



Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

SIXTH ASSEMBLY

8 MARCH 2006

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Wednesday, 8 March 2006

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Wednesday, 8 March 2006

MR SPEAKER (Mr Berry) took the chair at 10.30 am and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Visitors

MR SPEAKER: I acknowledge the presence in the gallery of students from MacKillop Catholic College. Welcome.

Unparliamentary language Statement by Speaker

MR SPEAKER: Members, before we continue this morning, I would like to make some remarks about yesterday's proceedings. At one point during the day I mentioned that I would be reviewing *Hansard* in relation to a particular matter. I would like, first of all, to draw your attention to a ruling by Speaker Snedden in 1981 which has been used as the basis for rulings in this place in relation to accusations to and fro across the chamber. Speaker Snedden said:

I think that if an accusation is made against members of the House which, if made against any one of them, would be unparliamentary or offensive, it is in the interests of the comity of this House that it should not be made against all as it could not be made against one. Otherwise, it may become necessary for every member of the group against whom the words are alleged to stand up and personally withdraw himself or herself from the accusation ...

I intend to observe that ruling as the need arises. Mr Corbell raised a point of order about a question that was asked by Mrs Dunne during question time and asked for the withdrawal of the question. I think Mr Corbell may have misheard the question. I think that it went to the issue of ministerial responsibility and I can see no point of order there.

In relation to a later matter, Mrs Dunne raised the question of references to her and the habit which had emerged during the day of people questioning to and fro across the chamber the honesty of people, which leads to disorder. I intend to be firmer on those matters from now on. Mr Smyth interjected as part of a chain of disorderly interjections and I called him to order in relation to that matter.

I intend to deal with those matters accordingly throughout proceedings and I will ask Mr Corbell to withdraw his comments in relation to honesty when he returns to the chamber.

Petition

The following petition was lodged for presentation, by Mrs Dunne, from 597 residents:

Teddy Bears Child Care Centre

To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory:

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that the proposed termination of the Teddybears Child Care Centre lease, at 30 Storey St CURTIN, is not in the best interests of the ACT Community.

Your petitioners therefore request the Assembly to instruct Urban Services to offer Teddybears Child Care Centre a 5 year lease; support the establishment of a viable long-term option for the continued operation of Teddybears Childcare Centre within the Curtin Community; and consider the relocation of the Emergency Services Authority to another, more appropriate site.

The Clerk having announced that the terms of the petition would be recorded in Hansard and a copy referred to the appropriate minister, the petition was received.

Motion (by **Mrs Dunne**) proposed:

That the terms of this petition be referred to the Standing Committee on Planning and Environment for inquiry and report.

The Assembly voted—

Ayes 7

Mrs Burke Mr Pratt
Mrs Dunne Mr Smyth
Dr Foskey Mr Stefaniak
Mr Mulcahy

Noes 8

Mr Berry Ms MacDonald
Mr Corbell Ms Porter
Mr Gentleman Mr Quinlan
Mr Hargreaves Mr Stanhope

Question so resolved in the negative.

Unparliamentary language Statement by Speaker

MR SPEAKER: Before we proceed, I would like to deal with the withdrawal of a couple of things that were said yesterday. I refer firstly to the Chief Minister. During debate on a bill, there were some calls as to the honesty or otherwise of somebody else in the house. I would ask you to withdraw that.

Mr Stanhope: I withdraw, Mr Speaker.

MR SPEAKER: Thank you, Chief Minister. Turning to Mr Corbell and the claim of a bald-faced lie being told in the place, I would ask for the withdrawal of that.

Mr Corbell: I withdraw that, Mr Speaker.

MR SPEAKER: There are ample opportunities to discredit the standing of members in this way with the use of parliamentary language and, of course, there is always the option of moving a substantive motion.

Employment—skilled migrant workers

MR GENTLEMAN (Brindabella) (10.40): I move:

That this Assembly:

- (1) acknowledges that the chronic skill shortages suffered by Australia have caused governments and employers to employ new tactics in filling skilled vacancies;
- (2) recognises:
 - (a) the Federal Government's continual starving of training funds and the creation of questionable apprenticeship schemes has done little to alleviate this skilled crisis; and
 - (b) that the employment of skilled migrant workers, one of the strategies engaged by employers in Canberra, can be beneficial to both employee and employer if the fundamental principles of worker and human rights are upheld;
- (3) congratulates the ACT Government for its Skilled and Business Migration Program and its other endeavours in attracting skilled workers to the region;
- (4) believes that the employment conditions of skilled migrant workers must undertake monitoring to ensure the rights, entitlements and safety of these workers and that such scrutiny should fall to the Department of Immigration and Multicultural Affairs; and
- (5) calls on the Federal Government to immediately put in place greater mechanisms to ensure that the Department of Immigration and Multicultural Affairs properly monitors the arrangements between employers and contracted skilled migrant workers.

On Monday, the Chief Minister announced that 21 business organisations had come on board the ACT government's campaign to attract skilled workers into the ACT. This campaign, the live in Canberra campaign, is a public-private partnership strategy to encourage workers from specific interstate areas to migrate to Canberra because of the many benefits that life in Canberra has to offer.

I am very proud of Canberra. I have happily spent my 50 years here, most of those 50 years as a worker in one form or another. For me, the idea of selling the Canberra lifestyle is an effortless task. However, for businesses in Canberra the task of selling our way of life, of recruiting workers to Canberra, verges on necessity. The reason, quite simply, is that there is a chronic shortage of skilled workers.

Skills shortage is not a problem limited to Canberra; it is an issue facing Australian businesses, large and small. The problem affects all tiers of government and requires strategies such as the live in Canberra campaign. Not only is it far reaching; it is also a significant problem for both businesses and governments. The Business Council of Australia has described the skills shortages as a brake on development. The Australian Industry Group has reported that more than half of the manufacturers report difficulty hiring skilled workers. An Australian Chamber of Commerce and Industry economic

survey found that the current skills shortages are the most important constraint on business investment.

This is a huge issue for Canberra businesses. This is arguably the most important issue for business round the country. But what of the response of the federal government, that final tier so determined to pursue economic prosperity and business growth? Have they invested in upskilling the nation? Have they invested in long-term training strategies? No. Despite the pleas of the state and territory governments, of industry, of employers and of the federal representatives of Australian workers, the federal government has not seen fit to invest in the growth of training.

Rather, it has dismantled the Australian National Training Authority, to the great concern of Australian industry, employers, unions, and training providers. That body had a record of excellence that certainly will not be replicated under the new arrangements, arrangements whereby it is the commonwealth—junior—minister for training who will set the agenda in the future. That, together with the abysmal record in running down VET funding over the last 10 years, has left all stakeholders in the VET sector understandably appalled.

More alarmingly, whereas the commonwealth should be directing its efforts into strengthening the sector, it has instead sought to use negotiations over the recent commonwealth-state funding agreement as a vehicle to pursue its IR and other ideological agendas. It has sought further control over vocational training without any increased funding.

What it has done though—and this has a familiar ring to it—is that it has spent hundreds of millions of dollars on establishing what it calls Australian technical colleges, not surprisingly all of them in marginal electorates in another naked piece of pork-barrelling. Whereas this money will turn out a few thousand partially qualified students, the same investment in traditional VET funding would deliver over 20,000 fully qualified tradespeople per year. What a joke!

Mr Speaker, you do not have to take my word on the importance of education in future prospects for business. In June last year BCA research, in conjunction with the Dusseldorp Skills Forum, showed that boosting the proportion of young people completing school or apprenticeships to 90 per cent by the end of the decade would increase work force numbers by 65,000 and it would boost economic productivity and expand the economy by nearly \$10 billion, in today's money, by 2040.

Quite clearly, the BCA supports education as the key to increasing the number of skilled workers. Their research asserts that education not only is necessary for business growth but also has the potential to greatly assist the economy. But for this windfall of \$10 billion to be realised, programs must exist that encourage students to continue education and support businesses and education providers to increase the number of completed apprenticeships.

Given the federal government's continued neglect of vocational training, businesses and state and territorial governments have had to look at other means to produce short-term results. One such means is, as I have already mentioned, the live in Canberra campaign,

the focus of which is on attracting interstate skilled workers to the region through the selling of Canberra's many wonderful features.

The campaign builds on the existing and comprehensive skilled and business migration program, which focuses on attracting skilled workers and businesses from overseas to Canberra. The program produces visa sponsorships for skilled migrants and assists employers with visa sponsorships. To date, 185 applications have been received, for which 154 have been for skilled migration and 31 for business migration. In total, 141 skilled applications have been approved and five were rejected on the grounds that they did not meet the selection criteria. Twenty-seven business sponsorships have been approved since July 2005 and 18 of these clients have had their permanent visa granted by DIMIA and are making arrangements to move to Canberra and commence business activity.

Clearly, the ACT government recognises the value of skilled migrant working visas and business migration for Canberra business. We recognise that business migration means the migration of new ideas and techniques for Canberra that businesses can capitalise on as well. We recognise that arrangements such as those entered into by businesses and skilled migrant workers can be beneficial for such workers as they are given the opportunity to earn, learn and travel.

Let me state that such strategies provide a short-term solution to a long-term problem, but they are solutions nonetheless and the ACT government should be applauded for its attempts to assist Canberra businesses in what is a great challenge. However, we must ensure that such strategies do not come at a price, particularly the reduction of workers' rights and entitlements.

Filling the gap created by the federal government-produced skills shortage should not create a second class of workers. To be honest, we have WorkChoices to do that and we do not need the exploitation of skilled migrant workers to add to that. Let's not forget that skilled migrant working visas have become a business sector in themselves and, when there is money to be made, there is someone who wants to make more money.

Last year, a Canberra businessman established a business to assist employers with recruiting overseas workers. He was going to make some money off the chronic skills shortage. For the small fee of \$6,000, you could import for yourself a ready-made qualified cook, a real bargain with a couple of strings attached. String No 1: you, the employer, must pay no less than that provided under the relevant award or legislation. String No 2: you, the employer, must provide working conditions no less than those provided by the relevant award or legislation. String No 3: you, the employer, must provide a safe working environment.

But who has ever let a couple of strings get in the way of a good bargain? From September last year, some of Canberra's most famous eateries engaged the services of this entrepreneur, paid their \$6,000 and employed a number of skilled workers from the Philippines. These skilled workers, with experience in international-standard hotels and in world-class restaurants, came to Canberra to earn a decent wage, enough to live comfortably in Australia and return money to their families back home.

Theirs was a story of hope, a new country, a good wage and an opportunity perhaps to broaden their skills for future opportunity. Instead, their story turned into one of the biggest employment scandals in Canberra since Endoxus. A number of these workers have made several serious allegations of underpayments and human rights violations. Their union, the Liquor, Hospitality and Miscellaneous Union, is currently representing these members in several proceedings, including complaints with the Human Rights Commissioner.

Why has this happened? I do not wish to pre-empt the outcomes of these proceedings, but the fact remains that such allegations were made. These are very serious allegations. For most of us the allegation of human rights violations concerns us deeply; that is, of course, unless you are the chief executive officer of the Chamber of Commerce and Industry, ACT and Region. And here lies the problem: the Department of Immigration and Multicultural Affairs, the department charged with overseeing the compliance with skilled migrant working visas, is nowhere to be seen.

The Department of Immigration and Multicultural Affairs, the department charged with issuing visas to permit employment contracts, does not oversee the specific working arrangements that underpin these visa arrangements. But I am not shocked. This is a department that has spent a good part of the last five years and beyond like a deer in headlights. “What,” they say, “we are supposed to look after these people! No, surely not. Really?”

Our system of government relies on accountability. The buck has to stop somewhere. But when the buck stops with Amanda Vanstone, what chance has anyone got? The scary thing is that she is apparently as wet as you get. What was the minister’s response to allegations as serious as those made by these restaurant workers? On the day the story broke, Ms Vanstone was voicing her support for the deportation of residents who are charged with a crime. “Send ’em home,” she says. Or maybe we should just send them to Christmas Island.

It is clear that the minister, who has in recent years sought to abdicate responsibility for her portfolio on the basis of its being too big, needs some assistance in understanding just what the relationship between employers and skilled migrant workers should resemble. To assist, though, I thought I would spell it out for the benefit of members of the opposition, who no doubt all attended the Vanstone school of dealing with vulnerable people.

One, working entitlements: if an employer engages a skilled migrant worker to perform a task, he or she should be paid at the correct rate. He or she should expect to work no more or no less than is required by the award. All other entitlements—meal breaks, overtime, et cetera—are a legal right, not a gift, and as such should be provided.

Two, safety: because a worker from overseas is employed to fill a vacancy, it is likely that he or she will not be familiar with Australia’s occupational health and safety legislation. This means that there is greater importance to provide a safe workplace, as an overseas worker may not be able to articulate OH&S concerns.

Three, general pleasantries elsewhere, law in the ACT: the ACT is unique in that it has a legislated bill of rights. The Human Rights Act is comprehensive in tabling the rights and responsibilities of all Canberrans to all Canberrans. This extends to migrant workers.

Those are a few simple rules. In fact, they are already the requirements under the visa arrangements made with skilled migrant workers. But the issue is not what is written on a piece of paper. This issue is not whether or not Canberra restaurants forgot about these obligations. This motion is not concerned with the outcome of the LHMU proceedings. The issue is that these allegations can be made and that DIMIA cannot respond because DIMIA did not and does not monitor the working arrangements of skilled migrant workers. That is simply not good enough.

The federal government and the minister for immigration and multiculturalism have an obligation to these workers. These workers are filling a gap created by their ongoing starving of the vocational training sector. But, instead of protecting these vulnerable workers, the federal government seeks to create another class of worker in Australia and it will turn a blind eye. This motion calls on the federal government to do its job and to ensure that these workers are protected. It calls on the department and the federal government to establish a means of monitoring the working conditions that form the basis of these working visas.

