure from the Treasurer's Advance, pursuant to subsection 47(1), for 1989-90.

I move:

That the Assembly takes note of the paper.

Question resolved in the affirmative.

URBAN INFRASTRUCTURE
Discussion of Matter of Public Importance

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

The sound planning principles behind the ACT urban infrastructure should not be disregarded.

MR WOOD (4.29): Mr Deputy Speaker, it is an extreme irony that in this city, which is a monument to very good planning, we have a Government which is clearly inept in its planning. I have said before that the way it has embarked on its program to close schools is clear evidence of that. Mr Humphries gave us further evidence today when he could not bring a fairly simple motion effectively into this parliament.

Canberra is evidence that planning works. The Government seems not to recognise that fact. It is recognised around the world, however, that Canberra is a successfully planned city that is working extremely well. I think the only area in which that planning is now having some difficulty is in its concentration on roads as its means of major access from the decentralised communities. The Government, however, in relation to what it is doing in schools, seems on course to break down some aspects of this carefully and well planned city.

If there is one view that Canberrans have clearly expressed in recent times, it is that they like Canberra; they like it the way it is, and they do not want it changed. I do not think anybody would dispute that. Indeed, I believe that the intensity of the opposition to school closures is based not just on the closing of schools but also on the fact that it is seen as an attack on our beautiful city. The Government is dismantling some of those planning concepts which began with Walter Burley Griffin. Those concepts were well carried on, following Menzies' establishment of the National Capital Planning Committee.

They have not been well served by Mr Humphries' off-the-cuff proposal to close up to 25 schools. That has resulted in some very backward steps in relation to our carefully planned city. Mr Humphries came into this Assembly with no prior thought to the notion that this city was carefully planned. He certainly had no planning in mind. Such planning as has been done has been very much on a catch-up

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basis as questions have been raised in this parliament and the community. Perhaps that sound planning has been one of the problems that Mr Humphries has belatedly discovered. Canberra is so well planned, he has discovered, as time has gone on, that to remove some of that infrastructure is to cause serious damage.

The situation in Canberra is different from that in other cities. Schools in Canberra, for the most part - not always the schools in the earliest days - do not sit out in splendid isolation, as they do in most other parts of Australia. Let me quote from a planning document from the Interim Territory Planning Authority when it was, rather late in the piece, asked to comment by the Minister and the department of education. That document makes a very clear statement and an important one. I quote:

Primary schools comprise the basic building block of most Canberra suburbs. The primary schools are located to optimise safety, access, social interaction and residential amenity. This approach ensures equitable access to primary schools for all children.

That is very sound advice from the city's planners. It is unfortunate that the advice was not accepted.

Mr Jensen: Which one was that again, Bill?

MR WOOD: I quoted it to you, Mr Jensen. The Government has ignored Canberra being a planned city, and it ignores the advice that it belatedly sought when planning its closures.

Mr Humphries: That is not correct.

MR WOOD: You pay attention. Mr Moore and my colleague Mr Connolly might correct me if I am wrong, but I recall that in the Estimates Committee hearing the chief education officer, the bureaucratic head of the ministry, Dr Willmot, said that it was on 18 July that they first made contact with the planners. You might check that date for me - I am relying on my memory - but it was some time about then. It was so far down the track, yet only at that stage was there some thought to consult the planners. That information should have been available to Mr Humphries before he gave any real consideration to which schools were to close or even that schools ought to close.

I have something to say about that report of the Interim Territory Planning Authority. It was based on a premise: if schools were to close, which ones should they be? It was not necessarily a statement from the authority that certain schools ought to close. Bear in mind the very heavily emphasised "if". The planning authority reported subsequently that its analysis supports the closure of Cook and Holder primary schools.

Mr Jensen: And Lyons and North Curtin.

MR WOOD: Just be a bit patient. I am saying it as it is. It recommended the closure of Lyons and North Curtin primary schools if South Curtin school is reopened. It is the Government's intention to reopen South Curtin, although I think that is becoming less and less likely. The planning authority supported the partial closure of Kaleen, Hackett, Griffith and Weetangera schools, if coupled with kindergarten to year 3 schools. They would not be total closures. It would support the closure of Chapman school in 1995.

The authority rejected a number of suggested closures; but, along with some suggested partial closures that I have mentioned, the Government has decided, as in all planning matters, it seems, to override the very sound advice. That is the record, and I want it acknowledged.

Bear in mind that the authority was not required to consider the commitment previously given and repudiated by this Government that Weetangera, Cook and Hackett primary schools should remain open for at least five years from 1988. As to Higgins school, which is still proposed for closure, the recommendation was to reject closure. I have mentioned Weetangera. There the recommendation was to retain kindergarten to grade 3 but provide bussing. The authority suggested that Cook school be closed but that bussing be provided. The recommendation for Hackett school was: retain kindergarten to grade 3, and bussing is essential. North Curtin and Lyons ought to be closed if South Curtin reopens. In relation to Rivett school it rejected the notion of closure. If the Government has to close a school - I emphasise that word "if" - it suggested that in 1995 the Chapman school might be considered for closure.

So the parents of students at some of these schools are reasonably asking: why did the Government not accept the advice of the planners? Why is Higgins now listed for closure? Why did the Government decide to close Rivett school instead of Chapman? Was it because it could not send the children of Chapman down the hill to Rivett? It seems a strange decision to have been taken, especially when you look at the excellent buildings that make up the framework of the Rivett school.

I have some reservations about the report of the Interim Territory Planning Authority. I do not know whether it is because of the terms of reference, as it were, that the authority was given. It categorised its decisions into three areas. The first priority was safety and access to the school; the second was the level of disruption to the students and the distance from the school; and the lowest level of priority was surplus capacity. It is the ALP's view that no school should close. I believe also that the planning authority should have made a wider examination.

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It may have been because of the terms of reference that it was given, and it might not be quite the precise terms, but it considered only the impact on children.

I believe that it would have been better if it had considered school closures in terms of the impact on the whole community, the suburb, the people who live in the suburb, and how a school closure would affect that whole suburb. If that more comprehensive examination had been undertaken, I believe that the firm recommendations throughout would have been for no closure. Perhaps it was not asked to consider anything more than the impact on children.

I will not relate again today the disruption to a suburb that is caused by the closure of a school; I have been down that path before. But I want to make one point. The Government has placed great store in the fact that there are allegedly 13,000 surplus spaces in our schools. There has been a great deal of argument surrounding the point that there is unused capacity in our schools and that this is uneconomic. Yet if you close a school the same argument can apply; there will be a great deal of unused suburban infrastructure that the Government does not seem to want to take account of. What about all the bike paths, the carefully designed roads, and the child-care centres that may no longer be used? So much infrastructure there also will be inefficiently used. It seems illogical to use the argument against unused capacity, on the one hand, and not think about it, on the other, when it suits you.

Canberra is a very well planned city. The people want it that way. A very important aspect of this business of school closures is to destroy some of that urban amenity. That should not occur. Not only are the needs of our children to be considered, but also the needs of the wider community, along with those of the children, are most important.

MR KAINE (Chief Minister) (4.42): Mr Deputy Speaker, I must admit to being somewhat disappointed with Mr Wood's presentation. His matter of public importance reads:

The sound planning principles behind the ACT urban infrastructure should not be disregarded.

But Mr Wood has mentioned nothing but schools. I can only assume that, in his view, urban infrastructure relates to schools only. I had hoped that he would deal with the broader aspects of the problem which are of concern to many people. They are certainly of concern to the people on this side of the house.

But I am very happy to be able to respond on behalf of the Government to the issues raised by Mr Wood and to deal also with the broader issues of urban infrastructure and planning. I think we can be quite proud of the Alliance Government's record on this matter. Frankly, I think that

any honest observer would conclude that, despite the Opposition's irrationality on this matter, this is an area in relation to which once again the Government has bitten the bullet and made some hard decisions which were left to us by the ditherers on the other side when they were in government.

It is therefore very opportune that this matter has been brought before the Assembly today. The debate gives me the opportunity to place planning issues in perspective, as opposed to the myopic, narrow focus on some few particular aspects of planning which we have seen in recent weeks from across the floor and which sadly has been repeated by Mr Wood.

Since the popular Alliance Government came into office, planning has been high on our agenda; indeed, it has been one of the areas of significant activity of this Government. I notice, Mr Deputy Speaker, that there is only one member of the Opposition present during this debate which it brought up, and that member is not even a member of the Labor Party - it is Mr Moore. It is absolutely shameful. Unlike the Opposition, we have a view of planning as a means to an end rather than simply as an end in itself. My Government sees the role of planning in the broad sense as establishing the structure of the city to meet social and economic needs whilst responding to the needs for conservation and, at the same time, change.

It is the vehicle for beneficial change. For example, a comprehensive package of planning legislation, on which my Government has sought public comment and which will soon be introduced into the Assembly, has the objective of protecting the sound principles which I thought Mr Wood would have addressed and which have made Canberra one of the best planned cities in the world. As members will be aware, the legislation will require the Territory Plan to ensure that the planning and development of the Territory provides the people of the Territory with an attractive, safe and efficient environment in which to live, work and enjoy their recreation.

The package of legislation ensures that the community will have much greater involvement in the way in which planning policies are developed and implemented than any ACT laws have ever previously required. Basic to the legislation is a requirement for public consultation and the provision of opportunities for appeals, inquiries, environmental impact statements and community input into decisions. The consultation that is already under way on issues for the new Territory Plan is an example of the open consultative approach which enables the community to inject issues which concern it at the formulative stages of the plan.

Issues papers on a wide range of relevant aspects of planning are being circulated for community information and comment at the moment. Mr Deputy Speaker, six papers have been circulated for public comment. I should acknowledge,

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in fairness, that the package of legislation builds on work done by our predecessors in government. I hope that the Assembly will approach these Bills in a bipartisan way.

As I said earlier, we do not see planning as a set of rigid rules. We see planning principles as the basis for protecting and shaping a living city. Canberra is a dynamic city; it is changing constantly. And the needs of its people and the economy need to be reflected in planning decisions. In other words, planning principles need to reflect the imperatives of social change. It should be remembered that the plan is not the city. The role of the plan is to facilitate the actions of a range of players. Many of the major components of the city, such as offices, shops and the like, are provided by private enterprise, and their provision depends on an assessment of market viability.

Similarly, the provision of public facilities has to be undertaken, bearing in mind questions of viability and the finite resources of the ACT. But this does not mean that sound planning principles can be disregarded, either to attract investment or to provide cheaper public facilities. Basic to planning are the fundamental objectives of access, equity, safety and environmental protection. These are relevant in a whole range of areas such as transport, the development of town centres, the protection of the environment and the provision of community facilities such as education and health.

I wish to stress, Mr Deputy Speaker, that these principles have not been treated simply as words by this Government. As I said earlier, we have been prepared to bite the bullet on hard decisions which our predecessors could not or would not confront. For example, in the fields of transport and the environment this Government took the decision to ban commuter parking from the residential areas of Reid, Braddon and Turner, giving priority to the environment of those suburbs and considerations of equity. I might add that, in doing so, this action redressed an erosion of planning principles allowed under the previous Government.

As other elements of this concern, we have undertaken a study for an intertown public transport route and commissioned studies for giving priority to buses and removing much of the through traffic from Civic. The Government has also been keen to ensure that the development of Civic has been in accordance with sound planning principles. Earlier this year we released a report on environmental monitoring. It formed the environmental basis for decisions on development proposals in the Civic area, particularly in relation to the old Canberra Times site. Those principles will be applied to other development proposals that are currently being undertaken. The study was complemented by more detailed environmental assessments on two specific development proposals. Once again, Mr Deputy Speaker, this was an area in which the previous Government simply failed to act.

The principles of environmental protection in planning extend across the whole range of development activities. For example, the first action that my Government has taken in Gungahlin responds directly to this concern. The first construction activity to be undertaken there - and at considerable expense, I might add - is the construction of a major water quality control pond and retardation basin on Ginninderra Creek, to protect the water quality in Lake Ginninderra during the construction phase of Gungahlin.

