



**DEBATES**

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

**HANSARD**

12 February 1991

## Tuesday, 12 February 1991

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**MR SPEAKER** (Mr Prowse) took the chair at 2.30 pm and read the prayer.

## **QUESTIONS WITHOUT NOTICE**

### **Business Bankruptcies**

**MS FOLLETT:** My question is to Mr Kaine. I refer the Chief Minister to the dramatic increase in bankruptcies that has occurred in the ACT during his period in office; in particular, I refer to the reported 80 per cent increase in the last reported quarter. Mr Kaine, other than talking about this state of affairs, what concrete actions are you taking to stop the collapse of businesses in the ACT - in particular, small businesses - or will you again claim that the figures are wrong and there is not really a problem?

**MR KAINE:** The Leader of the Opposition rightly notes that there is a disturbing rate of bankruptcy in the ACT, something that the Government is concerned about. As I understand it, statistics recently released by the registrar show that, during 1990, 292 cases of bankruptcy were filed in the ACT, as opposed to 162 the year before; so there was a significant increase. Of those bankruptcies, 88 occurred in the December quarter of 1990, and that is a considerable increase on the December quarter in the previous years. But I would note, for general information, that they include both personal and business bankruptcies; they are not all business bankruptcies. And, indeed, some bankruptcies reported in those figures are not bankruptcies in the ACT, because there is a tendency for people in the surrounding region to record their bankruptcies here.

That is a matter of some concern. As I have indicated previously, much of the problem with small businesses is that they simply cannot afford the price of money in today's market. When they are a little bit short of money to tide themselves over, they find that they either cannot borrow or cannot afford to borrow on today's market and, of course, that is a function of the total Australian economy, not just of the ACT economy.

**Mr Berry:** It has fallen several percentage points.

**MR KAINE:** It is your Federal Treasurer, Mr Berry, who fixes the national economy. You should ask him what he is doing about fixing small business. That would be a damn good question to ask him, because your Federal Treasurer takes the view that you shut your eyes and it all goes away. Well, it has not gone away and it is not going to go away until your Federal Treasurer faces up to the fact of the matter.

**Mr Berry:** What about the indecision and vacillation by the Chief Minister here?

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

**MR KAINE:** There is no indecision or vacillation. I have already spoken to my officers since coming back from leave, and I have asked them to do two things. The first is to commission an inquiry involving local small business to determine what the underlying reasons are for bankruptcy in the ACT. Once we know what the underlying problems are, it just may be that there are some things that this Government can do; but I doubt it. I think that when we have analysed them the underlying causes will point up the point that I have just made, namely, that the underlying cause of bankruptcy is the national economy, which is under the control of the Labor Government and a Labor Treasurer who simply cannot, or will not, face up to the issue.

The second thing that I have asked is that steps be taken to set up an advisory body for small businesses in trouble - somewhere they can go to have professionals look at their problems and advise them whether or not, in their particular circumstances, there is anything that can be done. My departmental officers are looking at both of those issues, and I believe that that is a positive response to the difficulty, to identify the nature of the problem and to do what we can about it.

### **Consumers Health Forum of Australia**

**MR STEFANIAK:** My question is to the Minister for Health. Has the Minister received a copy of the national Consumers Health Forum of Australia's publication, *Legal Recognition and Protection of the Rights of Health Consumers*? What is being done by the Minister in response to that report?

**MR HUMPHRIES:** I thank Mr Stefaniak for his question. I can indicate that I received such a report just prior to my departure overseas on leave. I have written to the Consumers Health Forum expressing my wish to meet with their representatives sometime soon, and I think a meeting is being set up for later this month. I have also referred the report to the ACT Board of Health. It is my understanding that a number of matters covered in the report are either in hand or planned.

Certainly, principles such as access and equity in the provision of health services have been given legislative authority through being built into the objectives of the Board of Health, which was established under the Health Services Act which we passed after debate only late last

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year. A major publicity campaign will be launched on 18 February to inform consumers about the role of the ACT Board of Health's information and complaints unit. A display at the Royal Canberra Show in a few weeks' time will provide a wide range of information about health services, including that particular unit. The Board of Health is already considering, at my request, options for the development of complaints mechanisms. New legislation in the area of clients' rights is also being explored, with a view to providing legal recognition and protection of the rights of health consumers.

The forum's report is very welcome to the Government. It is a valuable drawing together of initiatives and progress across all States, and I think it will make a very valuable contribution towards the work that will go on in this Territory along the same lines.

### **Medical Specialists**

**MR STEVENSON:** My question is to Gary Humphries, the Minister for Health. It concerns the lack of dermatology specialists in Canberra. A constituent who was diagnosed as having cancer was told that there was no dermatologist in Canberra. I believe that a private dermatologist visits Canberra twice a month, such visits being arranged by a local GP. Apparently, however, this particular dermatologist is booked out, currently, up until September. As the ACT is one of the worst places in Australia for skin cancers, my questions are as follows: Does the Minister agree that there is a lack of dermatologists in the ACT? Is there any intention to handle that problem, and, if so, when?

**MR HUMPHRIES:** Mr Speaker, I thank Mr Stevenson for that question, because it is very apposite and probably quite timely. It is, to my knowledge, quite true that the ACT lacks any permanent dermatologist. At least, that was the case a few months ago when I last had reason to inquire about it, and I have no reason to believe that it has changed at any stage since then. I might point out that that problem is not one that extends just to dermatologists. There has been a whole series of medical specialties where the ACT has lacked a consistent or adequate presence over a period of years. A few years ago, I think, it was orthopaedic surgeons. Today, it is dermatologists and probably other things.

I have no doubt at all that that situation will continue for some time to come, unless the Government is able to take in hand the problem of attracting and retaining high quality medical, nursing and other health related staff to the ACT's public hospital system. That is the crux of the problem, and that, I should remind this place, is the reason for the Government spending \$166m on the

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redevelopment of our public hospital system, to attract the resources and facilities necessary to ensure that we do attract and retain high quality people to the ACT.

Obviously, the quality of the resources we have at our disposal is not the only reason that on occasions we have trouble attracting high quality staff here. There are other reasons. However, I believe that that is the single, principal and most important reason for our inability to attract such staff, and I sincerely hope that the hospital redevelopment, which will take on very important stages this year, will make a very important contribution to overcoming those particular problems and to keeping good staff at that level in the ACT.

**MR STEVENSON:** I have a supplementary question, Mr Speaker. Specifically concerning dermatologists, is there currently an attempt being made to get one into Canberra?

**MR HUMPHRIES:** It is very difficult, Mr Speaker, actually to attract people of any particular specialty to the ACT, except by offering particular incentives, which are not a good idea in the long-term interests of the health system. Obviously, for example, we could promise a dermatologist, or some other professional, extremely lucrative remuneration as an incentive to come to the ACT. But, if we were to adopt that approach for every shortage as it arose, we would find ourselves unable to manage our hospital system on budget.

I do not believe that short-term solutions are the answer; long-term solutions are solutions which incorporate improvements in our system to attract good people to the ACT and to make it a worthwhile place in which people can live and work. Those things are the answers to this problem. That will be the solution the Government continues to pursue.

#### **Ministerial Leave**

**MR BERRY:** My question is to the Chief Minister, and my question arises from the Chief Minister's and the Minister for Education's absences over recent times. Chief Minister, how do you justify the fact that you, personally, have spent up to twelve weeks on leave, with full pay, over the 20 months that you have been a member of the Assembly?

**MR KAINE:** First of all, the figure is totally incorrect, and I do not know where you got it from. In fact, until this Christmas break, I had had virtually no leave in the two years since the Assembly was established.

**Mr Berry:** What about the 1989 Estimates Committee? That was not bad.

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**MR KAINE:** I do not know anything about the 1989 Estimates Committee. I had five days off. Is that okay? It was five days. I believe that the leave that I have taken is reasonable. The travel that I have undertaken is reasonable. It is not inconsistent with what Ministers and heads of government in other administrations take. I make no apology for it - not to you, or to anybody else, Mr Berry.

### **Belconnen Remand Centre**

**MR JENSEN:** Mr Speaker, my question is directed to Mr Collaery in his capacity as Minister for corrective services. I refer the Minister to a leading article in last week's *Community Times*. Minister, is there any truth in the suggestion that there has been some kind of cover-up about allegations of misconduct at the Belconnen Remand Centre?

**MR COLLAERY:** I thank Mr Jensen for the question. Of course, the answer is no, there has been no cover-up. Mr Stevenson was provided with a very comprehensive response to a series of questions on notice. I believe that 28 questions on notice were placed on the notice paper in September 1990. Some of the matters alluded to by Mr Stevenson were still the subject of ongoing appeals by Mr Albrighton. Others were the subject of contemporaneous investigations, and Mr Stevenson's questions have been answered. It is clear, I believe, that Mr Stevenson can now concede to the *Community Times* that there is no cover-up, that those matters have been fully inquired into and that other matters are still in train.

### **Schools Location Legislation**

**MR MOORE:** Mr Speaker, my question is to Mr Norm Jensen in his capacity as chairman of the Committee on Planning, Development and Infrastructure. Mr Jensen, on 20 November, a Tuesday evening, in this house, there was a reference to the planning committee by the Minister for Education, Mr Humphries, concerning the Schools Location Bill. I wonder what action the planning committee has taken on that Schools Location Bill, particularly considering the relevance of that issue at this particular moment.

**MR JENSEN:** In answer to Mr Moore's question: At this stage, Mr Speaker, in view of the fact that the planning committee is in the process of commencing an investigation and a consideration of the package of legislation, we have not, in fact, commenced the inquiry into the Bill that Mr Moore refers to.

### **Minister for Finance and Urban Services**

**MR WOOD:** Mr Speaker, I direct a question to the Chief Minister. Chief Minister, what action will you take to prevent your Minister for Finance and Urban Services from continuing to abuse the people of Canberra? I note, in particular, his description of Lyons parents as "ratbags" and his suggestion that the legal fraternity could "get stuffed". Have you counselled Mr Duby, or is the Liberal partner in the Alliance quite happy to see the Canberra community abused?

**MR KAINE:** Mr Speaker, I think that Mr Wood can be assured that Mr Duby and I and the other Ministers of the Cabinet have had a number of discussions over the last 10 to 14 days and - - -

**Ms Follett:** He is blushing a bit; I must say that he is blushing.

**MR KAINE:** Who is blushing? Mr Duby? No, that is his natural complexion. We have discussed a range of issues, including the colourful language that some members, not only Ministers, use in referring to some subjects about which they are highly emotive. I think, perhaps, we should do an analysis of the emotive language used by all members of the Assembly, not just one or two of us.

### **Community Policing Advisory Committee**

**DR KINLOCH:** My question is for Mr Collaery, as Attorney-General. How does the Government propose to seek the views of the community on policing in the ACT?

**Ms Follett:** Make a statement.

**MR COLLAERY:** I am invited by the Leader of the Opposition to make a statement. I will do that. Mr Speaker, I will shortly be tabling a report of the first review of police services that has been undertaken pursuant to the schedule of the arrangement with the Australian Federal Police and the Federal Government. Today, the Government also announced the establishment of a Community Policing Advisory Committee, to report in advance of the June 1991 review. Members will recall that there are going to be regular reviews of the policing arrangement, and members will also recall that the Government undertook, early this year, to set in train a community consultative mechanism. I believe that Mr Moore was one of the members who were seeking that mechanism.

The committee, Mr Speaker, will comprise representatives from community groups and interested individuals. It will assess community views on ACT policing and assess the appropriateness of the goals, objectives and priorities of policing; and it will set out its views on the policing

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arrangement as it currently stands. The proposed committee will be a steering committee. Advertisements will be placed in the *Canberra Times* tomorrow, I believe, and on Saturday and the following Wednesday, calling for expressions of interest from interested community members. And that, Mr Speaker, is the beginning of an ongoing consultative process with respect to our policing arrangements.

### **Minister for Finance and Urban Services**

**MR CONNOLLY:** Mr Speaker, my question is to the Chief Minister. Chief Minister, has your attention been drawn to recent comments by Mr Collaery, on ABC radio, that Mr Duby's recent outburst regarding the judiciary could be explained by the fact that Mr Duby was "tired" at the time of those remarks? Does the Chief Minister agree with this assessment, and does he think that the Minister for Urban Services is competent to hold office, given that his judgment becomes clouded to such a great extent when he is, in the view of a fellow Minister, "tired"?

**MR KAINE:** Mr Speaker, the answer is no, I have not had those remarks drawn to my attention, but I am interested in Mr Connolly's coloured interpretation of them.

### **School Restructuring - Task Force**

**MRS NOLAN:** Mr Speaker, my question is to Mr Humphries in his capacity as Minister for Education. Minister, when will the membership and terms of reference of the school restructuring task force be announced?

**MR HUMPHRIES:** Mr Speaker, members will recall that late last year, as part of its consideration of the Hudson report on schools reshaping, the Government decided to establish a task force to examine the long-term restructuring of the government school system. I will shortly seek formal government approval of the task force's membership and terms of reference. I intend to propose to the Government a membership comprising an independent chair and representatives of the community, unions and the Government.

I can indicate briefly what I think the terms of reference will include: Early consideration, of course, of the placement of the Independent Living Centre currently at Macquarie Primary School; investigation of the States' approach to the structural problems confronting all school systems in Australia in terms of shifting and declining enrolment patterns; examination of proposals for a long-term school planning policy; and identification of possible savings resulting from a restructuring of the school system.

I certainly hope that all members of this Assembly and all members of community groups and community groups themselves will give that task force every cooperation as it seeks to find a solution to what are, I think we all realise, extremely difficult problems facing our community.

### **Royal Canberra Hospital North**

**MRS GRASSBY:** My question is to the Chief Minister. Given the importance of the construction industry as an employment base in Canberra, can the Chief Minister explain the failure of his Minister for Urban Services to properly implement the public works project management contract system, which consequently led to the Hunt Boilers dispute at the Royal Canberra Hospital North?

**MR KAINE:** Mr Speaker, I would not attempt to explain to the member of the Opposition how Mr Duby conducts his business. If she really wants to know, she should ask him.

### **Commercial Tenancies**

**MS FOLLETT:** I have a further question to Mr Kaine. I refer the Chief Minister to the Government's response to the Assembly committee's inquiry into commercial tenancies. I ask Mr Kaine: First of all, does he consider that the commercial tenancy arrangements are relevant in any way to the dramatic increase in bankruptcies in the ACT; and, secondly, will he advise the Assembly of what progress, if any, there has been on the introduction of effective self-regulation in this area?

**MR KAINE:** Mr Speaker, in answer to an earlier question I indicated that I had commissioned two studies into small business difficulties, one of which is to determine what are the fundamental causes of bankruptcy in the ACT in particular. I am quite sure that, if, as indicated by the Leader of the Opposition, the tenancy agreements are one factor, that will be brought out in the report that comes to me. I will then consider what, if anything, in addition the Government should do about that, when I have that information before me.

**MS FOLLETT:** I have a supplementary question, Mr Speaker. I think that Mr Kaine was distracted by Mr Collaery and may not have heard the last part of my question, which was: Will he report on the progress, if any, that there has been on self-regulation in this area? This was the Government's position in response to the Assembly's report.

**MR KAINE:** I will take the question on notice and give a comprehensive reply, Mr Speaker.

### Hospital Charges

**MR STEVENSON:** My question is to the Minister for Health, Gary Humphries. It concerns a lady of mature age who is currently residing as a patient in the Royal Canberra Hospital and is having some difficulty getting a nursing home bed. The short details are as follows: She was a patient at the Goodwin Homes and suffered severe health problems and was admitted to Royal Canberra Hospital. After that it was obvious that she was not going to be able to return to Goodwin Homes, but needed a nursing home. I contacted the Minister's office in early January and, indeed, that was arranged; but because of some bureaucratic problem it fell through and since then she has been in Royal Canberra Hospital. Recently, we believe, a bill has been sent to her. Now, the questions are: Will that bill for approximately a thousand dollars be waived; and, secondly, will immediate action be taken to ensure that she does go to a nursing home as earlier promised?

**MR HUMPHRIES:** Mr Speaker, I think Mr Stevenson is probably referring to the same lady whose case was reported on the front page of the *Canberra Times* on Saturday. Since that article appeared I have sought briefing from my ministry on that subject. I have received advice from the ministry, and I am currently examining that. I indicated, however, to a reporter yesterday, and I stand by this, that unless a very good reason is established by those briefing me as to why the Government ought not to refund - or ought to collect - the thousand-odd dollars which is owed by that lady to the Government, then I will certainly ask that that fee be waived or refunded, as the case may be.

I might indicate that I am not satisfied with the briefings I have received on this subject already today. I will be seeking further advice from the ministry and from the Board of Health on that subject, and as a result of those briefings I will be making a decision on that lady's case.

### Hospital Services

**MR BERRY:** My question is to Mr Humphries, the Minister for Health, Education and the Arts. I refer to my letters of 11 and 16 January to you, or to Mr Duby when he was acting for you whilst you were away. Those letters concern two constituents who presented at Royal Canberra Hospital South, the principal hospital, and were forced into private hospital beds due to this Government's failure to provide adequate public hospital services. I would like to table those two letters, and I seek leave to do so.

Leave

granted.

**MR BERRY:** I table the following papers:

Royal Canberra Hospital - Southern Campus - Transfer from -  
Copies of letters from Mr W. Berry, MLA to Mr C. DUBY, Acting Minister for Health,  
Education and the Arts - dated 10 and 16 January 1991.

My question is: Will the Government pay all the additional costs borne by those two constituents?

**MR HUMPHRIES:** Mr Speaker, I am not aware of this case at this stage. I will take the question on notice.

**MR BERRY:** I have a supplementary question, and it really needs to be answered in the context of the difficulties of those constituents. Mr Speaker, how long will the people of the ACT have to wait for the Minister to take action to ensure that emergency patients are not forced into expensive private hospital beds through the lack of public hospital beds? People deserve to know that.

**Mr Collaery:** On a point of order, Mr Speaker: That is not a supplementary question. That is another inquiry.

**MR SPEAKER:** I recognise that that was a separate - - -

**Mr Collaery:** And he has addressed it to you, Mr Speaker. You can answer it.

**MR SPEAKER:** Thank you, Mr Collaery. I am afraid I cannot answer that, Mr Berry.

### **Assembly Vehicles**

**MR HUMPHRIES:** Mr Speaker, I have a question for you, pursuant to standing order 115. Can you inform the Assembly whether the ACT Government vehicle, registration number 202-054, issued to the Legislative Assembly, was authorised to deliver materials to protesters at an illegal picket at Cook Primary School at approximately 1.15 pm on Wednesday, 6 February this year? What action do you consider appropriate to inform members of their responsibilities in using taxpayer funded vehicles so that the Assembly is not brought into disrepute, or so that illegal use is not made of Assembly property?

**MR SPEAKER:** Mr Humphries, I will take that question on notice. I think the situation of illegal pickets, et cetera, would require me to seek legal opinion before I comment.

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### **Behavioural Management Unit - Relocation**

**MR MOORE:** Mr Speaker, my question is directed to Mr Humphries as Minister for Education. Mr Humphries, the Theodore Street behavioural unit was located at the South Curtin Primary School and, of course, is no longer there. Considering that you have given guarantees of continuance of that particular program in this house, can you tell us where it is located and how it is operating in a way that does not have an impact on any other primary school, or on the primary school children?

**MR HUMPHRIES:** Mr Speaker, I am not aware of where the Theodore Street unit is to be located; but I have indicated already in answer to questions last year from Mr Moore and, I think, Mr Wood and others - - -

**Mr Wood:** You would be better off informing yourself on that than on that last nonsense thing you raised.

**MR SPEAKER:** Order!

**Mr Wood:** Get on top of your job for a change.

**MR HUMPHRIES:** I can see that Mr Wood is a bit touchy on this subject. I wonder why he is a bit touchy on this subject. I do not suppose No. 202-054 belonged to Mr Wood, did it?

**Mr Wood:** No, it does not. It belongs to the ACT Assembly.

**MR HUMPHRIES:** I am pleased to see that.

**Mr Wood:** Once again you cannot get anything right.

**MR SPEAKER:** Order, Mr Wood!

**Mr Wood:** From day one here you have got everything wrong.

**MR SPEAKER:** Mr Wood, please!

**MR HUMPHRIES:** It is a great pity, Mr Speaker, that some other people did not take holidays over the last few weeks as well as some Ministers.

Mr Speaker, I will take Mr Moore's question on notice. I have no reason to believe that my advice will be any different from last year, but I do think that he need not concern himself or worry about the dismemberment of that unit or of any adverse location of it.

### **South Curtin Primary School - Refurbishment**

**MR WOOD:** Mr Speaker, Mr Humphries might shortly be sorry once again that he does not check on the information provided to him. I direct a question to him - not in any great confidence about the answer, I have to say. Mr Humphries, can you tell the Assembly, which needs to know, and the community, which demands to know, what has been the full cost of the refurbishment of South Curtin Primary School thus far? Is it true that workers on the site received above award payments in the order of \$5,000 each? What costs were incurred above the original estimates?

**MR HUMPHRIES:** Mr Speaker, I have asked very similar questions today of my ministry.

**Mr Wood:** Only today?

**MR HUMPHRIES:** If Mr Wood would like to listen to the answer, he might be satisfied. I doubt it, but he might be satisfied. Obviously I am as concerned as Mr Wood apparently is to ensure that the costs imposed on this community by the schools reshaping exercise do not escalate or blow out, and as a result I have asked my ministry to advise me on what changes in the cost estimates put before the Estimates Committee last year, among others, have occurred as a result of developments in the last few weeks.

Obviously I have not as yet received advice from the ministry on that question. I am led to believe that there will be some blow-out of costs because of the action taken in respect of schools like South Curtin and Cook, and that would be quite to be expected, I would have thought. However, as soon as that information is available, I would be very happy to table it here in this place and satisfy Mr Wood.

### **Legal Precinct**

**MR CONNOLLY:** Mr Speaker, my question is directed to the Chief Minister. What is the Government's position, Chief Minister, on the establishment of a legal precinct in the ACT? Does the Government support the Attorney-General's position of seeing this as a priority area for action, or does the Government support Mr DUBY's position that apparently pandering to a relatively well-off sector is unwarranted and the legal profession and judges should "get stuffed" or hang themselves or various colourful phrases?

**MR KAINE:** I do not support either position, Mr Speaker; I have a position of my own. The fact is, though, that accommodation for the ACT court system has become inefficient in operation and difficult to manage. It is a legacy from the Commonwealth. One might ask why the Commonwealth has transferred the courts to us with such an asset problem. The problem is largely attributable to

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there being insufficient courtrooms and to the locations being spread over a number of courts, so it makes the court operation very difficult. I am sure you, Mr Connolly, would be aware of that.

In October 1990 the Commonwealth Government released \$20,000 from our restructuring fund to investigate the available alternatives for the consolidation of the ACT Magistrates Court function and the Administrative Appeals Tribunal. Since then we have widened that investigation as to where they might be located in the ACT to include the ACT Supreme Court and all other ACT courts and tribunals, and perhaps also the Federal Court. As far as I am concerned, Mr Speaker, there are three possibilities. We could provide a new complex in the vicinity of the existing law courts to accommodate the Magistrates Court and the Administrative Appeals Tribunal; we could provide a purpose built complex for the entire ACT court system; or we could provide a purpose built court complex which would include the entire ACT court system together with some Commonwealth courts.

Early estimates are that the cost could run as high as \$25m. Quite clearly, that is something that would have to be accommodated in our works program. I do not think it is the sort of project that would be undertaken by private enterprise, so it has to be funded out of the Government's capital works program. We have established a task force of the relevant government authorities which will recommend to the Government whether the project is feasible and just where we should go.

Further than that, I think I should make it clear that, despite the beat-up in the media, there is no competition between a court precinct on the one hand and the Civic Square redevelopment on the other. The Civic Square redevelopment is already on the books. It is a privately funded project, and it is in no way in competition with the legal precinct. If and when that gets the nod as a government project - and I think that the Government is approaching this matter reasonably and responsibly - I am sure that when we come up with a solution the Opposition will have a great deal to say about whether the course of action that we have decided upon is a reasonable one.

### **South Curtin Primary School - Refurbishment**

**MRS GRASSBY:** My question is to Mr Humphries. What, in detail, are the improvement facilities at South Curtin Primary School which have been promised?

**MR HUMPHRIES:** Mr Speaker, I think Mrs Grassby asked me what improvements at South Curtin school have been promised.

**Mrs Grassby:** What are the facilities that have been promised?

**MR HUMPHRIES:** It is quite simple to answer your question. A standard government school with no particular frills will be provided at South Curtin school. I went to the school myself - - -

**Mrs Grassby:** They were promised improved facilities.

**MR HUMPHRIES:** Apparently Mrs Grassby would like to answer the question herself. I am sure that she will have plenty of opportunity to do that.

**Mr Wood:** Do you reckon?

**MR HUMPHRIES:** Perhaps not. Mr Speaker, my advice to you and to the Assembly is that nothing special or exceptional has been promised to South Curtin. To date, the work carried out at South Curtin has been necessary to bring it up to the standard of most government schools in the ACT. Carpeting has been put down in a number of classrooms; some partitions have been taken out and others put in. I went to the school myself last Wednesday, I think it was, to examine the progress in those matters, and I was quite satisfied that the school is making good progress towards a satisfactory state of facilities for students. The part of the school that was occupied by the Therapy Centre is still in the process of being refurbished. That will take, I understand, a few more weeks to complete; but I should indicate that when that is complete we will again have there a standard, adequate school for the ACT.

Of course, it is not just facilities that make a high quality school, as Mrs Grassby would be well aware. It is the quality of the work going on by the staff and others who provide services in that school, and, of course, the parents themselves. I can say, Mr Speaker, having visited that school last week, that the morale and the enthusiasm of the staff there to provide high quality education, both to students from what was previously the North Curtin school and to Lyons school students in the future, are very high. I have no doubt whatsoever that that will be an excellent school for the ACT in coming years. That is a matter on which I think anybody who visits the school can have no doubt.

### **Casino - Counselling Service**

**DR KINLOCH:** Mr Speaker, may I refer back to the committee chaired by Mr Humphries that reported in July 1989 on the question of a casino. The very first recommendation of that committee was to do with some kind of counselling and assistance service in the area of gambling, and one is thinking in particular of the area of compulsive gambling. My question is addressed to Mr Collaery, in his role as Attorney-General. Could he bring us up to date on what is happening in that area?

**MR COLLAERY:** I thank Dr Kinloch for his question. Yes, at the Estimates Committee hearing last year I was asked by another member of the Assembly what the Government was doing about that recommendation. I indicated at the time that there appeared to be a joint jurisdiction between the Minister for Health, my colleague Mr Humphries, and me. Since that time my department has put together a new policy proposal, which will be discussed among other prioritisation issues during the budget discussions, to link that counselling service with some of the established counselling services that exist already within my bureaucracy. But, at the same time I understand that my officials will be discussing the matter with the Ministry for Health to see where such a facility should lie. I assure Dr Kinloch and members of the Assembly that that matter is currently in hand.

**Mr Kaine:** Mr Speaker, I request that further questions be placed on the notice paper.

### **MINISTERS - NUMBER APPOINTED**

#### **Ministerial Statement and Papers**

**MR KAINE** (Chief Minister), by leave: Members will remember, Mr Speaker, that in its report presented to the Legislative Assembly on 26 April last year the Select Committee on Self-Government made a recommendation in the following terms:

The Chief Minister request the responsible Commonwealth Minister amend the Australian Capital Territory (Self-Government) Act 1988 to remove the ultimate power concerning the number of Ministers from the Commonwealth and transfer this power to the ACT Legislative Assembly.

Subsequent to that, Mr Speaker, on 16 August 1990 the Assembly passed a resolution authorising the making of a regulation providing for the appointment by the Chief Minister of up to five Ministers. Following the passage of that resolution, I wrote to the Prime Minister. I advised the Prime Minister that I was convinced of the need for additional Ministers in the ACT Government, and I added

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that members of the Assembly - the elected representatives of the people of the ACT - had authorised an increase of the size of the Ministry.

**Mr Berry:** "Then I went on holidays".

**MR KAINE:** You have been on holiday for the last 14 months, so I would not speak too loudly if I were you.

I further advised the Prime Minister that, while I was very conscious of the need to restrain spending, I believed that the additional hands-on management that would come from the appointment of additional Ministers would produce savings for the ACT in the long run. It would certainly provide for better management at the Executive level. I commented that, even with two more Ministers, the members of the ACT Executive would each carry a much wider range of responsibilities than their counterparts anywhere else in Australia, including the Northern Territory.

Mr Speaker, I am pleased to advise that the Prime Minister has responded positively to my letter - contrary to the mean minds of the people opposite - and he has advised me that the Commonwealth has decided to amend the ACT (Self-Government) Act 1988 to end the involvement of the Commonwealth in determining the number of Ministers. He intends to introduce legislation this year to amend the Act to provide for the Chief Minister of the ACT to appoint up to five Ministers until such time as the ACT Legislative Assembly itself legislates for a different number. Mr Speaker, this means that the Assembly itself will in future make the determination. That is right and proper.

I think this response from the Prime Minister is indicative of the spirit of goodwill engendered by the Special Premiers Conference held in October last year. It is a demonstration of the willingness on the part of the Commonwealth, or at least the Prime Minister, to relinquish a State power hitherto retained by the Commonwealth in respect of the ACT. Members of the Assembly, I am sure, will applaud this outcome. Mr Speaker, I table the following papers:

Ministers - Number appointed -

Copy of letter from Mr R.J.L. Hawke, MP, Prime Minister to Mr T. Kaine, MLA, Chief Minister, dated 8 February 1991.

Ministerial statement, 12 February 1991.

**MR SPEAKER**  
**Statement by Speaker**

**MR SPEAKER:** We will get back to the program. Chief Minister, you jumped the gun. Before we go to that, I would like to make a statement. During the proceedings of the Assembly on 11 and 13 December last year, I undertook to check *Hansard* and report back to the Assembly. On both occasions points of order were taken concerning alleged imputations against the position of the Speaker. I have examined both instances - the references are to *Hansard*, page 4946 and page 5220 - and I must admit that with the lapse of time it is not easy to recall the exact details of what occurred. I have spoken to members involved in those points of order and they cannot bring the points back to mind either. Having considered the record, I do not consider the comments made to be of sufficient seriousness for me to take further action.

I remind members that the position of Speaker requires a high degree of impartiality if the Assembly is to operate properly. I cannot favour one party or group over another, or one member over another. I have endeavoured, and will endeavour, to ensure adequate opportunities for all members to participate in debate, and to ensure that proper standards are maintained and that the best interests of the Assembly are promoted.