Such monitoring would ensure that both workers and employers are clearly aware of their rights and responsibilities. Monitoring would reduce the likelihood of exploitation of these workers. It would mean that good employers can be recognised and bad employers can find other means of attracting workers. Random inspections, contacting workers after work and requiring payslips of employers are all a means of monitoring the work contracts of skilled migrant workers and their employers that do not jeopardise the employment of migrant workers but ensure their rights and entitlements. Skilled migrant working visas are a reality. We have a responsibility to these workers, as we have a responsibility to every worker in Canberra.

MR MULCAHY (Molonglo) (10.56): I am pleased to speak to this motion because it is about an area of ongoing interest on which I have spoken previously, such as in a debate on, I think, an MPI about the critical importance of skilled immigration, although I understand that Mr Gentleman was really focusing on particular experiences in the ACT, to which I will make reference a little bit later.

This motion does acknowledge the chronic skills shortages and I think it is fair to say that our colleagues in parliaments across Australia, including at the commonwealth level, all realise that this is one of the major challenges facing Australia. Indeed, it is one of the major challenges facing many Westernised industrial countries. Some years ago I met with my colleagues in the hotel association in Washington and they cited hotels in southern United States, in Florida, that had been completed, fitted out and finished and were still closed three months later because of their complete inability to find sufficient skilled people to fulfil the various tasks.

It is a well-known fact that, due to the growing demands of ACT businesses and the development of the territory in general, it is essential that the potential talents and professional skills of overseas migrants are fully harnessed. I have noted the efforts to

date of the ACT government in this regard, following the lead and initiative of the federal government, in beginning the process of trying to bring more overseas professionals into Canberra and the other states and territory.

The ACT government's skilled and business migration strategy was launched in July last year and was declared as an attempt to enhance the current flow of skilled migrants into the region. However, there are several areas of importance on which the government needs to refocus its attention and apply sufficient resources to ensure that such a program is maximised to achieve the most efficient results for the territory. We need to look at the performance of the program to date.

According to the Treasurer, the program was expected to attract between 300 and 500 new arrivals to the ACT in its first year of operation. To the best of our knowledge, to date there have been no systems of measurement maintained or official reports produced since the program's launch to gauge the success or failure of the program, despite assurances that quarterly reports would be issued. Instead, the government appears to have chosen to rely on anecdotal evidence to measure the program's performance, with an assurance from the Treasurer's office that hard statistical data will be coming soon, whatever that is meant to mean.

If we are going to be serious about these programs, and I would love to see a bipartisan approach to the challenges the territory is facing in terms of population growth, we have to be honest with ourselves and measure the performance of these initiatives because, if they do not work, we need to look at new strategies. So I think it is imperative that we actually have a high level of openness with the success of these programs and that the Assembly be constantly kept in the loop in terms of the success or otherwise of these measures.

If they do not work, it is not necessarily an area of criticism; it means that new approaches are needed. I think that the Canberra business community and the public sector alike are very much of the view that recruiting skilled people is one of the biggest issues that they are now facing in this territory. It is essential then that such a program have sufficient measurement mechanisms and milestones in place to keep it relevant and effective in a constantly changing employment and migration environment.

I do not think that any issue is raised more frequently with me at the moment by the business houses of Canberra than the fact that they simply cannot get people. I have talked to major accounting firms which are now trying to recruit people at the Sturt university in Wagga and have given up trying to get people locally. I have talked to people in federal government agencies who are offering extraordinary salaries to get people into key departments, such as Treasury, and are struggling to find people.

I know that the territory is challenged even more so in respect of recruitment to a number of agencies. Even with basic jobs in hospitality, restaurateurs and bar owners have regularly said to me that they simply cannot find people to work. So it is a widespread problem. It is one of the downsides of the strong economic growth we have seen under the 10 years of the Howard government that we do have much stronger numbers of people gainfully employed in this country. We do have a good economic environment, with a low level of interest rates. But the problem that creates is that it compounds the

difficulty for businesses, not just those wanting to expand but those just surviving in terms of having suitable personnel.

One of my colleagues opposite, Mr Gentleman, probably would argue that people have just got to pay more, but the fact of the matter is that pay is not what it is just all about. It is actually getting people here and it is getting the reservoir of talent. When an 18-year-old in this town can go out into the construction industry and undertake unskilled labouring and earn \$1,000 a week, I remain to be convinced that it is all about income levels. I think that the problem is complex and that a concerted effort is needed to try to ensure that the interests of the ACT community are well protected.

Indeed, we have to recognise that this is not only a competitive issue for Australia but also clearly a competitive issue between ourselves and the other states and territories. We have to have unique advantages, which I believe we do in Canberra, but somehow we have to get that message out not only to people interstate who might consider a change of lifestyle, particularly young people, but also to those in other countries that might see appeal in coming to Australia and joining this community and lending us the benefit of their skills.

The government has supported an increase in the scope of its immigration programs to bring in skilled migrants under the commonwealth's state-territory nominated independent and skill matching schemes, but one would have liked to have seen these things embraced earlier in the original program, especially when one looks at the advantages that that program, the STNI program, offers over those elements of the ACT's skilled and business migration program. These features include faster processing due to no migration paperwork and access to skilled migrants registered on the skill matching database maintained by the Department of Immigration and Multicultural and Indigenous Affairs.

It is certainly important that the programs of the territory government be promoted to the business community and overseas migrants. It is something of an area of scepticism on my behalf as to how enthusiastic the territory often is in these matters. Whilst Mr Gentleman's motion does not declare hostility to the skilled migrants coming in, there always is an underlying sentiment in most of his pronouncements in the Assembly that the first port of call is to protect the interests of unions in the territory and they see that inextricably as part of the immigration process.

Over the years, I have seen examples of that getting out of hand. There was the situation some years ago when the Australian American Association put on their annual dinner while there was a visiting warship in Tasmania with a marine band on board. The union down there would not let them perform at the dinner at Wrest Point Hotel unless they joined the union, which completely cut across the requirements of serving military personnel. An entertainer who came out from the UK and asked for some help in lining up a television interview was immediately told that he would have to be in actors equity. There was the ludicrous situation, which has reduced somewhat, that existed under the Fraser government where the union movement had a disproportionate say over the granting of visas for people coming into Australia.

Mr Speaker, the opposition welcomes the influx of skilled workers into Australia. I want to make it very clear and put it on the record that the opposition will have no part in any

way in supporting, condoning or tolerating the exploitation of overseas workers. All employees, whether they are local or overseas, must be employed under Australian standards and conditions of employment. Mr Gentleman will have no argument with me and I will not defend businesses, whether they are interstate or in the ACT environment, that have sought to exploit workers. I am aware, because I sought information this morning and confirmed it, that the commonwealth government has committed an additional \$140 million in funding over the next four years to more than double the number of workplace inspectors and provide additional advisory and education services to the public.

In terms of the Filipino workers working in Canberra restaurants, I am advised that the investigation of the Office of Workplace Services into their underpayment claims is at an advanced stage. I am further advised that breach notices have been issued to a number of restaurants and that litigation action is also being considered. Moreover, the OWS is undertaking targeted education and compliance activities in ACT restaurants to ensure that both overseas and local-based workers are receiving their lawful entitlements.

I can hear in his response Mr Gentleman saying, "This has all come too late. Why isn't there a mechanism in place?" I would suggest that there is a very good mechanism in place and that is why we are seeing action undertaken. The OWS does liaise with DIMIA in relation to any of these matters of concern. It has procedures in place to ensure that those who would seek to violate the award conditions that prevail here will be dealt with. I am pleased to confirm that a number of breach notices have been issued in relation to Canberra businesses that have been found, on the basis of preliminary evidence, not to be operating in accordance with awards and I am pleased to say that those matters will be pursued.

Mr Gentleman's motion proposes a new role for DIMIA in becoming the policeman in relation to employment conditions. I do not believe that that is a sensible situation, given that there is already a federal government agency that has that responsibility. It is appropriate that DIMIA refer matters of concern to that agency and I believe that utilising the current employment agency to observe, monitor and prosecute, if necessary, breaches of the award makes sense rather than having two agencies falling over one another. I do not think that his solution makes an enormous amount of sense. Whilst I will not oppose this motion, I think that it misses the mark in a number of areas. In addition, he should be aware that there is a range of situations in the ACT where industrial organisations and government agencies have the capacity to inspect wages records.

I find it curious that Mr Gentleman's motion seeks to congratulate the ACT government on its skilled and business migration program, yet my office is yet to obtain any advice, and members of it have spoken with the Treasurer's office today, which shows some measure of the success. As I indicated, if it is not working, if we are not getting the numbers in, so be it; but I think we need to put it on the table, rather than just issuing press releases when we announce these initiatives.

When I look at the selected arrivals in Australia for a range of visa categories, I see that the ACT is very much the poor cousin in terms of immigration. There was a report recently issued on these statistics for DIMIA, which I suspect all members received, and it certainly shows Canberra not doing anything particularly exceptional in terms of

numbers coming to Australia. I have not got the reference in front of me, but I recall its citing that even our immigration mix was more in line with the historic pattern for Australia rather than emerging trends with new countries starting to lead in terms of immigration. I think that we need to look at it more thoroughly because there are enormous commercial spin-offs.

My colleague Mrs Dunne will talk at some length on the training elements within this motion, which I also think are rather frivolous and lacking in credibility. In the remaining time I have, I would just draw the attention of members to the fact that a range of initiatives are employed by the Australian government in terms of apprenticeships. There is the innovation incentive. The innovation new apprenticeships incentive provides for an additional \$1,100 incentive, paid on commencement in an identified occupation.

There is the school-based new apprenticeships initiative, whereby employers may receive an additional \$750 commencement incentive for employing a new apprentice and \$750 for continuing to employ the young person after he or she has completed year 12. There is the mature aged worker incentive, whereby an employer of a disadvantaged worker may attract a special \$750 mature aged worker commencement incentive and a \$750 mature aged completion incentive. Many other incentives are available and can be seen by looking at the web site for the Australian government's new apprenticeships incentives program. It is a long list of incentives. It is fallacious to say that apprenticeships are not supported.

DR FOSKEY (Molonglo) (11.11): I appreciate the intention behind Mr Gentleman's motion. It is important that migrant workers have a rewarding experience when they come to our city. Despite their discrepancies, recent reports that migrant workers have been treated illegally under the commonwealth immigration act should be of great concern to our community.

I address what appears to be a flaw in paragraph (1) of the motion. This paragraph fails to recognise that a skills shortage strategy that looks to import skilled workers rather than skilling up our own will not solve the skills shortages in the long run. The ACT Greens poverty motion of late last year touched on this topic and called for further support for low-skilled workers who are at risk of unemployment and underemployment.

We must recognise that importing skilled workers is only a short-term solution. It fails to address the heart of the problem. People in our own local region who, for various reasons, have missed out on training can ease the problem long term. Not only is such a solution good for our workers, giving them a reason to stay here, it is also good for government as it will reduce the requirement to provide support services to these low-skilled workers in the long run.

Canberra has a history of being a city that people come to and live and work for a period—sometimes for as long as a number of years—but too often they see their homes as being elsewhere. And elsewhere is often where they return. We need policies in place that bring here people who wish to stay and that support people from our region coming to Canberra, even if just for a few years, because we know that they will come back to Canberra to do their shopping and will treat this as their centre city.

It is worth noting at this point that the Greens are in no sense anti immigration. We fully embrace and celebrate the richness that has brought to our community. But we want to see less emphasis on the financial resources, the employment prospects and the English language skills of applicants and more focus on family reunions, refugees and other humanitarian streams.

We already know, from the experience of several generations of migrants in our own country, that second-generation migrants often contribute a great deal to our work force and that, due to their parents' experiences in their own countries, their children are encouraged to work hard and do well in school. We are the beneficiaries of the second-generation migrants who are contributing hugely to our community. So we really need to think about the kinds of people that we encourage to be our migrants and think of the contributions that their children can make, as well as their own generation. Currently Australia's doors are more open to people who can afford to buy their way in. I am not quite sure of the exact figure, but I think a couple of hundred thousand dollars are needed to be recognised as an ordinary migrant in Australia.

We are also more inclined to support short-term migration. The benefit of having people knowingly come here for shorter periods, often because they have been brought here to do work with a business for a time—often lucrative contracts are offered here; we are talking perhaps about people who already work for a multinational firm elsewhere and who are brought to Australia to work for our local branch—is often more to their company and to the individual than to our community. The financial benefit frequently goes to the person rather than it being the other way around.

There are a lot of issues around migration when we are talking about increasing our skilled work force, and we need to consider them all. There is also a moral obligation upon us, when we think about importing skilled migrants, to ask about the impact that we are having on the countries of origin. We are well aware that there is a diaspora of migrant workers, especially in our own region.

We are constantly told about domestic workers from the Philippines and Hong Kong. There are a whole range of people whose governments are now relying upon them to work elsewhere because their remittances home protect that government from having to provide welfare to families in countries that we know do not have the welfare policies that we enjoy here. That is more at the level of the low-skilled migrants.

They do not appear to be the topic of this motion, but when we are talking about highly skilled migrants we have to ask whether we are depleting Third World countries of people that they need to help advance their own country. Because funds for training are in much shorter supply in poor countries, investing in training our own people can, in this way, be a form of development assistance as it gives less impetus to mine—and I call it “mining”—the skilled labour of our neighbours.

As you are probably well aware, in the Senate the Greens senators have been working in the areas of immigration, industrial relations and apprenticeships. Kerry Nettle has continually called for increased investment in education and training. Last year the Greens identified an additional \$2.8 billion needed over four years to meet the increased demand and to maintain quality in the TAFE sector.

The ACT has a role in lobbying the federal government, and we should be requesting DIMIA to uphold the immigration act. However, there are problems in how DIMIA uphold the act. If they do not take a proactive approach in monitoring workplaces and if they rely on workers themselves to report complaints, they are not going to receive very many because migrant workers are not going to report their bosses if it jeopardises their employment and thus their working visas. But there are measures the ACT government could take to encourage compliance with not only legal requirements but also ethical work practices.