The announcement yesterday that the very fast train will take the northern route through the ACT gives the Government the opportunity to reinforce again the planning principles of decentralised employment and an effective transport system, on which Canberra is structured. The station, which will now clearly be located at Gungahlin, will be the hub of a major employment concentration. It will thus become a major focus of activity, enable the development of a higher standard of public transport links within the ACT and may well provide the opportunity to use a lower energy mode of transportation here.

Mr Deputy Speaker, the decision to commence the development of Gungahlin was another major decision taken by this Government to ensure that both planning and infrastructure are in place to meet the fundamental community need for a mix of available and affordable housing. As indicated earlier, the principles of access and equity are valued by this Government, and it is essential that they be considered in any decision that may result in change to the nature of the city.

The distribution of facilities within districts and across the ACT as a whole has been undertaken to date in a coordinated and systematic way. Planning seeks both to enable and to ensure social infrastructure provision and the necessary interactions that foster community support and development. The decision of this Government to close schools has been a result of some very real economic imperatives. The decision has caused some community concern about the resulting distribution of schools and the safety of access. So the Government has asked Dr Hugh Hudson to look at these issues in consultation with the community. Dr Hudson will take into account the assessments undertaken by the Interim Territory Planning Authority in arriving at his conclusions.

The differences between the Interim Territory Planning Authority's advice on some aspects of school closures and my Government's decision have attracted some ill-informed comment in the last couple of weeks. The differences relate to Higgins, Hackett, Rivett and Weetangera schools. In the case of Higgins, future capacity may be needed to accommodate demand from any future development in west Belconnen. The Government's proposal to close Higgins Primary School, while retaining the buildings and grounds for any future use, is in keeping with the spirit of the advice of the Interim Territory Planning Authority.

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In regard to Rivett, the ITPA recommended the closure of an alternative school within the district. The Government made its judgment on that matter and decided that Rivett was the preferable closure. The ITPA recommended against the total closure of Hackett and Weetangera schools, suggesting that a kindergarten to year 3 facility should be retained. This advice was based on a concern that children aged five to eight could not be expected to cross major roads with the current traffic arrangements. These issues will be given due consideration in the review that is being undertaken by Dr Hudson. His brief clearly covers these matters. It is my understanding that he has all the necessary material from the Interim Territory Planning Authority and has met with my officers to discuss those matters.

But, Mr Deputy Speaker, as I said before, schools are only one aspect of life, albeit of major interest to some. Government has a responsibility to the wider community to take into account the needs and aspirations of the whole community. This Government is doing that. It is giving due regard to the needs of the disadvantaged, the ageing, the disabled, youth, traumatised women and children, people confined to corrective institutions and the homeless. The list goes on.

To argue that we are obsessed with schools, as the Opposition pretends, is clearly nonsense. The needs of all of those people and all of the elements of our society must be considered when government makes decisions concerning society's infrastructure. We are doing that. We will continue to do so, despite the narrow, ideological approach taken by those in opposition.

In short, Mr Deputy Speaker, my Government is proud of its record on planning matters. Once again, we have not been afraid to take the hard decisions, despite the legacy of financial and administrative dithering left by our predecessors, people who claim much but who did little.

MR MOORE (4.54): Mr Deputy Speaker, it gives me great pleasure to speak on this topic. In the introduction to the Metropolitan Canberra Policy Plan and Development Plan in July 1984 the then Commissioner Tony Powell said:

In the final analysis the crucial judgments to be made about planning are whether or not Canberra provides a large measure of satisfaction as an environment for living so far as its residents are concerned, and as an effective seat of government so far as the Parliament and the executive government are concerned.

He was concerned about the National Capital Plan. Since then we have divided those two issues. The one that applies most to this Government, the Interim Territory Planning Authority and the Chief Minister, the Minister for

planning who is now departing, is that Canberra provides a large measure of satisfaction as an environment for living so far as its residents are concerned.

Mr Jensen: You should have read the one before it.

MR MOORE: Mr Jensen is interjecting that I should have read the paragraph before. I am sure he will come to that later. It is quite clear that there is a tremendous dissatisfaction on the part of the residents of the ACT with the way in which this Alliance Government handles its planning. The most scandalous of all issues as far as it goes is the schools, and perhaps the second most scandalous planning issue is the fact that the Alliance Government has decided to bypass the Supreme Court decision on the Canberra Times site. By doing so, this Government has shown a lack of understanding of the way Canberra works, the plan behind Canberra and the concepts driving the city which make it one that so many people like and enjoy living in. People want to retain its best characteristics.

Last night I was fortunate enough to attend the Royal Australian Institute of Architects Burley Griffin Lecture that was delivered by Ted Mack. One of the most interesting points that he made in his speech, which was on planning and democracy, was the notion that in North Sydney, in terms of open government, he instituted the idea that there were no secrets behind planning, no behind-closed-doors decisions. That was the sort of goal with which some members of this Assembly entered the election and with which they put together a political party.

In Mr Mack's experience, the argument - this is a most interesting argument for me - that commercial-in-confidence material must always remain in confidence went out the door. That was an unacceptable argument. He said that there was simply no such thing as in-confidence as far as commercial-in-confidence goes. Mr Mack said that, if a developer wanted to develop something in North Sydney, the moment the plans hit North Sydney Council they were public documents; there was no longer such a thing as commercial-in-confidence.

Whereas most of us tend to accept the concept of commercial-in-confidence as being important, he pointed out that North Sydney, at that time, was the highest developed area in Australia, through a very open planning system. The North Sydney Council and Mr Mack are recognised across Australia and in many other parts of the world for what some perceived as a successful experiment in democracy.

The first thing that this Government should be doing as far as its planning goes is making things available to people. One of the things that shocked me in the Estimates Committee hearings was a comment from Mr Jensen that indicated that he was aware of this planning document that the Estimates Committee was finally able to extract from

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the Chief Minister as Minister for planning. The document clearly explained the advice given to the education department.

Mr Jensen: You had it under FOI.

MR MOORE: Mr Jensen interjects that we had it under FOI. I had received it at lunchtime that day, under FOI. There was some question about that FOI anyway. The point that I would like to make is that Mr Jensen was very much aware of this document. I wonder how many other documents there are like this, which reflect on schools, of which he is also aware and which he is not sharing with us. I wonder what other advice the education department has been given by the Interim Territory Planning Authority or other planners that indicates things like:

Primary schools comprise the basic building block of most Canberra suburbs.

Mr Jensen: You had better read on.

MR MOORE: I read it all, thank you, Mr Jensen. One wonders what other information he has which would besmirch this Government with its secrecy and inability to be open in what it is doing. It knows that what it is doing is not right. From the sorts of things that Mr Wood pointed out, the action that the Government has taken and the action that Dr Kinloch bravely took in standing against this decision, it is quite clear that there are questions to be asked about school closures, and the answers will not come for some time because the documents no doubt will be buried. It is not the way to get the confidence of the people. The Government does not have the confidence of the people. It goes behind closed doors and makes decisions without people having the full set of information. It is even reluctant to provide information when it comes under FOI.

Mr Humphries: That is not true, Michael.

MR MOORE: There we are. You certainly were reluctant and slow. On that matter, Mr Humphries, I will just draw your attention to the fact that when the Chief Minister presented us with the information that the Government had from the planning authority we received it at 6.07 on a Friday night, and on that night the Estimates Committee finished sitting at 6.10. That is an appallingly cynical move and a shabby way for an Estimates Committee to be treated by the Alliance Government, and in particular the Chief Minister as planner. That gave us very little chance to ask questions about that document. As it happened, Mr Wood had a copy, and I also had a copy from about lunchtime onwards, so we directed a series of questions which related to it.

Mr Collaery: Bill had it from another source, and you know it. Tell the truth.

MR MOORE: I said that. I just said that.

Mr Collaery: No, you did not say that.

MR MOORE: I said that.

Mr Collaery: You did not say that.

MR MOORE: I knew it, and I also had a copy.

Mr Collaery: I am not going to draw the Temporary Deputy Speaker into this, but that is not correct.

MR MOORE: The shabby thing is: remember where you have been.

Mr Connolly: Travelling.

MR MOORE: Thank you. I could not use the word. Mr Temporary Deputy Speaker, when we have a new occupant of the chair, does the old occupant's ruling still apply? Never mind; I am running out of time. I would like to draw your attention to a broad concept. I will refer to a report of a Senate select committee which was appointed to inquire into and report upon the development of Canberra in September 1955. That committee's conclusions 514 to 515 included:

- (3) Every encouragement should be given towards the development of the city as a tourist, cultural and educational centre ...

I just thought I should throw that in because it is of historical interest. As planning concepts go, contrary to what the Chief Minister said, education is a very vital and important part of planning.

I would like to draw your attention to one other thing. This is the Government which supports the development of the Canberra Times site for offices and which bypassed the court's decision. On page 139 of the Gungahlin "Having A Say" document it is stated that 83 per cent of respondents gave, as a way of resolving problems of transportation, creating the maximum number of jobs in Gungahlin town centre. Creating jobs in the town centres is what this Government should be about, in addition to rectifying the mess that it is making on schools as far as planning goes.

MR JENSEN (5.04): We have heard some comments this afternoon about the suggestion that the Government members chose to ignore the document to which Mr Moore referred. This document was the only one that was provided to me as a member of the Government in relation to planning issues on school closures.

Mr Moore: When?

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MR JENSEN: I cannot think of the exact date, Mr Moore, but it was prior to the discussions on the decision. I think it may have been a day or two prior to debate on this matter by the Government members.

Mr Moore: You had that before you closed schools, before you participated in the debate, yes.

MR JENSEN: As I indicated, Mr Moore, if you were correctly listening, I had access to the document. It was provided to me well before any final decision was taken in relation to schools. Right? Got it?

Mr Moore: Yes, I understand your embarrassment.

MR JENSEN: Mr Wood also suggested that we ignored planning matters during the discussions. Let me assure him that this was clearly not the case. It was unfortunate that when he referred to this document he chose to suggest that the Government did not follow all the recommendations that were in this document. There were some parts of this document with which he agreed but there were others with which he disagreed. If it is okay for Mr Wood to agree with some parts of the document but not others, what is wrong with the Government considering some parts of the document but not others? There is a double standard there, I suggest. Let us get it right.

During Mr Wood's contribution to the debate he went on to suggest that the document to which he referred did not include any comment in relation to matters other than schools. It does, because on page 4 there is reference to a social index which looks at a number of issues in relation to the social form of a particular community. It considers things like the number of cars belonging to a family in a particular suburb, the households with dependent children and the percentage of housing stock in a particular suburb. All those items were included in that matter. That is what the Hansard says. So, to say that is clearly incorrect because that is included in this document, and there is some consideration of that.

There is another matter which is one of the key issues. I think I should read it into the record. Unfortunately, when people pick up these sorts of documents they tend to be a bit selective in what they read. I think people should read on. Key issue No. 3 says:

From a planning perspective it is essential to assess the proposals in terms of their immediate impact on safety, access, social interaction and amenity. It is also critical to consider the longer term requirements that derive from urban growth of the city. This requires identifying those schools that should be retained to meet the longer term needs for safe, accessible school provision.

So, to suggest that other aspects were not considered by the planning authority in its contribution to this debate is just a bit off the mark.

Before I move on to some general points in relation to the planning issues, I will refer to some of the documents that Mr Moore chooses to use on odd occasions. I am referring to the Gungahlin policy and implementation plan, dated January 1989. However, I think it is appropriate to refer to the environmental impact statement, which is a draft for discussion, dated April 1988. Let me go on to make some comments in relation to what is included in this document. On page 68 it says:

The provision of the school is nevertheless related to the ability of the neighbourhood to provide adequate long term enrolments to ensure its long term viability. As a neighbourhood moves through its life cycle, school enrolments can drop to one-third of their peak with consequential implications for educational costs, so an element of compromise is implicit in the choice of school and hence neighbourhood size. Neighbourhoods of 1600-1800 blocks provide adequate long term enrolments as well as peak enrolments which are high but acceptable.