**SUBORDINATE LEGISLATION AND COMMENCEMENT PROVISIONS**  
**Papers**

**MR COLLAERY** (Attorney-General): Pursuant to section 6 of the Subordinate Laws Act 1989, I table subordinate legislation in accordance with the schedule of gazettal notices for ministerial determinations and regulations. I also table, Mr Speaker, for the information of members, gazettal notices for the commencement of provisions of Acts listed in the schedule. I present the following papers:

Ambulance Levy Act - Determination - No. 2 of 1991 (S3, dated 25 January 1991)

Crimes (Amendment) Act (No. 3) - Notice of commencement of sections 2 and 4 (S5, dated 6 February 1991)

Financial Institutions Duty Act - Financial Institutions Duty Regulations - No. 17 of 1990 (S91, dated 14 December 1990)

Gaming Machine Act - Gaming Machine Regulations (Amendment) - No. 19 of 1990 (S97, dated 21 December 1990)

Health Services Act - Notice of commencement (S4, 31 January 1991)

Liquor Act -

Determination of fees - No. 79 of 1990 (S96, dated 19 December 1990)

Liquor Regulations (Amendment) - No. 2 of 1991 (No. 5, dated 6 February 1991)

Liquor (Amendment) Act - Notice of commencement (S95, dated 19 December 1990)

Magistrates Court (Civil Jurisdiction) Act -

Magistrates Court (Civil Jurisdiction) Regulations (Amendment) - No. 1 of 1991 (S2, dated 11 January 1991)

Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulations (Amendment) - No. 20 of 1990 (S101, dated 21 December 1990)

Motor Traffic Act - Exemptions - Nos. 88 and 89 of 1990 (S105, dated 28 December 1990)

Motor Omnibus Services Act - Determination of charges - No. 87 of 1990 (S104, dated 27 December 1990)

Motor Vehicles (Dimensions and Mass) Act -

Determination of fees - No. 81 of 1990 (S103, dated 27 December 1990)

Determinations of mass - Nos. 82, 83, 84, 85 and 86 of 1990 (S103, dated 27 December 1990)

Public Health Act - Determination of fees - No. 78 of 1990 (S94, dated 20 December 1990)

Taxation (Administration) Act -

Determination - No. 80 of 1990 (S99, dated 20 December 1990)

Determination for the purposes of the Financial Institutions Duty Act - No. 77 of 1990 (S93, dated 18 December 1990)

Tobacco (Amendment) Act - Notice of commencement of sections 3 and 4 and section 5 in so far as it substitutes new sections 2, 3, 12, 13, 14 and 15 (S94, dated 20 December 1990)

Vocational Training Act - Vocational Training Regulations (Amendment) - No. 18 of 1990 (No. 50, dated 19 December 1990)

**HUMAN RIGHTS BILL 1990 AND LANDLORD AND TENANT (RENTAL BONDS) BILL  
1990**

**Speaker's Ruling**

**MR SPEAKER:** At this stage I would like to make another statement. Members may recall that on 14 September 1990 two private members' Bills were introduced into the Legislative Assembly, namely, the Human Rights Bill 1990 and the Landlord and Tenant (Rental Bonds) Bill 1990. At the time of their introduction points of order were taken as to whether the Bills contravened standing order 200 and section 65 of the Australian Capital Territory (Self-Government) Act 1988. I undertook to examine the Bills and report back to the Assembly with a ruling on those matters after obtaining advice. For the information of members, I table copies of the advice received from the Government Law Office concerning the two Bills.

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In relation to the Human Rights Bill 1990, the advice I have received from the Government Law Office indicates that, based on the principles of D.F. Jackson QC considered relevant, the Bill would contravene section 65 of the self-government Act, and therefore is contrary to standing order 200. In relation to the Landlord and Tenant (Rental Bonds) Bill 1990, the advice indicates that the Bill would not contravene section 65 of the self-government Act and is therefore in conformity with the standing orders. Given this advice, I have concluded that the Bill does not contravene the provisions of standing orders 200 and 201.

Members will note that the Assembly resolved on 21 November 1990 to postpone consideration of these Bills, together with three other private members' Bills, until such time as the report of the Standing Committee on Administration and Procedures on its inquiry into standing orders 200 and 201 had been presented and debated. Given the advice received, the Assembly may wish to reconsider its order of 21 November 1990, insofar as it relates to the Landlord and Tenant (Rental Bonds) Bill 1990.

### **CIVIC SQUARE REDEVELOPMENT PROJECT** **Ministerial Statement**

**MR KAINE** (Chief Minister), by leave: Members will be aware, Mr Speaker, that there has been some recent community concern about the Civic Square redevelopment project process, and I believe it is appropriate that I advise the Assembly of the current status of the project. My intention is to limit the impact of uninformed speculation and to provide a timeframe for further government consideration of the project.

Mr Speaker, I preface my comments by reminding the Assembly that the Government has adopted an arm's length approach to the selection process. The Government has adopted this approach to avoid any accusations of political deals, and I must emphasise that the Government's first knowledge of tenderers and their proposals will be when a recommendation is put forward to Cabinet for its consideration. This has been done quite deliberately, to remove any possibility or any allegation of political involvement in that decision process.

Without breaching the security associated with the selection process, I will provide the Assembly with the information that I have been given by my senior officers who are overseeing that project. The Government has established an interdepartmental committee, comprising the heads of relevant government agencies, to oversee the probity of the process and to receive reports from independent finance and design assessment panels. The panels comprise highly respected professionals in their fields, and the Government is fortunate to have secured their services for this purpose.

The Government has also appointed members to the ACT Casino Surveillance Authority chaired by Mr Justice Rae Else-Mitchell, and any decision to proceed with the project is subject to positive recommendations by that authority on the suitability of the consortium concerned. In August 1989 an international marketing campaign was launched, seeking expressions of interest by 6 October 1989. A number of expressions of interest were received, and expressions of interest were assessed against published criteria, with selected consortia invited to the second stage of the process. These consortia were required to provide detailed design and finance submissions by 23 March 1990.

Between 23 March 1990 and 7 September in that year applicants were interviewed by both the design and finance assessment panels and were required to submit revised proposals. I have been advised by the chairman of the interdepartmental committee that a preferred tenderer, submitting a fully conforming bid, has been identified for recommendation to the Government, subject to the finance assessment panel's endorsement of satisfactory financial arrangements and to a positive recommendation from the Casino Surveillance Authority concerning the suitability of that consortium.

The preferred tenderer has advised the interdepartmental committee that it has experienced some difficulty in finalising project finance in a declining property market and in what is generally a subdued Australian economy. It has now confirmed that financial negotiations are close to finality.

It is unfortunate that the selection process has taken longer than I or anybody else had expected; and I have instructed the senior officers responsible for overseeing the project to bring that process to a conclusion as quickly as possible. I must emphasise, Mr Speaker, that there will be no favouritism or shifting of goalposts as suggested by yesterday's *Canberra Times* editorial.

The selection process, which is now under way, is intended only to deal with proposals which meet the conditions associated with the project on section 19 in the city. Any consideration of proposals not consistent with those conditions would, and will, require the commencement of a new competitive tendering process. Let me repeat, Mr Speaker, that I have directed that the current process be completed as quickly as possible, and then and only then will a recommendation come to the Government. At that stage the Government will consider the recommendations on their merits and in accordance with the conditions of the tendering process. I think, Mr Speaker, that that may set

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the thing into some sort of perspective and allay some of the speculation that has been abroad in recent days. I table the following paper:

Civic Square Redevelopment Project - Ministerial statement, 12 February 1991.

Motion (by **Mr Berry**), by leave, proposed:

That the Assembly takes note of the paper.

Debate (on motion by **Ms Follett**) adjourned.

### **WAR IN THE PERSIAN GULF Ministerial Statement**

**MR KAINE** (Chief Minister): Mr Speaker, I seek leave of the Assembly to make a ministerial statement on the war in the Persian Gulf.

**MR SPEAKER:** Is leave granted?

**Mr Berry:** I raise a point of order, Mr Speaker.

**MR KAINE:** That was pretty quick. You have a problem, have you?

**Mr Berry:** It is the Speaker's problem, really. I seek your guidance in relation to this matter, Mr Speaker. Standing order 74 points out the issues which are dealt with in the routine of business, and it refers to ministerial statements by leave. That is the only reference in the standing orders to ministerial statements or the content of ministerial statements. I refer you further to standing order 275, which states:

Any question relating to procedure or the conduct of business of the Assembly not provided for in these standing orders or practices of the Assembly shall be decided according to the practice at the time prevailing in the House of Representatives in the Parliament of the Commonwealth of Australia.

I draw your attention, Mr Speaker, to page 289 of *House of Representatives Practice*, second edition, where, under the heading "Ministerial statements, by leave", it states:

By leave of the House, Ministers may make statements concerning government policy or other matters for which they have ministerial responsibility.

It goes on from that point. It seems to me, Mr Speaker, that it is appropriate for this sort of matter to be raised in the adjournment debate rather than at this stage because defence and the Gulf war are not issues the Chief Minister

would talk about. The Chief Minister sought leave to make a ministerial statement about the Gulf war. It does not fit within his responsibilities.

**Mr Kaine:** The consequences of it fit well within my responsibilities.

**MR SPEAKER:** As I see it, the Chief Minister certainly is entitled to make a ministerial statement on this issue.

**Mr Berry:** He is the Minister for war, is he?

**MR SPEAKER:** Well, he may well be; I do not know. Your objection is overruled, Mr Berry. Please proceed, Chief Minister.

**MR Kaine:** Thank you. I presume that leave is granted.

**MR SPEAKER:** Yes, leave is granted.

**MR Kaine:** Mr Speaker, I sought leave to make a statement on this matter because I believe it to be a matter of fundamental and universal importance which affects every one of us, including those of us who live in the ACT. I do not believe that there is a citizen of the ACT who has not already been affected in some way by this war. A number of our fellow citizens will have loved ones serving with the Australian defence forces in the Gulf. Other ACT citizens will be working long and stressful hours to assure the safety and comfort of those people. Some ACT citizens will be desperately concerned about the well-being of their families, relatives and friends now in the region of conflict or in neighbouring countries. Other ACT citizens whose families or friends are not directly involved in the conflict will, I believe, be finding that their view of the world has changed because of the events in the Gulf.

Mr Speaker, the optimism that we all experienced last year, as the result of decreased tensions between the superpowers and the peaceful restoration of democracy to the countries of Eastern Europe, has become tempered with the knowledge that world peace remains a hard won and fragile commodity. What nobody wanted - open war between nations, with its attendant death and destruction - is now a reality. People whose countries are not at war wait in fear of possible missile strikes and terrorist attacks. Terrible weapons, gases and chemicals are being discussed openly. The destruction of the environment, of marine and bird life, has been embraced as a deliberate military ploy.

I applaud the very firm position that the Prime Minister has taken since the outbreak of the war and the support that the Federal Leader of the Opposition has given to the Prime Minister. Like my Federal colleagues, I place a very high importance on the need for national unity in dealing with these terrible events.

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Mr Speaker, the facts are clear. The war has one cause only. On 2 August 1990 Iraq invaded and occupied Kuwait - an independent, sovereign member of the United Nations. The international community demanded that the invading forces withdraw and, working through the United Nations, tried through peaceful means to persuade Saddam Hussein that he should remove his forces from Kuwait. As the Prime Minister has pointed out:

There is no parallel for the restraint, the patience and the caution with which the world alliance against Saddam Hussein has sought by peaceful means to resolve this conflict.

These peaceful means, which included the use of sanctions, did not have the desired effect. Saddam Hussein treated them with contempt and chose to firmly tread the path to war. Indeed, he has even sought to widen the conflict. It has been a terrible outcome for Iraq, and for the rest of the world.

The fact that it was not possible to achieve a peaceful outcome has not been easy for any of us. For some Australians this tragic result has been translated into strident opposition to the war. I can understand people's views, but I am unable to share that opinion. To quote the Prime Minister again:

The great lesson of this century is that peace is bought at too high a price, if that price is the appeasement of aggression.

I offer his words, Mr Speaker, because they give eloquent expression to my own thoughts on the matter.

One particular by-product of the conflict has been the tactic adopted by Saddam Hussein of trying to obscure the reason for this conflict and distracting attention from his act of aggression by bringing in other emotive Middle East issues such as the Palestinian question. It is distressing that Saddam Hussein has had some limited success in obscuring the issue in this way. These concerns, while legitimate and requiring resolution, must not be permitted to obfuscate the central issue at stake here.

The one reason for this war is the decision Iraq took to invade and occupy an independent, sovereign and peaceful state - Kuwait - and its decision to remain in occupation in spite of international condemnation. At no stage up to now has Iraq accepted withdrawal from Kuwait as a first step to peace.

When I think about the situation in the Gulf and in the Middle East I appreciate even more than before the value of the multicultural society that we have achieved in Australia and in the Australian Capital Territory - a society that is increasingly characterised by people of different cultures learning from each other and living and

growing together in friendship. I condemn any attempt that might be made to ostracise, intimidate or persecute members of our multicultural society on the basis of their race, their ancestry or their religion. Not only is this totally offensive but it cheapens the fundamental principles that are at stake in this Gulf war.

It is my strong view, Mr Speaker, supported by my colleagues in government, that this legislature should unanimously support the Prime Minister and the Commonwealth Parliament in the difficult decision that they have made to participate with the international community in opposition to the belligerence and aggression of Saddam Hussein. Our best hope is that reason will yet prevail; that the devastation visited on the region so far, the loss of life and property, will not be permitted to escalate; that hostilities can cease through some negotiated outcome rather than one resulting from increased armed conflict. The world will be a better place if this can be achieved. Whatever the outcome, I would like to express my hope for a speedy and just resolution of the war, a hope that I am convinced will be shared by all members of the Assembly. I am sure that the thoughts of the members of this house and, indeed, of all Canberrans are with our Australian service men and women in the Gulf and I am confident that we all wish that they may soon be able to return safely home. I present the following paper:

War in the Persian Gulf - Ministerial statement, 12 February 1991.

I move:

That the Assembly takes note of the paper.

**MS FOLLETT** (Leader of the Opposition) (3.28): I would like to take advantage of the opportunity the Chief Minister has opened up to respond very briefly to his comments on the war in the Persian Gulf. At the outset I should say that I totally support what Mr Kaine has said in relation to our multicultural society in the ACT. It is something that we hold very dear in Australia; people are entitled to their views and are entitled to the full benefit of our democracy, no matter what their background or what their beliefs. That is a principle which ought to be upheld and one which we must be particularly conscious of at a time when Australia is engaged in war.

I know that within our community there are some groups of people who feel, by virtue of their background, that they are in some way being criticised or being ostracised at this time of war. I would hope that that is not the case, particularly in the ACT which has a reputation perhaps for greater tolerance than other States and other cities in Australia. So I take great pleasure in supporting what Mr Kaine has said about our own citizenry.

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I also, of course, fully support what Mr Kaine has said about the Australians serving in this conflict and their families. There is no doubt in my mind that those people take part out of a sense of duty. There is no doubt in my mind that their families and their friends suffer because of that sense of duty. So, of course, we all think of them.

I would like to say that I do not believe that anybody should be pleased about this war, and I do not believe that anyone in Federal Parliament is. I think that war is a last resort. It is something that is not entered into in any way lightly. I think it is worth bearing in mind that the vote in the American Congress about engaging in war was very close. There was far from unanimity on that question. I think we should bear in mind also the recent comments in regard to the war in the Persian Gulf made by the World Council of Churches - another body of people from all over the world; people who are of a spiritual bent perhaps and who are used to looking at questions in depth and from a humanitarian angle. I take a great deal of notice of what they have said on this subject and I certainly respect their views.

There is no doubt in my mind that many people in Australia are opposed to this war. We are hearing expressions of concern about it from all quarters. Those people are entitled to their view and they are entitled to put their view. In my own case I put such a view before Mr Hawke announced his commitment. I know that other people have continued to put that view; that war is too high a price to pay. That view must be tolerated; it should never be condemned. It is a fact that in a democracy people have every right to put that view.

Mr Speaker, I think that it is also worth making the point that the war in the Persian Gulf, while it is the only war Australia is currently engaged in, is far from the only war that is going on in the world. There are wars going on all over the world and they give rise all over the world to the same sets of problems. It is always those people least able to look after themselves in society or with least advantages in society who end up being even further disadvantaged by war in terms of poverty; in terms of failed crops; in terms of hunger and starvation and famine. It is the women and the children in those societies who ultimately bear the brunt of those wars.

So, whilst I support this positive statement that Mr Kaine has made, I do not think this is an occasion for us to be charging off supporting war, because I believe that there are a great many other considerations that are worthy of this Assembly's thought and worthy of our respect.

**MR JENSEN** (3.33), by leave: I move:

That this Assembly -

- (1) supports the United Nations' ongoing role in promoting world peace and the self-determination of nations and in particular the resolutions of the United Nations Security Council directed toward ending Iraq's aggression toward Kuwait;
- (2) supports the Australian response to resolution 678 of the Security Council and expresses support for Australians engaged in bringing about a resolution to the conflict;
- (3) supports the efforts of the United Nations, including Australia, to establish long-lasting peace and stability in the middle east, recognising the wider needs of reconciliation between Israel and the Arab States.

Motion (by **Mr Berry**) negatived:

That the debate be now adjourned.

**Ms Follett:** We have not got the motion.

**MR JENSEN:** The motion is on its way. I am quite happy to wait until you are ready.

**MR SPEAKER:** I do not believe that the delay will serve any purpose. Copies of the motion will be available to members within several minutes. Please proceed, Mr Jensen.

**MR JENSEN:** Thank you, Mr Speaker. Unfortunately, once again Australian service men and women are participating in military action some distance from their homes and families. I am sure that all members present here today have visited at some time all or some of the memorials that line Anzac Parade. Members may recall that I spoke about the dedication of the memorial to the Army in 1989, including reference to the symbolism of the seven pillars denoting the seven campaigns that Australians have participated in and the pool denoting the journeys across the water our service men and women have taken in these campaigns.

At that time I indicated that it was my hope that we would not have to see another pillar added to this memorial. I said this as one who has participated in and seen the results and effects of war on participants, their families and friends, innocent civilians and the environment. Not only would I not like to see another pillar added to the Army memorial, but also one must hope that no further names will be added to those already on the walls overlooking the memorial pool.

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Unfortunately, Mr Speaker, there are some groups and individuals within our world who seek to influence their fellow human beings by force of arms. Today we are debating the actions of a leader clearly acknowledged by many as a cruel and sadistic dictator and bully who has chosen that path to claim the territory of a sovereign neighbour. The world has seen not only the rape of a small nation by a large one, without provocation or reason, but also the consequent encouragement of instability in a part of the world already noted for its volatility and lack of regional cooperation.

The nations of the world who are part of the United Nations have, almost to a country, rightly condemned the actions of this dictator in Iraq and sought to have the status quo retained. Australians have a very good record in participating in activities sponsored by the United Nations and have served with distinction and dedication in this arena. It is therefore appropriate that we should be participating in this latest activity, especially when it has the support of such a large majority of nations.

I have no doubt that much will be made about the need for sanctions to have been allowed to work in this case. However, since August last year attempts have been continuously made to resolve this issue by diplomatic means and the application of economic sanctions. We have seen recently continued attempts by leaders in the region to seek to convince Saddam Hussein that he must withdraw from Kuwait. However, it has become abundantly clear that Saddam Hussein is really not interested in a peaceful solution to the problem he has created but is hell-bent on a course of action which has the potential to lead to the destruction of his defence forces and considerable damage to the Iraqi nation, its people and its regional environment.

It is very difficult to negotiate with a person who appears to have no appreciation for human life. The use of chemical weapons and the summary execution of many of his own people are proof positive of this. While, of course, not present at the time, as a student of history I am only too aware of the results the last time that appeasement of a dictator with ambitions beyond his own borders was attempted - the pictures of Chamberlain returning to England, after talks with Hitler, flourishing an agreement and suggesting that he had achieved "peace in our time". We all know the end result of that. My father and many of his mates were called to the region near where this conflict is taking place to fight a war that was a direct result of the decision to appease another dictator rather than act resolutely.

However, I do recall the pictures of the Russian tanks driving into Bucharest following an attempt by the people of Hungary to break their ties with Russia. Many will recall seeing this taking place on our new TV screens when the Olympic Games were held in Melbourne. Some of us may

recall what was called the battle in the water polo pool between the teams from Hungary and Russia. Once again the world allowed it to happen. The United Nations, set up to prevent such atrocities, was powerless to do anything.

Fortunately, in the case we are considering today, the nations of the world have united in their attempts to not allow such actions to go unchecked. I am sure that the incredible changes that have taken place in Europe over the last few years have played a major role in the ability of the United Nations finally to stand firm in the face of unprovoked aggression against a neighbour.

Accordingly, I believe that it is very appropriate for Australia to play a role in the implementation of resolution 678 of the Security Council. While this contribution is modest compared with that of the USA, the UK and some nations of the region which are directly affected by the actions of Saddam Hussein, it shows that Australia is prepared to continue its role in support of attempts to resolve the conflict. Some of you may or may not be aware of the fact that Australians have served recently in the region with United Nations forces. Colleagues of mine spent time on the border between Iran and Iraq, seeking to provide some stability to that area. As usual, they acquitted themselves well. I have no doubt that the men and women of the Royal Australian Navy, supported by members of the 16th Air Defence Regiment from Woodside in South Australia, also will carry out their duties in an exemplary manner.

In closing, let me make some brief reference to the future. I believe that many of the problems in the Middle East and the wars fought there since the end of the Second World War have resulted from a failure on the part of some colonial powers to keep their promises. For instance, when Palestine was partitioned and the state of Israel eventually formed, it was the Palestinian people who unfortunately found themselves on the short end of the stick. Many of the problems in countries like Lebanon and Jordan stem from the tensions created by those unfulfilled promises.

Frankly, it is high time that attempts to establish lasting peace in the region went beyond high-sounding words. Past failures to honour promises have created the sorts of inequities and denial of social justice that, throughout history, have led to conflict not only in this region but throughout the world. It is my firm view that when this present conflict is over a concentrated effort must be made to redress the terrible wrongs that have been wrought on some of the people of the region. With the encouragement of the superpowers and the United Nations, this process should be a high priority for all nations of the Middle East.

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I am firmly of the view that both the Palestinian people and the Israelis must seek a solution which provides both of them with sufficient land to enable them to run their affairs cooperatively without the threat of war hanging over their heads. It is important that nations like Australia stand ready to assist in this process by any means possible. Therefore, I urge members of this Assembly to put aside all thoughts of ideology and to support this motion. The motion, of course, is very similar to the one which received almost universal support from members of both houses of the Federal Parliament.

As one who participated in the Vietnam war in accordance with the directions of the elected parliament at the time, I also hope that the postwar treatment accorded to soldiers who fought in that war and to their families does not happen again. Finally, I would urge members to consider that only by taking resolute action against acts of tyranny such as the invasion of Kuwait will we be able to avoid the need to construct further pillars at the memorial on Anzac Parade.

**MR BERRY** (3.43): This motion before the house, relating to a very serious matter which affects the world, diverts the attention of this Assembly from the duties that it is supposed to be performing for the people of the ACT. One of those duties is to direct attention to those important social issues which affect us here. That is not to say that members of this Assembly should not have a view on world affairs; in fact they ought to. And so do other people in the Australian Capital Territory. In fact it is fair to say that territorians would be divided in their views on this issue.

**Mr Stefaniak:** I do not think so, Wayne; 75 per cent for, 18 per cent against.

**MR BERRY:** Even Bill "lock-em-up" Stefaniak agrees that the community is divided. The fact of the matter is that there are people who are against war, and they are against war for good reason.

This motion is mischievous in its intent because it sets out to try to create further divisions in this Assembly, which, I am sad to say, does nothing for the image of the Government opposite. I wonder how Hector Kinloch stands on this issue and whether he will stand up for this Government's support for the confrontation which goes on in the Gulf. I am certainly opposed to war of all kinds. That issue is clear. What needs to happen in the context of the Gulf conflicts is that the Australian Government needs to initiate a renewed international effort to secure an immediate cease-fire and a negotiated settlement of the Gulf crisis. That is not what I hear from the members opposite. I seem to hear from them that they want to see more bloodshed and they want to see Saddam Hussein killed. It just seems to me that they want to see another country thrashed into submission.

I am sure that the Prime Minister agrees with me that there ought to be an immediate cease-fire and a negotiated settlement of the Gulf crisis. I also believe that Australian interests generally are not served well by pursuing a war policy. I would like to make it clear for the record here and now that I oppose the Iraqi invasion of Kuwait because it was a monstrous act of aggression.

**Mr Humphries:** But you will not do anything about it, will you?

**MR BERRY:** I hear Mr Humphries saying that I will not do anything about it. Well, I did not see him in front of the Iraqi Embassy when I was there. One monstrosity is not made right by a second one. I think it is fair to recognise that it is simply not good enough just to oppose wars but that it is necessary to deal with the problem of why wars occur. This war itself is undermining the potential for a lasting settlement in the Middle East because of the human and environmental damage which is going to happen and, of course, the destabilisation that it is causing.

I believe that a regional peace plan which deals with a range of Middle East conflicts should be one plank in the lasting settlement of that Gulf crisis. It is simply not good enough to say that the war is a good thing and we have to thrash this nation into submission so that we can achieve a result that we think is right. I think that what should be supported is a wider and more positive role for the United Nations in the settlement of regional disputes and in preventing international aggression. But such a role has to be based on implementing all UN resolutions for the region, not just selected ones. That is the difficulty I face in approaching this issue.

I think we have to recognise the political complexities of the area and I think we also have to recognise that a Middle East peace plan should include, firstly, the Iraqi withdrawal from Kuwait - there is no doubt about that; a regional security plan involving phased disarmament and continuous monitoring of military capacity; a separate peace conference to ensure Israeli withdrawal from the occupied territories and the establishment of a Palestinian state; secure borders to guarantee the continuing security of Israel; and UN adjudication of the original border and oil disputes after Iraqi withdrawal.

The problem with this motion is that it leaves out all of those solutions. All it tends to do is to support the attack and the aggression in the Gulf and its continuance; it does not go far enough. It is a poorly thought out motion which has been put on the record for cheap political aims. It shows the absence of any wisdom in relation to international peace initiatives. It is about war. What I am about is peace.

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History has shown that peace will not be sustained in the Middle East, or, for that matter, other regions in the world, without addressing the problems of poverty, exploitation and oppression that really are the buttress for wars. We have heard so much about the so-called new world order which already echoes from the First World War. It seems to me that that will remain empty rhetoric unless the problems I referred to earlier - that is, the problems of poverty, exploitation and oppression - are recognised and dealt with. Again, none of these things are mentioned in this very empty motion; not one of them.

**Mr Moore:** What about the Kuwaiti royal family and their oppression of the Kuwaiti people?

**MR BERRY:** None of them are mentioned in this motion. It is a very poorly thought out motion by a group of people who do not understand the goings on around that confrontation.

**Mr Stefaniak:** I have a pretty good idea; a better idea than you have, pal.

**MR BERRY:** I heard Mr Stefaniak say that he has a better idea than I have. Well, it seems that his idea is to whip in there with the big guns and shoot them all. That has not solved anything. The fact of the matter is that the superpowers, at one time or another, have supported many of the repressive regimes in the Middle East, including Iraq, as we all know, and they have had little regard for human rights while they have been doing that. That is why I am particularly sceptical of a motion that only looks at what, essentially, are national border issues.

I think we have to talk about the sanctions because much has been made of them from time to time. I believe that the sanctions were working and would have worked, but I believe also that they were never intended to work. I believe that the invasion on 2 August would have met with immediate military reaction if such reaction had world support; but the support of other powers in the world had to be cornered before the approach that is currently under way could be taken. It would have been unsupportable, by any standard, for a single nation to go in against the people of Iraq.

There has been criticism too of the Kuwaitis and what the liberation of Kuwait would mean to Kuwaitis. Would it mean a return to democracy? I doubt that, because there was no democracy there in the first place. Would it mean a better standard of living for Kuwaitis? What would it mean for the Kuwaiti people? I do not think that issue has ever entered the equation. It has never entered the equation.

It is my belief that most Australians, though sceptical about the sanctions - some were downright opposed to the sanctions - felt that once they were implemented we had no option but to support them and hope that they would work.

Many were suspicious that they were leading towards conflict anyway. Their worst suspicions were borne out in the end and they did lead to conflict. I think many Australians now believe that the sanctions were never intended to work; they were merely a way of joining people in the lead-up to a conflict. As those of us who have been involved in any negotiations would understand, once one sets a deadline in any discussion or negotiation without ambit it is very likely that you can predict the outcome.

All of those issues are sad parts of history now. I think that what we all have to do is to ensure that we support the movement to peace and that we do not rush off supporting silly motions like this that only respond to support for the issue of war. That is all this motion does.

Mr Speaker, there is a chief economic drive for wars that involves raw materials, land for surplus population, wider resource bases and economic self-sufficiency. This has been evident in the Middle East conflicts for many years. These motives not only help to explain the annexation of Kuwait, though they do not justify it, but also explain the massive Western response to it. I think everybody should agree to that.

Mr Speaker, to conclude, I think the only answer for this conflict is a lasting plan for the Middle East that must address all of the problems that I have raised in the course of this debate; responses which, if looked at with the aim of peace, will result in peace, and a long-lasting one. I think that this motion that has been moved by Mr Jensen responds only to the need to justify war.

**MR COLLAERY** (Attorney-General) (3.58): Mr Speaker, I support the comments of my leader, Mr Kaine, and I endorse the comments of the Archbishop of Canterbury-elect this morning at the twenty-third service for the opening of the Federal Parliament when he acknowledged that there comes a time to throw off oppression. I am reminded, Mr Speaker, of the May 1939 debates in the Australian Parliament. There are some famous quotations from May 1939. You will find them in *Hansard*, but I do not have the references to hand. In that Parliament, during that sitting, the then External Affairs Minister, Mr Gullett, referred, among other things, to "Hitler's and Mussolini's shining genius and patriotism for their people". Sadly, within the space of 18 months, that very man's son had been killed in Syria, fighting beside his brother.

Really, what I have seen today worries me. There was absolute consternation on the Labor benches, Mr Speaker - you saw it; we all saw it - when this motion was introduced.

**Mr Wood:** Rubbish!

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**MR COLLAERY:** Mr Wood says "Rubbish"; but it is a hollow sort of call, for once. He does not have that tone to his voice, Mr Speaker; he is lacking conviction. The fact is that Mr Berry tried to stop the Chief Minister making the statement on the Gulf war. These people opposite offer an alternative government. They purport to offer an alternative government for the people of Australia and the people of this Territory. Yet, Mr Speaker - - -

**Mr Berry:** I raise a point of order. Mr Collaery just said that I tried to stop the Chief Minister from speaking. Mr Collaery is misleading this Assembly if he persists with that view. It was the Labor Opposition which gave leave for the Chief Minister to speak. Your guidance, Mr Speaker, was sought on that particular matter in terms of the standing orders. It is untrue for Mr Collaery to allege that I tried to stop the Chief Minister from speaking, and he should withdraw that allegation.

**MR COLLAERY:** You are not going to rule on that, are you, Mr Speaker? He is taking up my time. That is the sole tactic.

**MR SPEAKER:** Order, Mr Collaery! The situation is that again I think it is an interpretation problem. I believe that Mr Collaery's comment was made in a general context. Therefore, Mr Berry, I do not request Mr Collaery to withdraw his comment because of the statement and the manner in which it was made. Please proceed, Mr Collaery.

**MR COLLAERY:** Thank you, Mr Speaker. Mr Berry said that it was not in the province of the Chief Minister to make a statement by leave which did not concern the business of this Assembly. I interpret that, at the very least, as an unwillingness to hear the Chief Minister's statement on the issue.

**Mr Berry:** I take a point of order, Mr Speaker. He is debating the issue and he again raised the allegation that I was trying to prevent the Chief Minister from speaking. What I did, sir, was ask for your guidance on the issue, and you gave it.

**MR SPEAKER:** Thank you, Mr Berry, for your observation. I do not believe that that is a valid point of order. Please proceed, Mr Collaery.

**MR COLLAERY:** Mr Speaker, the sad thing was to witness the consternation of those opposite who offer an alternative government to the people of the Territory. That is the principal issue that I would like to address. The real issue is that weakness in the face of oppression leads to no good. Mr Berry is an experienced, former unionist, and he clearly acknowledged the necessity to be resolute when negotiations have reached a certain stage. Yet here, when his own Federal Prime Minister is resolute on an issue, he denies him. He denies his own Federal Prime Minister, Mr Hawke, the credit for being resolute. Mr Speaker, that is

the state of that party opposite us. They are divided. They are divided on this issue. Mr Berry has failed to endorse his Prime Minister - his Federal Prime Minister - and his Labor leader.

Mr Speaker, my mind now turns to the role of the Socialist Left in this debate. Saddam Hussein has a Baath party. Some of the attributes of the Baath party, such as universal education, the allowing of women to go about without the chador, and other aspects, could be termed as part of the Socialist Left agenda, and we all acknowledge that. In Iraq, if you go there, you will see that it is, arguably, or was, arguably, one of those less fundamental states. Therefore, one would think that Mr Berry would be able to give some sustenance or support to those good-thinking members of the Left in Iraq who would want to throw off the oppression and mantle of their fascist leader. So, there is an inconsistency within the Left on this issue, Mr Speaker.

I go on now to Mr Berry's statement that the motion moved by my colleague Mr Jensen was poorly drafted. Mr Speaker, Mr Berry then went on to read out a number of other issues and initiatives that could be taken, forgetting, of course, that the motion, in the third paragraph, reads "supports the efforts of the United Nations". Those of us who are following events know that the current efforts of the United Nations include the examination of the very issues that Mr Berry read from the script that, no doubt, he had to use at one or other of his branch meetings to sway his colleagues.