I was going to move a couple of amendments to draw out the ACT government's role. The first was to call on the ACT government to take measures to ensure that all private businesses involved in the ACT government's skilled and business migration program provide appropriate pay and conditions to their migrant workers. The second was to ask the government to report back on this by September this year. I have decided not to move those amendments. I have been told that the government is not going to support them. In the interests of time, I have decided not to put them. Nonetheless, I have made the point that there are things the ACT government can do to ensure that all private businesses involved in its own program provide the appropriate pay and conditions. This might involve doing checks on their private partners' history with migrant workers when they sign up together; or, once the private partners receive migrant workers, taking steps to ensure that the workers have appropriate pay and conditions.

All too often, motions are put by Labor backbenchers that request the ACT government to lobby the federal government for something but, too often, we do not know whether the ACT government does this after the Assembly has approved the government's own motion. It is really important that we see some follow-up, and it is very important to the faith of our electors in the community that they see rhetoric followed by action. That was the main reason why I was going to put my amendments. Nonetheless, with those important quibbles and concerns that we do not look at this issue simplistically, I will be supporting Mr Gentleman's motion today.

MRS DUNNE (Ginninderra) (11.20): Mr Gentleman raises exceedingly important issues about skill shortages in Australia but he does it, I suspect, not because he is concerned about skill shortages but because he would like to take opportunities to do what is Mr Gentleman's strong suit, which is to bollocks the federal government at every opportunity. Mr Gentleman shows that he is little more than the glove puppet from Centenary House by the nature of the motions that he moves in this place almost every private members day. When Mr Gentleman starts talking seriously about skill shortages and comes up with solutions rather than the things that he has said today, I will start to take Mr Gentleman more seriously.

Mr Mulcahy: He would get a gold star from George.

MRS DUNNE: He would get a gold star from George, but that is about as much as he will get in this place.

While much of the sentiment that is expressed in here is appropriate and, as Mr Mulcahy has said, should receive bipartisan support, the motivation behind this is, as usual, quite venal. Mr Gentleman has used this motion basically as an attempt to run the issues that

Senator Lundy has run in the federal parliament in relation to skilled migration of Filipino chefs into Australia. The treatment that appears to have been meted out to these people is entirely inappropriate and should not be supported.

It is comforting to hear that Mr Mulcahy has done his homework and is able to tell the place that breach notices have been issued, that it looks highly likely that prosecutions will take place and that if people are found to have treated their employees inappropriately, not paid them the award wages and not afforded them the award conditions, then they should be punished accordingly. And you will get no argument from me.

But the element of Mr Gentleman's motion that I want to concentrate on is that in relation to funding. Mr Mulcahy and I have both spoken at length in this place about the importance of training and the importance of increasing the skills base in this country. Mr Mulcahy touched this morning on the very difficult task that that is for all of us and that we should all be working together towards this. I have spoken in the past about this and particularly about—and this touches on something that Dr Foskey said—so far, our failure in Australia to train the people who are underemployed. There are still a large number of people who are either underemployed or are not working in the industries that they would like to. This must be one of the areas where we redouble our efforts in training.

I want to concentrate on Mr Gentleman's paragraph 2 (a). It is odd, given that the Stanhope government has happily signed up to the 2005-08 commonwealth-state agreement for skilling Australia's work force as well as last month's Council of Australian Governments agreement on the new national reform agenda. If people are being starved of funds and if the new apprenticeship schemes are questionable, then it is to Ms Gallagher and Mr Stanhope that he should be directing his ire. The COAG meeting in particular is one the Chief Minister welcomed as "cordial and productive" and was sure it would "deliver meaningful incremental changes for all Australians", but apparently it was not cordial or productive enough for Mr Gentleman. Perhaps the trouble is that it was too cordial.

With regard to the allegations about the federal government's continual starving of training funds, I seek leave to table two documents.

Leave granted.

MRS DUNNE: I present the following papers:

Vocational and technical education funding—1995-96 to 2005-06—

Fact sheet

Graph.

The first document provides details of vocational education funding for the life of the commonwealth-state agreement. To touch on a few of those, in 2005-06 Australian government funding for VET was \$2.5 billion and, over the life of this agreement, we will be looking at \$10 million on top of the cumulative \$18 million that has been expended between 1995-96 and 2005-06.

The other document that I tabled shows Australian government expenditure on VET from 1995-96 to 2005-06. It is in a graph form and quite visibly demonstrates exactly how much the commonwealth's funding increased over the life of this federal government. This surely puts a lie to the statements by Mr Gentleman in paragraph 2 (a) about the federal government's continual starving of training funds. I suggest that Mr Gentleman acquire a copy of the graph which I have just tabled, look at it and see the 160 per cent increase, even after adjustment for inflation, over the life of this government. So 160 per cent is not what I call a continual starving of funds. That is why I propose to move one of the amendments that I have circulated already.

Mr Mulcahy has touched on the incentives that are part of this funding across the whole range—the employer incentives, the sign-up incentives and then the incentives which have been part of the new approach to apprenticeships by the federal government, the toolkits after you have been an apprentice. My son was an apprentice carpenter. After he was an apprentice for three months he got, essentially, an \$800 voucher which was redeemable for tools. That is an innovation which makes life very much easier for families of people who are starting off on apprenticeships in places where you have to shell out a large sum of money. Apprentice chefs have to have a considerable toolkit. Carpenters, people in the plumbing trades—all of these people need to spend a lot of money on tools. In addition, as from 1 July last year, apprentices now have access to Austudy benefits.

The point of federal policy, which everyone but Mr Gentleman appears to agree with, is to put in place an industry-led national training system. That is because it is industry which will provide the jobs and industry which is best placed to identify the skills that are needed and will be needed in the future. As the commonwealth-state agreement notes:

Industry will have a highly skilled workforce to support strong performance in the global economy.

And:

Employers and individuals will be at the centre of VET.

In other words, training and skill development will be tailored to meet the specific needs of industry to the specific jobs that will be required and to the particular interests and strengths of individuals. No longer will the system be determined by the convenience of training providers. But this is not the only industry-led system we are in the process of creating. It is also a national system. To quote the five guiding principles for the new training system as given in the commonwealth-state agreement:

- 1) Industry and business needs, both now and for the future, drive training policies, priorities and delivery.
- 2) An assurance of better quality training and outcomes for clients, through more flexible and accelerated pathways.
- 3) Processes should be simplified and streamlined to enhance national consistency.

- 4) Young people have opportunities to gain a wide range of lasting skills that provide a strong foundation for their working lives.
- 5) Training opportunities are expanded in areas of current and expected skills shortages.

To this end, several initiatives have been put in place, and I mention a few. The new Australian technical colleges and the Institute for Trade Skills Excellence firmly place industry at the centre of the action.

There is much that could be said in favour of the current approach to technical training in this country, an approach which has been led in the past by Brendan Nelson and Gary Hardgrave and which has now been taken up by Julie Bishop and Gary Hardgrave. It was an interesting throwaway line that this has been done by a junior minister and therefore is not of value. The contribution made to vocational and technical education by Gary Hardgrave over the past two years is phenomenal, and he should be congratulated in this place rather than have the carping and snide, throwaway lines by Mr Gentleman, as usual.

In conclusion, I seek leave to move both amendments circulated in my name together.

Leave granted.

MRS DUNNE: I move:

- (1) paragraph (2), omit subparagraph (a); and
- (2) paragraph (5), after “employers”, insert “unions”.

MR SPEAKER: The member’s time has expired.

MR MULCAHY (Molonglo) (11.31): I speak in support of the amendment. As I started to say towards the conclusion of my earlier remarks, the federal government’s commitment, particularly incentives for employers, has been quite comprehensive. So the amendments moved by Mrs Dunne more appropriately recognise that commitment that we have seen, which is part of the very challenging task of tackling Australia’s shortage of skilled people.

I look at the summary of the Australian government’s new apprenticeships incentives program that I made reference to earlier. This is a recent document, of 1 January 2006, which is accessible on line. We look through there and see a vast array of incentives that are designed to provide opportunities and encourage employers to take young people into their work force.

There is the standard commencement incentive, which is \$1,250, for an employer who commences a new apprenticeship in certificate II training or \$1,500 for an employer who commences a new apprenticeship in certificate III or IV training. We see a \$1,000 special incentive for an employer who commences a woman in an eligible certificate II to IV level new apprenticeship in a declared non-traditional occupation. That is called the women in non-traditional trade special commencement incentive.

In addition, there is the \$1,100 special incentive for an employer who employs a new apprentice in an eligible innovation training package qualification at the certificate III or IV level. We have got the very successful school-based new apprenticeships additional commencement incentive, which provides \$750 additional incentive for an employer who employs a new apprentice in a school-based new apprenticeship at certificate II to IV level. In addition, rural and regional Australia is given special regard in this respect and there exists a \$1,000 special incentive for rural and regional new apprenticeships where the new apprentice commences certificate III or IV training in an occupation identified as experiencing skill needs in a non-metropolitan area.

In terms of group training organisations, we see that they have played a critical role in the provision of competencies and skilled people in many industries. I am aware of the role, for example, they played in tourism and hospitality. We see there a \$1,000 special incentive for group training organisations that support new apprentices to complete a certificate II new apprenticeship.

In addition, recognising that some people have to leave home to secure employment, the commonwealth has provided a living-away-from-home allowance. New apprentices may be eligible for LHFHA, the living-away-from-home allowance, for up to 12 months at the first year rate of \$77.17 per week; a further 12 months assistance at the second year rate of \$38.59; and a further 12 months assistance at the third year rate of \$25 if the certificate II to IV level new apprentice had to move away from the parental/guardian home to commence or remain in a new apprenticeship or is homeless.

I struggle then with the original wording of the motion that Mr Gentleman has brought before the Assembly. He talks about the federal government's continual starving of training funds. It therefore is appropriate that the Assembly, after hearing this information, support Mrs Dunne's first amendment because of the federal government's commitment to increase skills for training and apprenticeships and recognise her second amendment which seeks to amend paragraph 5 by inserting the word "unions" after the word "employers" in terms of mechanisms to ensure proper monitoring of arrangements.

I have some doubts that this is the role of DIMIA, frankly. I am not going to fall on my sword by opposing the motion as originally written, but I believe that we need to try to recognise that having multiple agencies undertaking the same task is fraught with problems and is likely to lead to a low level of compliance or enforcement.

I understand that Dr Foskey indicated that she was not going ahead with her amendments, but I would have had a real issue with them as well because I do not believe—I am not a lawyer—that it is the constitutional role of the ACT to monitor pay and conditions in terms of industrial fairness. It has a role in relation to ensuring the payment of workers compensation premiums, but I am doubtful—and I would be happy to be guided by someone who is legally qualified—that the territory has a role in monitoring fairness in pay and conditions. That is a role of the commonwealth and is precluded, I believe, under the self-government act. Those amendments are not proceeding, but the sentiment there of the ACT buying into this battle raises some constitutional questions.

I share the views that Mrs Dunne put forward in terms of the motivation behind this. It is regrettable that this is brought forward in some opportunistic way to take advantage of or—dare I use the term—exploit the circumstance faced by a number of immigrant workers in the city. The opposition makes it absolutely and unambiguously clear that we will not support people who breach the awards. I never have in my career in industrial organisations. I am certainly not about to suggest to my colleagues that we in any way condone this. The record, therefore, will clearly show that those who choose to breach award conditions or the laws of the territory on employment cannot expect the ACT opposition to demonstrate any sympathy.

I am very pleased that our federal colleagues, as I previewed, have got a series of measures in place to deal with the alleged breaches in the territory and that there will be a range of legal measures employed both through federal government powers and, I believe, some civil litigations which are flowing. So be it; these things happen. I accept that people in some instances make innocent errors in relation to award breaches. But my experience in dealing with federal inspectors is that innocent errors do not normally result in prosecutions and it is only when there is a belief that there has been deliberate intent to exploit a situation that one can expect to land oneself in court. Without prejudging the circumstances of each of those prosecutions, we can take confidence that those responsible for enforcing award observance are taking these matters seriously and are doing their job.

Therefore, it begs the question why we need to change anything. You can always do better; I recognise that. There are breaches that occur. But it is imperative that in the system one agency federally have primary responsibility, as is the case.

Question put:

That **Mrs Dunne's** amendments be agreed to.

The Assembly voted—

Ayes 6

Mrs Burke
Mrs Dunne
Mr Mulcahy
Mr Pratt
Mr Smyth

Mr Stefaniak

Noes 9

Mr Berry
Mr Corbell
Dr Foskey
Mr Gentleman
Mr Hargreaves

Ms MacDonald
Ms Porter
Mr Quinlan
Mr Stanhope

Question so resolved in the negative.

Amendments negatived.

MR QUINLAN (Molonglo—Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for Racing and Gaming) (11.43): In his earlier remarks, Mr Mulcahy referred to some commitment that I made to the Assembly to report figures quarterly. I would like that to be backed up because I do not think that is the case. I am sure Mr Mulcahy will go and

do his homework and, if that statement is incorrect, will have the decency to correct the record.

The facts of the matter are that, when we instituted the skilled migration scheme, the plan said that quarterly and annual reports against these activities would go to the minister. So there will be reports to the minister. In fact, I get reports weekly. Given the volume of questions on notice that you guys seem to be able to churn out, if you had any interest in it other than during a debate on the topic, you might have asked.

To assist you and set your mind at ease, let me bring you up to date. To date, a total of 185 applications have been received, of which 154 have been for skilled migration; 31 for business migration; 141 skilled applications have been approved and five rejected, on the ground that they did not meet the certification criteria; 27 business sponsorships have been approved since July 2005; and 18 of these clients have had their permanent visa granted by DIMIA and are making arrangements to move to Canberra and commence business activities. So I think we are okay there. The scheme has been in place since July 2005. It was previously suspended. We had difficulties. Those difficulties have been sorted out, and I am very happy with the progress that has been made so far.