The problem is that in relation to Gungahlin they are the suggestions that are being applied. However, in the two areas that have been most involved in the proposals for school closures, different processes and procedures were applying. If one looks at those parts of Belconnen and Weston Creek that have this problem, it is very interesting to consider them because you will note, Mr Deputy Speaker, that these suburbs were opened at about the same time. As someone once said to me, when I was discussing this issue, "I can stand on my roof and see five primary schools". That was in Weston Creek.

Mr Berry: If you climbed up Black Mountain Tower you could probably see more.

MR JENSEN: That relates to the Weston Creek area, Mr Berry. Clearly, the sorts of criteria that are suggested here have been overtaken by events. The document then goes on to talk about other aspects of school population. An interesting comment relates to traffic safety. At page 68, continuing on to page 69, it is stated:

For example, as neighbourhood size decreases, the long term viability of the school also declines but traffic safety within the neighbourhood improves as the volumes and speeds on distributor roads are reduced. This element of compromise is a major part of the planning process.

That relates to the whole planning process. To a certain degree, the issue of planning is a matter of compromise.

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Let me now refer to some general statements in relation to planning within the ACT. The Government acknowledges that the community is entitled to a planning system which is open, accessible and responsive to its needs, as well as being responsive to economic and social development needs. For example, today the Chief Minister was able to indicate to members of the Assembly all the details related to the public consultation that is taking place in relation to the planning documents that have just been produced. Even a member of the Opposition, Mr Connolly, indicated in an interjection that they were very good documents. They provide a firm basis for community consultation in the development of the plan. That is most important.

Since December last year, Mr Deputy Speaker, the Alliance Government has devoted considerable energy to the development of comprehensive planning and land use legislation for the ACT, to provide the consistency and certainty that has been lacking in the planning arena in recent years. Unfortunately, the previous Government played with it but did not really get down to the hard decision making process. It related to two major points.

Mr Berry: You have not yet, either.

MR JENSEN: We have put some Bills on the table, Mr Berry, which is more than your mob did. The package consists of five draft planning Bills - the heritage Bill, the environmental assessment and inquiries Bill, the land use approvals orders Bill and the land leases and management Bills.

Mr Connolly: Will we see the Bills by Christmas?

MR JENSEN: Definitely, Mr Connolly, you will see the Bills well before Christmas; I can assure you of it. Mr Deputy Speaker, I seek a short extension of time.

Leave not granted.

MR CONNOLLY (5.15): The subject of the MPI this afternoon takes us back to where we started at the beginning of the schools debate. The point that the Opposition was consistently making in this schools debate is that the entire social fabric of Canberra is built around the neighbourhood school, that the neighbourhood school is the centrepiece of this town. We referred months and months ago to works such as Ideas for Australian Cities by Professor Stretton, which complimented Canberra on its neighbourhood school planning basis. We reminded the Government of how this neighbourhood planning basis has been commented upon favourably by observers of Canberra and how central it has been to the social fabric of Canberra.

Yet it all fell on deaf ears, until we discovered during the Estimates procedure that there had been a planning authority report on school closures, and we wondered how

that had fitted into the Government's decision making. Not surprisingly, we discovered that it had not fitted in at all, that the Government's view on the neighbourhood school concept, the neighbourhood school basis of Canberra, was very clearly summed up by the Rally members particularly, who said in this place some months ago that we still have neighbourhood schools but that it all depends on how you define your neighbourhood. The people of Weetangera still have a neighbourhood school; it is called Hawker. The people of Higgins still have a neighbourhood school.

Mr Moore: It could be called anything.

MR CONNOLLY: It could be called anything. Eventually we may have one school in Canberra, and it will be a neighbourhood school, on that logic.

Mr Collaery: What about North and South Curtin? Which one is the neighbourhood school?

MR CONNOLLY: It is a very good question, because we are moving the schools constantly. This whole idea of neighbourhood schools is being thwarted by this Alliance Government. It is a joke. To suggest that it is acting consistently with this basic planning principle of Canberra, Mr Deputy Speaker, is a joke. Mr Jensen said that planning is about compromise. The Government is not compromising the neighbourhood school planning concept; it is abandoning it lock, stock and barrel.

The basic understanding of Canberra has always been that it would not be a constantly growing city throughout its urban environment. While Canberra would continue to grow, there would be the normal peaks and troughs in the various parts of this community. A clear example of this is the Metropolitan Canberra Policy Plan of July 1984 in which the NCDC, in discussing the Y-plan developments, the then projected growth for Tuggeranong and Gungahlin, said:

Throughout the period of urban expansion in Tuggeranong and Gungahlin, redevelopment of the older parts of Canberra will be increasing in response to demands by small households, single adults and groups for medium-density housing close to the main employment nodes in the Central Area and to the entertainment and cultural activities located in Civic Centre.

It noted that as Canberra grows this demand will increase. But, Mr Deputy Speaker, what is this Government doing to take account of this obvious demographic fact that suburbs will peak and trough, that there will be growth and decline in the make-up of any suburban area at any one time? It is shutting the schools and flogging off the sites for medium density development. As I said earlier, Townhouse Trevor, the Chief Minister, will long be remembered by the communities whose schools he has closed.

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But what are the people who move into these medium density houses to do when they need educational facilities for their children? The neighbourhood school will not be there. At the moment in those areas where there have been declines in enrolments the school facilities are being used flexibly. Classrooms which are not presently in use for teaching purposes have been rented out to community groups and, in some cases, to commercial groups. The schools community has done a remarkable job in presenting to this Government submissions, which have consistently fallen on deaf ears, to demonstrate how additional revenue could be earned by this flexible use of the presently unused space at the neighbourhood schools.

Mr Deputy Speaker, that would be a flexible use of neighbourhood schools, which is consistent with planning policies, the concept of retaining a neighbourhood school and the obvious fact that urban areas will grow and contract over time and that the number of school-age children in an urban area will vary from year to year. In the years when there are fewer school-age children, rental income can be generated from the school. As demand for school spaces picks up, in a sensible and orderly fashion, that rental accommodation can be relinquished and the areas can be reused for school accommodation.

At the risk of outraging the Government, I again remind it that it was all pointed out in the OECD report - that unused school capacity is not a liability to government; that it can be an asset if sensibly used. It means that those neighbourhoods retain their schools. It has always been a basic principle that there will be a ratio of households to schools. Again, the July 1984 Metropolitan Canberra Policy Plan indicates:

Experience has shown that residential areas of about 4000-5000 people form a community of interest and provide the necessary threshold for the provision of facilities such as schools, neighbourhood shops and recreation areas.

Mr Deputy Speaker, when you shut down the neighbourhood school and flog it off, the community group of that number of households loses one of its essential factors, and it cannot be regained. Once you have sold the school it is gone, unless this Alliance Government is hoping to lumber a future government, which will no doubt be a Labor government, with the difficulty of repurchasing these areas that have been sold off.

The future capital cost to the ACT Government could be incredible when regenerating inner urban areas are being redeveloped. Already we are aware that significant thought is being given to the infill of areas of west Belconnen. How will that be affected by the closure of Higgins and Weetangera schools? Will the ACT Government be forced to purchase new areas in the emerging suburb to build a replacement school? It is purely a wasteful decision.

A very important point was made by Mr Moore in this debate when he wondered what other documents there might have been in relation to the school closure decision. What if we had never seen this Interim Territory Planning Authority document? What if we had forgotten to ask for it? What if the schools communities had not had the initiative and foresight to request, through FOI, all the documents relevant to the closure? The Government certainly tried to scare them off from that FOI request by indicating that they would be paying the full fee costs of an FOI request, which could have run into many thousands of dollars if every minute of bureaucratic time searching for the documents had been counted.

The first basic recommendation in this report which was referred to by Mr Wood was the obvious statement by the planners that:

A rigorous assessment of the proposal -

that is, the proposal announced by the Government to close schools -

is required to identify cost savings both public and community in the short and longer term. Additionally the social implications of the proposal require careful assessment.

Mr Deputy Speaker, where is the documentation to suggest that the social implications of the proposal have had that careful assessment? We do not seem to have seen any evidence to suggest that that has been taken on board.

Mr Moore: The real evidence would be marked "Cabinet-in-confidence".

MR CONNOLLY: Or commercial-in-confidence or something in-confidence. It would certainly be behind closed doors and in a locked filing cabinet. The other basic point referred to by Mr Wood was:

Primary schools comprise the basic building block of most Canberra suburbs.

I think he finished the quote there. I will go on:

The primary schools are located to optimise safety, access, social interaction and residential amenity. This approach ensures equitable access to primary schools for all children.

That principle has been thrown out the window by the closure of a number of primary schools in this town. How can parents in Weetangera, for example, be persuaded that they still have equitable access to primary schools for their children? How can they be persuaded that the new arrangements will optimise safety, access and social interaction?

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Mr Moore: Or Rivett, even more so.

MR CONNOLLY: Or Rivett, even more so, as Mr Moore reminds me. It is not optimising safety when you are forcing young children to cross major roads. The other important point in this document is that 1.6 kilometres is the maximum distance for young children to be expected to travel to school. That principle has clearly been abandoned by the Government. In many cases, children will be required to travel over three kilometres.

MR HUMPHRIES (Minister for Health, Education and the Arts) (5.25): Once again, we have seen the Australian Labor Party members demonstrate in this place that they are prepared to ignore practices to which they have subscribed in the past, ignore processes that they were instrumental in implementing or nurturing, and pretend that the actions of this Government are in some way a new creature, a new creation, the product of our warped designs to destroy neighbourhood schools, education generally and public schooling in the ACT. In this case, the thrust of their attack is to suggest that the ACT Alliance Government is out to destroy the planning principles of Canberra.

I find it curious that they take that kind of approach because it definitely ignores forces that were at work when they were in government - not just federally but also when the Follett Government was in power - and processes of which they were very much a part. I particularly want to refer to Mr Wood's comment that he disagrees with aspects of the ITPA comments.

Mr Wood: No, I did not. I did not.

MR HUMPHRIES: He said that he would take issue with some of the elements. Mr Deputy Speaker, the Hansard will show that Mr Wood said words to the effect that he had differences of view with the ITPA document concerning the way in which it viewed certain proposed school closures.

Mr Moore: It was the terms of reference they had.

Mr Wood: They should have had a wider focus.

MR HUMPHRIES: Mr Deputy Speaker, I will seek an extension of time if this continues.

Mr Moore: Well, you will not get one.

MR HUMPHRIES: I will get one. Don't you bet on it.

MR DEPUTY SPEAKER: Carry on, Mr Humphries. Address your remarks through the Chair, please, gentlemen.

Mr Connolly: No, you will not.

MR HUMPHRIES: I will have standing orders suspended, if you do not shut up.

MR DEPUTY SPEAKER: Order, members! Let him continue with his speech. I do not want to see us stuffing around forever with cross-chamber banter.

Mr Berry: On a point of order: that is unparliamentary language, Mr Deputy Speaker.

MR DEPUTY SPEAKER: It probably is. If it offends you, Mr Berry, I will withdraw the words "stuffing around". Carry on, Mr Humphries.

MR HUMPHRIES: Mr Wood wants it both ways. In the cases where the ITPA says that the school should be left open, Mr Wood and his colleagues are prepared to say that we should accept the advice of the ITPA. But where the ITPA says that we should close schools, he says, "We do not agree. We do not accept that approach. We do not like the basis on which the ITPA has been given its terms of reference" or "We do not like the narrowness of its inquiry" or "It should have considered more issues".

The Opposition will accept whatever evidence it can find, from whatever source, that schools should stay open, and it will reject whatever advice it gets, from whatever source, that schools should close. The evidence that it brings before this place is totally and completely irrelevant. The evidence points to there being some changes in the planning patterns of Canberra, to which this Government is attuned in the way in which it has proceeded with schools reshaping.

I refer members to the Gungahlin policy and implementation plan which was tabled in January 1989. It refers to the concept of neighbourhood in respect of Gungahlin and says that neighbourhoods will be generally larger than is the case elsewhere in Canberra. Members opposite should note that it sets a very clear pattern for change, of which this Government has been part.