Mr Speaker, the ACT people live in a federation - we are the eighth part of the national federation - and our Constitution is drafted in such a way as to give the Federal Government, through the Federal Labor leader, as he presently is, exclusive responsibility for defence and foreign affairs. Mr Speaker, an ordered society gives support to its leaders. It gives support to its leaders to show a resolute face to oppression, especially from the Left. There are other members of the Left in Iraq who are living under oppression. Saddam Hussein has not just punished the Chaldeans, the Nestorians, the Assyrians and the others; he has done more than that. He has oppressed his own Left. He has really done that. The reports of Amnesty International for the past 15 years clearly show that. The Left in Iraq has been screaming for assistance.

What did Mr Berry do today to speak in defence of the suffering Left? Nothing. That shows the poverty of the Australian Labor Party on issues such as this. I do not deny that there are genuine members of the Federal and local parliamentary Left in this country. They are people of conscience. My own colleague Dr Kinloch is a man of conscience and he lives that way. But, Mr Speaker, I found nothing in Mr Berry's speech that added up to any consistent line of opposition to oppression. The real thing that Mr Berry said was, "Look, let us be weak". We

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saw what the Socialist Left did to France before the German invasion in the Second World War. We saw what the Blum Government produced in France - a lack of capacity to defend oneself, a lack of national resolve.

The thing that Mr Berry exemplifies most of all in this debate is the diffidence of the Left, the unsureness of it, and the fact that they are hooked to their ideological opponents. There is not one Labor party in this chamber, Mr Speaker; there are two. Much as they like to make fun of the Alliance on this side of the floor, Mr Berry clearly pointed up today what we in this country all now know - there is no united Labor Party. Mr Berry has dumped on his Prime Minister, and that is a shame. Whether we want to be led by that Prime Minister or not, on defence and foreign affairs issues the Constitution makes him leader and we in this house support him. We reject oppression. We reject weakness. We embrace all the notions of peaceful humanitarian response. But on this issue, clearly, we must support the majority of Australians.

**MR CONNOLLY (4.08):** Mr Speaker, I am going to speak only briefly in this debate. As has been said by Norm Jensen and repeated by Wayne Berry, war is a tragedy. War is always a tragedy. There is only one thing more tragic than that, and that is people seeking to make cheap political capital out of a war; and that is what this Government is doing. This Government, which is constitutionally charged with maintaining the peace, order and good government of the Australian Capital Territory, is not prepared to come into this chamber and debate local issues. It has made a mess of local issues; it continues to make a hash of local issues.

What it seeks to do in this cheap way is to engage in a stunt debate on a matter of foreign affairs, a matter on which this chamber, this Assembly, has not a whit of influence or constitutional responsibility. As the Attorney-General said, correctly, foreign affairs is solely and exclusively a preserve of the Federal Parliament. If this Assembly is going to repeatedly and regularly engage in foreign policy debates in order to divert attention from the important issues of the governance of this Territory, it is a sad, sad proposition.

This Government is attempting to portray the Labor Party, no doubt, if it opposes this motion, in a certain way. The view of the members of the Australian Labor Party in the Australian Capital Territory is as has been reported; they are opposed to the use of force. As a party representative, therefore, I will be voting against this motion. But the important point to make, Mr Speaker, is that this is a cheap and grubby little political stunt in order to try to show some form of division on this side of the chamber. Well, it is not going to work.

The extent to which it has failed is demonstrated by the great interest in the press gallery. I see not a single member of the press here to listen to this debate. They saw what a grubby little stunt this was. Mr Speaker, I think it is contemptuous to engage in this sort of grubby little political tactic. This is an issue of national concern that has been debated in the national parliament. It is not a matter for this Assembly. This Assembly ought to be getting on with Assembly business. For those reasons I am quite happy to oppose this motion.

**MR STEFANIAK (4.10):** Mr Speaker, I was rather saddened to hear Mr Connolly say what he just said because he is not even backing his own factional colleague, the Prime Minister. This issue does have local ramifications. The Deputy Chief Minister, the Attorney-General, has had a number of security briefings on possible terrorist activities within Canberra, the national capital, as a result of Saddam Hussein's clear threat to carry out terrorist attacks throughout the world. He informs me that he has had regular briefings in relation to that threat. I know, in fact, that one suspicious person was picked up near the Prime Minister's Lodge in relation to some information received. But, apart from that, possible terrorist attacks are one area that does affect the local population here. I do not think there is anything cheap about this Assembly standing up for fundamental human rights; and that is what we are talking about.

One of the great criticisms, Mr Speaker, that have been made by some in the would-be peace movement in relation to this country's support for the United Nations action in the Gulf has been that we did not do anything in East Timor, that we did nothing about Pol Pot, and that we did nothing in relation to a lot of other gross abuses of human rights by various dictators around the world. That is quite true; but that does not mean that when the Western world, especially, finally decides to stand up to blatant, naked acts of aggression that action should not be supported. That is exactly what has occurred here. We are standing up to a blatant, naked act of aggression carried out by one of the most sadistic dictators of modern times.

This is not a war against the people of Iraq. The people of Iraq are oppressed. Saddam Hussein and his regime - a regime based around his own personal aggrandisement and egotism - have brutally crushed many of their own people. I cite, for example, the chemical attacks on the innocent Kurdish population in northern Iraq; his continued attacks against the Kurdish minority; his assassination, even in cabinet, of various Ministers of his Government; the fact that he does not give one jot if he kills 200,000 or 300,000 of his own troops - they are mere cannon fodder in the Gulf - to achieve his own aims and his own personal aggrandisement. It is not the Iraqi people we are fighting; we are fighting a very brutal dictatorial regime based around one man and his very, very small inner circle. I do not think many Iraqis are particularly happy to be

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involved in Kuwait and involved in this war. So, I think it is hardly cheap to talk about those fundamental principles.

Mr Berry raised a number of issues. I think basically he was expressing the very sick, veiled anti-American and anti-Western sentiments that unfortunately so many of the Left still have. There is a very simple test I would put to the Labor Left and to any people who oppose this military action, taken after 12 separate United Nations resolutions were totally ignored by Saddam Hussein and his regime who obviously were quite intent on going to war. When it comes to deciding what is right and wrong, what is a monster regime and what is not, one should apply a very simple test.

Basically, that test is this: Who kills the most, tortures the most and brutalises the most people? That is the test if we have to apportion right and wrong in this very unpleasant, at times, world we live in. No-one is perfect, and all nations in the West are not entirely blameless, I suppose, when one looks at the chequered course of twentieth century history. But, basically, it is a case of who is the most at fault, and that often can be summarised in a very simple test: Who kills the most people; who tortures the most people; who brutalises the most people? The answer here is quite clear.

The peace movement has said that sanctions should have been given more time to work. Mr Speaker, throughout history, I do not think sanctions have ever worked. That is a real problem. Sanctions were given time to work in this case. There were some 12 separate resolutions of the United Nations. The United Nations was founded in 1945 and one of its initial presidents was that great Labor politician, Dr Herbert Vere Evatt. Indeed, I think the Prime Minister referred in his speeches on this issue to Dr Evatt stating that one of the very important parts of the idea of the United Nations was that it would have a world policing role. Because of the ideological split caused by the cold war and the conflict with the Soviet Union, that has been largely impossible. The only place we saw the United Nations in that role was in Korea, simply because the Russians were not in the UN to vote. Now we have seen it in the Gulf. The Security Council, the supreme body in terms of these matters, actually voted in favour of resolution 678 - a resolution adopted after all other attempts at peaceful resolution had failed.

When you are dealing with a person such as Saddam Hussein, an absolute dictator who is mind-set on his own personal ambition and his own ways of wanting to see this conflict settled, it is very difficult to talk about sitting down, as we might sit down here and try to thrash out a few difficulties in a parliamentary democracy where we have a long tradition of respecting fundamental human rights. We are not dealing with a regime that respects human rights; we are dealing with one of the more monstrous regimes that

we have seen in the twentieth century and a leader who has a personality cult akin to that of Stalin or Hitler. I think that that is a very sad state of affairs, but it is something we just have to come to terms with.

Mr Speaker, no-one on this side of the house wants to see war. No-one wants to go to war just for the sake of it. No-one is glorifying war. Those of us who have been involved in the military, those of us on this side who have been involved in a war - and Mr Jensen served several terms of duty in Vietnam - - -

**Mr Jensen:** One.

**MR STEFANIAK:** One; I am sorry. We would be the first to admit that service men and women are the least likely of all people to want to go to war. But when they sign up that is a risk they take. They appreciate that going to war, if called upon by their government, is part of their duty. I am very happy to see paragraph 2 of this motion expressing our support for our Australians who are engaged in bringing about a resolution to the conflict. Our service men and women are serving in the Gulf in defence of a most fundamental right - the right of sovereign countries to determine their own affairs without being invaded by bigger and more powerful neighbours.

That really is what this war is all about. Only in too few times in the past has the United Nations been able to stand up for that very important principle that distinguishes it from the League of Nations, that dreadful failed body that appeased and was totally useless in the face of Japanese, Italian and German aggression prior to World War II. The Prime Minister talks about a new world order after this conflict. Well, that might be being a little bit optimistic; but it would be nice, Mr Speaker, if this conflict, which we all hope is resolved quickly and with the minimum of casualties, does give some impetus to an improved world order where the United Nations is a little bit more capable of standing up to blatant acts of aggression and oppression throughout the world.

There are a lot of countries, I think, that over the last 50 years could have had some action taken against them for their blatant acts against basic human rights, basic social justice, but which escaped because of the cold war. If the United Nations does get a few more teeth to resolve those types of disputes favourably, in favour of basic and fundamental human rights, maybe we will get an improved world order out of this dreadful conflict.

I want to say a couple more things, Mr Speaker. Wars are often stuffed up by politicians. A lot of soldiers, men and women, airmen, airwomen, people in the navy, and civilians die needlessly because of people pushing some political benefit rather than just getting on with the job. I hope that this war comes to a speedy conclusion with minimal casualties on both sides and I think that one of

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the best ways of doing that is basically to let the allied military get on with the job rather than to put needless political restraints on them which will perhaps only complicate the matter. I think it is very important that a conflict such as this be resolved as speedily as possible.

Mr Speaker, I think our sympathy in the Assembly should go out at this stage to the persons involved in this struggle - to the allied service men and women and the people of occupied Kuwait who have been brutalised by this vicious regime that has taken them over. That well respected body Amnesty International, of which many members of this Assembly are members, through our parliamentary wing, has let out a number of reports of murder and brutalisation caused by the occupying Iraqi forces in Kuwait.

Mr Berry and some of his comrades in the Labor Left and the peace movement have said that Kuwait was a feudal monarchy; that it was a repressive country. Well, Mr Berry, I think Kuwait is back in about the twelfth century now; so you might be happy to know that. When it was a feudal monarchy, at least the people there were well fed and, as Mr Collaery said, could walk down the street without fear of harassment. Now, many have been executed, many have been brutalised, just like their Arab brothers in Iraq itself. If you asked the Kuwaitis what they would rather have - the regime they had before 2 August or what they have now - I know what they would pick: The one before 2 August. So I do not think that that is an argument to use in relation to this matter.

Mr Speaker, we on this side of the house certainly hope that this war comes to a speedy conclusion. I have pleasure in supporting this motion which supports the motion passed by our Federal Parliament. I was very pleased to see the statement made by the Prime Minister when he announced Australia's participation. I support the comments he made and those made by my own Federal leader, Dr Hewson, the Leader of the Opposition.

**MRS GRASSBY (4.20):** I rise to say that I do regard this motion as a cheap political trick. I do not think this house has anything to do with this. There is no such thing as an inevitable war. If war comes, it usually comes from a failure of human wisdom, and I think that is what has happened here. I support the statement that Mr Berry made on this matter. I think it is very sad to think that people have been dragged into a war and that millions of people will die. War is as much a punishment for the punisher as it is for the sufferer.

It is very sad to think that this motion has been brought before this house as a cheap political trick when thousands of people are going to die because of this war. I feel very sorry to see this happen, and I will vote against this motion for this reason. This motion has nothing to do with the war in Iraq; the fact is that it is just being used as a cheap political trick by the Government.

**MR DUBY** (Minister for Finance and Urban Services) (4.22): Mr Speaker, like Mrs Grassby, I shall keep my remarks brief; but, unlike Mrs Grassby, I support this motion entirely. We have heard some comments from the speakers on the other side about this motion being a cheap political trick, et cetera; that we introduced this motion in the Assembly this afternoon so as somehow to score points off the Opposition. Mr Speaker, nothing could be further from the truth. The simple fact is, as the Chief Minister said in his statement, that this is a matter of great concern and grave concern to many citizens of the ACT. There are very few people in the Territory who are not having their lives affected at this very moment by the war in the Gulf, not least of all the five members of the Labor Party opposite.

Some of the comments made by Mr Berry when he ambled out of the sudden caucus meeting that had been convened by the Labor Party opposite to determine their position after this motion was introduced were, I think, frankly, rather inane arguments. They provided very little insight into the reasons why anybody would be opposed to this motion, which endorses the actions of the United Nations and endorses the actions of our Prime Minister in his role of implementing Australia's response to those United Nations resolutions. This motion also, I believe, endorses and supports the actions of our service people who are currently serving in the Gulf area in various forms, particularly those who are serving in the naval forces in the Gulf.

One of the comments that were made by Mr Berry that particularly annoyed me was that he said that people on this side of the Assembly were praying for blood; that we were somehow hoping to have a super duper war of some kind in which many casualties were going to be incurred. He said that our solution to the problem is not to negotiate but to simply go in and have a battle of some kind, an enormous land battle in which thousands and thousands of people are going to die, all for no purpose.

Well, like Mr Berry, I agree that war in itself is a dirty, filthy and obscene thing - something which should be avoided whenever and wherever possible. The answer to those comments made by Mr Berry - supported, I presume, by other members of the Labor Party - is that the war can be ended immediately, right now, if the forces of Iraq are withdrawn from the independent nation of Kuwait. That is the simple and undeniable truth of the matter. The United Nations forces involved in the conflict have said on numerous occasions that the hostilities will cease immediately if Iraq will remove its forces from what, by now, is the impoverished and broken nation of Kuwait. So I think that is the answer to that argument.

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I find it rather amusing in a way when I hear people say that sanctions should have been given more opportunity to take effect. They say that more time was required for the sanctions, imposed as part of the United Nations blockade against Iraq, on the land and on the sea and involving the stationing of Australian naval forces, to bite harder into the Iraqi economy and hence force a solution.

The reason I find this rather ironic is that we all know that those on the other side of the Assembly who are using that argument were totally opposed to the provision of Australian forces when the ships left late last year to help to impose the United Nations resolutions about sanctions. In other words, the situation is ludicrous. They said then that the use of Australian forces in the imposition of sanctions against Iraq was something which was totally alien and hostile; it was something which should not have been undertaken. Now, when the supposed deadline has passed and armed conflict has inevitably resulted, they say that we should have allowed more time for sanctions to be applied. Clearly it is a non sequitur and an argument that goes round and round like a dog chasing its tail, which is very reminiscent of some of the statements that Mr Berry has made in the past.

Mr Deputy Speaker, I cannot understand why some people will not endorse this quite clear and concise motion. It simply states in part that this Assembly "supports the United Nations' ongoing role in promoting world peace". It is remarkable that apparently we are going to have people voting against that. It continues and refers to the "self-determination of nations and in particular the resolutions of the United Nations Security Council directed towards ending Iraq's aggression towards Kuwait". As you have pointed out yourself, Mr Deputy Speaker, the United Nations has passed some 10 or 12 resolutions. If the people opposite are opposed to that, then I think we are finally seeing the true edge of the hypocrisy that can be demonstrated by them. As my colleague Mr Collaery - - -

**Ms Follett:** I raise a point of order, Mr Deputy Speaker. I think we have had the word "hypocrisy" withdrawn many times before and I would ask that it be withdrawn again.

**MR DEPUTY SPEAKER:** I am sorry. What was that again?

**Ms Follett:** Use of the word "hypocrisy".

**Mr Humphries:** Not in relation to members generally. Mr Deputy Speaker, on the point of order: The rule has been applied to allegations of hypocrisy only against specific members, not against the Opposition generally, and that is the case here.

**MR DEPUTY SPEAKER:** Yes, I think that is correct. I do not think it was directed to a specific member. Continue, Mr Doby.

**MR DUBY:** Thank you. We are also seeing the complete disintegration of the Labor Party here in the Australian Capital Territory, because what we are seeing here is the - - -

**Mr Connolly:** It is all clear. It is a cheap political stunt.

**MR DUBY:** There is nothing cheap about a Labor Party not endorsing the actions of their Federal partners in terms of Australian foreign policy and decreeing that the activity of our armed forces overseas is in some way a cheap stunt. Is that the appellation that you would apply to the activities of the Australian naval forces? The simple fact is that these folk do not support their Prime Minister, they do not support their Australian comrades in arms and they do not support the many members of the Australian community and the Canberra community who are currently performing their patriotic duty in the Persian Gulf.

**Mr Connolly:** It is the last refuge of the scoundrel. How well applied to you.

**Mr Collaery:** I take a point of order, Mr Deputy Speaker. I ask Mr Connolly to withdraw the word "scoundrel".

**MR DEPUTY SPEAKER:** I do not think he was making that reference specifically towards Mr DUBY. I think I will make a similar ruling here to what I did on the use of the word "hypocrisy"; that it was a general reference. Continue, Mr DUBY.

**MR DUBY:** The simple fact is, as I said - and I will repeat it - that we are now seeing these people over here not supporting Canberran citizens, their fellow citizens of Australia, in relation to activities which have been initiated by their own Labor Minister for Defence, by their own Labor Minister for Foreign Affairs and by their own Labor Prime Minister. I feel that it is remarkable that this Assembly has to rely on what is supposedly an arch conservative, anti-Labor group which is in government to express the support of the people of the Territory for the actions of our Commonwealth Government. I think it is a very sad state of affairs and it certainly does not warrant further debate.

**MR MOORE (4.30):** I imagine that all members in this house condemn the Iraqi invasion of Kuwait. It was a shameful act of aggression. However, I am saddened to think that so many of our community still believe that they can resolve violence by violence. I wonder when people will learn that to end war by fighting is an impossible dream. From 1914 to 1918 we had the war to end all wars. We had another from 1939 to 1945. The attitude of going to war in order to promote peace is, in itself, so ironic that it is absolutely foolish; yet it is a notion that is pushed again and again and again to justify war, and it is in this motion that has been moved by Mr Jensen.

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One cannot help noticing the relationship between the waning popularity of world leaders and the speed with which they jumped into participating in a war. George Bush, Margaret Thatcher, John Major and Bob Hawke, of course, are the great examples. It is true that their popularity has increased significantly, and that, too, is a very sad thing.

**Ms Follett:** That is why this lot supports them.

**MR MOORE:** Ms Follett interjected, "That is why this lot supports them". I believe that this Assembly is not an appropriate forum for a debate of this nature. However, the matter has been raised and I am quite prepared to state my position on it. I saw on the *7.30 Report*, one evening just prior to the deadline date in mid-January, that King Hussein of Jordan had put up a peace plan. That was only ever reported, that I could see, on the *7.30 Report*. I chased through the newspapers and other items to see whether I could find a verification of that, and I did not. According to the *7.30 Report*, the peace plan included the withdrawal of Iraq from Kuwait but allowed Iraq some face-saving devices.

It was rejected out of hand by George Bush, the person who claims that he is going to war for peace. More ironically, he prayed before going to war. I wonder how many here who call themselves Christians would still go to war. The hypocrisy of it astounds me. It has always astounded me that Christians can advocate war and can go to war. If you go back to your *Bible* and the Ten Commandments, it is quite simple; it is quite straightforward: "Thou shalt not kill". If you feel that that was replaced by the New Testament, then look at the words of Christ about loving one another. If you go further to wonder whom you should love, Christ actually told them a story, and that was the parable of the Good Samaritan. Christians have no place whatsoever in advocating war, and those who do are guilty of a gross hypocrisy. It amazes me, and never ceases to amaze me, that people think that they can resolve wars by fighting wars; that they can find peace by violence.

Coming to these resolutions of the United Nations Council, there is no doubt about the bullying tactics used by the United States and others. This probably was best illustrated most recently when Jordan's King Hussein spoke out for peace in the region again and criticised the way that the war was being conducted. The immediate reaction of the United States was to bully by threatening the withdrawal of US aid. What kind of freedom of speech is involved when they apply economic sanctions like that?

Sanctions, of course, did provide the answers. It is all very well and good for Bob Hawke to say - and Mr Kaine has quoted him - "There is no parallel for the restraint, the patience and the caution with which the world alliance against Saddam Hussein has sought by peaceful means to

resolve this conflict". Rubbish! Of course there is a parallel. There is a parallel in South Africa, where it has worked. For heaven's sake, it has worked. We have the parallel. We have something that works. If it takes 10 years of sanctions, then 10 years is what is required, and that is a far better way to do it. If it did take 10 years of sanctions, a strict regime of sanctions along those lines, the people of Iraq would be likely to become entirely dissatisfied with their leader.

**Mr DUBY:** Do you support Australian ships supporting the blockade?

**MR MOORE:** I have never objected to the use of our armed forces for sanctions. However, I do recognise that many people who did object were concerned that the move was not towards sanctions but was towards war. That is the concern that people expressed over the sanctions. The vast majority of people that I know who object to this war consider that those sanctions were in themselves a quite appropriate and reasonable way to go.

We heard Mr Stefaniak, the Deputy Speaker, repeating the cliches, the propaganda and the lies that have come from both sides on this war. Let me clarify that; I am not talking about lies from Mr Stefaniak. I am not suggesting that at all. I am talking about repeating what we have had through the media. Let us not forget that old cliché, which is so appropriate, that the first casualty of war is truth. As far as this war is concerned, it would appear that there have been basically no casualties whatsoever.

I am reminded of a First World War poem that is so appropriate for this war in which we could well have chemical warfare. That poem ends with the Latin lines, "Dulce et decorum est pro patria mori" - "It is a sweet and glorious thing to die for the fatherland". That is like the rantings and indications that we heard in the speech by Mr Stefaniak today. From time immemorial violence has been used in an attempt to stop violence, and it has not worked. We had a chance, and we still have a chance, to attempt to use other methods here.

Mr Stefaniak spent a great deal of time telling us what a horrible man Saddam Hussein is. I have no doubt that that is the case. In the Second World War there was a tremendous amount of propaganda about what a horrible man Adolf Hitler was; and that was the case. But in the same era, *Time* magazine, in 1939 and 1942, had Stalin as "Man of the Year", as though Stalin was not a horrible man. Stalin happened to be needed by the Americans and the American propaganda machine and he was an ally, but some of his atrocities made Hitler's atrocities look like nothing.

New Zealand, our neighbour, has not rushed into this war as Australia has. Australia, for almost a century, has always been the first to be out there to fight a war, in any part of the world - "Let's get in there; let's fight; let's make

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men of us". That sort of attitude still has some place in Australian mythology; but it is time that community leaders stood up and made some sense of this sort of conflict. They should genuinely look for peace instead of looking for their own political popularity at the polls. The sort of involvement that Australia has in this war is totally inappropriate and we ought not be there. I certainly oppose this motion.

**DR KINLOCH** (4.40): At 4.00 pm this afternoon at Ursula College our Quaker delegates to the Seventh Assembly of the World Council of Churches began a vigil. That vigil will continue from now until 10.00 pm. All through the World Council of Churches meetings during these two weeks there are different groups holding vigils at different times. It is just a coincidence that the particular vigil for which the Society of Friends is responsible is on right now, from 4.00 pm to 10.00 pm. I said to one of our representatives that I would try to be there when I could.

I am in a very great sense of anxiety about what we are doing today. I ask for the patience and, in a way, the indulgence of all members as I speak on this issue. Just in case there should be any feeling that somehow I am some kind of wimp, I say for the record that in September 1939, as a schoolboy in Sussex, I was at a school where gas masks were issued. I remember carrying one of those gas masks. I remember going to the shelters. There was one bomb attempt on a nearby factory in which people were killed. My headmaster's house was damaged. We spent many days picking up the pieces. My mother was a nurse in the base hospital in Horsham, Sussex, looking after the Canadians coming back in 1944 and 1945. My cousin, Charles Hellard, was killed as a young flying officer in that war. My father was working in shipyards all around the coast of Great Britain repairing ships.

In 1944, the year I did the School Certificate - it is called the Oxford School Certificate - the Germans began using buzz-bombs. I am never going to forget the noise of those bombs. I will never forget them. You could hear them. They were the first in the line of descent that has led to the kinds of missiles that are now being fired on both sides in the Gulf war. There were also silent missiles, the V2 rockets. People would not know that they were coming. I assure you that you knew about the buzz-bombs in 1944.

I wish to say, therefore, that I am not talking about war from second or third hand. During the Korean war I was RA12324742 for approximately three years in the United States Army. During the Vietnam war - some of us here were associated with the moratorium movement - I began my move towards an approach to pacifism and my first association with the Society of Friends. I think, with great honour, of David Hodgkin, a man whom I enormously revere. During that time I formally renounced my United States citizenship and formally became a subject and citizen of the

Commonwealth of Australia and a subject of Queen Elizabeth II. Since 1971, for 20 years, I have been a member of the Society of Friends.

I do not wish to speak directly about the so-called Gulf war or west Asia war. I do support the general, positive, peace related aspects of paragraph 3 of Mr Jensen's motion; but there is no way that I could support some other parts of that motion. I also, at this time, wish to congratulate and thank the Chief Minister for his positive and peace-loving statement made to the World Council of Churches at the excellent reception he held for those leaders.

I have to make it clear to this Assembly that at this very moment I am actively involved in a large group under the general title of Network for Peace. I went, with two other members of that group - the other two were not Quakers - to see Senator Gareth Evans, and we delivered over 12,000 signatures, after the war began, in opposition to that war. We are having, this coming Sunday, at 1 o'clock, at our Quaker meeting, a large meeting at which all the Quaker delegates to the World Council of Churches Assembly will be present, to oppose the war and to put forward reasons for opposing the war.

In connection with this specific motion, I ask that all members recognise, even if they do not agree with, the formal and longstanding position of the Society of Friends, usually known as Quakers - a formal position dating at least from 1661, as I have yet to indicate, but, I would argue, 2,000 years ago, as Mr Moore has already suggested.

Now, a very brief word - forgive me - on the Society of Friends. The full title is the Religious Society of Friends. There is that magnificent body of Christians known as the Society of Jesus. I wish, in a way, that we had SF after our names, because it is the Religious Society of Friends of Jesus. Mr Moore has already made reference to two sections of scripture. Bear with me, please. This is from the gospel according to St Luke:

But I tell you who hear me: Love your enemies, do good to those who hate you, bless those who curse you, and pray for those who mistreat you. If anyone hits you on one cheek, let him hit the other one too ... If you love only the people who love you, why should you receive a blessing? ... And if you do good only to those who do good to you, why should you receive a blessing? ... Love your enemies and do good to them; lend and expect nothing back.

I quote from a Catholic approved version of the Bible that 13 of us received here two years ago. Mr Moore has made other references.

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I now wish to say what I have to support here. This dates from 1661 and is a declaration made to King Charles II. This is the fundamental statement of the Society of Friends. It is on the front door of our meeting house. It was read at our meeting last Sunday. It is what we stand for throughout the world. I quote:

We utterly deny all outward wars and strife and fightings with outward weapons, for any end or under any pretence whatsoever. And this is our testimony to the whole world. The spirit of Christ, by which we are guided, is not changeable, so as once to command us from a thing as evil and again to move unto it; and we do certainly know, and so testify to the world, that the spirit of Christ, which leads us into all Truth, will never move us to fight and war against any man with outward weapons, neither for the kingdom of Christ, nor for the kingdoms of this world.

So, friends present - certainly my colleagues on this side of the Assembly understand, and I am sure that those on the other side understand as well - you will appreciate why I cannot support this motion. What I propose to do now, at eleven minutes to five, is to go to the vigil which is being held at Ursula College.

**MR WOOD** (4.49): I regret that Mr Collaery entered this debate. It would have been better had he not done so. I believe that he cheapened this debate and indicated, sadly, what it is all about. He spoke little about the war, or any other war. He spoke nothing about peace. He spoke about the Labor Left, as he sees it. I do not think that he did justice to the serious debate that was held in the Federal Parliament and to the debate around Australia and elsewhere.

I want to say at the outset that I am totally opposed to Saddam and his regime. It is a reprehensible, dreadful, despicable regime, and its invasion of Kuwait was quite wrong. Let me make that quite clear. But I do not support the war. The rallying cry for this war, oft repeated, is, "Liberate Kuwait". I repeat, "Liberate Kuwait". I cannot march behind that banner. How can we liberate something which was not free? I will march for peace, not for war; and that is my view that I am happy to express.

I note that this motion refers to the "ongoing role" of the United Nations in promoting world peace. A major problem for me has been that it has not been an ongoing role. There are resolutions of the United Nations that have not been enforced. Take "ongoing role" out of the motion. It has been nothing more than an intermittent and highly selective role. That caused great difficulties for me as I came to my decisions about how I stood in relation to the war.

The Chief Minister, in his speech, which contained many fine thoughts, expressed the hope that our people - I take that also to refer to our people from Canberra - will return safe from that war. Certainly we hope that. But, if that is the sentiment we want to espouse, would it not be better if they had never gone?

I want to conclude on what, for me, is a sad note - on what I regard as blasphemy on the part of President Bush. On one day I heard him saying at media conferences, "We will bomb Iraq into submission if that is the way we have to go", and on the next day he was calling for a national day of prayer for peace. He put those two statements together over two days. How can you describe it as anything but blasphemy? He says, "God is on our side", a cry often heard around the world.

Mr Speaker, there were other solutions. Who knows how successful they would have been? They may have taken some time. But who can say that those solutions would have been any less effective than this dreadful solution that has now been imposed? Mr Speaker, I am prepared to stand up and say that I will rally for peace and not for war.

**MR STEVENSON (4.53):** Mr Speaker, I believe that the majority of Canberrans are against the invasion and occupation of Kuwait by Iraq. I also believe that Canberrans support our troops, whether or not they believe that they should be there. Saddam Hussein has been called many things, and I do not doubt that a lot of them are true and a lot of them are false. Mr Stefaniak said that all other attempts at peaceful resolution had failed. That is absolutely 100 per cent false, and it will ever remain false, though the information will be clouded in time. But let me make this point: Saddam Hussein said that he would withdraw from Kuwait if Israel withdrew from the West Bank in Palestine.

Bush said that every avenue for peace had been exhausted. That is not true - absolutely not true. Was that an REASONable request for Hussein to make, leaving aside the basis on which he was making it? The UN indeed, as Mr Wood said, had resolution 272 and others before its Assembly for Israel to do just that. I too, and many others who have looked at the record of the United Nations, will have extreme concerns about a law for one but not for the other. Lebanon was attacked and Iraq was bombed, and the United Nations did nothing.

For over 50 years the USSR has invaded country after country. Poland was one, at the start of World War II, that many people have forgotten about. Most people think it was Germany. You may as well say that it was the USSR if you are going to pick one of the two partners out. Of course, it was both. It is unfortunate that, in time, history is written by some who have less concern for the truth than for political gain.

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The Second World War was lost by the West. How was it lost? The Union of Soviet Socialist Republics was allowed to occupy a major part of Europe. By whom? By the leaders of the United States and the United Kingdom. Since that time the USSR, in its world-wide push for conquest, has seen the murder of over 100 million people, and that is a conservative estimate.

What has the United Nations done in this time that has been effective? Nothing. What has the peacekeeping force done? Nothing; because it is led by the President of the Security Council, which position since the foundation and formation of the United Nations has been held by someone from the USSR or, on one occasion, a Marxist from Czechoslovakia. Who knows these truths?

In 1956 it was Hungary. The United States said, "We will protect you. If you accept your responsibility, we will support you". The students and others died. Where was the United States then? So much for their guarantee of defence of any nation when it does not suit their political ends. Afghanistan was another, and what a wonderful situation to see them beaten by the Afghans. It shows what people who are resolute can do.