Mr Mulcahy also, as a prelude to some of his remarks, talked about the Howard 10 years and the economic strength of 10 years. I am pleased to note that in recent times more and more commentators are referring at least to the fact that maybe our strong economic position is more a result of fundamentals put in place by the Hawke-Keating regime, the strength of commodity markets and the strength of the world economy, which in fact is providing strong markets for basic commodities from Australia. From time to time, I scratch my head and wonder what these masterstrokes of economic management were that the Howard-Costello government put in place that have made the difference to Australia. I do not know what they are.

Mr Mulcahy: Debt reduction.

MR QUINLAN: Debt reduction. What about current account deficits? We are running a deficit, on current accounting.

A couple of points have been made. I will even agree with Mr Mulcahy that it does not fall within the purview of the ACT government to monitor each and every condition or the position of each worker. If you extend the logic of that, you would build a totally impracticable system. It just would not work if governments were trying to monitor everything that occurred in an over-the-shoulder process. Nevertheless, it is the case that the unions play a role in looking after the individual. In fact, since Senator Kate Lundy, who has had a great role in—

Mr Pratt: In undermining this.

MR QUINLAN: You are making funnies, Steve. Senator Lundy has applied and is applying pressure for the federal department to ensure that, when skilled migrants arrive, they are equipped with the basic package of information that lets them know what their rights are. The section 457 visa has a requirement that their sponsor pay award conditions.

Nevertheless, it is necessary that the further step is taken, that the skilled migrants themselves are informed of their rights. It is incumbent on employers to know their obligations. Nevertheless, they are to some extent incorporated in the document that is signed, the sponsorship document. Maybe we should ensure that every skilled worker gets at least some advice on what their rights are or where they go, if that list of rights would be too complicated, for clarification and information. I am assured that Senator Lundy, our federal counterparts and the unions will press for that to occur. That is a positive step forward, a step that unfortunately has arisen out of the abominable treatment of some of the skilled workers that have been brought to Australia under various programs.

It has to be said that there was scant recognition given during the discussion so far as to what this government has done in relation to the skills shortage. And we have done a fair bit. I heard some quite passionate words used from the other side of the house about training. It is the case that it has been this government that has increased the funding of VET in the ACT in successive budgets from what I have to say was a quite unsatisfactory base.

I have not been backward, when talking to employer or business groups, in observing that they, to some extent, dropped the ball in not planning for the future, allowing the number of apprenticeships and the number of traineeships to lapse, allowing training and development to fall by the wayside and, in fact, supporting a federal government that is putting a higher and higher price on education, making it the right of the privileged as opposed to the right of all. The employer groups are supporting that government when we all know that education is as much an investment as it is an individual right. It is a national investment. Unless this federal government realise that, they are going to lose out and they are going to allow this situation to recur or continue.

The case in point is the much-lauded Celtic tiger, Ireland, which is now doing so well within the European Union and within the world economy. In its worst times it continued to invest in the education of its young people, even though they were exporting those young people to other countries. When they turned around their fortunes—and they have turned around their fortunes—they were able to draw upon that investment that they had made in their own young people to fuel their success.

If there is anything outside of this motion and any message that should go to the federal government, it is that you must look upon education as a right of every individual, despite their financial circumstances, and you must look upon it as an investment in the future of this country. The world economy will not allow us to continue—it will not happen—to live off the commodity exports from this nation and tell ourselves that we are economically clever, because we are not. We just happen to be, in this particular case in this era, the lucky country.

MR GENTLEMAN (Brindabella) (11.53): Firstly, let me say that I am very surprised at Mrs Dunne's statements that I am not interested in the skill shortages. She must have had her earmuffs on when the education and young people committee attended the VETA board last year and listened to their comments on skill shortages and when that committee was in discussions about forming new inquiries. It was quite amazing. Regarding her amendment, I have already mentioned the disassembling of ANTA and

the pork-barrelling involving the expenditure of millions of dollars in marginal electorates by the federal government.

Mr Mulcahy mentioned the OWS. I have been informed that OWS inspections of Canberra workplaces took place, on all occasions, after complaints had been made. But the point of this motion is to prevent exploitation.

We only need to think of Samuel Kautai to know that the current system does not work. Yesterday in my adjournment speech, I spoke about Samuel Kautai, a migrant worker who was abused by his employer, for the privilege of \$56 a month. That is another example of a skilled migrant worker who has suffered at the hands of his employer. Could things have been different had DIMIA been required to monitor the working environment and the contract of Samuel, we do not know. Samuel's story is a tragedy, but the federal government has the opportunity now to right this wrong.

There are employers in the country that will do anything to increase their profits. They will force workers to become contractors. Some employers, not most, have seen skilled migrant working visas as a means of employing migrant workers on substantially lower pay than the award. We have heard of workers who are forced to live with their employers, of workers who were told, essentially, that they were bought and paid for. If we stand idly by and allow such conditions to continue, we will be saying that we support the creation of an exploited class. These workers are too scared in most instances to speak up for fear of deportation. They should not have to speak up. The system should speak up for them.

This motion puts the onus back on the federal government to ensure that the contracts binding DIMIA, the employer and the skilled migrant worker are adhered to. This motion calls on the federal government to do the right thing by the workers who have taken up the opportunity to fill our skill shortages. I urge the Assembly to support the motion.

Motion agreed to.

Road Transport (Alcohol and Drugs) (Random Drug Testing) Amendment Bill 2005

Debate resumed from 14 December 2005, on motion by **Mr Pratt**:

That this bill be agreed to in principle.

MR HARGREAVES (Brindabella—Minister for Disability, Housing and Community Services, Minister for Urban Services and Minister for Police and Emergency Services) (11.56): I thank Mr Pratt for bringing forward this private members bill. Other Australian jurisdictions have varying positions on random roadside drug testing. Differing arrangements are in place in two jurisdictions, Victoria and Tasmania. South Australian and New South Wales have their own—again differing—plans to introduce testing, while Western Australia, the Northern Territory and Queensland have no proposals at this stage.

Given the wide variation in approaches and the fact that those jurisdictions which have implemented a drug testing regime have had limited experience in their efficacy, it would be preferable for the ACT to thoroughly consider the approach it should take to random drug testing before attempting to implement such a scheme. The government has previously indicated that the ACT would await the results of an evaluation report of the Victorian scheme, which is due to be issued in early 2006, before making further decisions on this issue. As a new initiative, both nationally and internationally, the Victorian experience has raised a number of concerns, including the reliability of testing measures, the actual drug substances which should be tested for, as well as the wider legal and human rights issues. Any similar developments in the ACT would need to take account of these concerns.

With that in mind, I have already requested my department to convene a working party of officials from ACT agencies which will need to be involved in the introduction of any random drug testing of drivers in the ACT. This work is under way. The working party will monitor developments in other jurisdictions and scope an ACT policy position on random roadside drug testing. Issues which would need to be addressed would include assessments of different models currently in use across other jurisdictions. We know, for example, that one jurisdiction is testing for 13 different drugs. In another jurisdiction, it is only one. In another one, it is two. So we need to have a look at what these models are doing.

We also need to look at the accuracy of testing devices. In my mind anyway, the test case in the Victorian courts was not conclusive enough. The accuracy of the testing devices, given the different drugs that we would be testing for, does not leave me with a lot of confidence at this point. Another issue is the identification of appropriate drugs to test for. We have to consider whether or not we are just trying to use this to catch drug users. Are we just going to have it for cocaine, heroin or amphetamines? Are we really going to be serious about it as a road safety measure and start testing for pseudoephedrine, which is quite legal. People can pop No Doze pills, for example, because they are stressed but they are unsafe to use when driving on the roads.

There has not been an argument mounted as to the road safety efficacy of legally obtainable drugs such as pseudoephedrine—cold and flu tablets, of course, are the main source of pseudoephedrine—and caffeine as opposed to illegal drugs. We have not had that discussion about how far we should test. I applaud the idea of stopping people from driving while impaired but we need to have that conversation about the reason for doing so. If the reason is a road safety one then I applaud it. If it is just to spring out of the bushes and catch people who have been using drugs in the last week then I do not applaud it.

Mr Speaker, another thing we should look at is the correct framing of a drug driving offence and the link between the presence of a drug and impaired driving. As we know, certain people are affected in different ways by certain levels of caffeine. Can we be sure that a certain level of caffeine in a person's bloodstream has contributed to impaired driving? I am not saying yes and I am not saying no about it. Quite frankly, I am just saying that we need to have the drug driving offence framed in a sense a bit like our drink-driving laws, where we say that there is a minimum amount of a particular drug in the bloodstream—the blood alcohol concentration—which we know impairs driving. But

at the moment we cannot guarantee what concentration of illegal or legal drugs will impair driving.

We have heard anecdotally the opinion that any presence of heroin will in fact impair driving. But we need to have a look at, in a sense, the half-life of drugs which are residual in the bloodstream. All drugs take different times to work their way through the system. I would like to see some work done in determining what those levels are and build those into the legislation. I have no problems with this as an issue but at the moment we do not have that information. We do not have that coming out of the states either. Tasmania is testing something like 13 different drugs.

Mr Mulcahy: It has been out there for years, John. It has been there for decades.

MR HARGREAVES: Mr Speaker, Mr Mulcahy says across the chamber that it has been there for decades. Well, I am sorry, it has not and, furthermore, it is not in the piece of legislation that Mr Pratt has put down. His bill does not say that X milligrams of a particular drug found the bloodstream will impair driving. It does not say that at all. What, in fact, other pieces of legislation say is that it is illegal to snort cocaine or to inject heroin. Well, we know that. If this legislation is about randomly testing the population to see who is a drug user, then let us not be dishonest about that. Let us be open about that and put this legislation forward for what it is.

Mr Pratt: This is a road safety issue.

MR HARGREAVES: If this a road safety issue—and I take that on face value—then what we need to do is make sure that these testing regimes are valid and efficacious. I do not see that in this legislation. We need to make sure that we have the correct powers to detain people for testing. I do not think this is particularly well articulated in this legislation. We need to talk about the treatment of positive test results during any trial period.

We already have difficulties with blood sampling after accidents. We have difficulty in framing the law around that. I do not think we differ over having to do this. Where we differ at the moment is over whether we are in a position to make good law in this respect, and I do not think we are at this point.

We need to make sure that we look at the restrictions on the use of evidence from roadside tests for anything other than a driving-related offence. This has to be covered but I do not see it in the legislation. We also need to address treatment program options for offenders. We do not have that. Also, we have not considered the resource implications for the Australian Federal Police and the ACT Government Analytical Laboratory. Essentially, we do not have that information at the moment. If the different jurisdictions are doing things in a different way then they will have a different call on those resources, particularly in respect of the laboratories. Do we have the equipment available for testing? How much will it cost? If we have legislation in place and we do not have the equipment to test, is it going to be an efficacious piece of legislation? I would argue that it would not be.

Mr Speaker, these issues will be explored this year as part of a wider review of the Road Transport (Alcohol and Drugs) Act. I had already asked the department to convene a

working group before Mr Pratt put his legislation on the table. I need to make the point that the government is not saying “no” to this. What we are saying is “not yet”. We are not ready yet because of the differing ways and the extent to which this is being looked at across the country. I do not want us to be out of step with the rest of the country but I do not want us to go in boots and all and find that it is not working either.

We already have laws which police officers can invoke if they suspect someone to be driving under the influence of a substance. They can do that already. So we have got that covered in the interim. We also need to have this as a complete package. I am very anxious to see the results of the Tasmanian experience because that state is, in fact, covering a greater suite of drugs than the Victorian model. I am not confident that if we just test for heroin, we just test for methamphetamines or we just test for cocaine, we in fact will really be doing much on the road safety issue at all. We know that a contributing factor to some of the fatal accidents that occurred last year was impaired driving resulting from the injection of substances. But there is no consistency.

I have to say that I am really anxious to see the results of these trials because out of them will come not only the actual drug regime itself but the legal aspects of testing people, charging them, taking them to court and whatever. We will make sure that the processes and procedures stand up in court, and I am not confident that that actually applies in Victoria. We have not seen it happen in the other jurisdictions yet; so we are also being a bit cautious there.

Mr Speaker, in view of the amount of work to be done to arrive at an appropriate scheme for the ACT, I think it would be premature to proceed with Mr Pratt’s private member’s bill at the present time. Accordingly, we cannot support the bill. But I want to re-emphasise the point I made a moment ago that this is not a case of the government saying “no” to this approach. It is not about us not recognising that driving ability is impaired by the ingestion of substances. However, our opposition to this bill is merely that we do not think it is comprehensive enough. There are activities going on interstate that we can learn from. Most importantly, we wish to cover all elements of this problem, and we have convened a working group to do that and to advise us.

Let me assure the house that I regard this as a particularly serious issue and I will be back with legislation to cover off on it when we have that information, but not before. So unfortunately, Mr Speaker—and unfortunately for Mr Pratt—we cannot support the bill.

DR FOSKEY (12.10): I am quite sympathetic to the motivations behind Mr Pratt’s bill but I have to endorse many of the remarks that Mr Hargreaves made. I will make my speech and address the issues as we go along. The Greens are concerned about the impact that the use of drugs and alcohol has on the road toll and all of the accidents that we never even hear about. We acknowledge that legal and illegal drugs can impair driver safety and we see that the ACT Assembly has a role in taking action to prevent more accidents occurring. Mr Pratt’s bill is a rough first attempt to do this but I think we need to go through quite a few procedures and steps before we have the right legislation that addresses these problems.

I acknowledge and applaud the ACT government’s random breath testing program for discouraging driving under the influence of alcohol. However, I think more action needs to be taken before we start being concerned about other drugs. We have accurate and

well-tested methods for determining the level of alcohol that is in the bloodstream of drivers. We also have very clear statistics in respect of the way in which different levels of alcohol impact on people's driving ability. This testing is based on science and has been refined over years of application.