Mr Moore: A pattern for destruction.

MR HUMPHRIES: Mr Moore interjects, "A pattern for destruction". What did he say about that document? When did he criticise that document? It has been on the table for nearly two years. When did he contribute to the debate that we should not be enlarging existing concepts of neighbourhood, that we should not be changing the basis on which we proceed to say that schools ought to be provided on a neighbourhood basis and that neighbourhood ought to change? When did he say that? He has never said it.

MR DEPUTY SPEAKER: Order! The time for the discussion has now expired.

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ADJOURNMENT

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

That the Assembly do now adjourn.

Charge of the Light Brigade

MR STEVENSON (5.29): I thought it was a fitting time to mention that, during the Crimean War, on this day in 1854 we had the Charge of the Light Brigade. Perhaps all too often we have forgotten the courage that would have been required of the British to do such a thing at that time.

Mr Wood: More bad planning; that is what it was.

MR STEVENSON: Indeed. I just thought it would be worthwhile mentioning the point, Mr Deputy Speaker.

Ministerial Travel Allowances

MR MOORE (5.30): I think it is quite clear that today there was an indication to the Speaker that I would not speak any further in the afternoon on the matter of travel. But the adjournment debate is different.

MR DEPUTY SPEAKER: I will take advice on that, Mr Moore. I do not particularly want to get involved in semantics this late in the afternoon. Mr Moore, on advice, during the adjournment debate and bearing in mind standing order 241 - you must bear that in mind in relation to what you say, that is, in relation to the publication of evidence and other documents - - -

MR MOORE: Everything to which I refer is already a public document.

MR DEPUTY SPEAKER: I am advised that you are able to carry on, so please carry on and be measured.

MR MOORE: Since we have used half of my time, the house may be prepared to give me an extension. There are a couple of issues that arise from travel and a couple of questions that really need to be answered in order to manage, as much as we can, to bring both Ministers back as close as we can to the law, even though they are perilously close to the edges of it.

One of the issues that need to be raised is Mr Collaery's basic equipment allowance that he took up for \$180. That equipment allowance, which is an SES allowance and which is not allowable to him, brings up questions about his ability to remain in the house under the self-government Act -
off

the top of my head, sections 73 and 14 - as it still is outstanding. It is an issue which he could resolve by refunding the \$180. But the fact remains that he has accepted such an allowance and that under the self-government Act there really is a requirement for him to vacate his office. There will be a need for some clarification from the Speaker as to how a member is brought to vacate his office under such circumstances, whether or not Mr Collaery should vacate his office and whether Mr Duby also should vacate his office, not as a Minister but as a member of the Assembly. I believe it would be a great gift to Canberra if we could deliver Mr Collaery and Mr Duby away from the Alliance Government and back into the community, out of this Assembly.

The issue of travel brings up not just the way in which the Ministers failed to face their responsibilities and acquit the moneys according to the appropriate methodology but also the payment by both Ministers, in particular Mr Collaery - I understand that there was a reason behind Mr Duby's very late payment - after the Estimates Committee called for information about the money. It is very questionable. I think that the term "shoddy brothers" - - -

Mr Jensen: On a point of order, Mr Deputy Speaker: I suspect that Mr Moore is now getting into issues that are yet to be discussed in the Estimates Committee deliberations. I think it is appropriate that he should defer - - -

MR MOORE: I was referring to public documents. I seek an extension of time.

Leave not granted.

MR MOORE: I move that so much of standing orders be suspended as would allow me two more minutes.

MR DEPUTY SPEAKER: You do not have to move the suspension of standing orders, Mr Moore. You can merely move a motion that you have an extension of time.

MR MOORE: Of course. I move:

That Mr Moore be granted an extension of time.

MR DEPUTY SPEAKER: How long do you need?

MR MOORE: Two minutes.

Question resolved in the affirmative.

MR MOORE: The last term that I used was "shoddy brothers". They have not managed to deal with government money appropriately. It is a very questionable situation when we have a Minister
- - -

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

MR DEPUTY SPEAKER: Yes, that is an imputation, I think.

MR MOORE: I withdraw any imputation. The clear indication is that we have two Ministers who are, in effect, trusted with millions and millions of dollars of taxpayers' money. Under the circumstances there is a question, there is a smell, about this that would really make us wonder. It reinforces the 60 Minutes notion of the Chief Minister. Are these the 60 Minutes Ministers that he would prefer to do without? Clearly, he is content with the performance of the Minister from his party, Mr Humphries. But following the revelation of these documents there is a certain smell, and that certain smell is best got rid of by the vacation from this house of Mr Collaery and Mr Duby.

Ministerial Travel Allowances : Member's Motor Vehicle

MR CONNOLLY (5.37): The issues that Mr Moore has raised this afternoon in the adjournment debate are very serious. I would have expected some statement from the Government today on the extraordinary revelation at lunchtime that Ministers had accepted funds without lawful authority. I have said publicly today that the Ministers in question - - -

Mr Jensen: On a point of order, Mr Deputy Speaker: there has been no proof of that. Once again, it is a matter that has yet to be considered by the Estimates Committee.

MR DEPUTY SPEAKER: Yes, I think you might be right, Mr Jensen; there probably has been no proof of that yet.

MR CONNOLLY: I withdraw that comment, Mr Deputy Speaker.

MR DEPUTY SPEAKER: Thank you, Mr Connolly. Carry on.

MR CONNOLLY: The revelation this afternoon was that the legal advice in relation to the proper course of action for reimbursement of expenses for travel overseas was not followed in relation to the two Ministers travelling, although it must be said that the Ministers were acting as they were advised by their department and, I am prepared to say, in good faith.

It does, however, raise a question of a technical breach of the provisions of the self-government Act, a question of sufficient importance, I would have thought, to require a clear explanation from the Government or some form of investigation by the Speaker. It may well be that the proper answer is that Ministers acting in good faith are not in breach of those provisions of the Act when they accept moneys in a way which they were advised by their officers was perfectly appropriate. But it is a very

important matter, Mr Deputy Speaker. It needs to be addressed by the Government, and I expect that we will get a full and public statement to that effect.

Referring to travel or, as Mr Moore said, the T word, it also brings into question the interesting media reports that I have heard on the ABC news this afternoon concerning a member of the Assembly travelling on the roads of this Territory without registration of a motor vehicle and apparently without an ACT licence, but holding an interstate licence while presumably a resident of this Territory, because one cannot be a member of this Assembly unless one is a resident of the Territory. Equally, one cannot travel in the ACT with an interstate drivers licence unless one is a resident of another State or Territory and not of this place. It is a rather serious suggestion to be made concerning a member of this Assembly, which continues to put that member and this place into disrepute.

But, Mr Deputy Speaker, the exquisite irony of the circumstances is that yesterday in a debate on police matters the member concerned made a very pious speech about how politicians should set standards and how politicians are disliked and lose respect, not so much because of what they have said but far more because of what they have done, and calling on members of this place to set high standards for themselves.

It is of some concern if a member of this place has been, for quite some time, acting in clear breach of the law. I think that again it is a matter that the Speaker ought to be considering because we all use the car park downstairs and we apparently have an unregistered vehicle moving about down there. If it hit an Assembly vehicle or our vehicles or indeed, heaven help us, hit us, where would we stand? We would not; we would be lying under the vehicle.

Mr Berry: Mr Deputy Speaker, I would like to raise a point of order. It relates to the entitlement of the two Ministers involved to take their seats in this parliament. It seems to me that the Ministers have taken or agreed to take, directly or indirectly, remuneration, allowance, honorarium or award for services rendered in the Assembly otherwise than under section 73. Section 73 makes it clear that:

A person shall, in respect of services in an office, be paid such remuneration as is determined by the Remuneration Tribunal ...

It strikes me that the Ministers have contravened section 14, and the Chief Minister has said that they have done so. On that point of order, Mr Deputy Speaker, I would call on you to take legal advice as to the entitlement of the Ministers to take their seats in the parliament and ask that the members of the Assembly be advised before the next day of sitting.

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MR DEPUTY SPEAKER: I will make one ruling before I ask for some advice from the Clerk in relation to one of your points, Mr Berry. If there is any validity in the substantive point that you raise, that is something that will be looked at. Indeed, Mr Connolly, I think, mentioned that there is no doubt, if there is any contravention, that these two Ministers were acting in good faith. That being the case, I am certainly not going to request Mr Collaery, for example, to leave his seat today.

Mr Berry: No.

MR DEPUTY SPEAKER: You are not asking for that?

Mr Berry: No, I am not asking you to do that.

MR DEPUTY SPEAKER: Fine. In relation to whether the Speaker should get any legal advice, I refer you to page 228 of House of Representatives Practice, Mr Berry. It is not the duty of the Speaker to give a decision on or interpret a question of law.

Mr Berry: On a point of order: I am not asking you to do that, Mr Deputy Speaker. I am asking you to take advice on the matter and report to members of the Assembly.

Mr Collaery: On a point of order, Mr Deputy Speaker: if Mr Berry wants to make a substantive motion he can, but he has not.

Mr Berry: On a point of order, Mr Deputy Speaker: one point of order at a time, and mine was first.

MR DEPUTY SPEAKER: I have not ruled on yours yet.

Mr Berry: Mine was first.

MR DEPUTY SPEAKER: Yes, it was first. I will take advice.

Having received advice, I am quite happy to take the matter up with the Speaker who, I understand, is on the premises. My understanding is that the Speaker - or I in his position here - has no power to do anything about it, even if these two gentlemen were in breach of the law, Mr Berry.

Mr Berry: Mr Deputy Speaker, the difficulty that I have then is whether, on raising a point of order with you about the entitlement of members opposite to speak on a matter, it puts you in a position in which you have to make a decision one way or the other. If your ruling is, "Yes, they are entitled", I accept it. But it is under challenge. The option that I put to you, Mr Deputy Speaker, was that you take advice and perhaps advise us in due course.

MR DEPUTY SPEAKER: I am certainly happy to take the matter up. I will speak to Mr Prowse, the Speaker, about the matter. I have been advised by the Clerk that there may not be much that he can do about the matter anyway. What was your other point, Mr Berry?

Mr Berry: All that I required in my point - - -

MR DEPUTY SPEAKER: Just in relation to a ruling?

Mr Berry: My view about the issue is that it is just a matter of taking advice about it. I certainly would not move that you make a ruling on the matter now without advice.

MR DEPUTY SPEAKER: No, I do not intend to do that.

Mr Berry: So I just seek some advice on whether people are entitled to speak in this Assembly.

MR DEPUTY SPEAKER: I will certainly rule that until further notice members are entitled to speak today.

Mr Berry: I accept that advice, Mr Speaker.

Ambulance Service

MR BERRY (5.47): I wish to rise in relation - - -

Mr Collaery: Mr Deputy Speaker, why does this man have the call? He rose on a point of order.

MR BERRY: Because I wanted to speak.

Mr Collaery: Is he now speaking in the adjournment debate?

MR DEPUTY SPEAKER: Yes, he is, Mr Collaery; that is true. He did rise on a point of order.

MR BERRY: Tonight I want to talk to the issue of ministerial responsibility. It is the responsibility of Ministers to accept what occurs in their portfolios, whatever that might be. As a former Minister I accepted that responsibility, and I expect that the current Minister who handles part of the portfolio area for which I was once responsible would accept the responsibility for what is occurring, not only in the health and education systems but also in the Ambulance Service in the ACT.

I intend to raise this issue because there are a number of factors and facts which have yet to be denied by the Minister and which are at the root of the difficulty which is being suffered by our Ambulance Service. The Minister is yet to deny that there are only 28 operational crew members -
- -

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Mr Jensen: You have been over this before. You cannot repeat stuff, surely.

Mr Humphries: We will play a game, Mr Berry. Mr Speaker, I think - - -

MR SPEAKER: Order, Mr Humphries! Mr Berry, resume your chair.

Mr Humphries: I think, Mr Speaker, that Mr Berry is employing, with respect to the comments that he is making - - -

Mrs Grassby: What is your number? What is it?