Recently, Lithuania, Latvia and Estonia wanted peace. They wanted the invader, the USSR, out of their country. Notwithstanding claims of peace by Gorbachev, what did he do? He told the Lithuanians that he wanted their 30,000 hunting rifles to be handed over, so that he could talk to them. We well understand the sort of talk you get in that situation. Again and again, notwithstanding claims to the contrary, the USSR, led by Gorbachev, a two-faced individual, as Bush has shown himself to be recently, has called for peace but waged war, albeit on a lower scale, against the captive nations. What has the United Nations done? Nothing effective.

I think we should look at the best way to prevent war, and that is to be secure in peace. Perhaps one of the best examples is Switzerland, which, I make the point, is not in the United Nations. Some would say, "Well, that is unusual. Why would that be?". The reason is that the Swiss people, unlike many countries, actually have a say in what happens to them. They called a referendum on the question of joining the United Nations and they voted against it. They have far more of a democracy than we have in Australia.

In Switzerland they can put 640,000 armed men on the ground in about 24 hours. Switzerland has not been in a battle for over 140 years, and is not likely to be either. All able-bodied men are required to train in a militia. They are required to have a rifle at home. Any country contemplating attacking Switzerland would well know that the going would not be easy, that the population would never give up. Let us parallel this to Australia and the

suggestion over the last few years by some people, perhaps blinded to history, that we could not get involved in a war. Events have proven that to be totally wrong.

So, is Australia well defended? Those of us who have had an involvement in the military know the answer to that question. We are not at all well defended. There are serious morale problems because of lack of support of our forces by the Government - lack of support in money; lack of support in conditions; lack of support in morale; lack of a statement that the Government is behind the forces.

I believe that in Australia we should have the same sort of defence that Switzerland has. Every country needs a standing army, but a standing army is vastly different from a citizens militia. A standing army could be more readily used in an aggressive manner. For those who want peace, one would suggest that a citizens militia would be a far more peaceful alternative to a large standing army.

Yet in Australia, what do we see in State after State after State and also in this Assembly? A cry for weapons control - not just guns, but all weapons. If Australians are silly enough ever to allow the Government of Australia or the governments of the States to disarm the population, they will indeed rue the day. We live, unfortunately, in a world that can be violent. The greatest way for peace is to be well defended. Perhaps, rather than removing the weapons of Australians, we could well teach people how to control them well and look to our own defence and sovereignty.

**MR HUMPHRIES** (Minister for Health, Education and the Arts) (5.03): Mr Speaker, we have asked ourselves several times in this debate already why it is that we are debating this matter. Mr Berry's point of order at the beginning of the debate related to that same point. The answer, Mr Speaker, is a very simple one, and for the benefit of those opposite I will repeat it. The fact is that there are Canberrans - not just Australians but Canberrans - who are fighting in the Persian Gulf for the reasons that make up the substance of this debate. We have every right as an Assembly to debate the reasons for those fellow Canberrans being in the Gulf and the reasons for which they are putting their lives on the line.

They want to know - I think those soldiers have every right to know - whether they have the support of the Australian people in the war that they are fighting, one might say, on our behalf. It is a very reasonable question and one which I think all of us ought to address in the course of this debate. The answer to that question should, of course, be "Yes". People need very good reasons to offer their lives in any conflict. I believe, Mr Speaker, fundamentally, that in this war there are very good reasons for people to offer their lives. The reason why we engage in this debate today is that we want to affirm those reasons and reinforce those reasons for the sake of those people who are

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fighting; we want to indicate, as representatives of the Australian Capital Territory, what we believe about their efforts overseas on our behalf.

A concept that was quite fashionable, quite in vogue, in an international political sense a few years ago is not quite so often discussed or referred to these days. It was the principle of self-determination; that people had the right to determine the way in which they lived and were governed by people of their own class or creed or race. In some senses, as I said, that term, that expression, that concept, has become a bit old-fashioned.

I am afraid that I am old-fashioned, Mr Speaker. I think that everybody should have self-determination and, what is more, that every other citizen of this world has an obligation to do their best to ensure that people of this world, whatever country they might belong to, share that right to self-determination. With that kind of principle, my attitude towards the Iraqi invasion of Kuwait was very simple. The oppression of any human being, anywhere on this planet, is my business, and it is the business of this Assembly. I think we have every right, Mr Speaker, to be standing in this place, debating that issue and discussing whether we as Australians have a contribution to make to what the Americans call in their Constitution, I think, the life, liberty and pursuit of happiness of other human beings.

I might point out just for the record, before we are criticised any further for raising this issue, this dastardly issue, that we are not the first people to have raised an international issue, if you can call it that. I do not think it is an international issue; I think it is an issue that affects Canberra very directly. But let us call it an international issue. We are not the first ones to have raised international issues in this place. Those opposite have raised South Africa and the Berlin Wall, to name but two items.

**Mr Wood:** In the adjournment debate.

**MR HUMPHRIES:** Not just in the adjournment debate. We have had substantive debate on South Africa in this place. I suggest that you cast your minds back and refresh your memories on what was said before. Ms Follett, just before this debate, actually, said that war is a last resort. When, Mr Speaker, do we reach that last resort? In the context of this particular debate, what else would it require to dislodge Saddam Hussein from Kuwait and to have him respect the human rights of Kuwaiti people?

Those opposite have not really answered that question. They have sort of suggested that maybe sanctions would do it, but not really, because sanctions, you know, were not really properly pursued. They have sort of implied - I do not think with much seriousness - that by marching outside the Iraqi Embassy we might do some good in that regard.

The question has to be asked: What has to be done to achieve that? The fact of life, Mr Speaker, is that we, the citizens of this world, if you like, have reached the last resort with respect to Kuwait. We have reached the last resort in making an assessment of what we can do to contribute to the safety, the well-being and the self-determination of Kuwaitis, and it falls on us as fellow citizens of this world to take some action, to use Mr Wood's words, to liberate Kuwait.

Ms Follett said that war is too high a price to pay. I am sure that many people of her own political persuasion would not agree with that. I think Ms Follett has forgotten the lessons that were learnt by a different generation. She has forgotten, in particular, the lessons that were learnt by the generation that consisted of people like John Curtin and Ben Chifley - people who, on behalf of the Australian people, prosecuted a war, a just war, a war against a tyrant, because they believed fundamentally and completely, I think, that that war ought to have been fought and that Australian lives ought to have been committed in the fighting of that war.

Now, what is the difference between Saddam Hussein and Adolf Hitler? What substantial difference is there between those two people? I do not believe that there is any difference. I know that that is an emotive kind of expression, that it is very easy to draw those sorts of parallels and that people are very fond of making those kinds of analogies; but, quite frankly, I cannot see any differences. I really cannot see any differences between those two classes of people.

**Mr Stevenson:** What about Gorbachev? Would you add him to the list?

**MR HUMPHRIES:** No, I would not, Mr Stevenson. I would not add Mr Gorbachev to the list. There are such things as just wars. Anybody who thinks that pacifism, that demonstrations or sanctions or protests, would have dissuaded Adolf Hitler from his invasion of most of Europe would have rocks in their head. Apparently those opposite think that sanctions and protests and letters of protest would have been an appropriate response to Hitler's aggression in 1939. Apparently they think that would have been appropriate. I think that anybody who studies the lessons of history realises that that cannot be the case.

**Mr Duby:** Their colleagues did not mind stopping him in the Spanish civil war.

**MR HUMPHRIES:** I think Mr Duby has raised a very good point about the hypocrisy of those opposite when it comes to waging war. There are, of course, many examples of where people on the Left, even people sympathetic to the ALP Left in our own present context, have waged war, have fought wars, have exerted violence against other human beings for the sake of what they wanted.

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**Mr Collaery:** What about the Eureka Stockade? Do they deny that?

**MR HUMPHRIES:** The Eureka Stockade is a good example. The Spanish civil war, Mr Duby reminds me, is another good example. The Russian revolution would be another example. There are many good examples. I wonder whether, if there were an international force to invade South Africa and dismantle the apartheid regime, those opposite would be quick to condemn that? I very much doubt that they would, quite frankly. They would, in my view, be right behind that and I think that it shows up the sophistry in the opposition of those people opposite to this motion of the Government's.

Apparently, from their point of view, raising this issue is wrong. I wonder whether those opposite would have voted against a motion opposing the war. It seems to me obvious that they are in effect opposing any attempt to show up their own position on this matter; but, having identified a division in the ranks of the Labor Party, it is interesting that the Left's position on this matter prevails, and that Mrs Grassby and Mr Connolly are forced to go along with the ALP Left line. It is a line that we know is not shared by the rest of the Australian Labor Party in this country. They have to go along with the Left line and are forced to support their position of opposition to this motion. It is just a case of numbers, isn't it? It is all about numbers.

We are not wrong to debate this. Every parliament in this country, I think you will find in the coming days, will be debating this, because it is the concern of every parliament and every part of this country to be debating this.

Mr Moore said that he found it incredulous that Christians could advocate war. It is a pity that Mr Moore was not present this morning when Dr Carey, the Archbishop of Canterbury-designate, spoke in St Andrew's Church in Forrest on this subject, because he is one of the leading Christians on this planet and he had a very cogent and coherent argument as to why Christians ought to be fighting this war. He said, and I paraphrase very loosely, "Those who say 'Peace at any cost' are people with whom I would have no truck. There comes a point where oppression of other human beings is intolerable and other people, other Christians, have the right to make some effort to liberate those people from that oppression".

Mr Speaker, the intermittent role of the United Nations is not a matter of concern to me. If it now fights for a just cause, it ought now to be supported. I wish to finish my speech, Mr Speaker, by quoting the Prime Minister. This is not something I often do, but I will do it on this occasion. He said:

We all of us wish for peace. But we cannot have peace just by wishing for it or just by talking about it; we have to work for it, and sometimes, tragically, we have to fight for it. The great lesson of this century is that peace is bought at too high a price if that peace is the appeasement of aggression.

Hear, hear, Mr Speaker.

Question put:

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

The Assembly voted -

**AYES, 9**

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

**NOES, 7**

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

Question so resolved in the affirmative.

**MR SPEAKER:** The question now is: That the motion proposed by Mr Kaine, that the statement be noted, be agreed to.

**Mr Berry:** I seek leave to make a short statement, Mr Speaker. It will not be controversial. Trust me.

**MR SPEAKER:** Not in the middle of a vote.

**Mr Berry:** Mr Speaker, I raise a point of order. I think we need to avoid unnecessary debate on issues which are of little import in the Assembly and which, moreover, have been dealt with in the Assembly. The motion moved by Mr Jensen seems to have overtaken a motion to take note of a paper in relation to the same subject matter. As I recall, I sought leave to move a motion to take note of the paper that Mr Kaine had before the house, and I seek leave of the Assembly to withdraw that motion.

**MR SPEAKER:** I will take advice. I cannot remember that circumstance.

**Mr Jensen:** It was in respect of the casino, Wayne, that you moved that the Assembly takes note of the paper. Then Rosemary moved for the adjournment. Is that what you are talking about?

**MR SPEAKER:** I think that is correct, Mr Berry. I think you moved that motion in respect of the previous statement relating to section 19.

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**Mr Moore:** I take a point of order, Mr Speaker. I believe that the only people to have spoken to the motion that the paper be noted are Ms Follett and Mr Jensen. I believe that members ought to have an opportunity to speak, should they wish to. They all should have an opportunity to speak to that motion.

**MR SPEAKER:** That is absolutely correct, Mr Moore. If somebody had jumped to their feet, they could have; but, as no-one did, I would like now to - - -

**Mr Moore:** I was just making the point, Mr Speaker, that you had not given anybody an opportunity to do so.

**MR SPEAKER:** That is not correct, Mr Moore. The opportunity was there if somebody had stood. Somebody like you who knows the standing orders backwards appreciated that they had the chance to speak if they wished to. The question now is: That the motion moved by Mr Kaine be agreed to.

Question resolved in the affirmative.

### **PERSONAL EXPLANATION**

**MR COLLAERY** (Attorney-General): Mr Speaker, I claim to have been misrepresented and I seek leave to make a short personal explanation.

**MR SPEAKER:** Please proceed.

**MR COLLAERY:** Mr Wood, uncharacteristically, started his speech by making a personal attack on me. He said that I had said nothing about peace. That is entirely incorrect. My words, as members will recall, were that we all support peaceful and humanitarian initiatives or motives, or words to that effect. In fact, I endorse the comments of my leader which embrace those other considerations.

### **SOCIAL POLICY - STANDING COMMITTEE Report on Water Fluoridation**

**MR WOOD** (5.23): Mr Speaker, pursuant to order, I present the report of the Standing Committee on Social Policy's inquiry into water fluoridation in the ACT, together with extracts of minutes of proceedings. I ask leave to move a motion authorising the publication of the report and the extracts of the minutes of proceedings.

Leave granted.

**MR WOOD:** I move:

That the Assembly authorises the publication of the report of the Standing Committee on Social Policy's inquiry into water fluoridation in the ACT and the extracts of the minutes of the Committee's proceedings.

I will just comment briefly that this has been broken into two parts today to give privilege to this document.

Question resolved in the affirmative.

**MR WOOD:** Mr Speaker, I now move:

That the Assembly takes note of the report.

**Sitting suspended from 5.24 to 8.00 pm**

**MR WOOD:** Fluoride is a remarkable substance. It is certainly one of the better known substances around the world. One of its remarkable properties is that, beyond any doubt, its use in water and in other ways significantly reduces the rate of dental caries. I believe that there is no doubt of that. On its introduction in various parts of Australia some years ago, it had a remarkable impact on the dental health of our young people. It is the case that the impact is less in more recent years. Fluoride is not only responsible for a revolution in dental care. This remarkable substance is also deemed responsible for such things as the hole in the ozone layer, for the tranquillising and the weakening of whole populations, for narcosis, for hypnotic states, and for cancer. It is claimed to be responsible for every allergic response imaginable: For cot death, for AIDS, for schizophrenia, for sex crimes, and for nymphomania.

Mr Kaine and his colleagues in the Liberal Party may be interested to know that it was held responsible - not universally, I hasten to add - for the loss of Liberal seats in Victoria. It is also claimed that the depression and subsequent death of Harold Holt were caused by drinking the ACT fluoridated water supply. It is claimed to be responsible for constipation and so on. There is an endless list. It is also claimed to be responsible for skeletal fluorosis and, indeed, it is. It can be quite damaging to the human skeleton, except that I have nowhere seen any evidence of a case in Australia.

It is responsible for dental fluorosis, which causes mottling of teeth. There are cases of that in Australia. It can vary from something you cannot see to something that you are well aware of. I would be inclined to the view expressed by many that the effect is more cosmetic than anything else. This remarkable substance called fluoride is also responsible, as our committee knows, for some of the most virulent and strongly fought arguments that can be found. It is responsible for claims of cover-up,

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conspiracies, deceit, professional misconduct and fraud. All of these claims have crossed my desk as I read and listen to people.

I might hasten to add that I have also heard a great deal of quite sound information from people who are opposed to the use of fluoride. Justice Crisp also heard some of this nonsense in the Tasmanian royal commission some years ago. He said that fluoride had been responsible for so many claims, and he put it this way, "From dandruff to tinea, from blindness to bed-wetting, from sterility to stammering. Most known ills to which the flesh is heir have been laid at its door". I say with some sincere regret that I think anti-fluoridationists are, in many ways, their own worst enemies. The history of the debate shows that.

I know of that from the time many years ago when the question of fluoride was first drawn to my attention. There are so many overstatements that the broader community often rejects them as nonsense and the inclination is for people to overlook the sensible things that are said. I believe that the established scientific community does not take the arguments of those opposed to fluoride seriously, for the reasons that I have indicated. I think that is a regret, because the voices of those who are concerned about fluoride do need to be heard.

The NHMRC, I believe, properly reviewed the literature. As part of our report we considered their interim report quite seriously. That report rejected recent claims expressing lack of confidence in the benefits of fluoride and concern about safety. Can I say, for my part, that I set aside the less serious material that came to us as far as I possibly could. I genuinely set out to do that so as not to have it sitting in the back of my mind. I set out to take all other material seriously. I think I read everything that came to me, except that I did not read all the material in various books that were provided.

I encouraged those who gave evidence at the hearings - and very substantially they were people opposed to fluoride - by asking questions that would elaborate on their views. I did not in any way set out to denigrate witnesses. Indeed, our screening ensured that people who came to our committee were generally more reputable than some of the material that we received. After all that, we came to the time, only a little while ago, when we had to make our decisions based on the vast range of material that we had received. Let me summarise for you the views that I came to. I believe that fluoride delivered through water supply has been of enormous benefit to the dental health of our young people. There seems to be increasing evidence - and I am interested in this - that there is also benefit for the more mature population.

There is no doubt that the spreading of fluoride through the reticulated water supply is the most effective way of getting that beneficial substance to the community. Therefore, I totally support the recommendation of the committee that we continue to provide fluoride through our water supply. I note that there are studies indicating that the rate of dental caries is decreasing in areas of no water fluoridation. There have been a number of sensible reasons advanced for that.

I note also that the impact of fluoride, once very great but still very strong, is now, nevertheless, lessened somewhat, although still very significant. The committee had drawn to its attention that other sources of fluoride, notably toothpaste, are having considerable impact on the dental health of our young people and perhaps the older population. Indeed, it is very difficult to get toothpaste that is not fluoridated. You will note recommendations in the report concerning toothpaste; its availability and the way in which it should be marketed.

I would point out to you that the level of fluoride exposure that we have cannot be accurately assessed solely on the fluoride content of drinking water in this area or any area. There is no doubt that people - and that includes people in the ACT - are ingesting more fluoride than they did when it was introduced in 1964. There are just so many other sources of fluoride. A great deal of our debate has centred on health matters. I accept the statement in the report that there is no substantial evidence of adverse health effects.

I took the view that was presented to us that it is, nevertheless, sensible to keep any additive at the lowest level that will achieve maximum effect. That really is the basis of my decision to support fluoridation at half a part per million. We do not need to put in any more. We are now getting more fluoride into our system. Why do we need to put more fluoride into the water than we really need? I am not convinced that there is a great deal of difference between 0.5 and one part. I do not think that would make a great deal of difference to our health.

I think it was entirely sensible to recommend that that level be now established at 0.5 parts per million. We need to remember that the level of one part per million was never established irrevocably and is always open to review. I believe that the NHMRC expected that there would be, on their figures, a minor decline in dental health if the level was reduced. The figures we quote in the report say that there may be 215 more affected teeth per thousand 12-year-olds over a period of five to 10 years. That is undesirable, but I do not believe that it is highly significant. Given that the ACT has a very good school dental service and is a discrete community that can be educated, if needs be, to be just a little more careful, I do not think that the careful monitoring we must have will show any real decline.

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I note the concern of many in the community about the use of fluoride, though I believe that their fears are substantially unwarranted. Nevertheless, their needs have to be considered. We must respect their views and acknowledge that they are not happy with the use of fluoride in the water.

Let me tell you what concerns I have on the health effects of fluoride; and there are few. I have said before that there is evidence of increased mottling as a result of greater fluoride use. I believe, on the evidence that has been presented, that that is substantially a cosmetic effect and very few teeth are damaged as a result, although we have had evidence to that effect. We have also had evidence - and there is data - to suggest that some individuals may experience hypersensitivity to fluoride-containing agents.

I believe that that is a very small number of people, but I think the evidence is beginning to emerge that makes that a matter worthy of greater investigation. Other than those two points, I have no concerns, after the evidence that has come to me, on matters of health as a result of fluoride use. Therefore, I comfortably support the recommendations that have been made.

As I said, I am quite as happy with the recommendation of one part per million and, indeed, I voted for that on one occasion in the committee. Given the on again, off again nature of the handling of fluoride, you may not be surprised to know that the committee at one stage did establish, as a recommendation, to hold fluoride at one part per million. But, as we considered more evidence, that decision was reviewed and I think we made the sensible decision for 0.5 parts per million. I do not think we would have any problem at all with one part per million. It is demonstrably safe and demonstrably effective.

I want to thank Dr Ann Scott and Ms Judith Henderson, who have laboured for a long time in the preparation of this report. It has been no easy task for them. Dr Scott laid down the foundations of the report and Ms Henderson did a marvellous job, in most difficult circumstances, in coming to grips with the report so rapidly when she came into the service of the committee.

I want to thank my colleagues on the committee. It has been a long grind. We frequently disagreed. We frequently agreed. We have always been most serious about this project and committed to the examination we undertook. I think you would agree that it has been hard work. I am pleased to present this report for the consideration of the Assembly.

**MRS NOLAN (8.15):** Mr Speaker, the issue of water fluoridation is, and has been, a very contentious one. However, over the number of years that the debate has supposedly been won and lost by both sides, the sensible approach seems not to have been pursued. Times have changed since 1964 when fluoride was added to the Canberra water supply. The sensible approach must be a reduced level of fluoride now added to the water supply. I am pleased to acknowledge, as Mr Wood has done, that this is a unanimous decision of the committee.

In 1964 - and I would like to just reflect - Dawn Fraser swam 100 metres in 58.9 seconds, which was a world record. While it was quite a number of years before that record was broken, it was broken; and the world record for 100 metres swimming continues to be broken. Since 1964, and the time Canberra first had fluoride added to the water supply, many changes have occurred. The population of the ACT was only some 84,600 people, whereas in 1989 Canberra's population included 65,000-odd under-14-year-olds and a population of some 278,000 people. That is certainly a quite significant change.

The amount of fluoride readily available from many additional sources has also increased. For many people these additional sources have not caused any problems and have helped reduce dental caries in children's teeth. But, for many others they could have contributed to all sorts of headache and heartache. Not all people react in the same way to any form of medication, and fluoride is no exception. Many of those who came before us attributed many of their health problems to fluoride levels. Notice, Mr Speaker, I said that many attributed their health problems to fluoride levels.

I want to come back to my introductory remarks and the sensible approach. The major recommendation in our report is for a reduction in the level of fluoride added to the water supply from one part per million to 0.5 parts per million. I must acknowledge all members of the Social Policy Committee for pursuing this path. It was, as I said earlier, a unanimous decision and one, I believe, that is very important to our report.

One could say that it was not a decision that was easily reached, and nor should it have been. Others could also suggest that some members of the committee reached their conclusions based on different reasons. There is no doubt that fluoride reduces dental caries in children's teeth, but at what cost? I endorse the committee's view that it is a responsible and sensible practice to keep the amount of any additive to the water supply at the lowest level that will achieve maximum effect.

The committee was hopeful that there would be a solution for all our community, bearing in mind those from the lower socioeconomic groups. It was, of course, self-evident from the outset that there were two distinct views and, as the

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report stated, there is probably only one conclusion. That is a view that is put from both sides. I think it is important that I quote from paragraph 10.109 of the report:

The one conclusion that both opponents and proponents of fluoridation agreed upon was that dental caries rates, whether in fluoridated or non-fluoridated areas, are much higher amongst low socio-economic groups than amongst more affluent communities. Results of the Tasmanian section of the National Oral Health Survey showed that 70 percent of the caries was present in 30 percent of the population.

The report goes on to say:

However, opposing stances are taken on the implications of this. Proponents argue that it means that water should be fluoridated because this helped protect the teeth of those whose oral hygiene was inadequate. Opponents argued that it was better to leave fluoride out of the water supply but target lower socio-economic groups with better oral health education and school dental services.

The committee also noted that the availability of unfluoridated toothpaste, at comparable prices to fluoridated toothpaste, is especially important for the lower socioeconomic groups if there is to be a realistic choice of toothpaste. The cost also of water purifiers severely restricts the lower socioeconomic groups in having access to unfluoridated water, if that is their choice.

One of the important issues to come out of this inquiry has been the changes in total fluoride intake for many people since 1964. This issue has, of course, been well covered in the report. I would ask that we reflect on some of those sources: Soft drinks, tea, processed foods, vegetables, toothpaste, some medications, and it is even contained in gels which are freely applied by many mothers to teething toddlers. I am quite sure that many are not even aware that fluoride is in such a substance.

In 1964, ready-to-drink fruit juices, which are water based, were almost non-existent. I believe that such drinks increase the fluoride content many times. Just how many people today go down the path of drinking freshly squeezed orange juice? I think it is called convenience food; and for many, unfortunately, convenience food makes up a large portion of their weekly shopping. Also, when fluoridated water is used in the cooking process, as in soups, sauces, pasta - the list goes on - that has changed quite dramatically since 1964.

The question of total intake is very important, and I believe that the committee addressed it in a careful and considered way. Fluoride is also ingested from many sources: From the food we eat, the air we breathe, and pesticide, insecticide and fertiliser residues. Luckily for residents of the ACT and the city of Queanbeyan, we are not in an industrial city and do not have to worry about living in areas close to fluoride emitting industries.

Cigarettes have also been shown to contribute to the fluoride intake. In fact, I am very surprised that more information is not available in Australia relating to Australian cigarettes. It is purely speculation on my part, but it could be a reason why Japanese have very good teeth. There is no fluoride in the water supply. I guess many of us are aware of the high percentage of Japanese people who smoke.

In 1964 fluoridated toothpaste was not freely available either. In fact, as someone who has gone down the path of using unfluoridated toothpaste, I believe that recommendation 10.90 of this report is a very good one. Recommendation 10.90 says:

The Committee recommends that:

- . the ACT Government initiate proposals through its membership on various interstate councils and make direct representations to toothpaste manufacturers to:
- . make unfluoridated toothpaste readily available at prices comparable with fluoridated toothpaste; and
- . cease practices that make fluoridated toothpaste unduly enticing and palatable to children (eg the addition of colourings (other than white) and flavourings).

Unfortunately, one of the major issues arising from the issue of water fluoridation is the lack of Australian research. The NHMRC working group acknowledged the need for more Australian research. The conclusion is quoted in the report at page 102. I would like to read just a small portion of that recommendation in paragraph 10.131:

The ACT is well placed to be a centre of further research in this area.

While I agree with recommendation 10.136, I would like to pursue the part that comes after that, which I think is very important. Paragraph 10.137 says that the committee has acknowledged that there are other issues which require further research, including the levels of intake of fluoride from all sources; the incidence of skeletal fluorosis in Australia; and the possible allergic or toxic reactions to fluoride and other adverse health effects.

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The issue of water fluoridation has been something that I have followed closely over many years. I lived in Melbourne in 1977 when fluoride was finally added to the water supply in that city. Of course, I had personal reasons. Both of my children were bottle-fed babies; one with non-fluoridated water, the other with fluoridated water. While neither of the two children has dental caries, there are alarming differences in their teeth. One has mild fluorosis and malformation; the other, who was bottle-fed with unfluoridated water, has near perfect teeth. Many will well understand some of my concern.

The issue of mass medication and freedom of choice is one that I have great difficulty with. For many who put forward submissions and came before the committee, it was also an area of concern and conflict. When I found the reference before the Social Policy Committee I knew that it was not going to be an easy task to pursue; but I recognised that personal views had to be put aside and that all the evidence had to be taken on board and weighed up and a conclusion reached.

As the committee chairman mentioned in his preface of this report, there was, at times, difficulty in sorting out the fact from the fiction. However, a conclusion was finally reached, with the endorsement of all five members of the committee. The committee has made a well considered decision, for which I am sure support will be forthcoming from other members of the Assembly. While I have no doubt that fluoride significantly reduces dental caries, as the committee report states and as I said before, it is a responsible and sensible practice to keep the amount of any additive to the water supply at the lowest level that will achieve the maximum effect.

To me there is no doubt that times have changed since 1964, and the total level of fluoride now ingested and applied has increased. Reducing the level to 0.5 will go some way to counteract this. However, I do want to acknowledge that some people - many of those mentioned throughout the report - will still have to continue to further reduce their levels. For some this will mean avoiding fluoridation and fluoridated water at all costs.

I would urge other members of the Assembly to read much of the information and literature available on the subject and arrive at a considered view; but remember that it is 1991 - world records continue to be broken, Canberra's population has increased since 1964, and many other changes have occurred.

As I mentioned earlier, one of those changes is total ingestion of fluoride levels which certainly have increased significantly since the introduction of fluoride into the ACT water supply. I believe that this committee has

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pursued the sensible approach. While this report may be the first in Australia to recommend a reduction in the level, it certainly will not be the last. The city of Darwin, of course, has only ever had 0.7 parts per million since it went down the path of water fluoridation in 1972. I am quite sure that this report will be used across Australia and will certainly form a basis for a review of levels in many water supplies around our country.

I would also like to place on record my thanks to the other members of the committee, to the committee staff, especially Judith Henderson and Ann Scott, *Hansard* staff and also those who contributed to this report by submissions or appearing before the committee at public hearings. I would also like to express my thanks for the assistance given by those State and local government organisations and individuals in both Brisbane and the Gold Coast where discussions were held, and to the embassies and high commissions who contributed to our report.

In conclusion, the level of one part per million was set back in 1964 and now in 1991 there is an increasing number of sources of fluoride, which indicates to me that the level of one part per million must be reduced. The committee concludes that the level of fluoride be reduced to 0.5, and monitored.

There is a need for more Australian research and the ACT is certainly an appropriate place for the research to take place. The committee recommendation that the ACT Government urgently seek NHMRC funding to establish a major independent study of the effect on dental health of a reduced level of fluoride in the ACT water supply should be pursued quickly.

For those who say that a reduction from one part per million should not happen or that there is no evidence, then think of those people of Beaconsfield in Tasmania in 1953 or closer to home, perhaps, the people of Yass in 1956, when those two towns were fluoridated. What evidence was before them then? Why have cities like Geelong, Brisbane and the Gold Coast not pursued the path of water fluoridation? The question of water fluoridation is a contentious one. I and my colleagues, as members of the Social Policy Committee, were charged with a task which was to produce a report with a set of recommendations. (*Extension of time granted*)

The major recommendation of a reduction in the level of fluoride from one part per million to 0.5 was a unanimous view. I thank my committee colleagues for pursuing that path. I commend the report to the Assembly.

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**MR STEVENSON (8.31):** Mr Speaker, is fluoride a poison, as it says on the packet here, or is it a panacea for children's teeth? The committee chairman began his speech the same way that proponents of fluoride have been doing for decades. It is the same way that the ACT inquiry report begins; with an attack on those who oppose compulsory drugging with a toxic chemical, sodium silico-fluoride. I believe that that tactic is about as subtle as being hit by a Mack truck. The committee chairman spoke that way for some six minutes into his speech. He also said that he believes that "there is no evidence of adverse health effects". That statement - we will see - is like saying that there is no evidence of gravity.

In the 1960s Drs Feltman and Kosel conducted a study where they gave pregnant women and children fluoride tablets. They showed that one per cent of those women and children suffered ill health because of the fluoride. When they gave the patients a placebo tablet, the diseases went. When they again gave them fluoride, they returned. Those studies continued for 14 years. That was an equivalent of one part per million of fluoride. People may think that one per cent is not too much; but, when you understand that in Canberra that is about 2,700 people and 170,000 in Australia, that is of great concern. That study was not mentioned in the ACT inquiry report but only in my dissenting report.

In Holland, 10 family physicians conducted studies using fluoridated water. Once again they were blind studies. They showed that a small percentage of people suffered ill health from drinking fluoridated water. Those studies were validated in the Dutch High Court. George Waldbott was one of the world's greatest allergists. In the Pittsburgh Pennsylvania court case in 1978 where top proponents of fluoridation from all around the world had the opportunity to present their case, Waldbott gave condemning evidence of the harm caused by fluoridation. Though the defence attorneys had every opportunity to question him on the evidence he had given, his evidence went absolutely and totally unchallenged. When you read something of the case against fluoride you will have no doubt as to why that was.

Sir Stanton Hicks was a noted Australian professor of pharmacology and physiology. He summed up the matter well when he said:

I submit that medication of a whole populace variable in individual response, regardless of individual age, state of teeth, of general health, rate of consumption of water, and so on, is quite unscientific and unethical, and that passive acceptance of the right of a government or municipal authority to implement such medication through its water supply is to sacrifice a fundamental principle of medical practice.

And, indeed, it is. It is because fluoride is given by tapwater, and is therefore invisible, that many people perhaps do not understand the argument well. Let us imagine that your fluoride was given in a different form, that the Government required you to take a tablet every day. If that was the case the situation would be undoubted; people would not allow it to happen. But the fact that fluoride is given to us via our drinking water changes the principle not one whit.