Questions need to be asked when we start looking more broadly at the many different drugs that a person could be using. First of all, we have to decide which drugs we will be testing for. Will it just be black market drugs like heroin, cannabis and methamphetamines—and I realise those are just a few? What about legal benzodiazepine drugs like Rohypnol, Valium, Mogadon and Serepax? Laboratory studies have generally found that benzodiazepines decrease performance in visual and speed perception, information processing, coordination, reaction time, memory and attention.

Then there is the question of how the drug tests correlate with driver impairment. A testing regime should not be introduced if it merely shows the presence of drugs in the body when we lack firm medical evidence that this is an indication of incapacity. For instance, the most widely used illicit drug, cannabis, can be detected for weeks after use although it affects driving capacity for just a few short hours. The President of the New South Wales Council for Civil Liberties, Cameron Murphy, has expressed concern about the accuracy of the saliva tests being used in Victoria and has advocated that the New South Wales government delay conducting a trial until the technology is of a standard equivalent to breath testing for alcohol.

To quote from research conducted by the New South Wales Parliamentary Library on the issue of measurement of impairment:

... some drugs, depending on the dosage, may actually improve driving. Prescription drugs can obviously help people with medical conditions to function. Even prohibited drugs like amphetamines can increase energy levels and alertness, but they can also encourage risk-taking behaviour. Similarly, not all people will be equally impaired by the same dose of a drug. Factors affecting impairment include a person's drug history, their level of tolerance or sensitivity, the dosage of drug, the interval between ingesting the drug and being tested, the combination of drugs in their system, and so on. Furthermore, even if drugs are detected in a person's system, the source of any driving impairment might be something else, such as fatigue, illness or lack of skill.

If we implement random drug testing, are we implementing a zero tolerance approach? This is quite different to how we deal with drink driving, for instance, for zero tolerance would penalise driving with any amount of a prohibited drug present in the system. Of course, penalties for alcohol are based on the level of alcohol in the system. This is a nuance that is lacking in Mr Pratt's bill.

When it comes to the penalties, should we take a punitive or a rehabilitative approach? Whether the punitive or the rehabilitative approach has the most impact on drink driving offenders is still a matter of research and debate. And how do we store information about people who test positive? The New South Wales Council for Civil Liberties opposed the introduction of random drug testing in New South Wales on the basis that it is an invasion of privacy. The first driver to test positive to drugs in the roadside operation conducted by Victoria Police on 13 December 2004 sought legal advice on suing the police for defamation and breach of privacy after his identity became public. This is just

one of the problems the Victorian government has encountered, many of which need to be closely examined to ensure that we do not make the same mistakes.

Random drug testing should not be implemented alone. We need to educate the public about the extent of the impairment that results from the use of particular drugs, the quantities that lead to impairment and how long people need to delay driving after use. This is difficult because, unlike alcohol, we are talking about substances of which the possession and use is illegal, and this is hardly conducive to disclosure.

We also need to work with other jurisdictions because much travel in our territory is across our borders. We have all seen road movies—and I am just thinking about one that I saw recently called *Fear and Loathing in Las Vegas*—which portray the use of various substances. We have got to make sure that these sorts of examples are not being shown to young people and made to look really cool. But that is less the reality than red-eyed truck drivers trying to meet their deadlines in order to scrape together a living.

Many truck drivers use amphetamines to stay awake in order to drive the incredible distances necessary to enable them to make a living. In the interests of our safety and, just as importantly, their safety, major changes are needed to be made to the industry if we are to enforce this. There needs to be stricter regulation and enforcement of the rules about the length of time that truck drivers can be on the road. Also, less pressure needs to be placed on drivers by companies. The economic imperative placed on truck drivers needs to be addressed. To punish drivers by, for instance, banning them from driving, often means you are also punishing families by removing their income.

Finally, I would like to address two statements made by Mr Pratt in relation to this bill. First, he said that random drug testing would significantly impact the growing trend of drug taking amongst our young people. Secondly, he said that evidence suggests that many people socialise now using drugs rather than alcohol, as they believe they will be less likely to be picked up for drug driving than drink-driving. I would be very keen to hear the evidence Mr Pratt has based these two statements on. Also, I would like to find out how many young people who take recreational drugs he has talked to.

It is highly unlikely that random drug testing will significantly impact on the growing trend of drug taking amongst our young people. Random breath testing does not appear to have reduced the level of young people drinking excessively—it has just decreased the numbers who drink and drive. And I am sure that is the intention. But why would random drug testing be able to influence young people in a way that random breath testing has not?

When Mr Pratt says that many people choose to use drugs rather than alcohol when socialising, as they believe they will be less likely to be picked up for drug-driving than for drink-driving, how many is he talking about? I think he would find that many more people use drugs than alcohol because—and I must say this comes from young people—it is often a cheaper option than drinking and they want the high alert euphoric feeling that comes with some drugs like ecstasy rather than the depressant in alcohol.

In comparison to Mr Pratt's proposals, the government's Road Transport (Alcohol and Drugs) Amendment Bill appears to make very little change to our current system, and I am not sure how it tackles the problem of impaired driving. For that reason, I appreciate

the comments from Mr Hargreaves about the way that the government intends to proceed. I share Mr Pratt's concern that too many people are dying on our roads and I certainly agree that more must be done. But we must be guided by firm evidence in the solutions that we adopt because of the potential to impact on people's lives while failing to actually address the problem. Until that evidence is available, we must implement better education programs about the links between drug consumption and impaired driving, and tackle the pressures that the trucking industry imposes on its drivers.

We need to have alternatives so that people do not have to use their car if they find themselves in a situation where they recognise that they are not in a fit position to drive. In some instances, we are talking about people who probably cannot afford to use a taxi. If we are really going to tackle this, we have to make sure that we offer alternatives to driving cars, and that means a good public transport system. But setting up a legislative regime that encourages people to disclose, rather than hide, their intake of drugs will assist us in gaining the evidence on which to base fair and effective testing regimes.

MR MULCAHY (Molonglo) (12.23): Mr Speaker, most people are very well aware of the real dangers of driving a car while under the influence of alcohol but it still seems that far fewer are aware of the threat posed by driving whilst under the influence of illicit substances. For different reasons, I am disappointed with what has been said by the previous two speakers. In relation to Dr Foskey, the matter of illicit drugs has always been the Achilles heel of the Greens in Australia. They do not like tough government policies. They take the soft side and they scream like squealing pigs when people make media capital of the fact that they have got a soft policy in relation to drugs. So it causes me no surprise when I hear the Green's representative in this chamber get up and think of all sorts of spurious reasons why it is not appropriate to do this.

It would not matter if I wheeled in here trolley loads of research, which does exist, that demonstrates how much evidence there is of the impact of road safety on people's lives. I would be more than happy to send this to Dr Foskey's office but I am amazed that she has not seen it. I imagine that many of her advisers would have read about this material. There is an overwhelming body of evidence that shows the impact that this is having. The reckless use of illicit substances by people who then choose to drive is taking the lives of innocent people in this city and elsewhere. `

I could paint you a compelling case casting doubt on RBT legislation for alcohol. I was part of an industry that worked very closely with road safety authorities and police and I can tell you of research done in the West Australian police laboratories that shows that some people can drink glass after glass of light beer—in one case, 20 glasses were consumed—and still not go over the limit. So do we go out and say, "Well, there are exceptions there. Sometimes people with different metabolisms do not go over the limit as early as others; so let us throw it all out because there might be that exception. There might be that one or two per cent of the population who really are quite capable of driving even though they have had six beers"? Well, I am sorry but I do not accept that. I will live with the constraints—and I know all of the members here will live with those constraints—that if you want to go out and drink you have to adhere to a very strict regime.

We have accepted that the body of evidence is such that we have to have laws to protect our community from people who drink and drive. I cannot accept the credibility of the

argument, “Oh, there might be an aspect that we do not know about.” This is always the case with legislation we bring into this place. This is an issue on which I feel quite passionate. I am disappointed not so much with the minister’s opposition but his go-slow approach. He said, “We do not know, we have not seen the evidence on half-lives.”

I can tell the minister that we have known about this evidence since the 1980s at the very least. I know that because I worked for a company that had random and mandatory drug testing. We have known that certain drugs, such as cocaine, have a half-life of 14 days. We know that other substances, such as cannabis, have a long half-life. This is all known. It is known by chemists and pharmacologists and we can live with the reality of that. But I am more concerned about innocent people who are going to end up in the morgue in this city because somebody is spaced out on an illicit substance.

Mr Pratt is to be commended for this legislative initiative. I have encouraged and supported him, as have my colleagues, because he has the people of Canberra in mind in bringing in this legislation. I understand that late last year the Chief Minister made the remark, “This is redneck law.” What a shameful comment. Is RBT for alcohol redneck law, too, because we might catch somebody? I do not really care whether this seems to be impacting on people’s civil liberties. I am concerned about the civil liberties of the families who are potential victims because a person laden with drugs is out behind the wheel of a car.

Mr Speaker, let me tell the Assembly of the study of cannabis users in Sydney and Newcastle that found that 78 per cent had driven within an hour of smoking drugs and 27 per cent admitted to driving under the influence of cannabis at least once a week. This has not come from the Liberal Party—this has come from the New South Wales Bureau of Crime Statistics and Research and the National Drug and Alcohol Research Centre. These are well respected institutions, objective organisations, looking at the facts of the situation.

There are frequent advertising campaigns and police operations to randomly target drink-drivers. I have no issue with that. Even the minister shares my view—and it may not be one that is entirely in accord with that of Mr Pratt’s—but the fact of the matter is the vast majority of people are complying with drink-driving laws. We have changed behaviour in our society, especially amongst our young people, and we now have a much greater issue emerging that has not been tackled because we are in go-slow mode in the ACT.

This territory likes to be a pacesetter with all sorts of way-out legislation but in this one, which is a serious road safety issue potentially threatening the lives of Canberrans, we have got 100 excuses for putting things off. I would love to know, Mr Speaker, what has been done by the territory government since this bill came in last December. Everything we heard in the minister’s address was in terms of, “Well, we will get around to looking at it. We are waiting and we want to look at the study and look at this result.” Those sorts of lines can be used forever and a day. But I suspect that the sentiment from the commander-in-chief in this place is one that, “Well, we are not really comfortable in going down this road. We might upset some of our support base.”

I do not really mind if we are upsetting some people by introducing measures that are designed to save lives. I think we should be supporting this initiative and, if the

government feels it needs changes, amend the legislation. We have got excellent models in Victoria now that are working and getting drugged drivers off the road. Mr Speaker, the percentage of fatalities on the roads of New South Wales, Victoria and Western Australia where drivers had an illegal amount of alcohol in their system fell from 33 per cent in the period from 1990-93 to 26.7 per cent from 1997-99.

Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour.

Sitting suspended from 12.30 to 2.30 pm.

Questions without notice

Hospitals—safety

MR SMYTH: My question is directed to the Minister for Health. Minister, a sentinel event in a hospital is one of the following adverse events:

- (a) procedures involving the wrong patient or body part;
- (b) suicide of a patient in an in-patient facility;
- (c) retained instrument or other material;
- (d) intravascular gas embolus resulting in death or neurological injury;
- (e) medication error leading to the death of a patient;
- (f) maternity death or serious morbidity associated with labour or delivery;
and
- (g) infant discharged to the wrong family.

In the 2004-05 year, there were nine sentinel events in ACT hospitals. When this became public, you told the *Canberra Times* that:

... we have a lower rate than many other jurisdictions ...

However, our rate of sentinel events per 100,000 is 2.7, as opposed to the rate in New South Wales of 0.46 per 100,000 and the rate in Victoria of 0.6 per 100,000. Why is the rate of sentinel events in the ACT hospitals so much higher than in New South Wales and Victoria?

MR CORBELL: I have sought explicit advice on this issue. It is quite clear from that advice that the rate of sentinel events in other jurisdictions, in particular New South Wales, in terms of reported events, is clearly underreported. There is clearly a significant underreporting of the level of sentinel events. That is well recognised by health administrators around the country. It is simply not believable to say there have been only 30 sentinel events in a health system that serves a population of approximately six million. It is simply not believable. We do not accept the level of reporting that occurs in New South Wales.

In contrast to New South Wales, here in the ACT we are able to keep very close tabs on the level of sentinel events. We are able to have a very accurate reporting mechanism, which is simply not something that exists at the moment in a large jurisdiction such as New South Wales.

MR SMYTH: Mr Speaker, I have a supplementary question. As all jurisdictions report equally, why do you make this outrageous claim that they do not report such in New South Wales? What evidence do you have to support it?

MR CORBELL: That is the advice I have received from ACT Health.

Tourism

MS MacDONALD: My question, through you, Mr Speaker, is to Mr Quinlan, on his second-last sitting day, in his capacity as minister for tourism. Can the minister inform the Assembly of the results of the latest international visitor survey for Canberra?

MR QUINLAN: I thank Ms MacDonald for the question. I have good news for Assembly members. International visitation to the ACT in the December quarter increased by 27 per cent over the previous year. I hasten to add that the previous year was not all that flash. Nevertheless, our rate of increase was far in excess of the rate of increase across Australia.

What is more important is that the survey showed that the length of stay of international visitors had increased to an all-time high of 3.3 nights, having been down below two at some stages. If you multiply the number of visitors by the average length of stay, you get a figure of bed nights which is, for the December quarter, better than we have had, according to the records that I have looked back over, for the last five or six years.

This has not just happened by accident. There has been a program of promotion in Hong Kong, Thailand, Singapore and Malaysia. We have a specific appointment of a part-time representative in Singapore. We have put the material together, and it is bearing fruit—not just fruit in terms of numbers that are coming to the territory but also in terms of the length of stay and, therefore, the overall benefit to tourism in the ACT.

By coincidence, extending on from the December quarter, I have got a press release from the local AHA advising that in February, the month immediately past, the occupancy rate in Canberra was nearly 80 per cent—78.2 per cent. Mr Fanner of the AHA said in his press release:

... hotels were benefiting from the effectiveness of current marketing strategies ...
in the ACT.