Mr Humphries: Mrs Grassby, if you are patient I think you will quickly discover what I am getting to. You should restrain yourself from interjecting across the chamber. Mr Speaker, ask Mr Berry to resume his seat during the point of order.

MR SPEAKER: Yes, please resume your seat, Mr Berry. I did not realise that you had stood again.

Mr Humphries: Thank you, Mr Speaker. I also thank Mr Berry. A member may not allude to any debate or proceeding in the same calendar year unless such allusion is relevant to the matter under discussion.

MR SPEAKER: I believe that you are entitled to speak, Mr Berry. Please proceed.

MR BERRY: Only 28 qualified operational staff members are left to manage the ACT Ambulance Service this day. That is because of the inadequate staffing of the service and the failure of the Government to make decisions which would improve the staffing level so that the people of Canberra get the service for which they pay. The people of the ACT are being forced to pay money now for a service that they do not get. They do not even have the option of withdrawing from it, under the Government's ambulance levy collection policy.

The Minister has to accept this. It is his ministerial responsibility to accept it. All I require is that he adopt the same standards as I did as Minister, namely, that one accepts the responsibility for what is going on in one's portfolio. Fair enough; if the Minister had not had these matters brought to his attention until most recently when the issue hit the headlines, I accept that. But there are problems in the service, and he has to move quickly. He has to accept the responsibility for not having done anything until this matter was brought to his attention, and the fact that the Ambulance Service still - - -

Mr Humphries: What did you do before it was brought to your attention?

MR BERRY: I acted immediately the matter was brought to my attention.

Mr Humphries: But you did nothing before it was brought to your attention, did you?

MR BERRY: Indeed, you cannot do anything until you know about it.

Mr Humphries: There you go.

MR BERRY: I accept that, Minister. All I require is that you accept responsibility for what has gone wrong and then act quickly to remedy the situation.

Mr Humphries: I accept it to the extent that you accept it.

MR BERRY: I do accept it. All I want is an undertaking that you will rectify the situation. We have received no undertaking.

Mr Humphries: You never gave us an undertaking. You could not rectify the matter.

MR BERRY: We moved quickly to do it, and all I ask is that this Minister give a commitment to rectify the situation. He has not done so.

Amnesty International

MR COLLAERY (Attorney-General) (5.52): I rise to celebrate formally, on behalf of as many members of the Legislative Assembly as one can contemplate, and to recognise the work of Amnesty International in the ACT. Mr Speaker, the job of Amnesty is to offer peaceful, humanitarian relief to prisoners of conscience who neither have advocated nor presently advocate violence as a solution to the situation that besets them.

Mr Speaker, Amnesty is now a great international movement and it sets many communities on their own conscience to speak up on issues that surround many of us in our public life. The proposal that Amnesty has in Australia and elsewhere is that as many citizens as possible inform themselves of the growing problems in the world, particularly in the Third World, relating to torture and maltreatment of human beings.

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Amnesty's challenge is to get a recognition that its role is peaceful and humanitarian; that what it sets about to do is to awaken the conscience of good men and women and children throughout the world on behalf of those held in unconscionable conditions, particularly prisoners of conscience. Every day of the week we read in our journals of the breaches of human rights - some of them gross and dreadful impositions on human beings.

Mr Speaker, just because Australia is the lucky country, that does not set us apart and quieten us in our conscience. The conscience should drive us in the mandate we have to speak up. We have a mandate to speak up because there is every duty on us, since we enjoy a democracy, to speak to the values that we have enshrined in Australia. Mr Speaker, there is an ever-growing human rights constituency in the Australian community. It is vitally important that that constituency remain depoliticised, that the issue of Amnesty's prisoner of conscience campaign remain a matter for bipartisan support and, where it is not supported, neutral silence.

Mr Speaker, I commend Amnesty in the ACT, I commend all my colleagues in the Assembly and I commend all the staff of the Assembly and those associated with us who work for Amnesty.

Amnesty International

MR JENSEN (5.55): I wish to make a few brief comments in relation to the continuing challenge for Amnesty in the world. Mr Speaker, I am pleased to be a member of the Assembly's chapter of Amnesty International and I think it is something that all people of good conscience should in fact -
- -

Mrs Grassby: Bernard closed the debate.

MR JENSEN: Bernard did not move the adjournment. Wakey, wakey, Ellnor.

Mr Stefaniak: He did not move the adjournment, Ellnor, Trevor did; so he does not close it.

MR JENSEN: If you are quite finished, members, I would like to continue my remarks.

Mrs Grassby: We just wanted to clarify whether Bernard had closed the debate or not.

MR JENSEN: Well, I suggest that you pay attention, Mrs Grassby, and we might get on.

MR SPEAKER: Order! Come on, let us get on with it.

MR JENSEN: It is unfortunate that members opposite have not been paying attention; otherwise I would not have been interrupted in my comments here this afternoon. Prisoners of conscience are held in 78 countries, nearly half the member states of the United Nations. Torture and ill-treatment of prisoners has been reported during the 1980s

from over 90 countries - more than half the countries of the world. The last Amnesty International report says that deaths in custody from torture were recorded in 24 countries. In another 14 countries detainees were reported to have died as a result of harsh prison conditions or in suspicious circumstances.

Recently, Mr Speaker, we had a visit to this Assembly by a group of mothers from Argentina who were able to provide to the members of the local Amnesty chapter here evidence of the sorts of problems that this sort of torture and disappearance of people causes to families. It relates to extra-judicial executions, which in that particular case have occurred over a number of years in Argentina. That is why the mothers were here seeking support from other countries to put pressure on the Argentinian Government so that they could find out the whereabouts of their sons and daughters.

These executions that I have talked about were reported in 29 countries and disappearances, in political cases, in at least 16 countries. Political prisoners were detained without charge or trial in at least 78 countries and unfair trials in political cases were known to have taken place in 27 countries. Amnesty International Report 1989 also cites human rights violations, including arbitrary detention and torture, against children and adolescents in 32 countries; against journalists, editors and publishers pursuing their professions in 33 countries; against lawyers carrying out their work in 17 countries; against students in 38 countries; and against trade unionists and labour activists in 31 countries.

The death penalty is now no longer in use in over 85 countries - nearly half the countries in the world - but elsewhere in 1989 Amnesty International learned of over 2,200 executions. Those, Mr Speaker, are shameful figures for any society to contemplate.

In closing let me make some brief comments in response to an interjection from Mr Berry. It is unfortunate, Mr Speaker, that Mr Berry seeks to turn the issue of ACT prisoners into a political football. It is clearly unfortunate that Mr Berry has sought to take this course. I would have thought it was more in the interests of the people of the ACT and those prisoners currently in New South Wales gaols to participate and join with the Alliance Government, and its Attorney-General, Mr Collaery, in seeking to mollify and modify some of the problems that are currently taking place in New South Wales prisons. I think it is long overdue, Mr Speaker, that those opposite took a long hard look at themselves in relation to issues of this type, issues of conscience and issues of concern that should be treated on a true bipartisan basis.

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Ministerial Travel Allowances

MR SPEAKER: I was listening to the debate that was going on in the house with respect to the Ministers' travel allowances, et cetera, while I was upstairs. I draw members' attention to page 228 of House of Representatives Practice under the heading "Interpretation of the Constitution, or the Law". Speakers have generally taken the view that the obligation to interpret the Constitution - in our case the Australian Capital Territory (Self-Government) Act - does not rest with the Chair and that the only body fully entitled to do so is the court.

I would suggest to members that if they wish to take any action it is open to them, as it is likewise open to members of the public, to take action on this particular matter. I intend to take no further action myself.

Question resolved in the affirmative.

Assembly adjourned at 6.01 pm until Tuesday, 20 November 1990, at 2.30 pm

ANSWERS TO QUESTIONS

**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY
LEGISLATIVE ASSEMBLY QUESTION**

TAFE Colleges - Teacher Statistics

QUESTION NO 257

MR WOOD - Asked the Chief Minister on 12 September 1990:

(1) For each year from 1984 to the present and in respect of the various teaching levels, what are the respective numbers of male and female teachers in ACT TAFE Colleges.

(2) For the same period and categories, how many promotions have been made and what is the proportion of male to female.

CHIEF MINISTER - the answer to the members question is as follows:

(1) The existing information within the ACT Institute of TAFE concerning 1984 and 1985 does not permit a break-up by classification and gender. However, the total number of CTS staff as at 30 June 1984 and 1985 were 540 and 541 respectively . In both years these figures include the Schools of Art and Music.

The next two years, classification by gender is not available. In those years teaching numbers were:

Band 1 Band 2 Band 3 Band 4 Band 5 Total

At 31 December.1986

Canberra College
of TAFE 151 49 10 3 1 214

Bruce College 129 36 5 3 1 174

Woden College 68 26 5 3 1 103

Office of ACTT - - - 2 - 2

TOTAL 348 111 20 11 3 493

At 31 December 1987 -

Canberra College 136 47 9 3 1 196

Bruce College 138 39 7 3 1 188

Woden College 74 26 6 3 1 110

Office of ACTT - - - 2 - 2

TOTAL 348 112 22 11 3 496

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The separate TAFE Colleges were subsumed into the ACT Institute of TAFE in 1988 and a new classification structure for TAFE teachers determined. The data for this and subsequent years are:

Classification Male Female Total

At 31 December 1988

Band 3 8 5 13
Band 2 52 30 82
Senior Teacher 53 22 75
Band 1 156 137 293
TOTAL 269 194 463

At 31 December 1989

Band 3 10 4 14
Band 2 56 36 92
Senior Teacher 3? 12 49
Band 1 153 133 286
TOTAL 256 185 441

At 30 June 1990

Band 3 8 4 12
Band 2 51 34 85
Senior Teacher 38 10 48
Band 1 165 140 305
TOTAL 262 188 450

(2) Promotions of TAFE teaching staff by classification and gender only available since 1985.

Classification Male Female Total
Year ended 30 June 1985

Band 2 7 6 13
Band 3 2 4 6
Band 4 - 1- 1
Band 5 - - -
TOTAL 9 11 20

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Classification Male Female Total
Year ended 31 December 1986

Band 2 7 7 14
Band 3 1 - 1
Band 4 2 - 2
Band 5 1 - 1
TOTAL 11 7 18

Year ended 31 December 1987

Band 2 1 1 2
TOTAL 1 1 - 2

Year ended 31 December 1988

Band 2 21 21 42
TOTAL 21 21 42

Year ended 31 December 1989

Band 2 17 6 23
TOTAL 17 6 23

There were no promotions of TAFE teaching service staff during the six months ended 30 June 1990.-

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CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY

LEGISLATIVE ASSEMBLY QUESTION

TAFE Colleges - Apprentices in Training

Question No. 258

MR WOOD - Asked the Chief Minister upon notice on 12 September 1990:

What have been the number of apprentices in training as males and females by trade in ACT SAFE Colleges for each year from 1984 - 1990.

MR KAINÉ - The answer to the members question is as follows:

The available statistics are summarised on attachment 1.

These figures are based on annual reports of the former ACT Apprenticeship Board and the Vocational Training Authority, and verified by the ACT Institute of TAFE

student administration data base OLSAS.

1984 and 1985 figures are incomplete as this period pre-dates the full implementation of the data base.

1990 figures will be available in draft form in December this year.