Dr Sampson was a professor in the Department of Politics at the University of Bristol. He said:

However irritating to them the fact may be, try as they will the fluoridators cannot answer the objection that the measure is incompatible with human freedom. No amount of ransacking constitutional law books, invocation of legal authorities, appeals to the principle of parliamentary sovereignty, touches the principle, immediately evident to all unprejudiced men, that the forcing of any ingredient into the body of another is a most fundamental violation of the right to personal liberty.

A legal opinion on the matter was given by Paul McCormick, a research fellow in law at Nuffield College, Oxford. He said:

From the legal point of view fluoridation is compulsory medication. It is done without the permission of the person at the receiving end.

Do we have health rights? It was stated in the 1988 book by the Australian Consumers Association, *Your Health Rights*, that the final responsibility is yours. You have the responsibility for your health.

Let us look at the chairman's statement that it is beyond any doubt that its use reduces dental caries. He says that there is absolutely no doubt. Let us look at the evidence. Dr John Lee in his submission to the ACT inquiry said that it is true that children's caries rates have fallen dramatically in the past 15 years. We acknowledge that throughout the world - better than 80 per cent of the world's population. He says:

The improvement has been equally great in both fluoridated and unfluoridated communities. Whether the reason is improvement in nutrition, the advent of fluoridated toothpaste, better dental hygiene, the widespread use of antibiotics ... the only certain conclusion to be drawn at this time is that water fluoridation cannot be the answer.

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What proponents find very uncomfortable to talk about in the debate on fluoride is that the vast majority of people in the world have better teeth, and yet over 95 per cent of the world's population are not forced to drink artificial and toxic sodium fluoride. That is an absolutely irrefutable argument, which the chairman says there are good reasons for; but he does not give them to you, and does not state the obvious reason that it cannot be fluoride.

We are told that fluoride has caused children's teeth to be better. Indeed, this was the case stated in Sydney. In the 1960s in Sydney it was said that children's teeth got better - improved 62 per cent. Well, is not that terrific? There is an absolute slam-bang case where fluoride worked. What the proponents do not tell you - and when I asked one of the dentists in the inquiry about the case, he said that he did not know about it - is that fluoride was not introduced into Sydney until 1968, after 58 per cent of that 62 per cent improvement had taken place. It also occurred before fluoridated toothpaste was in widespread use.

The case against fluoride is so damning. Only someone who absolutely refuses to look at the evidence, or has some ulterior motive - and there are plenty of them around - would disregard it. It is absolutely incredible. Let us have a look at the most recent case in America. In 1985 the National Institute of Dental Research, perhaps the senior dental body in the world, conducted a study of 39,207 school children from 84 communities throughout America. What did they say? They did not want to say. It was Dr Yiamouyiannis who, under freedom of information, got the evidence from them. What it showed was that fluoride made absolutely no difference whatsoever in the rate of dental caries. They had reduced at the same rate in unfluoridated and fluoridated areas alike.

There was a major inquiry in Quebec that you will never hear about from proponents of fluoride, when 10 scientists studied the world-wide research on fluoride. When talking about the drop in holes in kids' teeth in his submission to the Assembly, Dr Morin said:

For example, the area in our country with the highest incidence of dental decay is a fluoridated area while the best dental status can be observed in a non-fluoridated area.

And yet the chairman said, "Beyond any doubt, its use reduces dental caries". What an absolute nonsense!

Environmental pollution is a major factor of fluoride. Since the turn of the century, fluoride polluters in various industrial manufacturing situations have been sued for untold millions of dollars. (*Extension of time granted*)

We see that fluoride is a waste product from aluminium smelters, fertiliser factories, petrol refineries, plastic producers, chemical factories, steel mills, glass manufacturers, brickworks and so on. In Canberra we get our fluoride from toothpaste, the water supply, drinks, the food chain where it builds up remarkably, tea, beer, gels, tablets and various other methods. It is seen, by the evidence submitted to the ACT inquiry, that tooth decay is not caused by a fluoride deficiency. There has never been any study in the world showing that healthy teeth have more fluoride in them than decayed teeth. That simply is not the truth. It is not a build-up of fluoride in teeth that makes any difference whatsoever.

In a letter to the ACT inquiry from the Swedish Government, it was stated:

The Commission has noted that caries is a disease which can be prevented. The basic cause of caries is the consumption above all of sweet foods.

Don't we know that? Thus, the prevention of caries must be based on dietary and mealtime habits. Dr Sampson made a particularly valid comment. He said:

The principle at stake in the fluoridation battle, rightly understood, emerges as the most vital of all principles in the conduct of human life. Children's teeth are decaying mainly because of the weakness of many parents (i.e. in not controlling the intake of refined carbohydrates by their children) and the avarice of commercial interests in exploiting the weakness of the parents and the sweet tooth of the children ... It would be a grave social crime to attempt by spurious remedies to conceal this profound social evil in our midst. What is urgently needed is a vast educational campaign at many levels on the essentials of health.

There is some sense; perhaps one of the most sensible things said in the inquiry.

How do people vote when they get a chance to have a say on compulsory artificial fluoridation? We know that on the Gold Coast fluoridation was stopped in 1979. In Portland, 86 per cent against fluoridation; Hamilton, 68 per cent; Ararat, 64 per cent; Ballarat, 94 per cent; Buninyong, 93 per cent; Glenville, 89 per cent; Horsham, 85; Deniliquin, 80 per cent; Howlong, 97 per cent; Moree, 96 per cent; Pallamallawa, 98 per cent. When people get a chance to have a say on artificial fluoridation, what they say is no. They seem to think, when the state decides that it is a good idea to force a drug on the population without any say, that it is time to say no.

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In the Supreme Court of Pennsylvania, Justice Flaherty said:

The trial brought into my Court experts on the subject of fluoridation, and I meticulously considered the objective evidence. In my view, the evidence is quite convincing that the addition of sodium fluoride to the public water supply at one part per million is extremely deleterious to the human body, and a review of the evidence will disclose that there was no convincing evidence to the contrary.

Indeed, you would have to review the evidence before you knew that. The dissenting report to the ACT fluoridation inquiry, apart from just ratbags and so-called communist idealists that the chairman was talking about, lists in excess of 1,000 names of scientists opposed to artificial fluoridation; 11 of them Nobel Prize winners.

The submissions received by the inquiry were listed in the front part of this report. However, it did not list whether they were for or against. So, I listed them in the back. There were 141 submissions against artificial fluoridation submitted to the inquiry and only 18 for, and the vast majority of them had a dental connection.

Professor Sir Arthur Amies, Pro-Vice-Chancellor of Melbourne University, in 1975 was Dean of the Faculty of Dental Science, and he said:

The case against fluoridation medically requires only such evidence as is necessary to support a reasonable doubt. Where the public's health is concerned no reasonable doubt can be ignored. I submit that the doubt here is more than reasonable; it is considerable.

*(Extension of time granted)* When experts disagree, the average individual in Canberra wants to know whom they are to believe. When 1,000 people and 11 Nobel Prize winners disagree with a few dentists, et cetera, who have said that it is a good idea - the NHMRC, the ADA and the AMA - whom are they to believe? The words of Dr John Colquhoun put the case well. He said:

If you do not know who to believe, we should not be imposing it compulsorily on the whole population.

On behalf of the people of Canberra, I ask members of this Assembly not to force all Canberrans to take this highly toxic poison daily. I commend that you read, in full, particularly, the dissenting report.

**MS MAHER** (8.47): Firstly, I would like to thank Dr Ann Scott for all the hard work that she has put into this inquiry; also Judith Henderson, who has done a marvellous job, considering that she joined us in the midst of the inquiry. Her efforts are appreciated. I would also like to thank David James and Kim Blackburn for their assistance.

As you can tell by the speakers before me, fluoridation is a controversial issue.

**Mr Stevenson:** Well said.

**MS MAHER:** You agreed to the recommendation, Dennis.

**Mr Stevenson:** I agreed with halving it; I agreed with taking it down to 0.1; but, obviously, it should be gotten rid of.

**MR SPEAKER:** Order!

**MS MAHER:** Some say that fluoridation of the water supply is mass-medication and infringes their civil liberties. Others agree with fluoridation and consider that if fluoride was taken out of the water that would infringe their civil liberties. The arguments are diverse and conflicting, as Mr Wood has already pointed out.

Today I am going to speak briefly to the committee's recommendations, and the major reasons for my supporting those recommendations. My colleagues have already raised many of the issues concerning fluoridation. After considering the vast amount of evidence, I would have no hesitation in recommending that fluoride remain in the ACT water supply, and I acknowledge the benefits of fluoride to the community. However, considering that the amount of fluoride we ingest overall has increased since its first introduction 25 years ago, the level of one part per million is no longer appropriate. The evidence the committee received showed that there has been an increase in the overall human consumption of fluoride. More products are available which contain fluoride, for example, toothpaste. Also, foods and drinks are being cooked and reconstituted with fluoridated water.

At the same time we must also take into consideration the topical application of fluoride, the quantity of fluoride ingested by bottle-fed babies and young children who swallow fluoride toothpaste. These are just a few of the examples of the increase in the ingestion of fluoride. The latter example, that is, young children swallowing fluoridated toothpaste, is one of the reasons why the committee made its recommendations referring to toothpaste manufacturers, which Mrs Nolan has  
read.

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As my colleagues have mentioned before me, it is very difficult to obtain fluoride-free toothpaste. When it is available it usually costs more than fluoridated toothpaste, which often puts it out of the reach of those people who are financially disadvantaged. It has been said that if this Assembly accepts the recommendation of the committee to reduce the level of fluoride in the ACT water supply to 0.5 parts per million there could be a deterioration in dental health which could be as low as one per cent or as high as 25 per cent. However, I believe that, with a high quality community dental service, especially targeting young children who benefit the most from fluoride, and extensive dental health promotion, there should not be any increase in dental caries or a deterioration in dental health.

With respect to research, there is very little evidence or information on the effects, if any, of a reduced level of fluoride. Due to the lack of Australian data the committee, throughout the entire report, had to rely heavily on overseas research. May I add that much of that research is controversial, especially concerning the methodology and the validity of the findings on the efficacy and safety of fluoride.

As the committee has recommended, not only would a study benefit the ACT but the ACT could become a world leader in this field. If there is a decision to reduce the fluoride level, a study should be put in place as soon as possible. The results should be monitored very closely, and comprehensive long-term data should be collected and made available to those people who are interested.

It may sound contradictory that the committee has recommended that the level of fluoride in the ACT water supply be reduced to 0.5 parts per million while at the same time we call for funding to be sought for research into its effect, if any, on dental health, following that reduction. However, the arguments put forward - especially those concerning the lack of research - should convince members that the committee's recommendations are appropriate.

In conclusion, I would like to restate that I support the committee's recommendation to reduce the fluoride level to 0.5 parts per million. As I have said before, this was a unanimous decision, without any amendments. I consider that the committee received sufficient evidence to conclude that the sources of fluoride have increasingly become more diverse over the last 25 years and, therefore, the overall intake of fluoride has risen. Also, I believe that if the ACT continues and improves its high quality dental service and health promotion the impact that a reduction of fluoride would have on dental health in the ACT would be minimal. I commend the report to the Assembly.

**DR KINLOCH** (8.53): I would also like to endorse all the comments made about the staff. I could not speak too highly about that. Because others have said it, I will not repeat it. I will say that especially in the last few days we have been aware of how much work has been done.

**MR SPEAKER:** Dr Kinloch, you turned away from the microphone and possibly you could not be heard, and probably you were not recorded in *Hansard*. You probably need to repeat what you just said.

**DR KINLOCH:** I was saying - properly and necessarily - complimentary things about Mrs Judith Henderson and her staff.

I want to insert a point here. Perhaps it should come at another point, but I want to get this in here quickly in case I run out of time. I want, especially, to acknowledge the importance of the NHMRC, the National Health and Medical Research Council. That has been a central body and its reports have been central to our discussions. Its future full report will be a central element for this Legislative Assembly to consider. No matter how many submissions there may have been on which side, or whatever side, we have to recognise that the premier body in Australia in this matter is the NHMRC.

We cannot set ourselves up as a body of experts in contradistinction to that body which is publicly funded - at a very great level of public funding, I might say - to be in the business of making a scientific judgment about the questions which faced us. Thanks to our committee staff as well as to Mr Wood and all members of the committee, we went to very considerable lengths to make sure that we heard all we could from the NHMRC, but there is more yet to be heard.

This may sound self-congratulatory, but I want to say something very special about our committee. We have been working together for a very long time. I want to say to everyone on the committee, including Mr Stevenson, who may be surprised at this, that everyone played an important part. We came to a unanimous decision. I think it would not be a surprise to members of this Assembly to realise the important diplomatic role played by our chairman and deputy chairman.

It has been not only a tremendous learning experience about fluoride, the range of views about fluoride, and the very difficult questions of public health, but also a learning experience in politics, in political discussion, and ways in which reasonable recommendations may be reasonably arrived at, including a dissenting report. In saying that, I also recognise the considerable input to the committee by Mr Stevenson.

At one point in our many hours of discussions, especially after a series of careful and well thought-out statements around the table, I deliberately took the opportunity to

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make what I hope will not be seen now - as I hope it was not seen then - to be a patronising comment. It is certainly not for me to do that; I am not a scientist. The levels of debate and discussion in the 100 per cent real world of our committee were very high indeed. I have 30 to 35 years' experience of other kinds of discussions, often academic, often about things that have already happened and are in the past. We were dealing with real issues in our committee rooms in this building and in Brisbane, or wherever we went. I just want to say that I was enormously impressed.

Just as much, the levels of good temper and control, although sorely tested, were a credit to every member of the committee, under Mr Wood and Mrs Nolan. Mr Stevenson again may be surprised to hear me say this, but we are indebted to him for his good temper and often his good humour. I also believe that we did not let partisan considerations of a political kind get in our way. I read a report in the paper which seemed to suggest, "The ALP thinks this, the Liberals think that, and the Residents Rally think that". Those were not considerations in our committee, were they, Mr Wood? Were they, Mrs Nolan? They were not. There were new kinds of partisanship. You could say that those areas of partisanship were to do with the arguments about fluoride, but there was no straight political agenda within our committee.

I now want to come to the reputation of our Assembly. Much nonsense has flowed under the bridges of Canberra on this issue, from columnists, editorialists, journalists and cartoonists. They had a great time with us and we grinned with our gleaming and healthy teeth and we bore it, and we continue to bear it. I now want to say as strongly and unequivocally as I can that we have done well by the people of Canberra. I believe that it was right that we set up this committee. The work that we have done, we have done carefully. There is now no doubt at all in my mind - although not in Mr Stevenson's mind - that the dental health of all children benefits from the use of fluoride, including fluoride added to the water supply; but we have been wise to recognise the need to do two things at once. I think this is absolutely central and I endorse what Mr Wood has said about that. It is essential to do two things at once: To maximise the benefits and minimise the risks of fluoride.

The way we arrived at the 0.5 level was exactly through that process. We did not arrive at it suddenly. We went through many processes before that: We took much evidence, we looked at much material, we had much debate, and finally, unanimously, we agreed. There are benefits and there are risks. We moved to a more effective point at 0.5 instead of one part per million.

Furthermore, I believe that one of the very best things we have achieved is to lead to the recommendations in relation to paragraph 10.136. It is a brief recommendation. You

will notice how few recommendations we have made. I will read recommendation 10.136:

The committee recommends that:

The ACT Government -

the responsibility is here -

urgently seeks NHMRC funding to establish a major independent study on the effects on dental health of a reduced level of fluoride in the ACT water supply.

What is implied in that recommendation is this - and here I would agree with Mr Stevenson: Not enough research has been done. More research needs to be done. Conclusions have been made without adequate research. In particular, in Australia we have not had adequate research. That kind of conclusion that is in dark black type on page 102 continues in paragraphs 10.137 and 10.138. I endorse what has already been said. We acknowledge that there are other issues which require further research. I believe that the matters Mr Stevenson has drawn to our attention endorse that.

I am very pleased indeed that we have arrived at that particular recommendation. There is an urgent and vital need for enlarged levels, and scope, of research. It must be research independently conducted and done with a full spirit of scientific inquiry - not from some kind of industrial or industry concern or even dental concern, but as independent research.

Finally, I want to pause briefly on the issue of mass-medication and individual liberty, about which a few of us have spoken here and not much is said in the report. I will simply say this: I believe that this report, with its minority and dissenting report, is an example of the effective workings of democracy in this matter. I believe that this particular question should continue to be before the minds of those who consider these issues.

I have a strange comment on which to finish. Let me stress this. To some degree some of the dissenting material brings me to this. Despite the size of the report, its comprehensiveness, and the long time in which we have been debating these matters, this is not the end of the road in examining these issues. Times have changed since 1964, as Mrs Nolan has rightly said. They have changed greatly. Now, in 1991, we are suggesting making another start - another start vis-a-vis toothpaste, vis-a-vis what is added to the forms of toothpaste; vis-a-vis diet; vis-a-vis the amounts of fluoride. But, 10, 20, 30 years from now another committee with new personnel may have to do this work again for a new generation.

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

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## **SELF-GOVERNMENT - SELECT COMMITTEE Report**

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

That the Assembly takes note of the report.

**MS FOLLETT** (Leader of the Opposition) (9.03): I am very pleased to be speaking on the report of the Select Committee on Self-Government. The report is some 10 months old now. It does not seem that long, but it was tabled in this place in April of last year. I am also pleased that on some of the major areas in this report there does appear to be a good deal of common ground between all of us, and I think that is a good sign indeed in the evolution of self-government. For example, the committee has recommended a number of matters which would have the effect of increasing this Assembly's control over its own destiny. That, of course, is something that my party fully supports.

I am pleased also to note that the Government, in responding to this report, has also adopted that approach; that if self-government is really to mean anything we ought indeed to have control over such fundamental issues as the size of the Assembly - how many members there are in relation to how many electors - the number of Ministers, our electoral system and so on. Self-government means this Assembly having control over those matters, and it does appear very much to be common ground that that should be the case. So I am happy to support that.

There is a particular recommendation in relation to the powers of this Assembly. I refer to recommendation 3, which recommends that this Assembly have control over the number of Ministers which may be appointed. I support - and I have always supported - the position that the Assembly should have its say and should have control over that decision. I am happy to say that that position has now also been taken by the Federal Government, and Mr Kaine has tabled those papers today.

But in relation to that there are two matters that really cannot go without comment. The first of those is that, in the case of this particular Government in this particular Assembly, the question of the number of Ministers is, to use Dr Kinloch's words, a political agenda. A deal was done between at least two parties in this Alliance - the Liberal Party and the Residents Rally. The price of getting rid of my Government was for the Residents Rally to get additional Ministers. That is, indeed, a political agenda. In fact, it has been spoken of publicly by members opposite. I do not see any reason why they would attempt to deny it at this stage. So there is a political edge to that recommendation, the principle of which I, of course, support.

A further point, of course, has to be made in relation to this particular Government, and that is that I do not believe that anyone in living memory could have made out a worse case for providing extra Ministers. It is the case that they have taken an unprecedented amount of leave, that they have been away for literally months on end, and that for a continuing period half of the ministry was absent on leave. It must also be noted that, in fact, during the crucial period just past Christmas and New Year, Mr DUBY was in sole charge of Government business for a period, because Mr Collaery also took a period of leave at that time and was out of Canberra. As I say, I have never ever heard a worse case for additional jobs for the boys.

**Mr Collaery:** Do not be sexist.

**MS FOLLETT:** On the question of jobs for the boys, we have also to bear in mind Mr Collaery's public pronouncements just a couple of days ago that the people who deserved these extra jobs for the boys were Mr Jensen and Dr Kinloch. So jobs for the boys they are, and jobs for the boys I suspect they will remain. Mr Collaery went on to say that he believed that Dr Kinloch had some other agenda and other interests which he was happy for him to follow - and I have no doubt we all are - and that, therefore, the job was Mr Jensen's. Jobs for the boys is the political agenda over there.

**Mr Kaine:** There is only one problem with your argument, and that is that it is my determination and not Mr Collaery's.

**MS FOLLETT:** There is a further point, as Mr Kaine points out - - -

**Mr Kaine:** Sheer speculation.

**MS FOLLETT:** Mr Speaker, Mr Kaine interjects that that is sheer speculation. I am happy to supply to Mr Kaine a transcript of Mr Collaery's comments on ABC radio. There is a further point in relation to the appointment of additional Ministers, and again it points out Mr Collaery's grave shortcomings. Recommendation 5 of the report of the Select Committee on Self-Government reads, in part:

Wherever possible the Commonwealth will legislate for the Territory by, or under, Acts of Parliament on matters where it is considered necessary to amend or repeal ACT legislation.

That is Acts of Parliament, Mr Collaery. In its response to this recommendation, the Government specifically supports that position. We had the prime example of Mr Collaery, in all his incompetence, the other day saying on radio that Mrs Kelly was wrong to say that the additional Ministers ought to be brought about by Acts of Parliament. Mrs Kelly had done no more than support this Assembly's

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report, support the Government's own response to that report, and say that your additional jobs for the boys, if they are created, ought to be created by way of an amendment to that Act of Parliament.

Mr Collaery was quite wrong about that. He denigrated Mrs Kelly's position. If he was any sort of a statesman, or any sort of a gentleman, he would make an apology to her. I leave it with the people to decide whether they wish to put any further faith in Mr Collaery, whether he is pretending to be Attorney-General or acting as Chief Minister, or in whatever capacity he is heard on the airwaves. He clearly has not a clue what he is talking about.

Probably the most interesting point in this whole report for most readers is its comments on the electoral system, and again on this matter I think there is a good deal of common ground. It is agreed that the electoral system used at the first ACT election was pretty disastrous - not so much in its principles, but in its implementation. It is agreed that the time it took to count that vote was outrageous and that the whole organisation of the election left a lot to be desired. Both this report and the report of the Federal Parliament have made a range of recommendations for change in that regard.

I put on record again my own party's view that the ACT electorate would be best served by a system of local members, with each small area having its own member. Indeed, wherever I go in the community it is the constant complaint of people that they would like to have their own member. I know that other parties have other views; but I think it extraordinary that this report, in part of its recommendations, apparently condones the current system. Of course, we have to bear in mind that the current system gave us such luminaries as Ms Maher and Mr Duby on the No Self Government platform. And, of course, the only chance they would ever have of getting up again is by a similarly disastrous system, so of course they would support it. But it is not common ground amongst proper political parties of some experience and credibility. I am hoping that before the next election for this Assembly the system is indeed modified. All members will know, of course, that both this report and the Federal Government report recommended that there be a referendum on the matter. That is a position that I support.

**Mr Jensen:** They should pay, too. Do you support that?

**MS FOLLETT:** I support, as Mr Jensen urges me to, the position that the Federal Government should pay. Of course they should. I have not heard too much about a result from the request by members opposite to the Federal Government to pay for that referendum. I wish them luck on being able to secure that, but there is no doubt in my mind that the opportunity the Federal Parliament now has to amend the electoral system is its last opportunity. If they cannot

fix it up this time they should give responsibility for it to the ACT and let this ACT Assembly make those arrangements, including the arrangements for a referendum.

There is no doubt that the people of Canberra need to have a say in what form their electoral system should take, and they do have well informed views on that. It is my view that the vast majority of them would prefer single member electorates, and I suspect that there are a number of members opposite who secretly harbour a yen for their own little electorate. I think Mr Kaine would be well satisfied if he had to appeal to and serve in any detail only the electors of, say, Mawson and Isaacs and his immediate area. (*Extension of time granted*)

I suspect also that Mr Humphries would be well pleased if he could look only to the voters in Red Hill and the surrounding area for his support. I suspect that Mr Moore would like to have to concentrate only on Reid, where he feels that he knows the issues best and where he is known best. Mr Stevenson, of course, leaves us a bit mystified. He would have to be representing the Assembly building, or at least the first floor of it, and make a genuine attempt to abolish it. I think that might pose some difficulties for him, as most matters do.

So the electoral system must be changed; that is common ground amongst all parties. I know that, in the Federal Parliament at the moment, attempts are being made to get some changes through, and I am sure that everybody in this Assembly would support Mr Simmons and the other Federal members and senators involved in that process. The system we have at the moment is like a camel; it is like a horse designed by a committee - it does not suit anyone, it is the ultimate compromise, and it did not work. I hope that on this occasion commonsense will prevail, and that the next election does see us with a much better electoral system.

There are just a couple of other matters which I would like to touch on in closing. One of them, which is dealt with in the report and in the Government's response, is the role of the Governor-General in relation to this Assembly. I believe that the creation of this ACT Assembly and its executive without a vice-regal representative and an executive council was a major step forward in the process of democracy in Australia. It is a model that I think others should copy. It makes for straightforward law making and straightforward implementation. The decisions of this Assembly are notified in the Territory Gazette without that process of rubber-stamping, as you might call it, that we see in other parliaments, and I think that is correct.

There is one other matter that I would like to mention, and that is that, in responding to this report, the Government made the astonishing claim that it wishes to investigate the role of an administrator for the ACT. As far as I am

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concerned, that was a cry in the dark from the Government at that time. No-one else had ever considered that that position might be useful or required - other than people, of course, whose sole motivation is jobs for the boys. So, in further comment on this report, I would be grateful to find out whether in the months that have elapsed the Government's investigations on an administrator have indeed come to anything, what role they consider that position might play, and how they would progress their view that such a job might be necessary. It is my view and my party's view that that job is not necessary; that the Assembly has, in its executive, government, opposition and members arrangements, all that it needs in the technical sense for the good government of this Territory and, as I say, it is in many ways a model for other governments.

I commend the work done in the report. I think that many of the recommendations have caught the Government out. Mr Collaery in particular has been caught in his own traps - in his own rhetoric. We have shown him up for the incompetent person that he is, and the politically motivated person that he is; and I think that the Government has got away very lightly with a kindly response from the Federal Government on the question of extra Ministers, because never was a proposition less deserving.

**MR COLLAERY** (Attorney-General) (9.18): I was not going to address the Assembly on this issue, because the matters have been adequately dealt with and will be further dealt with by my colleagues. But I cannot resist responding, in measured tone, I trust, to the very strong personal and somewhat snide attack the Leader of the Opposition has made on me. Firstly, I wish the record to show that Ms Follett has once again set the tone for this sitting of the Assembly. She made a very personal attack, devoid of accuracy, which said little for the research that either the Leader of the Opposition, or whatever help is available to her, can do.

Ms Follett read from a recommendation of the select committee that the Chief Minister request the responsible Commonwealth Minister to amend the Australian Capital Territory (Self-Government) Act to remove from the Commonwealth the ultimate power concerning the number of Ministers and transfer it to the ACT Legislative Assembly. The Leader of the Opposition implied that this, combined with the response of the ACT Government - which agreed with that recommendation - led to the conclusion drawn by the member for Canberra, Ros Kelly, that the ministry could not be expanded without an Act of Parliament. The transcript shows that she said that it had to be done by an Act of Parliament. It was pointed out to Ros Kelly on air - and I believe that it got her right between the eyes, as the Leader of the Opposition knows - that section 41 of the self-government Act states very clearly that the number of Ministers can be set by regulation. And, although her comment passed quickly, the Leader of the Opposition would know that regulations are brought in  
by ministerial

agreement - Cabinet approval usually - and this can be done quite quickly, as the Federal Government has shown, and as other governments have shown around this country.

So there is not an ounce of credibility in the Leader of the Opposition's comment. It is devoid of legal accuracy. It is folkloric in the extreme. But it was vitriolic, and certainly I regret that the Leader of the Opposition has decided that the uncomfortable position which she is now in, both with her own party and in this Assembly, has to spur her into these types of personal attacks on members opposite her.

The Leader of the Opposition also used regrettable sexist language throughout her speech, suggesting that the Leader of the Opposition would give jobs only to boys. The term "boys" itself is now usually not acceptable in more informed circles, as the Leader of the Opposition should know, and likewise the term "girls" in that context. I believe that the Leader of the Opposition has shown herself up again for the shallowness of her perceptions, her sensitivity and her contribution to this Assembly.

**MR HUMPHRIES** (Minister for Health, Education and the Arts) (9.21): Given what Ms Follett said when she began this debate, I had thought that this would not be a matter of great contention between the different sides of the chamber; but somehow she seems unable to make a contribution which does not politicise us in some way. I want to emphasise that I welcome the report of this select committee and to indicate in particular that I believe that it makes a valuable contribution towards clearing the air following the advent of self-government in the ACT. Merely to look at the result of the election gives one a very clear impression of the misgivings members of the ACT community had about self-government; and, as a result, it was highly appropriate for the first Assembly of the ACT to sit down and thrash out some of the difficult issues that remained on the political agenda and to seek solutions to those particular concerns of people in the ACT.

I think that the report has shown also very clearly that there are many anomalies in the legislation that enacted self-government in the ACT, and that it is appropriate, with the evolution of a self-governing Territory, that changes occur in the structure of that democracy and that as a result the ACT achieve more of the independence and autonomy appropriate to its status. Appropriate accretions to the Territory's power and autonomy are recommended in a number of places in this report by the select committee. Recommendation 2, for example, proposes removing the Federal Government's power to set the number of members of the Assembly, recommendation 3 deals with the number of Ministers in the Assembly and recommendation 5 deals with the Governor-General's power to disallow enactments of this Assembly. All those recommendations are welcome in that they do give the ACT parliament similar recognition to that which has been achieved by State parliaments in Australia.

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I welcome the support of at least most of the recommendations in this report by those opposite, because I believe quite firmly that without bipartisan support it will be very difficult for us to persuade the Federal Government that the ACT is grown up enough to warrant reforms to things like its electoral system and its power to manage things without the reserve power of the Commonwealth to look over its shoulder and prevent things happening - which would not be compatible with our own new-found autonomy.

**Mr Berry:** I do not think you have convinced them yet. You have a way to go, I think.

**MR HUMPHRIES:** Mr Berry interjects that we have a long way to go, and I certainly think that, with his behaviour in the house, that would be more than true. However, I do think we are achieving a great deal as a self-governing Territory, and I sincerely hope that we continue to do so over the coming years and that we do warrant the reforms which this committee has suggested should be enacted.

I have to note Ms Follett's comment on the power of the ACT to increase the number of Ministers. She appears to agree that there ought to be the power in the ACT Assembly to modify or increase the number of Ministers in the ACT Government. She seems to be saying, I think, that this Government is not responsible enough to warrant an increase in the number of Ministers. But she, herself, if returned to government, would reserve the right to increase her ministry commensurate with the undoubtedly much greater responsibilities which somehow would fall on her shoulders than happen to lie on ours. I do not accept that for one moment.

I am also most interested in the recommendations dealing with the electoral system, and I am also deeply concerned to see that the ACT gets a fair and acceptable electoral system. I am also pleased to see that such luminaries as Senator McMullan and others have agreed with recommendation 10, that legislation necessary to give the ACT Assembly full control over the electoral system ought to be enacted by the Commonwealth Parliament. I think it is also important, however, to note the Chief Minister's response to that recommendation, as tabled in his speech before the end of last year. The recommendation dealing with that matter, recommendation 10, says fairly simply that the ACT should have complete control over its own electoral system. The Chief Minister's response indicates fairly clearly that there ought to be some qualifications on the ACT Legislative Assembly's power to change the electoral system. He indicates, for example, that, if the Commonwealth Government transfers responsibility to the ACT Assembly, the ACT Government will, prior to the enactment of any legislation, put the issue of the electoral system to the people of the ACT by way of referendum.

I strongly endorse comments made by others in this place that a referendum is the appropriate mechanism for deciding what system we have here in Canberra. The response goes on to say:

Any subsequent proposed changes to the electoral system of a substantial nature would be referred back to the people for approval by referendum.

In other words, the Government would maintain that system of referral to the electorate. Changes of a minor technical nature to the electoral system would require the agreement of a special majority of Assembly members. Ms Follett said that she agreed with comments on Government responses to the electoral system proposals. I did not hear whether she agreed to that particular proposal, but I would certainly urge the Australian Labor Party to seriously consider devices to protect against random changes to the electoral system based purely on the whim of a particular government which had a simple majority of the Assembly at any given time. That would not be in the best interests of ACT democracy.