Mr Mulcahy: You won't reduce the budget, then?

MR QUINLAN: We might be overachieving at this stage. We would not want one sector to benefit more greatly than another. We have from the Tourism Industry Council:

Again Tourism is responding positively to the investment of the ACT government
and contributing substantially to the economy of our region.

The hard work that has been done by Australian Capital Tourism not only in the volume of money but in the smarts they have applied to the job has to be recognised. Work has been done on research, picking markets, assessing what needs to be done and then

reacting in a positive and strategic fashion. I would say that has probably been the hallmark of the improvement in the way tourism has operated. Even though our numbers have not skyrocketed over recent times, they have certainly held or improved when other areas are not improving and are, in fact, negative.

It is interesting that some of the figures for the December quarter last year, nationally, are still not out. I cannot understand why the federal minister has not published some of the figures, which she has had for some weeks. The suspicion, of course, is that, even though we are in positive territory, the indicators are that the figure for Australia in recent times has not been good. To achieve these results when the national figures have not been strong is fantastic.

Capital works funding

MR MULCAHY: Mr Speaker, my question is to the Treasurer. I ask whether he recognises these words:

I am, however, committed to ensuring that the value of our capital works program does not continue to increase. This is important as we do not have cash capacity in future years' budgets to continue to fund large capital works programs.

That is what you told the big spending Minister for Urban Services in November 2002. Are you still committed—as you were then—to ensuring that the cost of capital works does not continue to increase because the government does not have the cash capacity to continue to fund large capital works programs? If so, what are you doing about it?

MR QUINLAN: I think you will see that this government has, as it should, taken due note of its cash position through all of its planning. Despite the fact that we have some predicted deficits, the cash position is strong. Over the last four years the government has not borrowed and has no plans at this particular stage to borrow. I have said in other forums that it would be a sensible thing to borrow if you were investing—if you were spending money on something that would either obviate expense or generate revenue. But in terms of a capital program to maintain infrastructure, it seems to me to be sensible to make sure that you pay due regard to your cash capacity. Certainly that has been the case over the period of the Stanhope government and I am sure that it will continue to do so.

MR MULCAHY: Mr Speaker, I ask a supplementary question. Can the Treasurer advise why he has failed to stop his profligate colleagues from significantly increasing expenditure on their pet capital projects?

MR QUINLAN: I am not really sure that we have at this point in time funded “pet capital projects”, whatever that means. There has been a limited amount of funding set aside for the arboretum, and I am sure that future budgets will be cognisant of the cash capacity when setting the priorities within the capital budget, as we have before.

Mrs Dunne: When you do fund it, will you take down the sign?

MR QUINLAN: I am sorry—I missed that. Was it money; was it humorous?

Mrs Dunne: When you do fund it, will you take down the sign?

MR SPEAKER: Order! Interjections, humorous or not, are out of order.

MR QUINLAN: It helps a little if there is just a touch of humour amongst the acid that flows from Mrs Dunne. Of course, other major projects have been mooted and they all seem to me to be sensible projects. But, again, you will see responsible budgeting in the process of not actually funding them until the capacity is there. That is way to have sensible government and that is the way it will continue. Was that the searching question heralded on the ABC?

Mr Mulcahy: No, it isn't.

MR SPEAKER: Order, Mr Quinlan! I know you want to keep going but I call Mr Pratt.

Policing—Erindale centre

MR PRATT: My question is to the minister for police. On WIN news of last Friday, 3 March, regarding the spate of robberies and other crime at the Erindale shops, you were quoted as saying, "I'm satisfied that the police response was adequate." Minister, whilst you may be satisfied with the police response, the proprietors of many of the businesses in the Erindale centre are not. Why is it necessary for the proprietors of small businesses in the Erindale centre to consider "hiring security staff to do the job that police should be doing in the community?" Why are you starving the ACT police of sufficient resources to permit them to perform their community responsibilities?

MR HARGREAVES: I need the chamber to know that I have been using the Erindale shopping centre as my local shopping centre since 1982. It is within my electorate. It is not anywhere near the suburb of Isaacs. That is where you live, don't you, Mr Pratt? You do not even live in your own electorate and you would not know it, but you do know the difference between community safety and clay—

Members interjecting—

MR SPEAKER: Order! Mr Hargreaves, come to the point of the question.

MR HARGREAVES: I am trying to, Mr Speaker, but I am having some difficulty. Mr Pratt may know the difference between community safety and clay, but I could not be absolutely sure of that. Firstly, I have to say that I go to the Erindale shopping centre at least once a week and nobody has ever approached me in an official or private capacity about it. Secondly, it is not unusual in this town or any other for owners of shopping centres, particularly those owned by Macquarie Bank, whose principals also do not live in my electorate, to hire private security guards to assist in the safety of their tenants.

I do not carry round in my head the details of every police response and every police report and I have to say that I always treat whatever Mr Pratt brings into this house with some suspicion, because he rarely gets it right. Sometimes, he would not know the difference between truth and clay. I would like if I may, by way of background—

MR SPEAKER: Come on, withdraw that!

MR HARGREAVES: All right, I withdraw it, Mr Speaker; he does know the difference between truth and clay. He came into this chamber yesterday on this very issue—

MR SPEAKER: Order, Mr Hargreaves! We went through that this morning. I am not going to have those sorts of unparliamentary jousts going on in the chamber. Just withdraw it.

MR HARGREAVES: All right, Mr Speaker, I will pull away from that and withdraw it. Yesterday, Mr Pratt came into this house and talked about gangs of people running round the place and the police emergency response. I sought details from the police on the incidents that Mr Pratt alluded to yesterday and I shall give details about them at the end of question time.

Mr Smyth: Good. Why don't you answer this question?

Mr Quinlan: Why don't you shut up?

Mr Smyth: Why don't you leave now?

MR HARGREAVES: I think that Mr Pratt will be exposed for putting little bits of stories forward.

MR SPEAKER: Order! It is a bit hard to say which side to go for. Mr Smyth, enough is enough.

MR HARGREAVES: Mr Speaker, when Mr Pratt stands up and talks about community safety I instantly suspect that he is cherry picking a little bit of this and a little bit of that. So, in checking out his outrageous statements of yesterday, I have found that there is a lot more to the story than people would see from his statements, and I have it to the second. When I advise the house of it after question time, I suspect that Mr Pratt will be embarrassed yet again.

MR PRATT: Mr Speaker, let's see whether we can get an answer this time. Minister, what is your response to the small businesses in the Erindale centre that are very concerned about the level of criminal activity in the vicinity of their shops? What is your response to their concerns, if you have any?

MR HARGREAVES: My response to those traders is the same as my response to the traders at the Calwell shops, the Chisholm shops and anywhere else where people have brought these things to my attention. I am more than happy either to discuss with them, or have the police come down to discuss with them, the security arrangements to see the police responses. In fact, I have advanced that invitation on numerous occasions. It has been taken up and I have not had any queries since then.

I wonder sometimes whether what we are seeing is, in fact, an invitation from Mr Pratt to these people saying, "I think your place is in danger. Perhaps you had better do something about it," in the same way as he sent a letter to all of the residents of Kambah

saying, “Your houses are going to burn down. Would you like to complain about it?” How many responses did he get. There are 5,700 homes in Kambah and he got 50 responses. Do you know how many queries I had on it? I had about seven inquiries about this issue in his letter and only three of them were from people in Kambah. The rest were from this bloke over here and his mate the pseudo Leader of the Opposition.

Mr Pratt: I raise a point of order, Mr Speaker, about relevance to the question that was asked.

MR SPEAKER: I think that it is relevant.

MR HARGREAVES: Mr Speaker, the relevance, for Mr Pratt’s information, is that quite often Mr Pratt will come into this place with an issue that he has actually created by sending letters to the community or going round the community saying, “You are in trouble.”

Mr Pratt: That’s crap.

MR HARGREAVES: I have tabled that letter in this place, Mr Speaker, so it is not rubbish. Mr Pratt is guilty of running round and saying to people, “Can I have your attention, please? You are in severe danger and only I, Superman, can save you.” I have some very bad news for the community out there. One, Mr Pratt cannot save them. Two, they ought not to listen to him because he gets it wrong so often. I shall reveal later what happened at this particular time and I will watch him squirm for the rest of question time.

Policing—Erindale centre

MRS BURKE: My question is to the minister for police, Mr Hargreaves. Minister, on WIN news on Friday, 3 March, it was reported that the government’s response to the level of criminal activity at the Erindale centre was that “the area is no worse than anywhere else”.

Minister, on Wednesday and Thursday, 1 and 2 March, respectively, eight Erindale shops were robbed or vandalised and the owners of these shops are now ready to take matters into their own hands. Indeed, one shop owner was quoted as saying, “If police are not going to do something, we’ll do something about it.” Minister, on what basis can you say that criminal activity at the Erindale centre is no worse than anywhere else?

MR HARGREAVES: I acknowledge that Mrs Burke at least knows where the Erindale shopping centre is because it is in her particular suburb. So I take somewhat seriously issues like this that she raises, as opposed to the contempt I have for the person on her immediate left.

Mrs Burke just referred to an incident that happened six days ago. I shall ask for some information from the police on the specific issues. I will seek specific information on it. But I have to say that these guys over here go around shopping centre after shopping centre. I think Calwell was the last one, was it not, Mr Gentleman, with rampant graffiti and vandalism at Calwell shops? Will we see them pop up at Chisholm shops next, or Isaacs shops maybe? Maybe they will pop up at the Isaacs shops like a Jack in the box—up you go; let’s frighten the horses!

There is no doubt that episodically in this town various shopping centres get attacked by vandals and/or people intent on robbery. There is no doubt about that. But I point out to these people across the chamber: have a look at the stats. There has been a double-digit reduction in this sort of activity, thank you very much. The police, in my view, are doing an excellent job. If there is additional security required down there, if the traders are not comfortable with the speed of police response, I hope they would be very happy for me to arrange for a chat—have the local police come down there and talk to them about it. I would be very happy to do it, any time at all, and that invitation has been extended before.

Given that I have attended that shopping centre weekly since 1982, I do not believe that it is a hive of criminal activity. It has not been specifically targeted. We have ourselves an episode, and I have every confidence that our police will deal with that. In fact, I think it is a particularly safe shopping centre to go to and I am very happy to continue my patronage of it.

MRS BURKE: I ask a supplementary question. Minister, why have you not been briefed on the level of crime that has been recorded at the Erindale centre, given it was several days ago? Is this level of criminal activity typical of that that occurs at all shopping centres across the ACT?

MR HARGREAVES: I think I have partially answered that. For the benefit of members opposite, I receive a weekly briefing from the police unless there is an incident—

Mrs Burke: It is urgent. It was serious, John.

MR SPEAKER: Order, Mrs Burke!

Mr Quinlan: You are beating it up.

MR SPEAKER: Order, Mr Quinlan!

MR HARGREAVES: Mr Speaker, these folks opposite are beating up hysteria around the Erindale shopping centre, and they have been exposed. They ought to be ashamed of themselves. They ought to be providing more comfort to the people down there, not beating up their fears.

At this stage of the game, we have an episode of criminal attention that has spanned a number of days. They have not demonstrated that this centre has been frequently visited by these criminals every month for the last five years. They have not. Have they told us across the chamber what is the pattern?

Mr Pratt: Is that the criteria? Is that the standard?

MR SPEAKER: Mr Pratt, I warn you!

MR HARGREAVES: Mr Speaker, have they told us what is the story at Kaleen shops, at Kippax shops, at Dickson shops? No, they have not. What they have done is pull out one particular one and try to scare the horses—yet again. I reject that. I am going to seek

advice from the police on the exact issue here, but I would hazard a guess that we have ourselves a particular group of people who have a particular target in mind. Instead of whipping up hysteria, those folks should be encouraging these people to call Crime Stoppers, to take as much detail as they can and to assist the police in stopping it. Instead they come into this chamber and go to the media and try to frighten everybody. They say it is my fault because I have not mounted a guard, because I have not patrolled around the outside of the Erindale shopping centre with a pick handle to stop these horrors from robbing shop owners.

Mrs Burke: You're the minister.

MR HARGREAVES: "You are the minister for police," says Mrs Burke. Indeed I am, and I am very proud to be so because we have the best police force in the country for this sort of activity. Have a look at the stats. Mrs Burke, I suggest that you have remedial reading classes to have a look at the stats. I am sick to death of these people opposite frightening people to death. It is no surprise to me, Mr Speaker, that people will respond to fear if it is suggested to them. I am sick and tired of these people suggesting fear to the community.

Teachers—wage negotiations

MS PORTER: Mr Speaker, my question is to the minister for education. Minister, the Australian Education Union made several claims in today's media about the impact of the government's new pay offer on the wages and conditions of government schoolteachers in the territory. Could you confirm whether these claims are correct.

MS GALLAGHER: I thank Ms Porter for the question. Last week I put a generous, reasonable and affordable offer to our government schoolteachers. I thought that offer would be very attractive to teachers as it provided a pay increase above CPI with the retention of all current conditions, including the lowest face-to-face teaching hours in the country, along with the best remuneration package. Members will recall that yesterday in this place I advised, after calls from the AEU for parity with New South Wales, that I had put an additional offer to teachers in an effort to avoid the planned strike action by government schoolteachers next Tuesday.

The offer was for parity with New South Wales—parity of pay, parity in hours and, where possible, parity in superannuation. The AEU appear to have rejected this offer already. As was the case with the government's initial offer, they have made several incorrect claims about the impact of that wage offer on their members. Only this morning on the ABC the AEU suggested that the offer I made yesterday in this place would lead to the adoption of the New South Wales teaching system, larger class sizes and significant job cuts.

It was not the government that put the pay, conditions and working environment of New South Wales teachers on the table; it was the AEU. The ACT government have no intention of changing our curriculum and structure to fit New South Wales. The pay and conditions of our teachers—even if they were to revert to those of New South Wales—would have nothing to do overall with the government school system as a whole. The AEU suggest that parity with New South Wales will lead to a reduction of primary school teaching positions. It will not. We are talking about 15 minutes in the

teacher-student contact period over a whole week. That will not lead to a decrease in teaching numbers in primary schools.