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APPRENTICES IN TRAINING 1984 - 1990
 ACT-INSTITUTE OF TAPE

trade	1984		1985		1986		1987		1988		1989		1990
	M	F	M	F	M	F	M	F	M	F	M	F	M
fitting and machining			54	0	67	0	65	0	73	0	63	0	
sheetmetal			6	0	11	0	11	0	8	0	7	0	
welding			8	1	9	1	11	1	8	0	11	0	
automotive electrical					12	0	18	0	26	0	26	0	
electrical					148	1	186	1	185	0	176	0	
refrigeration and air conditioning			21	0	22	1	20	1	21	0	23	1	
bricklaying					22	0	20	0	15	0	22	0	
carpentry and joinery					177	2	183	4	158	2	149	1	
painting and decorating					13	0	17	0	20	0	19	0	
plastering					18	0	17	0	19	1	17	0	
signwriting					3	3	3	2	3	3	1	4	
plumbing					90	0	93	0	104	0	96	1	
bookbinding			14	1	17	1	15	1	12	0	12	0	
graphic reproduction			4	0	9	0	11	1	11	3	13	4	
hand and machine composing			7	11	3	15	4	13	6	13	5	6	
printing-machining			19	1	29	1	28	0	34	1	31	1	
motor mechanics			178	0	224	1	252	0	264	2	279	3	
panel-beating			39	0	57	0	63	0	67	0	79	0	
vehicle painting					34	0	43	1	40	0	54	0	
butchery					48	1	52	1	53	2	57	2	
commercial cooking					79	15	83	15	92	22	95	30	
pastry-cooking					11	0	11	1	12	2	14	3	
greenkeeping					15	0	19	0	19	0	26	0	
horticulture					35	11	29	9	31	9	31	12	
cabinet making					20	0	19	0	21	0	18	1	
hairdressing			27	180	31	198	39	206	44	220	39	212	
flat glass													
TOTALS	1018	221	1204	251	1312	257	1346	280	1363	281	0		

notes:
 a. figures based upon Annual Reports of ACT Apprenticeship Board/Vocational Training Authority
 b. 1984/1985 figures - incomplete data received from ACT VTA
 c. 1986 comparative figures not yet available

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**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY
LEGISLATIVE ASSEMBLY QUESTION**

TAFE and College Courses - Accreditation Arrangements

Question No. 261

MR WOOD - Asked the Chief Minister upon notice on
12 September 1990.

What arrangements have been made for the DI a ion of courses between TAFE and ACT Secondary
Colleges. What courses are presently cross a c,- dived.

MR KAINÉ - The answer to the members question is as follows:

Articulation arrangements have existed for some time between the teaching Schools of the Institute
and individual Secondary Colleges. These arrangements, which in many cases lead to advanced
standing into Institute courses, are now being formalised on a system wide basis.

On 17 May, 1990 a Memorandum of Understanding was signed by the Secretary of the ACT
Department of Education and the Director of the ACT Institute of TAFE. This Memorandum
establishes principles and processes designed to enhance the articulation between secondary
colleges and institute courses. A copy of this Memorandum has been sent separately to Mr Wood
and is available to other members from the Institute.

In accord with the Memorandum a Joint Standing Panel has been established and is now working to
clarify and formally register articulation arrangements that are operational. The register will be
published as soon as available. The Panel will then consider the articulation of other College
courses with Institute courses.

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**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY
LEGISLATIVE ASSEMBLY QUESTION**

TAFE Colleges - Computing Courses

Question No. 266

MR WOOD - Asked the Chief Minister upon notice on 12 September 1990 in respect to computing courses in ACT TAFE:

- (1) What is the total number of students in a) full time and b) part time.
- (2) Does the Commonwealth or private enterprise make any contribution for the training of people they eventually employ.
- (3) Is it the case that the ACT Government substantially funds computer education in TAFE, while the Commonwealth does so at the Australian National University and University of Canberra.

MR KAINE - The answer to the members question is as follows:

- (1) Refer to the attached sheet for statistics.
- (2) No direct contributions towards recurrent costs of computing education have been forthcoming from either the Commonwealth government or private employers. The School of Management and Business Studies charges an initial fee for short computing courses in 1990 and will expand this approach in 1991. The Institute has now only limited opportunities for expansion by reallocation from other areas, and is therefore looking to means of encouraging and arranging for industry to contribute to the recurrent and capital costs of expansion. A consultancy review of funding mechanisms is under negotiation as the first substantive step in this direction. This review will assist both the School of Management and Business and its Advisory Committee to pursue a more systematic approach to contributions to the recurrent costs of computing training.

At the same time the Institute is hopeful that current negotiations with major computing equipment suppliers will yield favourable contributions via the Commonwealths Joint Venture Equipment Program administered by the Department of Employment, Education and Training

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- (3) The ACT Government provides funds to the ACT Institute of TAFE, a priority part of which are directed towards the training of Associate Diploma in Computing Studies graduates to meet the continuing high demand for trained computer operators.

The courses provided through the University of Canberra and the Australian National University are Commonwealth funded. As they have a greater theoretical focus, they essentially prepare graduates as programmers, high level computer specialists and researchers.

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ENROLMENTS IN COMPUTING COURSES - 1990 TO DATE
ACT INSTITUTE OF TAFE

TYPE OF COURSE	FULL TIME ENROLMENTS	PART TIME ENROLMENTS
Associate Diploma Level Course	87	401
Shorter Computing Courses	22	1066
Keyboarding/Word Processing Courses	0	398
Total Enrolments	109	1865

STUDENT ADMINISTRATION UNIT 13 September 1990

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**CHIEF MINISTER OF THE AUSTRALIAN CAPITAL TERRITORY
LEGISLATIVE ASSEMBLY QUESTION**

Literacy Skills

Question No. 267

MR WOOD asked the Chief Minister upon notice on 13 September 1990:

- (1) Have surveys reported that 1 in 10 Australians generally need literacy skills development.
- (2) What are the estimates of the number of adults in the ACT who need literacy skills development.
- (3) How many adults in the ACT are receiving literacy development through (a) TAFE and (b) other programs.
- (4) What funds are available for this purpose from (a) ACT funds and (b) other funds.
- (5) What is the extent of the demand for literacy skills development in the ACT that has not yet been met.

MR KAINÉ - the answer to the members question is as follows:

- (1) The national survey, by Rosin Wickert, "No Single Measure", in May 1989 conducted on behalf of the Commonwealth Department of Employment, Education and Training reported, amongst other things, that:

A majority of Australian adults can perform straightforward literacy tasks but many appear unable to complete tasks of moderate complexity, particularly those involving prose literacy (that is the ability to read and understand newspaper articles and books and quantitative literacy (that is the ability to use simple mathematical operations). In particular, ten percent of the sample surveyed failed to achieve at all on quantitative literacy.

This finding is broadly consistent with a previous survey conducted by Judith Doyen in the 1970s revealed a functional illiteracy rate of 10% in Australian over 15 year olds. (Functional literacy means the ability to read and write well enough to accomplish simple everyday reading and writing tasks in Australian society. These results are consistent with 1 in 10 Australian adults needing literacy skill development.

- (2) No specific surveys of adult literacy skills have been conducted in the ACT. However, the results of the Wickert survey in 1989 and the earlier survey indicate that there is no reason to assume that the situation in the ACT is markedly different from the rest of Australia.

The 1986 census results indicate that some 1% of the ACT population aged between 15 and 65 years never attended school, and some 8,000 left school before year ten. The surrounding region has also had one of the lowest levels of secondary school completion in Australia. These facts, and the typically higher literacy levels expected of most ACT jobs, suggest that the need for literacy skills in the ACT is comparable with Australia as a whole. This assessment is with ACT Institute of TAFE experience. TAFE has been conducting literacy and numeracy tests on their commencing apprenticeship students (approximately 650 apprentices per year)

For the past 10 years. These tests have consistently revealed inadequate literacy skill levels to effectively handle their studies in about 30% of those undertaking an apprenticeship program.

- (3 a) Approximately 500 adults have enrolled in formal on-campus ACT TAFE literacy programs during 1990. In addition, some 33 adults participated in 3 workplace literacy courses conducted by the Institute in conjunction with public and private employers, as a pilot program under ICY auspices.
- (3 b) The Volunteer Home Tutor Schemes, funded by ACT TAFE and the Commonwealth Department of Immigration, Local Government and Ethnic Affairs, are providing literacy training for about 300 adults in the ACT during 1990. The Volunteer Home Tutor Schemes are coordinated by ACT TAFE who also provide training programs for tutors. Individuals may also receive training in adult literacy through informal arrangements but these are not coordinated through any government agencies. We estimate that a number of adults in such training, but numbers are likely to, be slight.
- (4a) Outlays on the salaries of staff involved in the conduct of adult literacy programs, both for formal on-campus programs and Volunteer Home Tutor Scheme, conducted by ACT TAFE, are approximately \$550 000 in 1990.

Of this outlay, \$65 000 for Advanced Migrant English and \$41 000 for Adult Literacy is provided by the Commonwealth Government through the Department of Employment, Education and Training. The balance of the funds come from within ACT TAFE resources and in turn mainly from ACT Government allocations. Although not regarded as adult literacy within the scope of this Question, the Institute also received and will expend \$1.5m on the Adult Migrant Education Program, the DELUGE managed program.

- (4b) No estimate can be given for funding for any informal arrangements.
- (5) The extent of the unmet demand for literacy skills development in the ACT is difficult to assess as many people with literacy deficiencies do not seek assistance or are unaware of its availability. Waiting lists for such programs at the ACT Institute of TAFE indicate that there are a large number of people in our community eager to seek assistance. However, in June 1990 over 100 people were on waiting lists for places in Adult Literacy Courses at ACT

In so far as International Literacy Year has heightened awareness of the importance of literacy, the possibility of learning for adults, and the availability of assistance, it is expected that the unsatisfied demand for literacy skills development has grown significantly in the ACT this year. On the other hand, more employers are aware that illiteracy amongst their work force is a major obstacle to other skills training and productivity improvement.

There is therefore greater potential for winning employer support for workplace literacy courses than hitherto. ACT TAFE is considering a target for such joint ventures which would double the number of adults assisted to 1991.

No surveys have been conducted in the Canberra region to assess the need or demand for the provision of Adult Literacy Courses. Such a survey is feasible but not possible within current funding. A survey would, however, be worthwhile if it improved the forgetting of programs, and employer support for work place programs within our community.

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APPENDIX 1: (Incorporated in Hansard on 25 October 1990 at page 4150)

ACT Community & Health Service

ACT AMBULANCE SERVICE

Mr Gary Humphries, MCA.
Minister for Health, Education & Arts
A.C.T. Legislative Assembly
1 Constitution Avenue
CANBERRA ACT 2600

Dear Minister,

Re: A.C.T. Ambulance Service Crewing

In response to your request I have forwarded the attached copies of our ambulance case-slips relating to ambulance attendance at a number of public sporting events during the last months of 1989.

The attached cases were attended by on-duty rostered ambulance crews.

The above is consistent with operational management procedure which has been in place since mid -1988 which provides for the on-duty Supervising Officer to use his discretion to utilise available on-duty restated staff to attend public sporting events, or to supplement these crews with additional staff being called on-duty, on an overtime basis. There is no policy restriction on the Supervising Officers discretionary function.