We have seen much bigger places than the ACT succumb to serious rotting of electoral systems. That is not a desirable thing to happen in the ACT. We can and we should have systems in the ACT which are fair. I would hope that we would always be above the sort of thing that has happened in Queensland, Western Australia and elsewhere, and I sincerely hope that entrenchment of electoral systems in this fashion, as recommended by the Chief Minister, is acceptable to all parties. The temptation to play politics with electoral systems is a powerful one. There are already signs that it affects parties in this place, and I hope that we do not give in to that.

Recommendation 11 of the report indicates that if we retain the d'Hondt electoral system we should revert to a pure d'Hondt system. The Government's response to that suggests that this is really academic, since the ACT should have responsibility transferred to it. However, I might indicate for the record that I think that is a stupid idea, and that the pure d'Hondt system is not an appropriate alternative to the present d'Hondt system.

Finally, I would like to comment on the question of an administrator for the ACT. Although it is not really part of this report, it was raised by Ms Follett. It has not been discussed by the Government, and I do not know whether it is planned to be discussed by the Government; but certainly, in my view, there is a great deal of merit in the argument for an administrator for the ACT. For example, as a Minister in this Government I was in office for close to a year before I happened to meet, at a social occasion, His Excellency the Governor-General. That is not an indication that I felt snubbed, but rather an indication of some concern that the person to whom, in one legal sense, I and other Ministers are responsible for the

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administration of the Territory was not particularly accessible or directly connected with the interests of the ACT.

I am not referring to His Excellency's views on the ACT, or his interest in the ACT in a personal sense; but there is no doubt at all that the present legislation does not provide for a head of state in the ACT whose interest is solely in the ACT. If I might refer to the Labor Party's own mythology of 1975, the conflict of interest that might have been said to have afflicted Sir John Kerr was an important contribution to the crisis of 1975. I would like to think that the ACT had at its disposal a head of state who was interested principally, indeed solely, in the welfare of the ACT, and I support the concept of an administrator for that reason. I certainly do not support the idea of making it an expensive office. I would not like to think of gold carriages riding around town with someone called the Administrator in them.

**Mr Kaine:** What about wearing buckled shoes and - - -

**MR HUMPHRIES:** Maybe buckled shoes, but that would be as far as it went, Mr Speaker.

Debate interrupted.

### ADJOURNMENT

**MR SPEAKER:** It being about 9.30, I propose the question:

That the Assembly do now adjourn.

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

Question resolved in the negative.

### SELF-GOVERNMENT - SELECT COMMITTEE Report

Debate resumed.

**DR KINLOCH (9.32):** Mr Speaker, I will make just one small point. I want to make it very clear that, in the alliance arrangements in December of 1989, as far as Mr Collaery, Mr Jensen and I were concerned, there was no thought whatever of jobs for the boys. At my age I am rather pleased to have that term applied to me, you understand; but for the three of us there was no such concern.

**MR BERRY (9.33):** I am prompted to rise in this debate to expose some of the hypocrisy of the government members in the way they have approached this issue. Of course, their

entire approach to the future of self-government in the ACT - the electoral system and the number of Ministers - has been around the issue of self-interest. We know, for example, that self-interest was the motivating factor which drew that Government together and, of course, that is the sort of self-interest that has caused so much dismay and concern in the community about the Government's performance.

What this all boils down to is that, whenever a decision is made in relation to the number of Ministers - and I suspect that that would be later rather than earlier this year - the Government opposite, in particular the Liberal faction of the Government, will have to make a decision on whether it will deliver on the promise that was made to the Residents Rally. Of course, that will be a political question; it will be one for the Government to address in the context of the forthcoming election. I doubt that they would have the courage, even though they have said that they have the conviction that there should be a new ministry for Mr Jensen. There is some doubt that they will have the courage at that time because, again, self-interest will get in the way - because some of them actually think that they will survive the next election. Some of them think they will survive; some of them know that they will not, and it is getting to be about the majority of those opposite who know that they will not be back. Some of them, like Mr Kaine, if he can sort out the numbers between himself and Mr Humphries, might make it; but after those two it is getting pretty doubtful.

What we have to do about the need for new Ministers in the context of this debate is to just have a look at the short history of the Government, which is outlined in this very fine document, *The Schools Issue*. Mr Speaker, I seek leave to table that document.

Leave granted.

**Dr Kinloch:** On a point of order, Mr Speaker, if it is a point of order: Are we allowed to table fiction?

**MR SPEAKER:** That is not a valid point of order. Please proceed, Mr Berry.

**MR BERRY:** It is a frivolous point of order from a member whose nose is getting longer after today's performance. As the word spreads amongst the community and Dr Kinloch's nose grows longer because of his performance on issues in this Territory, I suspect that, irrespective of the Ministers that are appointed, we will see a result that means the demise of Dr Kinloch as far as politics in the Territory is concerned. Some of us would welcome that.

I will just quote from this document. In 1988, Ms Follett, the then President of the ACT branch of the ALP, said that she:



those events which are chronicled in the "Date Line" segment of this very fine document.

This does indeed make Mr Humphries anxious. I can see that he is gripping his seat. I too would be anxious at all of the reports which appear in that paper. But nobody could be more anxious than Mr Collaery, who is described herein as "Gunna" Collaery because of all of the promises that he has made to the community that he has not - and that is - - -

**Mr Kaine:** On a point of order, Mr Speaker: I really must take exception. This debate is supposed to be about the self-government report, not about that sleazy piece of paper that he has in his hand. I request that you bring the debate back to the subject matter.

**MR SPEAKER:** The point of order is upheld. Please proceed to the point, Mr Berry.

**MR BERRY:** I think this matter closely relates to the promise of a ministry to Mr Norm Jensen and how that will be received in the community. The community knows how the Residents Rally has performed. They know that they have been clutched to the bosom of the Liberal Party and that they share the philosophies of the Liberal Party in their abandonment of the residents that they set out to represent in the first place. Like chooks on a fence, they complain because they have been well caught out in this chronicle which has been circulated to the community in the ACT to point out the failings of the Government.

But nothing will point out the failings of the Government more than the promises of jobs for the boys which are evident in the proposal which has been developed and followed by this Government with a view to providing more positions and to add balance from a Residents Rally point of view. I think the community would live in fear of that. Thankfully, by the time it is all over it is hardly likely that we will see another Residents Rally Minister.

**MR CONNOLLY (9.42):** I rise but briefly in the debate tonight. At the outset I would just like to endorse some of the comments that Mr Humphries made in relation to entrenchment of electoral provisions. It has been a longstanding battle of the Labor Party at the State level in Australia for the last 20 years to provide fair electoral systems and always to entrench those electoral systems in such a way that they are beyond adjustment by a transient majority through requiring a referendum before electoral systems are changed.

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Mr Humphries referred to Western Australia and Queensland as examples of rorted electoral systems. It is a matter of pride to the Labor Party that that is being rectified in Queensland, and it is to the undying shame of the Liberal Party that you continue to cling to the outrageously undemocratic system of election in the upper house of Western Australia. When members of the Liberal Party can claim piously to be in favour of democratic electoral reform while their colleagues in Western Australia cling to that bastion of squattocracy in 1991, the doings of the Labor Party in the 1950s are quite irrelevant. So, that obvious rejoinder aside, we, of course, endorse the idea that electoral systems should be properly entrenched.

The point that really provoked me to rise was the extraordinary reaction from Mr Collaery to the Leader of the Opposition's statement that the attempt to create two more ministries was an exercise in jobs for the boys. And did he jump! He was outraged. Methinks he doth protest too much. It is to the undying shame of the ACT that it has the only government in Australia that does not have a woman on the front bench; that does not have a female Minister. One would have to go back some years to find another government at State or Territory level that did not have a female Minister. I refer to governments not only in Australia. I would challenge this upholder of women's rights, this person who was outraged at the suggestion of jobs for the boys and who protested about sexist language, to point to a ministry anywhere in the Western world - or indeed the Eastern world - which considers it not fit for a female to hold a ministerial position.

No democratic government in the Western world would contemplate an all-male front bench. This could hardly be said to be a front bench that has asserted itself because of its talents, so that is not the reason. It is an outrage and a shame to the ACT that we have the only government in Australia without a woman Minister, and all the Attorney-General can do is take exception to the comments of the Leader of the Opposition that this is a plot for jobs for the boys. Of course, the case for that is well documented because the comments that we have heard from persons opposite all speculate about one or other of "the boys" assuming that additional ministry.

I noticed that Dr Kinloch was quick to his feet to protest and uphold his honour by saying, "When we in the Residents Rally deposed the Labor Government it was never a consideration that there would be an additional Residents Rally Minister". That is not so because the accord document, the basis of this ramshackle Government, refers to the efforts that will be made to create additional ministries for the Residents Rally. It is in your own document. You are condemned by your own accord document. The basis of your very existence makes that point. So it is simply not credible for Dr Kinloch to stand up here and say that additional Ministers for the Rally was never a motivation for the formation of the Ministry. Not only is

it not true, but on your own constituent document, your own accord - the constitution of this ramshackle Government - it is clearly stated as an objective. So we have to regard that with the contempt which is due to it.

I come to my final point. I was amused to hear once again tonight that the Government is endorsing the proposition of an administrator for the ACT. Mr Humphries looks forward to a vice-regal representative and administrator of the ACT. Given this Government in which anything is possible, I suppose it is not beyond the realms of credibility that we will see - should these reforms be endorsed by the Federal Government and should the position of administrator be created - a person who stood for election on a No Self Government ticket being appointed as administrator of the ACT.

I see that the Minister for Finance and Urban Services is perking up. His eyes are looking bright. The thought of a vice-regal position is open. I suppose the only disappointment for the Minister for Finance and Urban Services is that, following the recent agreement between the Commonwealth and the States to do away with imperial honours, the possibility of Sir Craig, or indeed Duke DUBY, as the first administrator of the ACT as the gift of this ramshackle Government is no longer possible. But, of course, that will not happen for two reasons. Firstly, the Federal Government clearly would regard the position of an administrator of the ACT with the contempt that is its due and, secondly, this Government will clearly not last long enough to implement that reform. But it amuses me that they are still thinking about this bizarre proposition.

**MRS GRASSBY (9.49):** I rise to support my colleagues on this matter, particularly in light of the fact that there is no woman Minister in the Government. When Mrs Nolan came over to speak to us I told her that I would fully support her for the position. She came over to rally around us and we said that we would fully support her for the job. We think that she should have the job. After all, it would be very nice to look across there and at least see a woman in the ministry instead of who is there. Unfortunately that is not going to happen because Mr Collaery has already told us on the ABC that it is Mr Jensen's job. It is a job for the boys and Mr Jensen is going to get it. We all know that Mr Collaery does not like yes men around him! He likes everybody to tell him the truth, like his senior private secretary did - and then he sacked him.

He wants somebody around him who will always tell him the truth, so I suppose that will be Mr Jensen. It is very sad to see that it is just jobs for the boys - or snouts in the trough, as it is well known - but unfortunately they are going to go even further. As we have just heard, it could be Duke DUBY, Lady Carmel, or even Sir Bernard. We could put a little brandy bottle around your neck and you could

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be St Bernard. But, again, we would be spending the taxpayers' money and having snouts in the trough instead of getting on with running Canberra.

So I do not really support this idea, but our party does support the proposition that we have the right to make the decisions in this area and that that should not be given to somebody else. I also support the fact that the Chief Minister has got that right from the Prime Minister, and I think that is very important. Either we are an Assembly, or a parliament, or we are not. I think we should have that right and I am glad to see that that has been given to the Chief Minister. But, as for making Mr Jensen a Minister, I do not know. I think Mr Jensen is surely a squirrel's idea of Utopia.

**MR JENSEN** (9.51), in reply: Mr Speaker, I will treat that sort of nonsense with the contempt that it deserves, and I am sure that those people within the house tonight will do the same.

Before I go on to my substantive remarks in closing this debate, I just would like to pick up Mr Connolly, who once again appears to have made a statement without doing his homework. He indicated that there is no other government in Australia that does not have a woman on the front bench. Unfortunately, Mr Connolly got it wrong again. His L plates are showing again because, in fact, the Northern Territory does not have a woman on the front bench.

**Mr Connolly:** It is another conservative government, of course.

**MR JENSEN:** I see. Because it is not a Labor government it is appropriate for it not to have a woman on the front bench! How incredible. Mr Connolly, once again your L plates are showing.

In completing the debate on this report I will refer in my opening remarks to a comment made by Mr Wood, a fellow committee member, about the recommendation by the committee that a further attempt should be made to make the d'Hondt electoral system work, following a series of improvements. On 26 April 1990, some 10 months ago as Ms Follett has indicated, Mr Wood said - and I quote from page 1302 of the *Hansard* of that date:

I do not want to say, as my two colleagues did, that d'Hondt provides the best system. I will leave that for the community to decide.

Unfortunately, Mr Wood, it seems that the community will not have a say. The message being put out by the Federal Minister responsible for this area is that the Federal Parliament, without any reference to the community, will seek to inflict what amounts to a first past the post electoral system, with no provision for preferences

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whatsoever - in other words, another electoral system which is alien to Australian electorates. I trust that we will see a review of what seems to be an unfair system.

We have heard the Labor Party express a commitment to a fair electoral system for the ACT and also for parliaments within Australia. One hopes that they will be able to convince their Federal colleagues to do a little bit better than what we see being proposed at the moment. Mr Wood in his closing comments also suggested that I felt the recommendation for changes to the d'Hondt system provided the only way I could get re-elected. Frankly, I believe that it is more important to provide the people of Canberra with a voting system that provides a fair result, and one that truly reflects the wishes of the community. In closing my remarks in response to Mr Wood, I agree with him that the report is a clear endorsement of self-government, and I am sure it will provide a useful reference document when the history of ACT self-government is eventually written.

Let me now turn to the comments made by the Chief Minister on behalf of the Government in response to the report. I was very pleased to see the strong support given to the recommendations about the repatriation to the ACT Assembly of the basic principles of self-government - control of the voting system and associated matters; control of the size of the Assembly and the Executive; and the ability of the Federal Parliament, via the Governor-General, to disallow or amend Territory law. I notice that that was one point, in fact, that was not picked up by the Opposition.

Frankly, the form of self-government we have under the various self-government Acts is really a Clayton's form of self-government. It is time that the Federal Government finally cut the apron strings for the ACT people. Certainly, the financial treatment handed to us by the Commonwealth since self-government is a travesty of justice. The amount currently locked up by Mr Keating is some \$50m, and no doubt that will increase after the next budget is passed if the track record of the Commonwealth is anything to go by.

I also acknowledge the comment by the Chief Minister that the Commonwealth should fix our discredited electoral system and then repatriate the responsibility to the ACT people. I also note support for a referendum on the issue, if and when the decision is passed to the Assembly. It is also good to see the support for the suggestion that the cost of any referendum should be met by the Commonwealth. I note particularly the support from the Leader of the Opposition for that suggestion. This recommendation, of course, was fully supported by the unanimous report on the electoral system and the first ACT election by the Joint Standing Committee on Electoral Matters.

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However, as an aside, it was interesting to note that, when the report was brought down by this committee, the responsible Federal Minister in fact indicated to the media that he thought that if the Chief Minister or the ACT people wanted a referendum the ACT should provide for it. Clearly, this is in direct contrast to the unanimous recommendations of this committee. I welcome also the support from the Leader of the Opposition for the repatriation of a number of these powers to a self-governing Assembly.

Unfortunately, Ms Follett chose to spoil these initial measured comments by personal attacks on members on this side of the house - personal attacks which, unfortunately, led to a continuation of those attacks by her colleagues across the chamber. I believe that my colleagues have answered these attacks in a much more measured tone than that used by the Leader of the Opposition and her colleagues, and I will say no more on that matter.

In closing my remarks, I would like to ask the Leader of the Opposition a question regarding the type of electoral system that her group will support. Will they be prepared to support what amounts to a proposal for a first past the post electoral system without any provision for preferences whatsoever? However, as committee chairman, I also must briefly take up a point with Mr Humphries. The committee did not recommend a pure d'Hondt system which amends the current system to allow for independents and allocation of preferences if a form of d'Hondt were to be used for future elections. I welcome the majority of the comments which were supportive of this report which, hopefully, will set the scene for the future good government of the ACT.

Question resolved in the affirmative.

#### ADJOURNMENT

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

That the Assembly do now adjourn.

#### Banks

**MR MOORE** (9.59): Mr Speaker, this evening I would like to raise the issue of banks throughout Australia. We have just recently seen the State Bank of South Australia in a very difficult position and, in fact, I understand that the crash of the State Bank in South Australia is likely to cost every individual worker-taxpayer there something like \$20 a week over the next couple of years.

Banks have played a major role in the well-being of individuals in our society and in Australia there has been a great tradition of trust in the banks; but slowly that

trust is being shattered as financial institution after financial institution around the country comes, for some reason or other, into disrepute. Usually that disrepute has to do with their lack of care for their clients and a gung ho approach to finances that has not been seen before. We have seen it in Canberra with the merger of the Canberra Building Society and the Advance Bank. I think a number of questions still need to be answered about that situation and particularly about the directors of the various institutions involved in that situation.

Mr Speaker, I seek leave to table some documents which illustrate the difficulties that some people have in dealing with banks and which illustrate the attitude that banks have to their clients.

**MR SPEAKER:** For the information of members of the Assembly: I believe that there is a Federal case before the courts, matter No. 1481 of 1991. I believe that if you table those reports at this time you will prejudice that issue, which is sub judice, and therefore I believe that it is not appropriate for you to be given permission to table those documents at this time.

**MR MOORE:** Mr Speaker, the documents that I deal with here certainly deserve to be tendered to this Assembly. It is in the public interest that people understand clearly the ramifications of the Westpac Bank loans affairs. It is a most significant issue, and I believe that it is appropriate that the issue be dealt with in this manner. I have taken legal advice myself, and there is some question over whether or not this matter is sub judice anyway, Mr Speaker.

I understand that quite a number of members of the Assembly have the particular documents at hand. There comes a point at which we must question a situation where a legal firm clearly explains that the way they can get away with a shonky deal is to ensure that the litigation extends, and extends, and extends - because they have so much money themselves and because they can continue to use the courts in that way. But the people who are trying to get before the courts and get what is rightfully theirs will be eliminated - not because of the justice of the case, but because of the legal games involved in the case. This raises a great question over justice and what can be achieved as far as that goes.

So I would request, Mr Speaker, that you reconsider the ruling you have just made, firstly, because I doubt that it is in fact sub judice and, secondly, because the nature of the documents makes it so important a question of justice as well as legality - because there seems to be a great distinction between justice and legality in this particular case as it stands at the moment. It is quite clear from the documents that this is the lawyers' attempt to ensure that the legal games override justice on the particular issues. So I ask you once again, Mr Speaker, to reconsider that matter, and to allow me to table these documents.

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**MR SPEAKER:** Mr Moore, I point out again that I completely uphold your statements and sentiments on justice, and therefore I express the opinion that I have already presented to you: Those documents should be presented to me or the Clerk so that we can take a legal opinion on the matter before we allow them to go before this Assembly.

### **Peace Vigil**

**DR KINLOCH (10.05):** First of all, I believe that it is President Lincoln's birthday. He too had a magnificent nose and I think that in politics the having of a great nose is one of the great assets. One smells out nonsense when one hears it. It has been a joy today for all of us to be back here in the presence of so much good company; it is absolutely delightful. There has been wonderful wit and badinage going back and forth and up and down and around the house. It has been absolutely marvellous. There have been serious topics for debate - the west Asia war, the electoral system, and the question of fluoride. There have been wonderful, interesting side conversations and marvellous comments we have all laughed at. So it has been a good day.

I was rather ungenerous and inaccurate - thinking of that well-known Irishman, Pinocchio - earlier in the day. When I got to Ursula College at 5 o'clock tonight I discovered that in fact the people running the vigil were from the Church of the Good Shepherd, Curtin, in particular Beryl Holder and Carol Wood. They are continuing until 9 o'clock tomorrow morning. I invite all members of the Assembly to come along. You can stop by for 10 minutes, 15 minutes, an hour - whatever you like. It is at Ursula College and it goes on all day - 24 hours a day - up to the end of the time of the World Council of Churches Assembly. So, at any time any members of the house are welcome.

### **Mr Wayne Berry - Twenty-fifth Wedding Anniversary**

**MRS GRASSBY (10.06):** My only enjoyment at being back in the house today is to note the fact that my colleague Mr Wayne Berry has been married for 25 years today. I rise to congratulate him, and I am sure the whole of the house would also like to congratulate him on this. His wife, Rhonda, who was here but unfortunately has gone home to bed, has spent 25 years with this wonderful man. She is a saint, and I am sure that when she goes to heaven she will have a front seat. I am sure that Wayne will be there with her too.

## Fitness Centres

**MR CONNOLLY (10.07):** I rise in the adjournment debate to raise a matter that was agitated in the media last week concerning fitness centres in Canberra. There was an unfortunate incident with the Cardio Fitness Club at Kambah, the operators of that institution apparently having left the Territory with the institution being closed down and a lot of Canberra citizens losing a lot of money because they had purchased long-term memberships.

I spoke with a number of people in the fitness industry and was surprised at the extent to which the industry would welcome a degree of government intervention. The normal course of the debate on regulation and deregulation in Australia is that industry generally says to government, "Keep out; we can look after our own affairs", and the political debate often focuses on a view from one side of the house that the public interest demands more regulation, usually advanced by the Labor Party, and the view from the conservative parties that the public interest is best served by less regulation.

It is very unusual to find an industry that is actively seeking regulation. The type of regulation that the industry is keen on is the type of regulation that I proposed last week, and that is a ban on long-term memberships - memberships of more than 12 months. It is felt by people who have been in the industry for some time that a club or organisation that is offering a lot of long-term membership deals is basically relying on large slabs of membership money to raise its capital base, and that such organisations are therefore almost inherently more risky than the organisation that relies solely on selling a three-, six- or 12-month membership.

This is basic free market economics. The club that sells a 10-year membership really is not terribly interested in providing a good level of service to that client because, if that client, having passed over their money for 10 years, is dissatisfied and goes away, it does not matter very much to the club. But the club that sells a three-month, six-month or 12-month membership has a very obvious incentive to provide a very good level of service to the client because at the end of that short membership period the client who is not satisfied by the service will go somewhere else. This is, almost by definition, a very competitive industry, and the consumer has a fair degree of choice as to which club to belong to.

The industry is very keen to initiate discussion with the Government on this point, on standards in relation to the accreditation of instructors, and also on the question of some sort of accreditation of the entrepreneur setting up the organisation, to ensure that that person has some adequacy of capital base when setting up, so to avoid an organisation that relies solely on membership fees and is at some risk of collapse.

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Since I raised that matter, the Government responded by suggesting that a trust fund may be the best way of regulation. That is directly contrary to what the industry has told me. They said that that would be very intrusive, would involve a high degree of government management, and would really prevent them from at least using that cash flow, which they depend on, from their three-, six- or twelve-month memberships.

Since those remarks were reported in the media, I have been contacted again by persons in this industry who had noted that the Attorney had said that the Consumer Affairs Bureau was investigating the collapse of the Cardio Fitness Club and who were hoping that this would be a precursor to some more general inquiry on the part of Consumer Affairs about regulation of the industry. They were asking me, "Whom can we talk to in government? Whom can we talk to in Consumer Affairs about our ideas for regulation?". I endeavoured to find out; but my inquiries were fruitless in that I was told that the collapse of the Cardio Fitness Club was being investigated but that there is no general inquiry into, or even a preliminary look at, regulation of the industry.

I urge the Government to look at this matter. As I say, it is an unusual set of circumstances, perhaps, in that an industry is coming to government and saying, "Look, we really want to talk seriously about a degree of regulation". It is obviously in the industry's interest, because when one organisation fails there is a tendency towards a lack of confidence in the industry. The industry - or at least certainly the players that I have spoken to - is very keen to avoid that by constructively talking with the Government on that point, and I would urge the Attorney-General, in his capacity as Minister for consumer affairs, to send people from his bureau out to talk to the industry and look very seriously at what may well be a very valuable form of consumer protection, because a lot of Canberra citizens are forking out their money in health and fitness clubs. A lot of them are young people, just entering the work force perhaps, and when an organisation collapses, as did the Kambah club, it affects a lot of people who, in good faith, have tried to go out and do something about their health, in that they have ended up losing their money. The industry wants to talk and I hope that the Government will take up that invitation.

**Fitness Centres : Westpac Bank**

**MR COLLAERY** (Attorney-General) (10.12), in reply: I welcome Mr Connolly's comments this evening. In fact, the Consumer Affairs Bureau, which is under the aegis of my department, is actively looking at this issue and Mr Connolly's suggestions and I am waiting on further advice. I have been told today that the new owners of the Cardio Fitness Club will not offer membership to any member for more than 12 months at a time. I have been advised that the new owners are both members of professional associations and are interested in organising a fitness industry association in the ACT to maintain standards in the industry. I am waiting on further advice as to whether they are talking about a voluntary code of conduct, which they may wish to have some statutory support, or a form of regulation for themselves which they wish to propose to the Government.

I think all members here support the notion that we should be wary of over-regulating small business. At the same time, we have to be aware, as Mr Connolly said, of protecting the consumer. I will undertake to keep the house informed as to where the Consumer Affairs Bureau is going with that matter. But, at the moment, I am satisfied that the situation at the Cardio Fitness Club is now under control, in the sense that two former employees of the club have negotiated a new lease with the landlord and they will be offering special deals for Cardio Fitness Club members. Those members can obtain a 12-month membership of the new club for a transfer fee of \$60 if their membership expires in less than six months, or \$80 for memberships which expire after that.

Mr Speaker, let me refer to the attempt of my colleague Mr Moore to table the Westpac letters, as they are called. I think we should read into the record - from page 491 of *House of Representatives Practice* - the fact that it is the "fundamental right and duty" of this house to consider matters which it believes to be in the public interest, but:

... the House imposes a restriction on itself in the case of matters awaiting or under adjudication in a court of law.

I am advised that certainly a central aspect of the issues that Mr Moore wished to allude to in the letters is before the courts tomorrow.

But I do wish to add my view, as Attorney, that I regard the sending by facsimile to a private, corporate organisation of an injunction or restraining order secured in what is essentially a foreign court as somewhat peremptory, and I would expect that, in future matters of this kind, the parties will see fit to adjudicate properly in the jurisdiction, as they should.

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I also want to add that I am advised that a senator of the Federal Parliament proposes to table these letters next week, and I believe that this house should await the outcome of tomorrow morning's proceedings affecting the *Canberra Times* and look carefully at this issue if and when Mr Moore cares to raise it again.

Question resolved in the affirmative.

**Assembly adjourned at 10.16 pm**

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**ANSWERS TO QUESTIONS**

**ATTORNEY-GENERAL AND MINISTER FOR HOUSING  
AND COMMUNITY SERVICES**

**ACT LEGISLATIVE ASSEMBLY**

**QUESTION NO 1.99**

**Consultants - Attorney-General and  
Minister for Housing and Community Services**

Ms Follett - asked the Attorney-General and Minister for Housing and Community Services -

- (1) In the period from 31 May 1990 to 6 August 1990, what consultants were employed by (a) the Minister; and (b) each agency in the Ministers portfolio.
- (2) For each consultant employed, what was (a) the purpose; (b) the duration; and (c) the cost of the consultancy.

Mr Collaery - the answer to the Members question is as follows:

- (1) In the period from 31 May 1990 to 6 August 1990
  - (a) Nil
  - (b) See attached list
- (2) See attached list for details.

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THE FOLLOWING CONTRACTS WERE ENTERED INTO DURING THE PERIOD 31 MAY  
1990 - 6 AUGUST 1990

0) GOVERNMENT LAW OFFICE

CONSULTANT (a) PURPOSE (It) DURATION -- (c) COST

Computer People Computer facilities management and development of 31.5.90 - 6.8.90  
\$27,236.01

Pty Ltd programs and specialist assistance in relation to accrual  
accounting and preparation of the 1989/90 financial  
statements for the Legal Aid Office (ACT)

Van Meeghan Selection of Principal Legal Officers for Government 1 day interview \$825

Consultants Solicitors

12 February 1991

THE FOLLOWING CONTRACTS WERE ENTERED INTO DURING THE PERIOD 31 MAY  
1990 - 6 AUGUST 1990

(ii) HOUSING a COMMUNITY SERVICES BUREAU

Australian Bureau Tenants Survey

June - August 1990

of Statistics (ABS) - Pro Rata 31/5-ti/8/90 \$1,784

ACS Scientific Review painting specifications June 1990. \$1,235

Services Bureau

Bruce Callaghan & Audit and evaluation of current Community Welfare GO (lays \$5.x-3(  
Associates Regional Office Tiles  
(Ms Denise Lynch)

Cosmic Consultancy \_ lilac database July - Sept 1990

- Pro Rata 31/5-6/8/90 \$6,033

Elsbeth Humphries Training in discipline for child care staff 12 June 1990 \$200

Graham Sansom Review the five Home & Community Care base services: July 1990 - Sept 1990

Community Nursing, Paramedical, Food and transport - Pro Rata 31/5-6/8/90 \$8.043

Services and the Independent Living Centre

Heather Brown training for workers with children with disabilities 28 June 1990 \$( ) ( ) II

Harris Van Meegan Assist in selection process for positions Of Psychologist 2(1 July 1990-1(1 Aug  
1990

and Moises for Belconnen Remand Centre - Pro Rata 31/5-6/8/90 \$1,404

McCann Property Report - Griffith June 1990 \$3,(1)(1

R Williams Report on Boxing Control Legislation 6 days \$4( ) ( )

Sopherim Enterprise Staff Interviews July August I(>90

- Pr u Rata 31/5-h/8/9( ) S 1,464

Susan Hayes Training in discipline to[ child Cale staff 30 June 1990 \$

200

12 February 1991

THE FOLLOWING CONTRACTS WERE ENTERED INTO BEFORE 31.5.90

(i) GOVERNMENT LAW OFFICE

CONSULTANT (a) PURPOSE (b) DURATION (c) COST

Mr 1. Curbs To review the ACT Court system for the Law Office 16.4.90 - August 1990 \$150 per hour, subject to ;1  
maximum payment of \$30,0M  
Amount paid to date is \$6,450.

Coopers & Lybrand Development of Law Office Information Technology 2.4.90 - October 1990  
\$28,000. Amount paid to end  
Strategy of August \$8,735

Price Waterhouse Audit and verify all transactions of the Public March - September 1990  
Chartered Trustees Office since the Office was established in - Pro Rata - 31/5-6.8.90 \$44,251

Accountants October 1985 to 30 June 1989 and prepare financial  
statements to 30.6.89.

Deloitte Ross Strategic Review of the Public Trustees Office with February to November \$44,000  
(total cost) - half of  
Tohmatsu particular emphasis on increasing the efficiency and 1990 (approx) the cost is met by tile  
Chick effectiveness of that Office.MinistersDepartment

12 February 1991

THE FOLLOWING CONTRACTS WERE ENTERED INTO BEFORE 31.5.90

(ii) HOUSING COMMUNITY SERVICES BUREAU

CONSULTANT (a) PURPOSE (b) DURATION (c) COST

Ainslie Village Resource Worker to 30 June 1990 \$0,333

Ainslie Village Resource Worker to 30 June 1990 \$7,334

Cooper, Mr Peter Audit Trust Accounting Procedures May - Sept 1990 \$1,942

- Pro Rata 31/5-6/8/90

Croton, Ms R Ainslie Village Study Grant to 30 June 1990 \$5,000

Egan Wilkinson R Consultancy - Market rentals Jan - June 1990 \$49,625

Swinborne Enright & Associates Review of Ainslie Village Feb - June 1990 \$12,000

Enright & Associates Preparation of a manual for the review of the 1 Nov 1989 - 31 Aug 1990)

Supported Accommodation Assistance Program services - Pro Rata 31/5-6/8/90 \$3,5\_6

Ernst and Young To investigate reasons for low usage Of Supported 1 Nov 1989 - 31 Aug 1990)

Accommodation Program services by young non-English - Pro Rata 3 1/5-6/8/90) \$6,612  
speaking people and recommend ways to address situation

Lewis, 13 A Rental Section Interviews May/July 1990 \$1,98(1

Hinchey. Mr J (Review, upon appeal, decisions made by Commissioner) 1989/90 \$290

Housing, and/or Commissioners Staff. Provide McDonald, Ms ) (recommendations to the  
Commissioner based on this ) 1989/90 \$360

(review process )

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Table included.