It is important to say that no current teacher would lose their job under the New South Wales parity offer. It is true that the New South Wales offer may lead to a reduction in relief teachers in high schools and colleges because the workload of teachers would be increased by two hours of student-teacher contact per week. The relief budget at the moment stands at around \$12 million a year; so there would be an impact on the relief budget if permanent teachers were to adopt the New South Wales condition of about 20 to 20½ student-teacher contact hours a week.

The AEU also suggests that there have been unacceptable delays in the government putting an offer to the teachers. The ACT government tried to put this offer formally to the AEU executive last year. In fact, twice last year the AEU asked that the government delay making this offer, due to the timing being inconvenient for the AEU in the lead-up to school holidays. This offer could have been made last year and the dispute could have been resolved well before the commencement of this academic year.

The AEU also claim that the government has not met with the AEU. In fact, I met with the AEU in December before I went on maternity leave and, further, in my absence the Chief Minister, as acting minister for education, met with the AEU in February. We tried to make an offer before February but it is clear that the AEU did not want that to happen. We have met with the AEU twice since that time. We have put two alternative offers to the AEU, both of which appear to have been rejected. I will not be meeting with the AEU whilst teachers are engaging in strike action and threatening further industrial action. ACT teachers enjoy the highest and most generous superannuation in the country.

The AEU claim that New South Wales and Victorian teachers can salary sacrifice for superannuation. It is certainly the case in Victoria that they can salary sacrifice super but they also earn 12 to 14 per cent less than teachers here in the territory. New South Wales teachers cannot salary sacrifice super. In fact, it is unclear as to whether those teachers will be able to salary sacrifice super under their current agreement, as drafting for varying the legislation in New South Wales does not appear to have even commenced. So there is no disparity between arrangements around superannuation.

At the moment, the minimum a teacher is paid in super is 15.4 per cent, but the average is closer to 17.2 per cent for all teachers. That is a significant cost to the employer—not one borne by New South Wales. We need the teachers to seriously look at both offers on the table to avoid the industrial action that appears to be being organised regardless of any effort by the government to resolve this dispute prior to next Tuesday.

MS PORTER: Mr Speaker, I have a supplementary question. Minister, the AEU has suggested that parity with New South Wales is necessary because, under the government's initial offer, ACT teachers will fall behind their New South Wales counterparts over the next three years and recruitment will be impossible for ACT government schools. Is this correct?

MS GALLAGHER: Again, unfortunately the claims by the AEU are not entirely correct. If the three per cent offer we have made is accepted, ACT teachers will still be the best paid teachers in the country. In fact, at almost every salary point along the

classification scale on salary alone, ACT teachers will be better paid than New South Wales whilst working less student contact hours compared to their New South Wales counterparts. Put simply, under our offer ACT teachers will earn more, receive more super and work less hours than any other teachers in the country—not just when compared to New South Wales.

In relation to recruitment, we are not suffering from a recruitment problem; in fact, we are being flooded with applications for every position. There are currently 10 applications for every new teaching position. New teachers leaving university this year will start on a remuneration package of \$53,736. For their first job out of university, that is the salary range they come under. This will move to \$55,348 next year. Based on the current government offer, no ACT teacher would be wise to skip over the border and start teaching in the New South Wales system because they would take a financial cut to their remuneration package. ACT graduate classroom teachers are among the highest paid professionals in the country. As I said yesterday, this ranks them on a par with the medical profession, ahead of graduates in law, engineering, accounting and architecture.

When you look at the whole package, there is no doubt that the package on the table is the most generous we can afford; it keeps teachers where they need to be kept; and if they like to accept the three per cent per annum offer, it keeps their conditions untouched, with no productivity increases being sought. It is interesting to note that, in their dispute with the Carnell government in 1996, teachers were only after a nine per cent pay rise. This was when their real wages had been reduced by 25 per cent since 1975—and there was no strike action. A nine per cent pay rise was acceptable to the AEU then but they did not get that. The Carnell government maintained their strong industrial agenda. The teachers did not go on strike; they rolled over and accepted the offer.

This government—a generous government—has given teachers pay rises of between 18 and 25 per cent over the past 2½ years. I cannot think of any other profession or work force anywhere in the country that has enjoyed such generous pay rises over the past 2½ years in recognition of the fact that they were done over by you lot. The thing is that they accepted being done over. They did not mind being done over by the Liberal government. It said, “Let’s just do you over, yes.” The response was, “No; there are no worries, Kate; we will continue to work.” There was no shutting down of schools then. “We’ll take your paltry pay rise and wait for a Labor government to come in before we shut the government school system down.”

This is a Labor government that has injected millions into the government school system, recognised the value of teachers, paid them what they deserve and put them at No 1 in the country. No teacher anywhere else in the country enjoys the conditions enjoyed by ACT teachers. What do they do? They go on strike. Next Tuesday 37,000 kids will not be able to attend school because the best paid teachers in the country bar none will be out there arguing for more money.

Teachers—wage negotiations

MRS DUNNE: My question is directed to the Minister for Industrial Relations. That was a lesson on how not to do industrial relations! This morning on ABC radio the AEU indicated that it would reject your latest pay offer and proceed with industrial action next

week, as you have just foreshadowed. Given the parlous state of the budget and the fact that you have just signed up to a Mexican standoff with the teachers, how do you propose to resolve the dispute without industrial action and serious disruption to the families of people who use government schools?

MS GALLAGHER: If Mrs Dunne listened to the answer I just gave, she would find that that addresses most of the areas of her question. The government cannot cave in on this. We cannot cave in and just say to the teachers, “Well, because you can shut down schools, because you can cause inconvenience to families in the territory, we will give you what you want.” That is not something the government can do.

We have put a generous offer on the table, on top of an extremely generous resolution to the previous EBA, and we will not be budging from it. I do not know whether they do not believe that we will not budge—what their reasoning is—or whether they are accepting the creative language that the AEU is using about putting a different spin on the offer. Maybe it is about getting to teachers. We keep providing information to teachers. The department will be providing information to teachers around the offer and what it means. I have put an additional offer on the table in an attempt to persuade the AEU not to conduct industrial action next week.

We have gone from negotiations at the department level, meetings with the AEU, putting an offer on the table, to one week later shutting down the school system. We have gone from no industrial action to complete shutdown of the government system. Whilst that is the action that the AEU will take, why would the government meet with them to resolve it? Why would we meet if they have made it clear that, next Tuesday, from nine to one, regardless of what effort this government makes to seek a resolution to this matter, they will be shutting the schools down? Whilst the government is being threatened with industrial action, there is no point in meeting with them.

I speak to Mr Haggar from the AEU quite regularly. I have spoken to him numerous times and recently about the EBA. I met with him before I went on maternity leave. Within the last month the Chief Minister has met with him to talk to him. They have met with Sharan Burrow from the ACTU. There must have been some belief by the AEU that bringing Sharan Burrow from the ACTU would add weight to its claim.

All along we have been clear with the AEU on what the government’s position is, what the offer will be. They knew what the wage offer would be in November-December last year, when I made it clear to them that it would be a three per cent offer. I wanted to put the offer to teachers then to avoid industrial disputation. We could have worked this through over the school holidays. But that was not convenient to the AEU. They did not want an offer being made then.

We have made several attempts to avoid a protracted industrial dispute. In fact, in every concession or every offer that has been put, at every meeting, it has been the government initiating it in an attempt to avoid the industrial action. But, at the end of the day, the AEU has made it clear that they will be taking industrial action next Tuesday, with further industrial action being threatened over the next month. At the end of the day, it will be the students and parents that are disrupted, and the teachers, who will not get the pay rise they deserve for a lot longer whilst this dispute carries on.

The government will not be changing its position. I hope that the AEU listens to their members, that they look seriously at both offers on the table and that they withdraw the threats of industrial action so we can begin discussions in order to attempt to resolve the dispute.

MRS DUNNE: Mr Speaker, I have a supplementary question. Minister, are your pay offers currently on the table fully quarantined from any decisions on pay and staffing reductions or productivity gains arising from the government's functional review?

MS GALLAGHER: The functional review has not reported. This offer is outside the functional review. It is being funded by the government; we have made that clear. It is not in any way a part of the functional review. How could it be part of anything that has not even reported yet? This wage offer stands alone. We want it resolved. We want it resolved quickly. We do not want to see the disruptions to the public system that appear to be inevitable next week. The offer is funded. The offer is generous. It keeps teachers as the best paid teachers in the country. We want them to stay at that position. We think it is good for the education system.

But the AEU will not be getting the best of this, the best of that and the best of something else, because we cannot afford it. We cannot afford what the AEU is asking for. We cannot afford the wage deal being done by the New South Wales government without offsetting that with the productivity savings already achieved by the New South Wales government. That is something they have done and sorted out with their teachers.

We cannot have the cherry picking that is going on by the AEU—to have a bit of this and a bit of that—but not accept the reality of the system here in the ACT, which has the lowest teacher contact hours, smallest class sizes, best remunerated teachers and best education system. That is what we have here. That seems not to be good enough for the AEU.

Fairbairn Avenue—perspex panels

MR STEFANIAK: My question is to the Minister for Urban Services. Motorists have been complaining for many months now to your department, to the opposition and even to the media about the blinding effect of the glass panels installed along Fairbairn Avenue to reduce noise. This morning, on radio, you agreed that the \$350,000 perspex panels are “a glaring error, shall we say, and we have all the intention of addressing that and taking the shine off that particular sound barrier”.

Why, in answer to a question on notice from Mr Pratt dated 8 December last year, did you insist that you had no plans to solve this potentially fatal road hazard as the perspex panels were not considered a problem?

MR HARGREAVES: I thank Mr Stefaniak for the trick question. At the time of the response to Mr Pratt, the advice given to me was that it was not sufficiently serious to do that. On investigation later, with the number of complaints received in the office, we realised the severity of the issue, and we have moved to address it. As I said on radio today and as the acting CEO of the Department of Urban Services said earlier, we will be moving as quickly as we possibly can to fix that problem.

MR STEFANIAK: Minister, why was not action taken sooner when the reported experiences of motorists over a six-month period—and that is well before December—showed that it was a serious hazard? Do you now correct the record, in light of your response in December?

MR HARGREAVES: I have answered that question.

Health—former Queen Elizabeth II family centre

DR FOSKEY: My question is to the Chief Minister, as leader of the government and minister responsible for the City West project. It concerns the site of the former Queen Elizabeth II family centre at the corner of Rudd and Marcus Clarke streets in the city. The minister would appreciate that the building in question was until recently used as a community health facility but has now been returned to Urban Services.

The minister would be aware that Directions ACT, which runs a needle and syringe program from substandard premises at the Civic bus interchange, is looking for new accommodation. The minister would also be aware that the AIDS Action Council, which is presently in Westlund House near the School of Arts, now has to move to accommodate the redevelopment of City West.

Could the minister provide the Assembly with the cost-benefit analysis of transferring the facility to Directions ACT or to the AIDS Action Council rather handing it back to Urban Services?

MR CORBELL: No analysis has been done because it is not a proposal that the government is considering.

DR FOSKEY: My supplementary question is: how will the minister ensure that these two organisations will be appropriately accommodated in a way that will be acceptable to clients, staff and the neighbouring community?

MR CORBELL: These are issues that the government treats very seriously. Last week I had some very productive discussions with Directions ACT. The Directions ACT board have a clear view on how to manage their future accommodation. I indicated to my department that I want to give them full support through the health portfolio. I think we will come to a satisfactory outcome in relation to Directions ACT. I indicate to Dr Foskey that Directions ACT are not contemplating the proposal she put to me in her substantive question.

The AIDS Action Council will need to be provided with alternative accommodation that meets their and their clients' needs before that Westlund House site is redeveloped. At this stage there is no proposal before the government for the redevelopment of that site. It would be a requirement of any redevelopment of that site that acceptable alternative accommodation is provided to the AIDS Action Council. The government will remain in contact and discussions with the ANU so that, before any redevelopment of the Westlund House site occurs, alternative accommodation which is acceptable to the AIDS Action Council and its clients is provided.

Taxis—licences

MR GENTLEMAN: Mr Speaker, my question is to the Minister for Urban Services. Minister, I noted over the weekend that the government has announced a new taxi licence release system. Can you please inform the Assembly of the details of the new system and its aims?

MR HARGREAVES: I thank Mr Gentleman for his question. Mr Speaker, community satisfaction with Canberra's taxi industry has been declining in recent months. My office receives many complaints from commuters about their inability to get a taxi when they need one, and I believe these complaints are also made to the media, to other MLAs and to Canberra Cabs. It has been a concern to me that the community is not receiving the level of service that it expects and deserves and that the key aims of the government's sustainable transport plan—reducing the travel time of public transport journeys, improving the reliability of public passenger services and improved equity of access—are not being achieved.

With that in mind, and following requests from the industry, the government announced last week the release of more taxi licences into the Canberra market. Up to 40 new licences will be released over the next two to four years, depending on the level of demand. Releasing leased licences means there will be no increase in the pool of standard taxi licences. There is a very good reason for this. The standard licences have attained significant value due to their scarcity and have driven up costs in the industry, resulting in lower take-home income for operators and drivers.

This taxi licence release program marks a clear break with the previous practice of issuing licences at auction. Leased taxi licences can be released in a timely manner in response to demand and place the quality of taxi services at the centre of future policy decisions. The industry has been through several years of uncertainty and we have seen concerns about licence values skew the industry's focus away from service quality. It is now time for the taxi industry to concentrate on meeting community expectations and return the Canberra taxi service to its former high standard. It is logical that higher service standards will result in increased patronage and increased incomes for taxi operators and drivers.