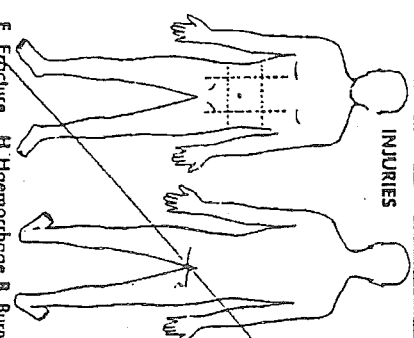
Noel C. Gillard
A/DIRECTOR, A.C.T. AMBULANCE SERVICE

25 October 1990

Ambulance Headquarters Dickson ACT 2SC2

AMBULANCE COPY

No.	\$	ADDRESS	\$	SUBURB	\$	POSTCODE				
CATEGORY	CHARGE	AMOUNT/KM	INSURANCE	PENSIONER	TYPE	SACBR	FORCES	NUMBER		
A RO	D F	E		YES	NO	YES	NO	YES	NO	
CLASS	TITLE	SURNAME	RESIDENTIAL ADDRESS			GIVEN NAMES		INITIALS	AGE	DOB
B O	C O									
No.	\$	RESIDENTIAL ADDRESS			SUBURB		POSTCODE			
OCCUPATION	EMPLOYER		ATTENDANCE REQUESTED BY:			H D C L O M				
FROM	Alwen Amb Station - 10		FAIRBURN			PARK BERTON				
CAR	BASE	TIME BOOKED	DISPATCHED	ADDITION	DEPT LOCATION	AP REGISTRATION	YEAR	MO/DA		
127	F	8:29	8:29	8:45	ISS8	ISS8	88	1/01		
OFFICER DRIVER 1	RYAN		SPEEDO IN	56214		Signature of Ambulance Officer				
OFFICER PATIENT CARE 2	KONIC		SPEEDO OUT	56151		Doudrak				
OFFICER 3	N/A		TOTAL	63						
HISTORY (State chief complaint first)										
Standley - Motor Cycle Races										

<p>EXAMINATION</p> <p>AIRWAY</p> <p><input type="checkbox"/> Clear <input type="checkbox"/> Obstructed</p> <p>BREATHING</p> <p><input type="checkbox"/> Present <input type="checkbox"/> Absent</p> <p><input type="checkbox"/> Shallow <input type="checkbox"/> Deep</p> <p>CIRCULATION</p> <p><input type="checkbox"/> Present <input type="checkbox"/> Absent</p> <p>Buccal</p> <p><input type="checkbox"/> Pink <input type="checkbox"/> Blue <input type="checkbox"/> Pale</p> <p>Mucosa</p> <p><input type="checkbox"/> Normal <input type="checkbox"/> Cold <input type="checkbox"/> Hot</p> <p>Skin temp.</p> <p><input type="checkbox"/> Nil <input type="checkbox"/> Mod. <input type="checkbox"/> Profuse</p> <p>Sweating</p> <p><input type="checkbox"/> Nil <input type="checkbox"/> Small <input type="checkbox"/> Large</p> <p>Vomiting</p> <p><input type="checkbox"/> Nil <input type="checkbox"/> Yes Number</p> <p>Fitting</p> <p><input type="checkbox"/> Nil <input type="checkbox"/> Superficial %</p> <p><input type="checkbox"/> Nil <input type="checkbox"/> Deep</p> <p>Burns</p> <p><input type="checkbox"/> Nil <input type="checkbox"/> Under <input type="checkbox"/> Over</p> <p><input type="checkbox"/> Nil <input type="checkbox"/> 500ml <input type="checkbox"/> 500ml</p> <p>Blood Loss (External)</p> <p><input type="checkbox"/> Nil <input type="checkbox"/> Under <input type="checkbox"/> Over</p> <p><input type="checkbox"/> Nil <input type="checkbox"/> 500ml <input type="checkbox"/> 500ml</p> <p>Site.....</p>	<p>INJURIES</p>  <p>Specific observations <input type="checkbox"/> Nil</p> <p>Est Wt:</p> <p>Breath Sounds</p> <p>X Position of Patient</p> <p>➔ Point of Impact</p> <p><input checked="" type="checkbox"/> Damaged Area</p> <p>Seat Belt Nil/Worn</p> <p>Estimated Impact Speed High Medium Low</p> <p>ROAD USER: 1 Driver 2 Passenger 3 Motorcyclist 4 Pedestrian 5 Pedal Cyclist 6 Others</p> <p>LEGEND</p> <table border="1" style="display: inline-table;"> <tr> <td>6</td> <td>3</td> </tr> <tr> <td>5</td> <td>2</td> </tr> <tr> <td>4</td> <td>1</td> </tr> </table> <p>FRONT</p> <p>LEVEL OF CONSCIOUSNESS</p> <p>5 Speaking sensibly</p> <p>4</p>	6	3	5	2	4	1																								
6	3																														
5	2																														
4	1																														
<p>PREVIOUS ILLNESS</p> <p><input type="checkbox"/> Nil</p> <p><input type="checkbox"/> Unknown</p> <p><input type="checkbox"/> Hypertension</p> <p><input type="checkbox"/> Cardiac</p> <p><input type="checkbox"/> Respiratory</p> <p><input type="checkbox"/> Diabetes</p> <p><input type="checkbox"/> Other</p> <p>ALLERGIES <input type="checkbox"/> Nil <input type="checkbox"/> Unknown</p> <p>PRESENT DRUGS <input type="checkbox"/> Nil <input type="checkbox"/> Unknown</p>	<p>BREATHING</p> <p><input type="checkbox"/> ETT</p> <p>1 IPPV</p> <p>1 Komisaroff</p> <p>2 Adult Laed</p> <p>3 Paed Laed</p> <p>CIRCULATION</p> <p>1 Cardiac Compression</p> <p>POSTURE</p> <p>1 Lateral</p> <p>2 Supine</p> <p>3 Sitting</p> <p>4 Legs Elevated</p> <p>O₂ THERAPY</p> <p>1 High Conc. Mask</p> <p>1 14L 2 8L</p> <p>1 100%</p> <p>HAEMORRHAGE CONTROL</p> <p><input type="checkbox"/> Dressing</p> <p><input type="checkbox"/> Elevation</p> <p><input type="checkbox"/> Pressure</p> <p>IV CANNULATION</p> <p>1 Type</p> <p>2 Unsuccessful</p> <p>3 In Situ</p> <p>INTUBATION</p> <p>1 Type</p> <p>2 Unsuccessful</p> <p>3 In Situ</p>																														
<p>RHYTHMS MONITORED</p> <p>(Abbreviations in heavy print)</p> <p>1 Sinus Rhythm</p> <p>2 Sinus Bradycardia</p> <p>3 Sinus Tachycardia</p> <p>4 Prem. Atrial Cont.</p> <p>5 Supra Vent. Tachy</p> <p>6 Atrial Fib./Flur.</p> <p>7 Idio Vent. Rhythm</p> <p>8 A-systole</p> <p>9 Pacemaker Rhythm</p> <p>10 Prem. Vent. Frequency Runs R on T</p> <p>11 Vent. Tachy. Multifocal</p> <p>12 Vent. Fibrille</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>TIME</th> <th>ECG</th> <th>TREATMENT</th> <th>DOSE</th> <th>ROUTE</th> <th>SHOCK</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	TIME	ECG	TREATMENT	DOSE	ROUTE	SHOCK																								
TIME	ECG	TREATMENT	DOSE	ROUTE	SHOCK																										

TITLE: 10.11.89 10622
 SURNAME/BUSINESS NAME: K. Ogas
 INITIALS: SP D

No. \$ ADDRESS \$ SURBURB \$ POSTCODE \$

CATEGORY	CHARGE	AMOUNT/KLM	INSURANCE	PENSIONER	TYPE	SICRBR	FORCES	NUMBER	INITIALS	AGE	DOB	POSTCODE
A	D	E	E	YES	NO	YES	NO	YES	NO			
B	C	C		YES	NO	YES	NO	YES	NO			

RESIDENTIAL ADDRESS: \$ SUBURB \$ POSTCODE \$
 EMPLOYER: \$ ATTENDANCE REQUESTED BY: \$

FROM: Colwell rd TO: Enogale Rabbly + Rabbly
 SIGNATURE OF AMBULANCE OFFICER: [Signature]

CAR	BASE	TIME BOOKED	DEPARTED	AI Location	Speedo IN	Speedo OUT	TOTAL
122	C	8.18	9.02	14.00	14.00	15.00	15.00

HISTORY: (State chief complaint first)
 Standby at Enanda Rally.

EXAMINATION
 AIRWAY: Clear Obstructed
 BREATHING: Present Absent
 Shallow Deep
 CIRCULATION: Present Absent

Mucosal: Pink Blue Pale
 Skin temp.: Normal Cold Hot
 Sweating: Nil Mod. Profuse
 Vomiting: Nil Small Large
 Fighting: Nil Yes No
 Burns: Nil Superficial Deep
 Blood Loss (External): Nil Under Over
 (500ml) (500ml)

INJURIES: [Diagram with handwritten marks]

Specific observations: Nil

Est. Wt.:
 Breath Sounds:

X Position of Patient:
 → Point of Impact:
 Damaged Area:
 Seal Bell Not/Yes/No: [6] [5] [4] [3] [2] [1] FRONT

Estimated Impact/Speed: High Medium Low
 ROAD USER: 1 Driver 2 Passenger 3 Motorcyclist
 4 Pedestrian 5 Cyclist 6 Others

Time	Pulse	Blood Pressure	Skin Colour	Respiration	Level of Cons.	Total Score
				Rate Effort		

1 RECAL

AIRWAY: 1 Suction
 1 Oral Airway
 ETT

BREATHING: 1 IPPV
 1 Komarov
 2 Adult Laed
 3 Paed Laed

CIRCULATION: 1 Cardiac
 Compression

POSTURE: 1 Lateral
 2 Supine
 3 Sitting
 4 Legs Elevated

O₂ THERAPY: 1 High Conc. Mask
 1 14L 2 8L
 1 100%

HAEMORRHAGE CONTROL: Dressing
 Elevation
 Pressure

IV CANNULATION: 1 Type
 2 Unsuccessful
 3 In Situ

INTUBATION: 1 Type
 2 Unsuccessful
 3 In Situ

RHYTHMS MONITORED (Abbreviations in heavy print)
 1 Sinus Rhythm
 2 Sinus Bradycardia
 3 Sinus Tachycardia
 4 Prem. Atrial Cont.
 5 Supra Vent. Tachy

TREATMENT: 6 Atrial Fibr./Flu.
 7 Ilio Vent. Rhythm
 8 Asystole
 9 Poemander Rhythm

DOSE: 10 Prem. Vent. Frequency Runs
 R on T Multifocal
 11 Vent. Tachy.
 12 Vent. Fibrille

TIME	ECG	TREATMENT	DOSE	ROUTE	SHOCl

AMBULANCE COPY

No. 111 FACT KACING CLUB INC ADDRESS 121 POSTCODE 121

CLASS A CHARGE DDIOB AMOUNT/KM E INSURANCE E PENSIONER YES NO TYPE YES NO FORCES YES NO NUMBER 1

CLASS B TITLE C SURNAME S GIVEN NAMES S INITIALS S AGE 18 SEX M

No. 1 RESIDENTIAL ADDRESS SUBURB SUBURB SUBURB POSTCODE 121

OCCUPATION EMPLOYER ATTENDANCE REQUESTED BY: SPFITZMARRICK

FROM HOBENS STATION TO CANBERRA ARETORK

CAR 121 BASE 121 TIME BOOKED 121 DISPATCHED 121 SPEEDO IN 121 SPEEDO OUT 121 TOTAL 121

OFFICER DRIVER 1 KEOGH OFFICER PATIENT CARE 2 SNEELL SIGNATURE OF Ambulance Officer [Signature]

OFFICER 3 121

HISTORY Stole chief complaint first

COVER RACES

EXAMINATION

AIRWAY Clear Obstructed

BREATHING Present Absent
 Shallow Deep

CIRCULATION Present Absent

Buccal Mucosa Pink Blue Pale

Skin temp. Normal Cold Hot

Sweating Nil Mod. Profuse

Vomiting Nil Small Large

Fitting Nil Yes Number 1

Burns Nil Superficial % 1
 Deep

Blood Loss (External) Nil Under Over
500ml 500ml

INJURES

Specific observations Nil

Est. Wit. Breath Sounds

Position of Patient Point of Impact
 Damaged Area

Seal Belt Not/Worn

Estimated Impact Speed High Medium Low

ROAD USER: 1 Driver 2 Passenger 3 Motorcyclist & Pillion 4 Pedal Cyclist 5 Pedestrian 6 Others

LEVEL OF CONSCIOUSNESS

LEGEND

6	3
5	2
4	1

FRONT

Pupils Size 1 React 1

PREVIOUS ILLNESS

Nil Renal Stroke

Unknown Hypertension Epilepsy

Cardiac Psychiatric G.I.T.

Respiratory Diabetics Other

ALLERGIES Nil Unknown

PRESENT DRUGS Nil Unknown

POSTURE 1 Lateral 2 Supine 3 Sitting 4 Legs Elev.

O₂ THERAPY 1 High Col. 1 14L 2 8L 1 100%

HAEMORRHAGE CONTROL Dressing Elevator Pressure

IV CANNULATION 1 Type ... 2 Unsuccess 3 In Situ

INTUBATION 1 Type ... 2 Unsuccess 3 In Situ

RHYTHMS MONITORED (Abbreviations in heavy print)

1 Sinus Rhythm 6 Atrial Fibr./Flutter

2 Sinus Bradycardia 7 Idio Vent. Rhythm

3 Sinus Tachycardia 8 Asystole

4 Prem. Atrial Concl. 9 Pacemaker Rhythm

5 Supra Vent. Tachy

TIME	ECG	TREATMENT	DOSE	ROUT.