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**MINISTER FOR FINANCE AND URBAN SERVICES**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 201**

**Consultants - Minister for Finance  
and Urban Services**

Ms Follett - asked the Minister for Finance and Urban Services -

- (1) In the period from 20 March 1990 to 6 August 1990 what consultants were employed by (a) the Minister; and (b) each agency in the ministers portfolio.
- (2) For each consultant employed what was (a) the purpose; (b) the duration; and (c) the cost of the consultancy.

Mr Duby - the answer to Ms Folletts question is as follows:

- (1) In the period from 20 March 1990 to 6 August 1990
  - (a) Nil
  - (b) See Attachment for details
- (2) See Attachment for details

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AGENCY CONSULTANT PURPOSE DURATION COST  
ACT FIRE BRIGADE Liveware Computer Services Strategic plan for computer  
network 2 months \$ 2370

Emergency Systems Technology Radio communications and  
new control centre 2 months \$ 1449

Work Futures Industrial relations facilitation 5 weeks \$ 700

Country Fire Authority Bronto skylift 4 weeks \$ 759

OConnell, Olds,  
Smith-Roberts & Co Fiscal/SuperGems interface 1 day \$ 187

SA Metropolitan Fire Services EEO/sexual harassment seminar 2 weeks \$ 2782

ACTION Steidl, Smith & Associates Corporate and strategic plan 3 months \$ 4787 I

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AGENCY CONSULTANT PURPOSE DURATION COST

PARKS AND

CONSERVATION LRCM Australia Review Erindale Leisure Centre 3 months \$15000

Australian Health and Occupational health and Safety

Safety Services training 2 days \$ 1700

John Gray Lake Ginninderra management 13 months \$ 5000

Communication Floriade management 3 months \$ 7000

Harris Van Meegan Record and prepare selection

reports 5 days \$ 1600

Emergency Systems Technology Radio systems consultancy 11 months \$ 4000

Catarina Hird National Soil Conservation

Program 14 weeks \$23000

Russell Derrick Wildlife permits database 1 week \$ 95

Hunter Valley Research Stromlo visitor survey 7 months \$20000

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AGENCY	CONSULTANT	PURPOSE	DURATION	COST
CORPORATE	Scrivener	Personnel Record and prepare selection		
SECRETARIAT	Services	reports	1 week	\$ 800
TASA/ERC Pty Ltd	Executive Search	Assignment	3 months	\$19530
Delicate Ross Topmast	Review Stores	Operation		\$29100
Delicate Ross Topmast	Review ACT Government	Computing		
	Service			\$35100

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AGENCY CONSULTANT PURPOSE DURATION COST  
TRANSPORT AND Miller Simon and Assess data and functions 3 months \$20603  
ENGINEERING Associates of driver licensing, vehicle  
registration and parking  
infringement systems  
Bill Guy and Assessment of upgrading ongoing up to  
Partners P/L streetlighting \$10000  
R J Nairn and Advice and installation of 6 months  
Partners weigh-in-motion device. )  
Ongoing data collection, by Dec 1992 ) \$43520  
evaluation & distribution.

Sopherim P/L Scribing services for Roads ongoing up to  
Maintenance interviews \$3200  
Srifite P/L Footpaths systems redevelt ongoing up to  
\$6000

Miller Simon and Evaluation of tenders for a 3.5 months \$1300  
Associates Plant Management System

Colin J Perry Carry out review of, and 7 days \$1713.10  
provide advice to staff on  
the technical content of,  
draft document "Gas Ordinance  
1987" which was submitted to  
Ministerial Working Party on  
Gas Regulation  
Somerville Consulting Scribing services for City 1 day \$195  
Engineering interviews

Ova Atop Tourist Guide Signs for ACT 5 months \$10045  
Ova Atop Design studies for 91/92 ongoing \$6796

Capital Works

AGENCY CONSULTANT PURPOSE DURATION COST

TRANSPORT AND M Personnel Design studies for 91/92 ongoing \$11000

ENGINEERING Capital Works

R D Gossip Design studies for 91/92 ongoing \$5000

Capital Works

Denis Johnston CAD requirements for 2 months \$3520

Traffic Engineering

Sims Traffic Systems Ad hoc traffic signal advice ongoing \$4500

R J Nairn Ad hoc computer advice ongoing \$15860

Datacol Ad hoc traffic survey advice ongoing \$10000

Digital Network of PCs to CATS ongoing \$10000

R Moore Contract advice re asbestos 6 days \$157.50

removal program

Mainsail and Asbestos removal study 1 month \$975

Partners

Computer Training Training in word processing 23 days \$13800

and Consultancy and spreadsheet use on IBM

compatible PCs

Frank Duncan Supervision, team building, 12 days \$16800

interviewees, staff selection

workshops

Interact Consulting Managing People workshop 4 days \$3970

Wandas Presentation skills for MVP 6 days \$600

staff introducing the

corporate wardrobe

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AGENCY CONSULTANT PURPOSE DURATION COST

TRANSPORT AND Patricia Levick occupational health training 1.5 hours \$133.20

ENGINEERING re safe and ergonomic

keyboard use

management and Results through people 6 days \$8700

Technology Consulting workshop for middle managers

Phil Boas Professional managers 3 days \$5000

. workshop for middle managers

Windhover P/L Internal consulting workshop 3 days \$5000

International Supervision training for 6 days \$4800

Behaviour Systems industrial employees

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A.C.T. PUBLIC WORKS

Table included.

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A.C.T. PUBLIC WORKS

DURATION PURPOSE CONSULTANT COST

Table included.

**MINISTER FOR FINANCE AND URBAN SERVICES**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 205**

**Consultancies - Minister for Finance  
and Urban Services**

Ms Follett - asked the Minister for Finance and Urban Services -

What amount was expended on consultancies in the 1989-90 financial year by each agency in the Ministers portfolio.

Mr Duty - the answer to Ms Folletts question is as follows:

Expenditure for the 1989-90 financial year is as follows:

ACTION 20,767 00  
ACT Government Computing 217,968.00  
ACT Public Works (Capital Works) - 14,516,000.00  
" of of (Recurrent) 2,390,000.00  
Corporate Secretariat 109,736.00  
Fire Brigade 25,592.00  
Parks and Conservation 78,269.00  
Tourism 138,250 00  
Transport and Engineering 1,082,276.00

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES**

**LEGISLATIVE ASSEMBLY QUESTION NO 268**

**Belconnen Remand Centre**

Mr Stevenson asked the Minister for Housing and Community Services:

- (1) Have any allegations been made of theft of Government property at Belconnen Remand Centre (BCC); if so, what action has been taken by (a) the management and (b) the Minister in respect of each allegation.
- (2) Has any incident been reported where it is alleged that a detainee at BBC was assaulted by three officers in the presence of a senior officer. If so, what action has been taken.
- (3) Was Ms Carol Connelly suspended following her conviction of a charge of assault on a detainee and was that suspension later rescinded and a monetary agreement made on her resignation; if so for what reason.
- (4) Has action been taken to investigate complaints by officers of sexual harassment by other officers. If so, have reports been placed on file.
- (5) Has a complaint been lodged alleging that an officer at BBC harassed a detainee by waking her up to sign a form. If so, (a) was this complaint proven and what action has been taken against the offending officer; and (b) did Departmental officers request a second report on the case, if so for what reason.
- (6) Have any allegations been made that three officers at BBC attempted to injure a detainee and if so, was the allegation fully investigated.
- (7) Did a senior official call a staff meeting around December 1988 on the subject of the conduct of a Mr Albrighton; if so (a) did 25 staff members lodge good reports as a result of this meeting and (b) what consideration has been given to the reports.
- (8) Has there been any allegations of misconduct made against Mr Barry Albrighton; if so, what are the allegations.
- (9) For each charge of misconduct that Mr Barry Albrighton was found guilty of, how many witnesses gave evidence.
- (10) Is a custodial officer who has been charged with assault with grievous bodily harm continuing to work at BBC; if so, for what reason.
- (11) Can the Minister confirm that a Senior Officer of BBC issued a direction dated 6 October 1989 that there was to be no unauthorised disclosure of information concerning officers relating to their morale, transfers, suspension, dismissal etc. Did the same officer put a notice on the notice board on 10 May 1990 proclaiming the.. outcome of the hearing of disciplinary charges against Mr Barry Albrighton.

- (12) Did Personnel Section ask that this notice be removed; if so, for what reasons.
- (13) Do Staff at BBC have access to STD telephone calls; if so, what have been the charges for metered calls for all services used by each senior officer for the last two years.
- (14) What has been the staff turnover at BBC since 1986 compared to the Public Service average and is the Minister taking any action in relation to staff turnovers.
- (15) What action has the Minister taken as a result of detailed allegations of misconduct in Mr Barry Albrightons letter to him of 25 January 1990.
- (16) Has Mr Albrighton been sent a reply; if so, when, if not, why not. Were other letters received with similar allegations. Were these replied to; if so, when; if not, why not.
- (17) How many custodial officers from BBC, and others, contacted the Ministers Office during the months of January and February 1990 complaining about the management of BBC. -Is the Minister aware that a staff meeting was called by management to advise staff that they should not complain to the Ministers office.
- (18) Has the Minister established a special staff position to be liaison officer between Corrective Services custodial officers and the Ministers Office. Is this position responsible for receiving complaints, and if so how many have been received to date.
- (19) What assistance is given for staff displaying symptoms of stress at BBC.
- (20) Has the Department hired a Barrister to oppose Mr Barry Albrighton in his appeal to the Merit Protection Review Agency (MPRA). Is this contrary to OPERA guidelines.

Mr Collaery - the answers to the Members questions are as follows:

- (1) (a) Allegations of theft of Government property have been made and are alleged to include those items that were listed in an internal minute addressed to all staff.

As a result of actions initiated by management, with the exception of one electric hammer drill and one electric drill, all other items have been accounted for. It is believed that the drills disappeared at around the same time they were borrowed by a building contractor who was working on major building extensions at BBC. The remaining tools and equipment remain in a secure area with one person having access.

- (b) I have discussed these matters with both staff and the Superintendent of the Remand Centre, and am satisfied (after accounting for all outstanding items mentioned in the internal minute), that out of a total of 200 items, the Centre was able to account for 198 items.

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(2) Allegations have been made before the Official Visitor Mr Aldcroft.

Mr Aldcroft immediately initiated inquiries into these allegations with the Superintendent of the Remand Centre, and a few days later was furnished with a report.

The report included a copy of the medical report and statements from all but one of the custodial officers who were on shift that day. After careful investigation and consideration of information Mr Aldcroft concluded by finding the allegations of assault could not be substantiated.

(3) It is true that Ms Connelly was convicted of a number of charges under the Public Service Act. During the appeal hearing Counsel for Ms Connelly informed departmental representatives that Ms Connelly was prepared to resign.

The Department gave full and serious consideration to a number of issues including cost, before agreeing to accept her resignation. The cost to the Department, if the appeal continued, was considered to be between eight and ten thousand dollars. The payment by the Department to Ms Connelly represented a compromise on past wage loss to Ms Connelly, and was paid after her resignation. As the committee was unable to complete the appeal process, the original direction made by the Inquiry Officer became effective, meaning that the appellant was dismissed from the service. A note to that effect remains on her file.

(4) A senior officer, Ms Pamela Richards, was nominated in 1988 as the Centres Equal Employment Opportunity Officer, and was accepted as such by all staff at a meeting held at that time. She has been the contact officer on all EEO issues since then; and has investigated and dealt with all complaints by officers relating to sexual harassment and discrimination. On each occasion the matter was dealt with rapidly and successfully in a manner which obviated the need for formal file records.

(5) (a) A complaint was received that an officer at BBC harassed a detainee by waking her up. The complaint was proven. The Inquiry Officer recommended that the officer concerned be formally disciplined and a note to that effect be placed on the officers personal file for a minimum of two years.

(b) I am not aware of a second report being requested by departmental officers in relation to this matter.

(6) This question is not specific enough to enable response.

(7) (a) A staff meeting was held on 21 December 1988 at 10pm, and the agenda for that meeting included the conduct of custodial officers.

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Mr Albrighton had made a complaint to the Superintendent on 19th December, asking that action be taken to resolve an issue he had raised. Twenty-two reports in support of Mr Albrighton were submitted between 1 November 1988 and 23 February 1989.

Nine reports were received before the staff meeting of 21 December.

- (b) All reports received were given full and careful consideration after being included in a submission by Mr Albrighton to the Director of Corrective Services.
- (8) On 8 January 1990 Mr Albrighton was charged with two counts of failing to fulfil his duty as an officer within the meaning of sub-section 56(a) of the Public Service Act. Also on 8 January 1990 he was charged with two counts of failing to fulfil his duty as an officer within the meaning of subsection 56(d) of that Act. These charges were found to be proven and disciplinary action was taken against Mr Albrighton. I consider the details of these charges to be confidential and I am not prepared to provide further information on these matters.
- (9) During the departmental disciplinary hearing three officers, including Mr Albrighton, were called to assist the Inquiry Officer.
- (10) No. A custodial officer appeared in Canberra Magistrates Court charged with assault occasioning actual bodily harm. The Magistrate did not record a conviction against the officer concerned, vide S 556 A of the Crimes Act.
- (11) A senior officer of BBC issued a direction as described on 6 October 1989. The notice dated 10 May 1990 was issued following a direction from the Acting Director of Corrective Services. It was not placed on the Notice Board. It was placed in a 2 ring binder in the staff room and in the Handover Log. Neither were exposed to the public gaze.
- (12) The Personnel Section did ask that this notice be removed following representation by Mr Albrighton.
- (13) Staff at BBC have access to telephones that are capable of being used to make STD calls. They may need to make STD phone calls in the following circumstances:

special interstate calls for detainees with no funds contacting other interstate Corrective Services for information or advice on custody matters contacting other agencies to complete assigned tasks.

Management firmly discourages staff from making use of telephones for personal reasons. It is not possible to assess services used by each senior officer as all officers have access to all telephones.

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(14) Details of staff turnover at BBC since 1986 are as follows:

1986: ASC 42. Resignations 4; transfers 5; redeployment 3; disciplinary matters 1. Total separations: 13. This represents a total turnover of 31 % of the ASC, of which 19% was due to transfer on promotion.

1987: ASC 42. Resignations 3; transfers 3; redeployment nil; disciplinary matters nil. Total separations: 6.. This represents a total turnover of 14% of the ASC, of which 7% was due to transfer on promotion.

1988: ASC 42. Resignations 7; transfers 7; redeployment 1; disciplinary matters nil. Total separations: 15. This represents a total turnover of 36% of the ASC, of which 19% was due to transfer on promotion.

1989: ASC 42. Resignations 1; transfers 4; redeployment 1; disciplinary matters nil. Total separations: 6. This represents a total turnover of 14% of the ASC, of which 5% was due to transfer on promotion.

1990: ASC 57. Resignations 3; transfers 6; redeployment nil; disciplinary matters 2. Total separations: 11. This represents a total turnover of 19% of the ASC, of which 9% was due to transfer on promotion.

Out of a total cumulative ASC of 265 for the period 1 January 1986 to 30 September 1990, the corresponding separations totalling 51 represent an overall turnover rate of 19%.

All staff resignations were for personal reasons, or to pursue other career paths in the private sector. Two resignations were submitted due to officers transferring to an interstate correctional jurisdiction to resume a new career.

All transfers were career progression moves, resulting in transfers within the Public Service on promotion.

In relation to comparing turnover at the Belconnen Remand Centre with Public Service averages, this information was not readily available and was not sought as the relevance of any comparison would, at best, be highly dubious due to the difference in Public Service positions.

(15) I was unable to respond to the allegations raised by Mr Albrighton until appeal proceedings into his conduct were completed. These proceedings are now complete. I have requested the Personnel Practices area to examine the issues.

(16) See response to question 15 above.

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A staff meeting was called by management on 10 January 1990, at which the Executive Director of the Community Programs Branch, Ms M Haynes, was present. The meeting was called to inform staff of the transfer of Mr Albrighton and the procedures that would follow. Ms Haynes did mention that my office had received representations. However, given that the matters raised were disciplinary matters and, under Public Service guidelines, such matters are the responsibility of Public Service managers, it was inappropriate for me to respond. It is not known how many officers from BBC contacted my office during this period.

No. Staff have now, and always have had, access to the following when seeking redress:

the Superintendent Belconnen Remand Centre.  
the Deputy Superintendent Belconnen Remand Centre  
the Director Corrective Services  
the Executive Director Community Programs Branch  
the Director Personnel Practices  
the Union (APBs)  
the Official Visitor to Belconnen Remand Centre (conditions at BCC)  
the Staff Relations Officer (Regulation 83 Grievances)  
the Equal Employment Opportunities Officer  
the Ombudsmans Office  
the Human Rights Commission.

Stress awareness training is now a mandatory part of recruit training. A pilot course was conducted at BBC during September-October 1988.

As well as the above training module, Critical Incident Stress Debriefing MID is available to all staff who are involved in a critical incident during the course of their duties. This is also mandatory, and the level of CID required is commensurate with the degree of trauma experienced at the time.

Staff who display signs of stress are free to consult an appropriately qualified practitioner of their choice. They are also free and encouraged to

avail themselves of the ACT Government Services Staff Counsellor and \_

the Centres Registered Nurse who is well qualified in this area. To date she has been very effective in counselling staff who have developed work related stress problems.

Mr Russell Bayliss of the ACT Government Solicitors Office has represented the Department in the past. However, on 27 June 1990, Mr Bayliss was required to appear on behalf of the ACT Community and Health Service in the Federal Court in Sydney. Accordingly, Counsel was briefed on behalf of the Department on-.the day before the hearing due to Mr Bayliss unavailability. This briefing of Counsel to appear before the COPRA is not contrary to- OPERA guidelines and occurs frequently for both the Department and appellants.

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**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
ACT LEGISLATIVE ASSEMBLY**

**QUESTION NO 283**

**Canberra International Raceway Management Representative**

Mr Moore: asked the Minister for Housing and Community Services

- (1) Was Mr Arthur Hoyle, principal or representative of Canberra International Raceway Management (CIRRI), and a proponent for development of an international standard motor racing track in the eastern ACT, working in or located in the Department of Sport, Recreation and Racing earlier this year.
- (2) If there was such an arrangement (a) at whose initiative was it put into place; (b) who approved it; (c) what was its objective and (d) what was the relationship of this period of activity to Mr Hoyle's apparent employment as a Commonwealth public servant.
- (3) If there was such an arrangement (a) was Mr Hoyle working solely or mainly on the proposal for the development referred to; (b) was he paid by the ACT Administration for any or all of that work; (c) was he provided with any services or assistance by the ACT Administration, such as access to files, advice from officials, access to lease information, communication services or travel; (d) if so, did the Administration seek to recover from CIRRI any or all of the cost of providing these services or this assistance; and (e) what precautions were taken to ensure that Mr Hoyle did not have access to information that was confidential on commercial, personal or other grounds.
- (4) Is the Minister satisfied about the propriety of whatever relationship existed between Mr Hoyle/CIRM and the Administration and the Government during, before and after this period.
- (5) In view of the Government's keenness about even-handedness in the treatment of developers and those objecting to their activities (see the Alliance Government's environment policy), will the Minister arrange for similar assistance to the same value to be given to those objecting to the development.

Mr Collaery: the answer to the Member's question is as follows:

- (1) The ACT Motorsport Council had access to an office within the Office of Sport, Recreation & Racing (ORS) from 29 January to 28 February 1990. The Canberra International Raceway Management (CIRRI) had access to office space from 4 to 15 June 1990 to organise the Canberra International Racing Show.
- (2) (a) The ACT Motorsport Council sought space to undertake a review of motorsport facilities within the ACT.  
(b) The Director of the Office of Sport, Recreation and Racing.  
(c) See (1) and (2)(a).  
(d) I am advised that Mr Hoyle was employed as a Commonwealth public servant during these periods.

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- (3) (a) Mr Hoyle's task was the review of all motorsport facilities within the ACT.
  - (b) No remuneration was paid to Mr Hoyle by the ACT Government.
  - (c) Mr Hoyle was not given approval to access files. Mr Hoyle received no assistance from officers other than that available on a normal public enquiry basis. The ORS has no responsibility for leasing arrangements. Access to office equipment and a telephone was provided. No form of travel assistance was made available to Mr Hoyle.
  - (d) No.
  - (e) Offices are secure during weekends and after hours. Officers are on duty during normal working hours to ensure access to any confidential, commercial and personal information is restricted and controlled.
- (4) The consultative arrangements between the Office of Sport, Recreation and Racing and the ACT Motorsport Council appear appropriate.
  - (5) The Office of Sport, Recreation and Racing only provides assistance to sport recreation and racing organisations.

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**MINISTER FOR FINANCE AND URBAN SERVICES**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION 285**

**Government Motor Vehicles**

Ms Follett - asked the Minister for Finance and Urban Services -

- (1) What is the number, make and year of purchase of all motor vehicles owned by each ACT Government agency.
- (2) How many of the vehicles owned by each agency are registered with private number plates.

Mr DUBY - the answer to the Members question is detailed in the following attachments:

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**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY**

**LEGISLATIVE ASSEMBLY QUESTION**

**Question No. 289**

**Public Risk Liability Insurance Cover**

MS FOLLETT - asked the Chief Minister on notice on 20 November 1990:

- (1) Why has the Government increased the public risk liability insurance cover required for the hire of ACT school halls and other public facilities from \$1 million to \$5 million.
- (2) How was the increased coverage requirement calculated.
- (3) Can the Chief minister confirm that this decision will increase insurance premiums for many ACT community groups by at least 150 per cent.

MR KAINÉ - the answer to Ms Folletts question is:

- (1)\_ (3) The Government has not increased the public risk liability insurance cover required for the hire of ACT schools halls from \$1 million to \$5 million - it remains at \$1 million.

For the use of other public facilities, such as sports grounds, the Erindale Leisure Centre, the Albert Hall, hiring organisations are currently required to have a \$5 million public liability cover before hire of the facility is approved.

The \$5m threshold was set prior to self government.

Increasing the coverage from \$1 million to \$5 million results in an increase in premium costs to the hirer of the order of 100.

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**MINISTER FOR HEALTH, EDUCATION AND THE ARTS**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 291**

**School Transport**

MR WOOD - asked the Minister for Health, Education and the Arts on notice on 20 November 1990:

- (1) Is the cost of bussing out of area pupils to the Garran School \$100 000 per year; if not, what is the cost.
- (2) What proportion of total school transport costs are attributable to bussing out of area pupils to particular schools.
- (3) What proportion of total school transport costs are attributable to bussing pupils to government schools.
- (4) Why has the expenditure on school transport been removed from the Education budget.
- (5) Was school transport taken into account in calculating possible savings in the Education budget: if so, how.

MR HUMPHRIES - the answer to Mr Woods question is:

- (1) Estimated costs for school bus services to the Garran School from outside its priority enrolment area are in the vicinity of \$83 000 per annum..
- (2) The proportion is estimated to be up to 10% of all school transport costs.
- (3) The proportion is approximately 33\$.
- (4) In its 1989/90 report the Estimates Committee recommended the transfer of management of ACT school bus services from the ACT Ministry for Health, Education and the Arts to the ACT Ministry for Finance and Urban Services as a means of containing bus costs and increasing administrative efficiencies. The Government accepted this proposal and also recommended the transfer of contract bus services.
- (5) In view of the decision to transfer transport funding to the Ministry for Finance and Urban Services this was not necessary.

**MINISTER FOR HEALTH, EDUCATION AND THE ARTS**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION ON NOTICE NO 292**

**School Enrolment Capacities**

MR WOOD - asked the Minister for Health, Education and the Arts on notice on 20 November 1990:

- (1) What standard is applied in determining the amount of space suitable per child in ACT Government schools.
- (2) What is the minimum amount of space per child in ACT primary school classrooms.
- (3) In determining enrolment capacities per classroom at Weetangera and Hawker Primary Schools, what principles were applied.

MR HUMPHRIES - the answer to Mr Woods question is:

- (1) The standards used in determining the amount of space in ACT Government schools are guidelines issued by the Commonwealth titled Comparative Capital Costs of Government and NonGovernment Schools (the Cost and Space Guidelines). These guidelines provide a maximum per student floor area allowance for primary and secondary schools -

Primary: 6 m<sup>2</sup> per student

Secondary: 9 - 9.25 m<sup>2</sup> per student

- (2) The application of these guidelines normally results in a primary school classroom area of approximately 50 m<sup>2</sup>. For a primary school a class normally consists of a maximum of 30 students, and 25 students in the case of kindergarten classes.
- (3) In determining enrolment capacities for Weetangera and Hawker Primary Schools the Ministry has employed standard assessment procedures. The enrolment capacity of a school is determined by the number of usable classroom spaces. A school with design and building deficiencies can be granted space concessions; effectively reducing its number of usable classroom spaces, i.e. its enrolment capacity.

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In the case of the schools mentioned:

Hawker Primary has 14 clas.sroom spaces and purpose built audio visual and other specialist areas. No space concessions have been granted to the school. The school therefore has an enrolment capacity of 415 students; based on 1 kindergarten class (25 students) and 13 primary classes (390 students). Weetangera Primary was originally designed to have 19 classroom spaces but no purpose built audio visual room. The school has experienced long standing design, ventilation and acoustic problems with its classroom areas. These problems have resulted in the school being granted space concessions -1 space for audio visual purposes and 4 spaces for building design limitations.

Weetangera Primary School is therefore considered to have the equivalent of 14 usable classroom spaces, and an enrolment capacity of 415 students; based on 1 kindergarten class (25 students) and 13 primary classes (390 students).

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**MINISTER FOR HEALTH, EDUCATION AND THE ARTS**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION-ON NOTICE NO. 295**

**School Restructuring - Playground Equipment**

Mr Wood - asked the Minister for Health, Education and the Arts on notice on 22 November 1990:

For schools that will close under the Ministers restructuring proposals (a) what arrangements will be made about the relocation of playground equipment; and (b) what cost will be involved in each case.

Mr Humphries - the answer to Mr Woods question is:

At Holder, Hackett, Cook and Lyons Primary Schools, existing playground equipment consists of galvanised metal or treated timber structures, which have generally deteriorated due to age and lack of adequate maintenance. As much of the existing playground equipment fails to comply with current Australian Standards, relocation of the existing equipment at closing schools is considered uneconomic.

The equipment at Curtin Primary, which was installed in 1988, is to be relocated to South Curtin as part of the building refurbishment, at a cost of approximately \$7 000.

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**MINISTER FOR HEALTH, EDUCATION AND THE ARTS**

**LEGISLATIVE ASSEMBLY QUESTION**

**Question No. 308**

**Visual Arts Grants**

MR WOOD - asked the Minister for Health, Education and the Arts on notice on 12 December 1990 - In respect of grants to the visual arts in the ACT from the Community Development Fund (CDT) or similar source

- (1) Who were the applicants.
- (2) What level of funding did they seek.
- (3) In each case, what recommendation did the Arts Development Board (ADD) make.
- (4) To which applicants, groups or individuals, did you give Ministerial approval, and for what amounts.

MR HUMPHRIES - the answer to Mr Woods question is included in Attachment A:

The applicants are listed in column 1

The amount they requested is in column 2

The ADD recommendations are in column 3

My decisions are in column 4

- (5) I am presently considering the recommendations of the ADD with regard to Projects (under \$10,000), Capital and Equipment grants and grants to Individuals.

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ATTACHMENT A

1991 ARTS DEVELOPMENT PROGRAM  
OPERATIONAL AND PROJECTS APPLICATIONS OVER \$10,000  
VISUAL ARTS CATEGORY

(1) (2) (3) (4)

Name of 1991 1991 1991

Applicants REQ ADD MIN

REV DEC

Canberra Contemp 113,320 97,400 97,400

Art Space Inc

Club Fed 18,450 10,646 10,646

Cuppacumbalong Art 10,000 NIL NIL

and Craft Centre

Crafts Council of 71,923 68,750 68,750

the ACT

Kingston Art Space 32,265 32,000 32,000

Meadows Partners 20,358 NIL NIL

Megalo Access Arts 72,000 48,000 48,000

photocells 54,762 45,000 45,000

Splinters 17,140 deferred to projects  
under \$10,000

Studio One 49,113 49,113 49,113

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12 February 1991

**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 309**

**Ministerial Travel**

MS FOLLETT - Asked the Chief Minister upon notice on 13 December 1990:

- (1) On what occasions have Ministers or Executive Deputies travelled outside the ACT on official business in the period from 7 August 1990 to 5 December 1990.
- (2) In relation to each visit at (1-) above (a) what were the dates of the visit; (b) what meetings were attended by the Minister or Executive Deputy; (c) what cities were visited; (d) which public servants, members of staff or other people accompanied the Minister or Executive Deputy; (e) what mode and class of transport was used by each person; (f) what was the cost of travel for the Minister or Executive Deputy; (g) what was the cost of accommodation for the Minister or Executive Deputy; and (h) what was the cost of travel and accommodation for persons accompanying the Minister or Executive Deputy.

Mr KAINE - The answer to Ms Folletts question is as follows:

CHIEF MINISTER

ANTEDATES: 16 August 1990

REASON FOR TRAVEL: Attend State Funeral  
of NSW Governor Sir David Martin

(c)CITY VISITED: Sydney

UNACCOMPANIED BY: Nick Maniacs - Operations Manager  
Public Affairs

Helen Marsden - Assistant

Manager Protocol Policy

Pat Harrison - Ceremonial/Hospitality

- Officer

(e)MODE OF TRAVEL:

Chief Minister First Class Air

Nip Maniacs First Class Air

Helen Marsden Economy Class Air

Pat Harrison Economy Class Air

ONCOST OF TRAVEL: \$ 340-00

ONCOST OF ACCOMMODATION: Nil

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ACCOSTS FOR THOSE  
ACCOMPANYING:

Nip Maniacs (16 August 1990)

Travel \$ 340-00

Accommodation \$ 22-00 Travelling Allowance

Helen Marsden (15 - 16 August-1990)

Travel \$ 226-00

Accommodation \$ 199-50 Travelling Allowance

Pat Harrison (15 - 16 August 1990)

Travel \$ 226-00

Accommodation \$ 199-50 Travelling Allowance

2. EXUDATES: 22 August 1990

REASON FOR TRAVEL: VFW Meeting with State Ministers

OPACITY VISITED: Sydney

UNACCOMPANIED BY: Nia Stavropoulos - BPS

Dan Steiner - Executive Director

Project Management Economic Development

MODE OF TRAVEL:

Chief Minister First Class Air

Nia Stavropoulos First Class Air

Dan Steiner Economy Class Air

ONCOST OF TRAVEL: \$ 340-00

ONCOST OF ACCOMMODATION: Nil

ACCOSTS FOR THOSE

ACCOMPANYING:

Nia Stavropoulos

Travel \$ 340-00

Accommodation \$ 35-00 Travelling Allowance

Dan Steiner

Travel \$ 226-00 Economy. Class Air

Accommodation Nil

12 February 1991

EXUDATES: 29 - 31 October 1990.

REASON FOR TRAVEL: Premiers Conference Brisbane 1990

CITY VISITED: Brisbane

ACCOMPANIED BY: Bill Harris - Secretary of the

Chief Ministers Department

Dr Richard Madden - Under Treasurer

Neil Morgan - Assistant Under

Treasurer

Gary Whitley - Head of

Chief Ministers Division

Rod Woolley - A/g BPS

Jeannie Hall - Director

Intergovernmental Relations and

Special Projects

MODE OF TRAVEL:

Chief Minister Economy and First Class Air

Bill Harris Economy and First Class Air

Dr Richard Madden Economy Class Air

Neil Morgan Economy Class Air

Gary Whitley Economy and First Class Air

Rod Woolley Economy and First Class Air

Jeannie Hall Economy Class Air

ONCOST OF TRAVEL: \$ 808-00

(G)COST OF ACCOMMODATION: \$ 600-00 Rem. Tribe Determination

ACCOSTS FOR THOSE

ACCOMPANYING:

Bill Harris

Travel \$ 808-00

Accommodation \$ 600-00 Rem. Tribe Determination

Dr Richard Madden

Travel \$ 504-00

Accommodation \$ 364-50 Travelling Allowance

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Neil Morgan  
Travel \$ 504-00  
Accommodation \$ 353-50 Travelling Allowance

Gary Whitley  
Travel S-808-00

Accommodation \$ 396-00 Travelling Allowance

Rod Woolley  
Travel S 808-00

Accommodation \$ 396-50 Travelling Allowance  
Jeannie Hall

Travel \$ 576-00  
Accommodation \$ 365-00 Travelling Allowance

IODATES: 10 December 1990

REASON FOR TRAVEL: VFW Meeting with State Ministers and  
Joint Venture

(c)CITY VISITED: Sydney

UNACCOMPANIED BY: Bill Harris - Secretary of the  
Chief Ministers Department

Nia Stavropoulos - BPS

Dan Steiner - Executive Director

Project Management Economic Development

(e)MODE OF TRAVEL:

Chief Minister Economy and First Class Air

Bill Harris Economy and First Class Air

Nia Stavropoulos Business and First Class Air

Dan Steiner Economy and First Class Air

ONCOST OF TRAVEL: \$ 313-00

ONCOST OF ACCOMMODATION: NIL

ONCOST FOR THOSE

ACCOMPANYING:

Bill Harris

Travel \$ 313-00

Accommodation NIL

Nia Stavropoulos

Travel \$ 331-00

Accommodation S 35-00 Travelling Allowance

Dan Steiner  
Travel \$ 313-00 -

Accommodation NIL

12 February 1991

DEPUTY CHIEF MINISTER

DATES: 10 August 1990

REASON FOR TRAVEL: State and Territory Ministers  
Meeting on Child Care Initiatives

(c)CITY VISITED: Sydney

UNACCOMPANIED BY: David Rossiter - BPS

(e)MODE OF TRAVEL: Business and Economy Class Air

ONCOST OF TRAVEL: \$ 243-00

ONCOST OF ACCOMMODATION: Nil

ONCOST FOR THOSE

ACCOMPANYING:

David Rossiter

Travel \$ 243-00

Accommodation \$ 26-00 Travelling Allowance

2. IODATES: 16 - 22 August 1990

REASON FOR TRAVEL: Sports Ministers Conference

(c)CITY VISITED: Wellington N Z

UNACCOMPANIED BY: Ken Horsham - General Manager

Housing and Community Services Bureau

Peter Conway - Director ACT

Sport, Recreation & Racing

David Rossiter - BPS

(e)MODE OF TRAVEL:

Deputy Chief Minister Business and Economy Class Air

Ken Horsham Business and First Class Air

Peter Conway Business and Economy Class Air

David Rossiter Business and Economy Class Air

ONCOST OF TRAVEL: \$ 1405-00

ONCOST OF ACCOMMODATION: \$ 1253-54 Overseas Travelling .  
Allowance

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ONCOST OF THOSE ACCOMPANYING:

Ken Horsham (15 - 22 August 1990)  
Travel \$ 1480-33  
Accommodation \$ 1671-66 Overseas Travelling  
Allowance

Peter Conway (13 - 20 August 1990)  
Travel \$ 1295-26  
Accommodation, \$ 1546-48 Overseas Travelling  
Allowance

David Rossiter  
Travel \$ 1405-.00  
Accommodation \$ 1223-40 Overseas Travelling  
Allowance

3. EXUDATES: 24 - 28 September 1990  
REASON FOR TRAVEL: Third International Law Congress  
OPACITY VISITED: Hobart  
UNACCOMPANIED BY: Nil  
MODE OF TRAVEL: Economy and Business Class Air  
ONCOST OF TRAVEL: \$ 564-00

ONCOST OF ACCOMMODATION: \$ 1200-00 Rem.Trib Determination

ACCOSTS FOR THOSE  
ACCOMPANYING: Nil

4. EXUDATES: 11 - 12 October 1990  
REASON FOR TRAVEL: Standing Committee Meeting of  
Attorney-Generals  
(c)CITY VISITED: Sydney  
UNACCOMPANIED BY: Mr Len Barbells - Deputy Law  
Officer  
Brendan Bailey - Director of Human  
Rights and Community Law  
David Rossiter - BPS

MODE OF TRAVEL:

Deputy Chief Minister Business and First Class Air

Len Sorbello Business and First Class Air

Brendan Bailey Economy Class Air

David Rossiter Business and First Class Air

12 February 1991

(f)COST OF TRAVEL: \$ 260-00

(ONCOST OF ACCOMMODATION: \$ 300.00 Rem. Tribe Determination

(ACCCOSTS OF THOSE

ACCOMPANYING:

Len Sorbello

Travel S 260-00

Accommodation S 35-00 Travelling Allowance

(Attended only 12/10)

Brendan Bailey

Travel S 226-00

Accommodation S 123-00 Travelling Allowance

David Rossiter

Travel S 260-00

Accommodation S 166-70 Travelling Allowance

4. (IODATES: 22 - 23 October 1990

(REASON FOR TRAVEL: Attend "Police and the Community  
in the 1990.s Conference"

(c)CITY VISITED: Brisbane

(UNACCOMPANIED BY: Karen Gosling - Departmental Liaison  
Officer

(e)MODE OF TRAVEL:

Deputy Chief Minister Business Class Air

Karen Gosling Business and Economy Class Air

(f)COST OF TRAVEL: \$ 756-00

(G)COST OF ACCOMMODATION: \$ 300-00 Rem. Tribe Determination

(BECOMES FOR THOSE

ACCOMPANYING:

Karen Gosling (22 - 25 October 1990)

Travel S 542-00

Accommodation S 108-50 Travelling Allowance

The above allowance included incidental  
costs only. The costs in respect of  
accommodation and meals were included  
in the conference fee package

5. (IODATES: 31 October - 1 November 1990

(REASON FOR TRAVEL: Attend Australian Institute of  
Judicial Administration

(c)CITY VISITED: Melbourne

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UNACCOMPANIED BY: Nil

MODE OF TRAVEL: Business Class Air

ONCOST OF TRAVEL: \$ 382-00

ONCOST OF ACCOMMODATION: \$ 300-00 Rem. Tribe Determination

ACCOSTS FOR THOSE  
ACCOMPANYING: Nil

6. EXUDATES: 22 - 23 November 1990

REASON FOR TRAVEL: Police Ministers Conference

OPACITY VISITED: Alice Springs

UNACCOMPANIED BY: Chris Hunt - Secretary of Department  
of Justice and Community Services

Keith Simpson - Senior Officer Grade B

Administrative Law and Justice

MODE OF TRAVEL: \_.

Deputy Chief Minister First Class Air

Chris Hunt First Class Air

Keith Simpson Economy Class Air

ONCOST OF TRAVEL: \$ 1489-00

ONCOST OF ACCOMMODATION: \$ 140-00 Rem. Tribe Determination

ACCOSTS FOR THOSE

ACCOMPANYING:

Chris Hunt 21 - 23 November 1990

Travel \$ 1458-00

Accommodation \$ 487-00

Keith Simpson 21 - 23 November 1990

Travel \$ 917-00

Accommodation \$ 448-00

MINISTER FOR FINANCE AND URBAN SERVICES

1. EXUDATES: 30 - 31 August 1990

REASON FOR TRAVEL: Attend Murray-Darling Basin  
Ministerial Council Meeting

OPACITY VISITED:- Melbourne

UNACCOMPANIED BY: Greg Fraser - Director of Environment  
and Conservation Bureau

Peter Alabaster - BPS

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(e)MODE OF TRAVEL:

Minister Business Class Air  
Greg Eraser First Class Air  
Peter Alabaster Business Class Air  
ONCOST OF TRAVEL: \$ 368-00

ONCOST OF ACCOMMODATION: \$ 300-00 Rem. Tribe Determination

ACCOSTS FOR THOSE  
ACCOMPANYING:

Greg Eraser (29 - 31 August 1990)  
Travel \$ 480-00  
Accommodation \$ 496-50 Travelling Allowance  
Peter Alabaster  
Travel \$ 368-00

Accommodation \$ 159-50 Travelling Allowance

2. IODATES: 5 - 8 September 1990

REASON FOR TRAVEL: Fact Finding Visit to North Sydney  
Oval and Pool/Rust Transport Advisory  
Council Meeting at Hobart

(c)CITY VISITED: Sydney/Hobart

UNACCOMPANIED BY: Bruce Dockrill - Director Transport and  
Engineering Division  
Peter Alabaster - BPS

(e)MODE OF TRAVEL:

Minister ACT Government Car/Business Class Air  
Bruce Dockrill First Class Air  
Peter Alabaster ACT Government Car/Business Class Air  
ONCOST OF TRAVEL: \$ 647-00

ONCOST OF ACCOMMODATION: \$ 900-00 Rem. Tribe Determination

ACCOSTS FOR THOSE  
ACCOMPANYING:

Bruce Dockrill (6 - 7 September 1990)

Travel \$ 776-00  
Accommodation \$ 250-50 Travelling Allowance  
Peter Alabaster  
Travel \$ 647-00  
Accommodation \$ 402-50 Travelling Allowance

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3. IODATES: 12 - 13 October 1990

REASON FOR TRAVEL: Attend Australian Tourism Awards Dinner

(c)CITY VISITED: Melbourne

UNACCOMPANIED BY: Bob Mitchell - General Manager  
Tourism Commission

(e)MODE OF TRAVEL:

Minister Economy Class Air

Bob Mitchell First Class Air

ONCOST OF TRAVEL: \$ 320-00

ONCOST OF ACCOMMODATION: S 300-00 Rem. Tribe Determination

ACCOSTS FOR THOSE

ACCOMPANYING:

Bob Mitchell (11 - 13 October 1990)

Travel \$ 546-00

Accommodation \$ 384-50 -Travelling Allowance

4. IODATES: 25 - 28 October 1990

REASON FOR TRAVEL: Ministers Council Meeting on Tourism  
and Australian Roads Council meeting

(c)CITY VISITED: Perth

UNACCOMPANIED BY: Bruce Dockrill - Director Transport and  
Engineering Division

Bob Mitchell - General Manager

Tourism Commission

Peter Alabaster - BPS

(9)MODE OF TRAVEL:

Minister First Class Air

Bruce Dockrill First Class Air

Bob Mitchell Business and First Class Air

Peter Alabaster First Class Air

ONCOST OF TRAVEL: \$ 1542-00

ONCOST OF ACCOMMODATION: \$ 900-00 Rem. Tribe Determination

ACCOSTS FOR THOSE

ACCOMPANYING:

Bruce Dockrill (24 - 28 October 1990)

Travel S 1542-00

Accommodation S 541-50

12 February 1991

Bob Mitchell (23 - 28 October 1990)

Travel \$ 1971-00

Accommodation \$ 403-30 Travelling Allowance

Peter Alabaster

Travel \$ 1542-00

Accommodation \$ 363-50 Travelling Allowance

5. IODATES: 29 November - 6 December 1990

REASON FOR TRAVEL: International Union Council Meeting on  
Nature and Natural Resources

OPACITY VISITED: Perth

UNACCOMPANIED BY: Jeff Townsend - Secretary Environment  
and Conservation Bureau

Peter Alabaster - BPS

(e)MODE OF TRAVEL:

Minister First Class Air.

Jeff Townsend Business and First Class Air

ONCOST OF TRAVEL: \$ 1740-00

ONCOST OF ACCOMMODATION: S 2100-00 Rem. Tribe Determination

ACCOSTS FOR THOSE

ACCOMPANYING:

Jeff Townsend

Travel \$ 1531-00

Accommodation S 870-50 Travelling Allowance

Peter Alabaster

Travel \$ 1768-00

Accommodation \$ 816-50 Travelling Allowance

MINISTER FOR HEALTH, EDUCATION AND THE ARTS

1. EXUDATES: 14 September 1990

REASON FOR TRAVEL: Meeting of Education Ministers

(c)CITY VISITED: Melbourne

UNACCOMPANIED BY: Dr Eric Willmot - Secretary  
Department-of Education

(e)MODE OF TRAVEL:

Minister Business Class Air

Eric Willmot First Class

ONCOST OF TRAVEL: \$ 368-00

ONCOST OF ACCOMMODATION: Nil

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COSTS FOR THOSE  
ACCOMPANYING:

Eric Wilt

Travel \$ 368-00

Accommodation NIL

2. EXUDATES: 6 - 7 December 1990

REASON FOR TRAVEL: .Attend Australian Education Council  
Ministers Meeting

OPACITY VISITED: Adelaide

UNACCOMPANIED BY: Max Sawatzki - Deputy Secretary

Department of Education

Jocelyn Plovers - A/g Executive

Officer Industrial and Legal Section

Roman Greenland - BPS

MODE OF TRAVEL:

Minister Economy and First Class Air

Max Sawatzki First Class Air

Jocelyn Ploverss Economy Class Air

Roman Greenland Economy Class Air

ONCOST OF TRAVEL: S 759-00

(G)COST OF ACCOMMODATION: \$ 300-00 Rem. Tribe Determination

ACCOSTS FOR THOSE .  
ACCOMPANYING:

Max Sawatzki (5 - 7 December 1990)

Travel S 882-00

Accommodation S 328-91 Travelling Allowance

Jocelyn Ploverssss

Travel S 588-00

Accommodation S 141-50 Travelling Allowance

Roman Greenland

Travel S 588-00

Accommodation \$ 153s00 Travelling Allowance

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12 February 1991

**MINISTER FOR HOUSING AND COMMUNITY SERVICES  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 310**

**Public Housing Waiting Lists**

Ms Follett - asked the Minister for Housing and Community Services

- (1) At 5 December 1990, how many persons were registered on the waiting list for each of the following categories of public housing: (a) bedsitters, (b) 1 bedroom flats, (c) 2 or more bedroom flats, (d) 2 bedroom houses, (e) 3 bedroom houses, (f) 4 or more bedroom houses, (g) aged persons units, and (h) each other category, for which separate waiting lists are kept.
- (2) How many persons in each category at (1) above were considered to be priority applicants?
- (3) What was the estimated waiting time for (a) applicants and (b) priority applicants, joining the waiting list at 5 December 1990 for each of the categories outlined at (1) above?

Mr Collaery: the answer to the Members question is as follows:

- (1) (a) 311  
(b) 1 103  
(c) 298  
(d) (e) & (f) combined-1,657  
(g) 421  
(h) No other separate waiting lists are kept.
- (2) (a) 12 (b) 5 (c) 3 2 (d) 2 (e) 4 7 (f) 4 (g) 5

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(3) Waiting Times for applicants;

- (a) 5-15 months
- (b) 33-38 months
- (c) 8-20 months
- (d) 26-35 months
- (e) 14-21 months
- (f) 19-31 months
- (g) 12-45 months (one bedroom aged personsunits)  
9-41 months (two bedroom aged personsunits)

Waiting times for priority applicants;

- (a) Approx 5 weeks
- (b) 10-12 weeks
- (c) 4-5 weeks
- (d) 6-10 weeks
- (e) 4-8 weeks
- (f) 6-8 weeks
- (g) 2-8 months(one bedroom aged persons units)  
2-8 months(two bedroom aged persons units)

*12 February 1991*

**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY**

**LEGISLATIVE ASSEMBLY QUESTION**

**Question No 311**

Registrar of Cooperative Societies -  
Annual Report

MS FOLLETT - Asked the Treasurer upon notice on 13 December 1990:

When will the 1989-90 Annual Report of the Registrar of

Co-operative Societies be presented to the Assembly.

MR KAINÉ - The r., to the members question is as follows:

The Registrar of Co-operative Societies Annual Report for 198990 was included as Appendix F to the Annual Report of the ACT Treasury which was tabled on 13 December 1990.

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**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY**

**LEGISLATIVE ASSEMBLY QUESTION**

**Question No 312**

**Cooperative Societies - Returns**

MS FOLLETT - Asked the Treasurer upon notice on 13 December 1990:

- (1) Which Co-operative Societies returns are included in the aggregate figures in Appendix II of the Registrars 1988-89 Annual Report. \_.
- (2) Which Co-operative Societies returns are not included in the aggregate figures in Appendix II of the Registrars 1988-89 Annual Report.
- (3) For each Co-operative Society at (2) above (a) why had no return for the 1988-89 year been provided to the Registrar by 21 March 1990 when the Registrars Report was submitted; and (b) what action had the Registrar taken to pursue the outstanding return.

MR KAINE - The answer to the members question is as follows:

- (1) The aggregate figures include data from each of the active co-operative societies listed in Appendix I of the Registrars 1988-89 Annual Report, with the exception of the ACT Milk Distributors Co-operative Society Limited.
- (2) Figures for the ACT Milk Distributors Co-operative Society Limited were not included in the aggregate figures as this Society ceased trading during the 1987-88 year and is in the process of being wound up.
- (3) Not applicable - see answer to (2) above.

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12 February 1991

**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY**

**LEGISLATIVE ASSEMBLY QUESTION**

**Question No 313**

**Building Societies - Loans**

MS FOLLETT - Asked the Treasurer upon notice on 13 December 1990:

- (1) Did any Building Society advance less than the prescribed percentage of all loans for owner-occupied housing in 1989-90 ; and if so, what are the details.
- (2) If the answer to (1) above is yes, was any prosecution attic.^ launched by the Registrar of Co-operative Societies; and if not, why not.

MR KAINÉ - The answer to the members question is as follows:

- (1) Returns lodged. by two of the three building societies registered in the ACT as at 30 June 1990 indicate that both societies advanced more than the prescribed minimum percentage of all loans for owner-occupied housing in 1989-90. Canberra Cent=e Holdings Limited applied for and was granted an extension to 28 February 1991 to lodge a return, in relation to Canberra Building Society, in the format required by the Registrar of Co-operative Societies.
- (2) Not applicable - see (1) above.

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**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY**

**LEGISLATIVE ASSEMBLY QUESTION**

**Question No 314**

**Building Societies and Credit Unions - Returns**

MS FOLLETT - Asked the Treasurer upon notice on 13 December 1990:

- (1) At what regular intervals are returns of financial information and operating performance required to be provided to the Registrar of Co-operative Societies by (a) Building Societies; and (b) Credit Unions.
- (2) What information must be disclosed in those returns.

MR KAINÉ - The answer to the members question is as follows:

- (1) Building societies and credit unions lodge monthly financial returns with the Registrar. These returns are not audited and are supplied in commercial confidence. The Co-operative Societies Act 1939 provides that audited annual returns are to be lodged with the Registrar within three months of the end of each financial year unless an extension has been granted by the Registrar.

- (2) The returns must include profit and loss account and balance

sheet. Building society returns also include calculations for capital adequacy and lending ratios.

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**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY**

**LEGISLATIVE ASSEMBLY QUESTION**

**Question No 315**

**Building Societies - Capital Adequacy**

MS FOLLETT - Asked the Treasurer upon notice on 13 December 1990:

- (1) Has any building society ever notified the Registrar of Co-operative Societies of a failure to maintain capital adequacy, pursuant to section 14 CJ of the Co-operative Societies Act 1939.
- (2) If the answer to (1) above is yes, what was the name of the Society, details and circumstances of the notification, and action taken by the Registrar in each case.

MR KAINÉ - The answer to the members question is as follows:

- (1) No.
- (2) Not applicable - see (1) above.

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**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY**

**LEGISLATIVE ASSEMBLY QUESTION**

**Question No 316**

**Canberra Building Society - Expected Operating Loss**

MS FOLLETT - Asked the Treasurer upon notice on 13 December 1990:

Did the Canberra Building Society inform the Government prior to the shareholders meeting to approve the takeover of the Society that it expected to suffer a substantial operating loss in 1988-89.

MR KAINÉ - The answer to the members question is as follows:

No.

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**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY**

**LEGISLATIVE ASSEMBLY QUESTION**

**Question No 317**

**Canberra Building Society - Shares**

MS FOLLETT - Asked the Treasurer upon notice on 13 December 1990:

Did the Registrar of Co-operative Societies or the Treasurer have any power in relation to the takeover offer by Advance Bank to purchase only the first 2000 shares in the Canberra Building Society; and if so, why was it not exercised when this decision effectively means that some shareholders in the former Society are stuck with shares for which there is no market.

MR KAINE - The answer to the members question is as follows:

No.

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**CHIEF MINISTER  
LEGISLATIVE ASSEMBLY QUESTION**

**Question No 318**

**Canberra Building Society - Disclosure of Information**

MS FOLLETT - Asked the Treasurer upon notice on 13 December 1990:

Did the Registrar of Co-operative Societies or the Treasurer have any power to make the directors of the Canberra Building Society disclose to shareholders the information they would have received if the takeover of the Society had been subject to the Companies Act and the Securities Industry Act; and if so, why was it not exercised.

MR KAINÉ - The answer to the members question is as follows:

No.

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**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY**

**LEGISLATIVE ASSEMBLY QUESTION**

**Question No 319**

**Building Societies and Credit Unions - Prudential Requirements**

MS FOLLETT - Asked the Treasurer upon notice on 13 December 1990:

- (1) What are the current prudential requirements in the ACT for Building Societies and for Credit Unions.
- (2) How do these requirements compare with the requirements in each State and the Northern Territory.
- (3) Are there any proposals to change these requirements; and if so, what are the details:

MR KAINÉ - The answer to the members question is as follows:

- (1) Requirements for building societies:

Capital adequacy

Designated capital, as-defined in section 14CG of the Co-operative Societies Act 1939, must be maintained at a level determined in accordance with a Reserve Bank risk-weighted model and must be a minimum of 3 per cent of assets at all times.

Net liquidity

There is no legal minimum for building societies but the Registrar imposes the same requirement as for credit societies. A society cannot approve a loan unless, at the time of approval, a society holds funds equal to not less than 10 per cent of the withdrawable funds of the society.

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### Minimum asset/loan ratios

A building society shall not, at any time, have less than 50 per cent of its assets invested in loans secured by mortgage over freehold or leasehold land that is used or that is intended to be used for residential purposes.

In respect of a financial year a society shall advance not less than 60 per cent of its loans for residential purposes.

### Requirements for credit unions:

#### Liquidity

A registered credit society shall not approve of a loan unless, at the time the approval is given, the society holds liquid funds equal to or not less than 10 per cent of the withdrawable funds of the society.

### Requirements for building societies and credit unions:

Building societies and credit societies are required to create a reserve fund, known as the Statutory Reserve, out of surplus arising in the financial year. Minimum transfer is three tenths of one per cent of the societies withdrawable funds until the reserve reaches two and one half per cent of withdrawable funds.

### (2) Comparison of ACT requirements with other States and Northern Territory:

#### Building Societies

#### Capital Adequacy

New South Wales and ACT - identical requirements (based on Reserve Bank Model).

Queensland - no similar requirements.

Northern Territory - minimum amount no less than 3 per cent of assets.

South Australia - no similar requirement. Legislation being introduced similar to NSW and ACT.

Western Australia - 5 per cent of aggregate loan assets for the financial year.

Victoria and Tasmania - no similar requirements.

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#### Liquidity

Queensland - 15 per cent of withdrawable funds.

Western Australia - 12.5 per cent of withdrawable funds.

Other States and Territories - 10 per cent of withdrawable funds.

#### Minimum asset/loan ratios

Queensland - all advances directly or indirectly for accommodation for residential purposes.

New South Wales - 50 per cent of assets secured by loans over residential property, 50 per cent of loans in any financial year to be secured over owner-occupier residential property.

Victoria and Tasmania - 50 per cent of assets secured by loans over residential property.

Northern Territory - as authorised by rules of society.

South Australia - 85 per cent of mortgage loans must be for residential purpose.

Western Australia - no similar type of requirement.

#### Credit Unions

#### Liquidity

All States and Territories have similar requirements with the exception of Tasmania which has no requirement. The rates are as follow:

Western Australia, ACT and Northern Territory -

- 10 per cent.

NSW, Victoria and South Australia - 7 per cent.

Queensland - 7.5 per cent.

#### Statutory Reserve Fund

With the exception of Tasmania all States and Territories require deposit taking co-operatives to create a reserve fund from a surplus in a prescribed financial period.

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(3) At the Special Premiers Conference on 30-31 October 1990, the heads of State and Territory Governments agreed upon the need for reform of current State legislation and administration of non-bank financial institutions in the context of the stability of the financial system as a whole.

The Governments of the Commonwealth, the States and the Territories have instructed a working group of Officers of all Governments to prepare a report by 31 March 1991 on specific proposals for a system of State-based prudential supervision with national co-ordination of high uniform standards and practices and suitable industry-funded liquidity support mechanisms.

As part of this process, the working group will consult widely with the Reserve Bank, industry organisations and other interested parties.

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12 February 1991

**MINISTER FOR FINANCE AND URBAN SERVICES**

**LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO 320**

**ACTEW Employees - Superannuation Entitlements**

Ms Follett - asked the Minister for Finance and Urban Services

(1) Are employees of ACT Electricity and Water who were transferred from the Department of Arts, Sport, Environment, Tourism and Territories being denied their right to a refund of their 3% superannuation entitlements.

(2) Why is this the case.

(3) Will affected employees be paid interest for the time their money has been withheld. \_.

Mr Ruby - the answer to the Members question is as follows:

(1) No. There were delays in calculating the amounts owed and in determining which agency is responsible for funding the payments but most entitlements have been paid. Of the 472 former staff involved only 155 have not collected their cheques.

(2) My answer to (1) above clearly states there was no denial of entitlement.

(3) No interest payments will be made.

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**MINISTER FOR FINANCE AND URBAN SERVICES  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 322**

**Civic Multi-Occupancy Carpark**

Ms Follett - asked the Minister for Finance and Urban Services:

- (1) What numbers of commuters have taken advantage of the free parking provided in Civic for vehicles arriving with three or more occupants.
- (2) Does the Government propose to extend or modify this arrangement in the light of experience to date.

Mr DUBY the answer to the Members question is as follows:

- (1) Use of the free multi-occupancy carpark in Civic has grown steadily, increasing from an initial average daily usage of only 14 cars (or 10 percent of capacity), in February 1990 to over 40 cars (or above 30 percent of capacity), between July and December of that year. Further details are provided in the table below.
- (2) This project promises to be an important factor in helping to encourage more efficient car use, and is a good example of how the ACT can take the initiative in national efforts to improve transport efficiency and the environment. I am pleased that the project will be formally reviewed in relation to the Australian Transport Advisory Councils environment program.

Changes to the existing arrangements and more active promotion of the facilities will be considered as part of the review.

12 February 1991

USAGE RATES FOR THE CIVIC MULTI-OCCUPANCY CARPARK, 1990

Total Capacity - 135 Cars. The carpark commenced operation on 12 February 1990.

Average Number of cars per day in use per day (%)      Average % of total capacity rates for the month  
1990 of cars per day total capacity rates for the month  
in use per day (%)

February 14 10 6 - 14

March 23 17 9 - 23

April 30 22 13 - 28

May 40 30 22 - 39

June 36 27 20 - 35

July 50 37 22 - 46

August 41 30 . 24 - 41

September 40 30 24 - 38

October 42 31 25 - 37

November 41 30 26 - 35

December 44 33 24 - 38

Note: All averages are rounded up to the nearest single figure.

**MINISTER FOR FINANCE AND URBAN SERVICES  
LEGISLATIVE ASSEMBLY QUESTION**

**QUESTION NO. 323**

**Parking Charges - Impact of Increases**

Ms Follett - asked the Minister for Finance and Urban Services:

- (1) What has been the impact of the increased all-day parking charges introduced earlier this year upon (a) the number of vehicles parked in long-stay car parks; (b) ACT Government revenue; and (c) the income of private parking operators.
- (2) Is there any evidence of increased use of ACTION buses by commuters as a result of the increased parking charges.

Mr Duby - the answer to the Members question is as follows:

- (1) (a) Parking surveys conducted by my Department in March 1990 (before the increase in parking charges) and September 1990 (after the increase in parking charges) showed virtually no change in the number of vehicles parked in long-stay car parks in Civic and Woden in that period.
- (b) Total ACT Government revenue from long stay car parks over the period May 1990 to November 1990 increased by about four percent.

In November 1990, the daily revenue figure was \$12,369, compared with \$11,417 in May 1990. This represented an increase in daily revenue of around eight percent. However, it is difficult to determine what has been the direct impact of the increased parking charges on ACT Government revenue as can be seen from the fluctuations in monthly and daily revenue figures in the following table.

- c) The income of private parking operators is the commercial information of those operators, and is not known by me or my Department.
- (2) Morning peak-hour bus patronage surveys conducted by ACTION in March and September 1990 showed virtually no change in bus use levels in that period.

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ACT GOVERNMENT LONG STAY PARKING REVENUE MAY 1990 - NOVEMBER 1990

REVENUE

1990 No. of Voucher Booth Total/ Revenue/ change in

collection Carparks carparks month day daily revenue  
days (over prey. month)

May	23	\$138,786	\$123,797	\$262,583	\$11,417	n/a
June	20	\$122,738	\$103,021	\$225,759	\$11,288	-1.1
July	22	\$175,674	\$111,123	\$286,797	\$13,036	15.5
August	23	\$183,104	\$129,082	\$312,186	\$13,573	4.1
September	20	\$157,772	\$109,583	\$267,355	\$13,368	-1.5
October	22	\$171,349	\$116,030	\$287,379	\$13,063	-2.3
November	22	\$166,626	\$105,496	\$272,122	\$12,369	-5.3

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**ATTORNEY-GENERAL FOR THE AUSTRALIAN CAPITAL TERRITORY  
LEGISLATIVE ASSEMBLY QUESTION**

**Question No. 325**

**Legislative Provisions - Commencement**

MS FOLLETT asked the Attorney-General:

"What provisions in ACT legislation (both Acts of the ACT Legislative Assembly and enactments within the meaning of section 34 of the ACT (Self-Government) Act 1988) remain uncommenced at the date of answering this question."

MR COLLAERY: The answer to the Members question is as follows:

The Government Law Office has advised me that their records indicate that the following provisions of Acts (which have not been repealed) have not commenced as at today, Tuesday 12 February 1991

Childrens Services Act 1986 s 103(2)  
Commercial Arbitration (Amendment) Act 1990 as 3-5  
Commonwealth Functions (Statutes Review) Act 1981 as 3, 4, 34-40, 89, 90  
Coroners (Amendment) Act 1990 the whole  
Credit Act 1985 s 244  
Director of Public Prosecutions Act 1990 as 4, 5, 19-32, 34  
Eg & In, duster (Amendment) Act 1979 s 11  
Imperial Acts Application Act 1986 s 4(2) and (3)

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Interim Planning Act 1990 as 3-51

Interim Planning (Consequential Amendments) Act 1990 s 3

Landlord and Tenant (Amendment) Act 1976 s 48

Liquor (Amendment) Act (No. 2) 1987 s 6

Mental Health Act 1983 s 3(2) and (3)

Motor Traffic (Amendment) Act (No 5) 1990 s 3

Sale of Motor Vehicles Act 1977 as 27-30 and as 66-71

Teaching Service Inconsequential Modifications) Act 1989 s 4(2)

Traffic (Amendment) Act 1987 the whole

Uniting Church in Australia Act 1977 s 11(2)

Water Pollution (Amendment) Act 1989 the whole

Weights and Measures (Amendment) Act 1978 as 6-8

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**Attorney-General for the ACT**

**Legislative Assembly Question  
No. 326**

**Summer Nationals**

Mr Connolly - asked the Attorney-General:

1. How many police officers were involved in the policing of the Summer Street Car Nationals last New Year.
2. What was the exact cost of such policing.
3. How many police officers will be involved in the policing of the next Summer Nationals.

Mr Collaery - the answer to the Members question is as follows:

1. I am advised that between 0900 Thursday 28 December 1989 and early 1 January 1990 approximately 170 police officers were involved in the policing of the Summer Street Car Nationals. While a more accurate figure could be provided from daily duty sheets, which are currently archived, these would need to be manually extracted and the task of obtaining such figures would be a costly, time consuming and labour intensive exercise.
2. For the reasons mentioned in my answer to part (1), the costing for the event is also difficult to ascertain, however, overtime payments totalled approximately \$87,495 and penalties approximately \$23,000.
3. There were 268 police officers involved in policing the 1990 Summer Nationals held between 27 December- and 30 December 1990.

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