LEGEND

10 Prt. Fre. R. 11 Ve. 12 Ve.

TITLE: **Canberra Race Course Club**
 No. **29.89**
 SURNAME & STREET NAME: **PA 30X 1 WILSON**
 ADDRESS: **Canberra Race Course Club**

FROM: **PA 30X 1 WILSON**
 TO: **Canberra Race Course Club**
 OCCUPATION: **PA 30X 1 WILSON**
 EMPLOYER: **Canberra Race Course Club**

OFFICER DRIVER 1: **PA 30X 1 WILSON**
 OFFICER PATIENT CARE 2: **PA 30X 1 WILSON**
 OFFICER 3: **PA 30X 1 WILSON**

HISTORY: (State chief complaint first)
Standby @ Course - Races.

EXAMINATION

IRRAWAY: Clear Obstructed

REATHING: Present Absent
 Shallow Deep

IRCUATION: Present Absent

ucel: Pink Blue Pale

ucosa: Normal Cold Hot

ira temp.: Nil Mod. Profuse

vealing: Nil Small Large

miting: Nil Yes Number

ing: Nil Superficial %

ms: Deep

rod Loss: Nil Under Over

(errol): 500ml 500ml

Respiration: **Normal**
 Rate: **18**
 Effort: **Normal**
 Label: **Normal**
 Total Score: **100**

TREATMENT

ANALGESIA: **1 Effective**

SPRINTS: **2 Not Effective**

MAST Suit: **1 Under 500ml 2 Over 500ml**
 (External blood loss)

TOURNIQUETS: **1 Rotating**

STRETCHER: **1 Carry Chair 4 Carry Sheet**

KITS: **1 Poison 2 Burns 3 Maternity 4 Other**

STRETCHER:

SITTING:

WALKING:

WHEEL CHAIR:

SHOCK: **1 Prim. Vent. Cont. 13 1st Heart Block**
Frequency 14 2nd Heart Block
15 3rd Heart Block
16 Junctional
17 Multiple Arrhythmia
18 Elect. Mech. Disn.

RESULTS: **13 1st Heart Block**
14 2nd Heart Block
15 3rd Heart Block
16 Junctional
17 Multiple Arrhythmia
18 Elect. Mech. Disn.

TIME	CHIEF COMPLAINT	EXAMINATION	TREATMENT	RESULTS	AUTH.
	Standby @ Course - Races.				

C Canberra Auto Racing Association
 No. 112
 ADDRESS 209
 SUBURB
 POSTCODE 7606

CLASS	CHANGE	AMOUNT/KM	INSURANCE	PENSIIONER	TYPE	SUBCRR	FORCES	NUMBER	INITIALS	AGE	DOB	POSTCODE
A	B		E	YES	NO	YES	NO					
B	C			YES	NO	YES	NO					

OCCUPATION: \$
 EMPLOYER:
 ATTENDANCE REQUESTED BY: 90 Bavin

FROM: Dickson Ambulance H.a.
 TO: Fairbairn Pk, Sutton Rd, Canberra
 CAR 122 BASE C TIME BOOKED 10.10 DESPATCHED 10.10
 AI Location 10.25 Depart Location 15.04 AI Destination 13.04 CLEAR 13.04 O/C-IN 13/6
 OFFICER DRIVER 1 Kilbuck SPEEDO IN 78165 SPEEDO OUT 78134
 OFFICER PATIENT CARE 2 Cotter
 OFFICER 3 TOTAL - 291
 Signature of Ambulance Officer: [Signature]

HISTORY (State chief complaint first)
 STAND - BY @ Fairbairn Pk. Hill climb event.

EXAMINATION

ALPWAY
 Clear Obstructed
 Present Absent
 Shallow Deep

BREATHING
 Present Absent
 Shallow Deep

CIRCULATION
 Present Absent

Buccal
 Pink Blue Pale
 Mucosa

Skin temp.
 Normal Cold Hot

Sweating
 Nil Mod. Profuse

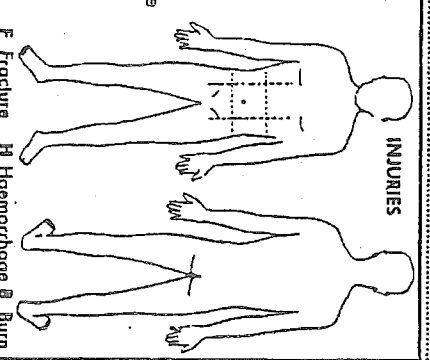
Vomiting
 Nil Small Large

Fitting
 Nil Yes Number

Burns
 Nil Superficial %
 Deep

Blood Loss (External)
 Nil Under 500ml Over 500ml

Site:



INJURIES
 F Fracture H Haemorrhage B Burn
 L Laceration T Tenderness P Pain
 A Abrasion C Contusion
 S Swelling D Dislocation

Specific observations Nil

Est Wt: _____
 Breath Sounds _____

X Position of Patient
 → Point of Impact
 Damaged Area
 Seat Belt Not/Worn

Estimated Impact Speed High Medium Low

ROAD USER: 1 Driver 2 Passenger 3 Motorcyclist
 & Pedal Cyclist 5 Pedestrian 6 Others

PUPILS
 Size _____ React. _____
 T R L T R L

Time	Pulse	Blood Pressure	Skin Colour	Respiration Effort	Level of Cons.	Total Score

Patient's state prior to arrival
 A Conscious B Unconscious C Unknown Mins.

PREVIOUS ILLNESS
 Nil Renal Stroke
 Unknown Hypertension Epilepsy
 Cardiac Psychiatric
 Respiratory G.I.T.
 Diabetes
 Other

Allergies Nil Unknown

Present Drugs Nil Unknown

BREATHING
 ETT
 1 IPPV
 1 Komarov
 2 Adult Laid
 3 Paed Laid

CIRCULATION
 1 Cardiac Compression

POSTURE
 1 Lateral
 2 Supine
 3 Sitting
 4 Legs Elevated

O₂ THERAPY
 1 High Conc. Mask
 1 14L 2 8L
 1 100%

HAEMORRHAGE CONTROL
 Dressing
 Elevation
 Pressure

IV CANNULATION
 1 Type
 2 Unsuccessful
 3 In Situ

INTUBATION
 1 Type
 2 Unsuccessful
 3 In Situ

RHYTHMS MONITORED
 (Abbreviations in heavy print)

TIME	ECG	TREATMENT	DOSE	ROUTE	SHOCK

LEGEND
 LEVEL OF CONSCIOUSNESS
 5 Speaking sensibly
 4 Speaking confused

AMBULANCE COPY

AMBULANCE CASE SLIP

DATE: 21-10-81

TIME: 21:41

0608

ACT Racing Club

SURNAME/BUSINESS NAME

INITIALS

No. \$ ADDRESS

SUBURB

POSTCODE

CATEGORY	CHARGE	AMOUNT/KUM	INSURANCE	PENSIONER		TYPE	SRCARR	FORCES	NUMBER
				YES	NO				
A R 7	D E	E							
B 11	C								

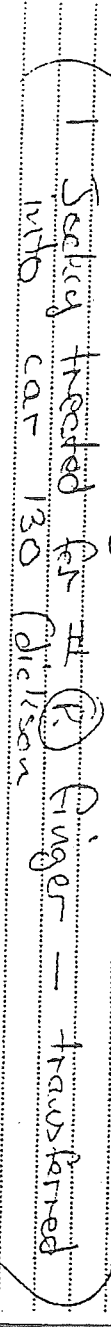
RESIDENTIAL ADDRESS: \$ SUBURB \$ POSTCODE \$

OCCUPATION: EMPLOYER: ATTENDANCE REQUESTED BY: S/B M. L. FRODS

FROM: Belconnen Station Racecourse & return

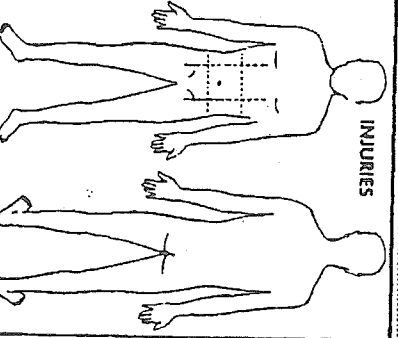
CAR 125	BASE B	TIME BOOKED 12:54	DEPARTED 13:07	AI Location	DEPT Location	AI Destination	GEAR 6	O/C-IN 1750
OFFICER DRIVER 1	V. RYAN			37790	37749			
OFFICER PATIENT CARE 2	M. SMITH							
OFFICER 3								
				SPEEDO IN	SPEEDO OUT	TOTAL		
				41				

HISTORY (State chief complaint first)
 Sporting Attendance -
 Seeking treated for H (R) Finger - Trauburned into car 130 (R) Gierison



EXAMINATION

- AIRWAY**
- Clear Obstructed
 - Present Absent
 - Shallow Deep
- BREATHING**
- Present Absent
 - Shallow Deep
- CIRCULATION**
- Present Absent
- Buccal Mucosa**
- Pink Blue Pale
 - Normal Cold Hot
- Skin Temp.**
- Nil Mod. Profuse
- Sweating**
- Nil Small Large
- Vomiting**
- Nil Yes Number
- Fighting**
- Nil Superficial %
 - Nil Deep
- Burns**
- Nil Under Over
 - Nil 500ml 500ml
- Blood Loss (External)**
- Nil Under Over
 - Nil 500ml 500ml



INJURIES

Specific observations Nil

Est. Wt: _____

Breath Sounds: _____

X Position of Patient

→ Point of Impact

☒ Damaged Area

Seat Belt Not/Worn

Estimated Impact Speed High Medium Low

ROAD USER: 1 Driver 2 Passenger 3 Motorcyclist & Pillions 4 Pedal Cyclist 5 Pedestrian 6 Others

Time	Pulse	Blood Pressure	Skin Colour	Respiration Rate	Effort	Level of Cons.	Total Score

0 Nil	1 CPR within 3 mins.	2 First Aid	3 Medical	Patient's state prior to arrival	A Conscious	C Unknown	B Unconscious	Mins.
PREVIOUS ILLNESS								
<input type="checkbox"/> Nil	<input type="checkbox"/> Renal	<input type="checkbox"/> Unknown	<input type="checkbox"/> Stroke	<input type="checkbox"/> Hypertension	<input type="checkbox"/> Epilepsy	<input type="checkbox"/> Cardiac	<input type="checkbox"/> Psychiatric	<input type="checkbox"/> Respiratory
<input type="checkbox"/> Other	<input type="checkbox"/> Diabetes	<input type="checkbox"/> G.I.T.	<input type="checkbox"/> Allergies	<input type="checkbox"/> Nil	<input type="checkbox"/> Unknown	Present Drugs <input type="checkbox"/> Nil <input type="checkbox"/> Unknown		
HAEMORRHAGE CONTROL								
<input type="checkbox"/>	<input type="checkbox"/> Dressing	<input type="checkbox"/>	<input type="checkbox"/> Elevation	<input type="checkbox"/>	<input type="checkbox"/> Pressure			
IV CANNULATION								
1 Type	2 Unsuccessful	3 In Situ	10 Pre-req	11 Multi	12 Vent.			
INTUBATION								
1 Type	2 Unsuccessful	3 In Situ						
RHYTHMS MONITORED								
(Abbreviations in heavy print)								
1 Sinus Rhythm	2 Sinus Bradycardia	3 Sinus Tachycardia	4 Prem. Atrial Conl.	5 Supra Vent. Tachy	6 Atrial Fibr./Flutter	7 Idio Vent. Rhythm	8 Asystole	9 Pacemaker Rhythm
LEGEND								
1 Suction	2 Oral Air	3 ETT	4	5	6	7	8	9
10	11	12	13	14	15	16	17	18