The first set of 10 leased licences will be released by ballot on 19 April 2006, followed by a further ballot later this year, depending on the level of demand for the first release. A maximum of 20 licences will be released in any one year and the program will be reviewed at the end of four years or when the 40th licence has been released, whichever is sooner.

Mr Speaker, there has been some criticism that the releasing of leased licences will have a detrimental effect on existing perpetual licence holders. This has not proved to be the case in Western Australia, where the introduction of 84 leased licences since January 2004 has had no significant impact on the market value of existing perpetual licences, and has allowed a timely, predictable and measured release of new licences in response to demand.

This departure from traditional methods of releasing taxi plates is another step in this government's reform of the transport industry in Canberra. In the last 18 months we have reformed the hire car industry and wheelchair accessible taxis and have legislation currently before the Assembly to facilitate the establishment of demand responsive transport services. Of course, this is on top of the initiatives that my colleague, Mr Corbell, has introduced since being the minister responsible for ACTION in this town. Initially, of course, we saw him overturn the rather stupid policy of zoning and introduce the one fare anywhere policy, which saw a dramatic increase in patronage. I believe that we should be congratulating that minister for his initiative.

The government believes that this package of reforms will result in higher levels of service in the community while at the same time providing opportunities for innovation and growth in the transport industry.

Mr Stanhope: Mr Speaker, I ask that further questions be placed on the notice paper.

Supplementary answers to questions without notice **Policing—responses times**

MR HARGREAVES: Mr Speaker, I would like to give some detail about answers that I gave yesterday to questions from Mr Pratt and Mr Stefaniak. Mr Pratt raised the issue of a disturbance in Campbell. Mr Stefaniak asked a question about disturbances at the Canberra show.

I have sought advice from ACT Policing. They have reviewed the circumstances surrounding the events which occurred in both of those instances. I provide some detail to the chamber on that. I suggest that Mr Pratt sharpen his pencil and write some numbers down.

I am going to deal with the Campbell incident first. It happened on 26 February. Between 1.24 am and 1.47 am, 23 minutes, six calls were made to police. This included two triple-0 emergency calls. As a result of the information that the complainant provided to police in the first instance, relating only to gatecrashers during the first call to the police assistance line 131444, at approximately 1.24 am, I am advised that a decision was taken in line with the priority response model not to dispatch a patrol to the complainant's address as the offenders had left the area. The complainant was advised of this decision by the police communications operator and was satisfied. The complainant was also advised to contact police if the offenders returned.

Eleven minutes later, at 1.35 am, the complainant called the police assistance line 131444 stating that the males had returned and requested police attendance. Whilst police communications were assessing this request for assistance, the complainant called the triple-0 police emergency line at approximately 1.37 am—two minutes later, another call through. During this call, the police operator attempted to calm the complainant down in order to obtain details of what was occurring. This call ended at approximately 1.39 am, two minutes later. An event log was created by the communications operator.

A second triple-0 call was received at 1.37 am from another person at the complainant's location. As a result of the information provided at the time, the incident was prioritised

as a priority 2 response in accordance with the primary response model. Priority 2 means situations where the information provided indicates that time is important and not critical. At the completion of this call, a patrol was dispatched to the complainant's address, at approximately 1.39 am. The first police patrol arrived at the complaint's address at 1.47.18 am, approximately eight minutes after police communications had dispatched the patrol.

Police attendance at incidents in the ACT is based on a prioritised response model used by the computer-aided dispatch system, CAD, that prioritises all incidents for dispatching controls. The priority response model provides a guard against which the specific circumstances of an incident can be assessed. Police attendance or non-attendance is dependent upon the individual circumstances of the incident reported. The communications staff are trained to maximise the efficient and effective deployment of resources.

I believe that, in regard to this particular incident—the first call was received at 1.24, when the offenders had scarpered, then they came back, and the police turned up 23 minutes after the original call—these people across here—

MR SPEAKER: Come to the subject matter.

MR HARGREAVES: Yes, we are talking about the incidents. They ought to be congratulating the police on the speed of their response.

In respect to Mr Stefaniak's question, ACT Policing reviewed all incidents which occurred at the Canberra show between 24 February 2006 and 26 February 2006. ACT Policing informs me that only three assaults occurred. There were not rampaging people, belting people; there were three assaults.

From the information provided to police, there is no evidence that suggests that these are linked to the incidents which occurred at Campbell on 26 February 2006. Unfortunately, without specific information to identify the complainants referred to, it is difficult for the police to comment on the action taken in response to any incidents or on which assaults could be linked to the Canberra show. In both incidents, my congratulations to the police yesterday were justified.

Criminal behaviour in Campbell and Erindale, and at the Canberra show

Order to table

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs) (3.27): I seek leave to move a motion directing the tabling of papers in the Assembly by members of the Assembly.

Leave granted.

MR STANHOPE: I move:

That this Assembly directs Mr Pratt, Mrs Burke and Mr Stefaniak to table, by 5.00 p.m. today, all information in their possession relevant to the assertions and claims made by them in questions asked yesterday and today in relation to alleged criminal behaviour in Campbell, Erindale and at the Canberra Show.

As we have just heard in an expansion on a question asked yesterday, Mr Hargreaves has today exposed the blatant political nature of questions asked yesterday by Mr Pratt and Mr Stefaniak. In the first instance, if we go back to the question, yesterday Mr Pratt cast serious aspersions on the behaviour and response of police in relation to an incident that occurred in Campbell, to the severe detriment of the reputation of ACT Policing. He alleged that they had not met their own protocols in relation to a response to a triple-0 call. He made outrageous claims about the nature of those assailants and of the incident.

We find today that all of his assertions and all of his claims were simply and clearly wrong. Mr Pratt must have based that question on information provided to him. This is important to the reputation of ACT Policing, the integrity of this place and this propensity which we now see to continue to bash the police at every opportunity, to put it out there, to throw the mud, to cast aspersions, and then to force the police to take valuable police resources to respond to these false claims and aspersions in this place. It is out there, though; it is abroad.

In the context of questions asked yesterday—as claims, not questions; they were stated as facts: “rampaging gangs in Campbell” and “refusal by the police to respond to a triple-0”—these are serious allegations that undermine the integrity of our police force, of their reputation and of the safety of this community. This is the safest community in Australia. Claims were asserted as facts which are wrong. Claims were asserted as facts which are not facts. An apology is demanded. The reputation of the police is once again sullied by this police-bashing shadow minister and this police-bashing opposition.

We then go to Mr Stefaniak. He continued the theme: “rampaging gangs at the Canberra show”. Once again the matter was referred to the police for a response. The question yesterday was not as a question, not as: “Is this true? What do you know about gangs?”, but as a stated claim by Mr Stefaniak that there were gangs rampaging through the Canberra show, beating up innocent bystanders.

What do we find when we go to the police to have these outrageous assertions checked, once again taking valuable police resources away from policing? We find that the police have absolutely no evidence of gang-bashers at the Canberra show; there were no complaints by the Royal Agricultural Society; there is no report by the police of gangs rampaging through the show. There were three isolated assaults at an event at which there were 180,000 people—three isolated assaults described by the opposition yesterday in question time as “rampaging gang assaults through the Canberra show”.

What do we have here? Allegations. In the words of the police, “Unfortunately, without specific information to identify the complainants referred, it is difficult for police to comment.” It is fundamentally important, if the Liberal Party are to stand by these claims, these statements of fact, that they provide that information to police.

The police are asking for the assistance of the Liberal Party. The police would like to see the evidence; they would like to be able to identify those involved in these gang bashings

at the Canberra show; they would like to know why it is that the shadow minister for police continues to bash them and insist that they cannot leave, refuse to leave and wilfully refuse to meet their obligations under the triple-0 calls. It is fundamentally important that this information be provided by 5 o'clock today so that it can be referred immediately to the police so that it can be appropriately dealt with.

Similarly here today, they continue the theme. We saw it yesterday: outrageous suggestions of police inaction in relation to a triple-0 call—false, wrong, not right, designed to engender fear within the community, designed to make people feel unsafe, designed to create insecurity.

As Mr Hargreaves said today, Mr Pratt has been doing this for the last three months in relation to bushfire preparations: create the anxiety; make people nervous; create an environment in which people do not sleep at night for fear their house is going to burn down; letterbox houses saying, “You must be afraid, mustn't you, that you are not safe at night.” He has been doing it in relation to bushfires. Now he is doing it in relation to crime: generate the fear; create the anxiety; go around predicting events that have not occurred—nevertheless does it matter?—create the fear; create the anxiety; besmirch the Emergency Services Authority, our rural fire service and our urban fire service; bash the police; allege that they do not turn up or respond to triple-0 calls; and similarly at the show.

We saw it again today. The theme develops: yesterday, Campbell and the Canberra show; today, we have moved on to Erindale. “The police failed in Campbell”, “the police failed at the show”, “the police failed at Erindale”. Where are you moving tomorrow? What is your focus tomorrow in relation to police failure—the fact that the police cannot do their job, that the police are no good, that the police do not respond, that the police do not care?

This police-bashing has gone on for long enough. “Put up or shut up” is the message. Put up by 5 o'clock this afternoon. Give the police the information you have; let them do their job. Show, us, Mr Stefaniak, the evidence on which you made your claims yesterday of rampaging gangs, assaulting willy-nilly innocent bystanders at the Canberra show. Give us the information. Let the police do their job. Do not stand back and criticise. If you have got in your possession information that would allow them to pursue the allegations you make, name the names; identify the witnesses; be prepared to go and stand in the box yourself and repeat the claims you made yesterday.

The same goes for Mr Pratt: rather than be out there bashing the police continually, as he does, and claiming outrageously, as he did yesterday, that the police refused wilfully to respond to triple-0 calls, give us the basis of those claims so that we can assure in future that those scurrilous remarks that you have made over the last couple of days about the police inaction will not be repeated. So that you know and understand the error of your own ways and stop coming into this place and laying on the table as fact claims and assertions which are absolutely flawed, wrong and malicious in the extreme, it is vitally important, in order that you assist the police to do their duty, that you provide that information today so that it can be passed immediately to police.

MR SMYTH (Brindabella—Leader of the Opposition) (3.34): I am very pleased the Chief Minister has thrown down this gauntlet. I will move an amendment that includes Mr Hargreaves; that all the documents he has in his possession be tabled by 5 o'clock.

Chief Minister, I am the person that rang Commander Connelly and I am the person that rang Chief Police Officer Fagan and reported both incidents. Why? Because ordinary citizens rang me and said that they were not happy with the response.

Mr Stanhope: Ah!

MR SMYTH: The Chief Minister says, "Ah!"

Mr Stanhope: So it is you that told the lies; it is you that passed on the lies.

MR SPEAKER: Withdraw that.

Mr Stanhope: I withdraw that.

MR SMYTH: We have done our bit, Mr Stanhope, unlike your government, to resource the police adequately. This is not an attack on the police. The police do not have the resources to do the job. And it is because of your funding policies that this occurs.

It is interesting that Mr Hargreaves refers to calls that came in from 1.24 onwards. If I can relay what happened in Campbell on the night, we had an 18th birthday, well organised, and well run by the residents. Aware that there is a problem with parties and the invasion of parties by gangs of individuals who are not invited, they arranged for extra adults to be there. They also arranged for a number of taller, larger men to be there to perform the role of bouncer. They had a list of who was allowed in and who was not. They, I understand, put a stamp on the young people's wrist so that they could come and go as they please. This was a well-organised party. Why? Because if you do not organise like this, often uninvited guests turns up, and what happens is not what people want at their child's birthday party.

At approximately 10.30—and I will check the times; I have got notes upstairs—a group of individuals invaded the party and were stopped. They were told they were not welcome and were asked to leave. On their way out, they trashed a car; they jumped on its bonnet; they jumped on its roof; they jumped on its boot; they smashed a headlight. That apparently was reported to the police. These individuals returned at approximately 11.30 that night. They tried to climb over the back fence. They could not get in the front door, so they tried to slip over the back fence. Again they were thwarted in their efforts by the adults at the party who were trying to run a decent party for a group of 18-year-olds who simply wished to celebrate the birthday of their friend. Again, I understand, a call was made to the police to alert the police as to what was happening.

The police had at least two calls before the major incident occurred. Mr Stanhope you can smirk; you have been caught out.

Mr Stanhope: I was smirking at you; you are pathetic.

MR SMYTH: Go for your life. You can smirk as long as you want, but you are exposed now for your mock indignation and your attacks on us when all we are doing is standing up for ordinary citizens.

This group returned. Two or three people came in the first instance; three or four came in the second; a larger number, eight to 10, turned up at the next attempt. This time they came back at approximately 1.30. They trashed another two cars. They beat up at least two or three other individuals, including the gentleman who performed the duty of bouncer, who was king-hit, knocked to the ground and kicked on the ground. At least one other individual had his nose broken. Two other cars at least were trashed. By the time the police arrived all the perpetrators had disappeared.

The interesting thing is that yesterday I spoke to the woman who made the initial call. I told her we were going to ask some questions. Do you know what she said to me? She said to me, "That is good, because 10 days after the incident I have not even been interviewed by the police; I have not even been asked to give a statement." Can you explain that, Chief Minister? You claim an eight-minute response when the triple-0 calls came in. But why was not something done earlier in the evening when there was trouble in that street? Why did they have to wait until it became the threat of injury and violence before something happened? That is what the community is asking. That is what the community is asking about your policies and your inadequate funding of the police. Why is it that police are so bogged down? They want to do their job, and we know they want to do their job. We talk to them all the time. They are frustrated continually by what goes on.

It is interesting that the mother of the individual who was beaten severely and spent the night in the Canberra Hospital went with her son to a police station the next day to report this incident. The words I have from her are these: she was told, "This goes on all the time in Tuggeranong and Woden; it had to reach the inner north at some stage. What are you worried about?" That is a comment from a police officer to the mother of the victim: "Do not worry about it; it happens all the time."

We are saying that we saw large groups, large gangs of kids, at Lanyon last year having fights. We saw a group of 100 individuals or so run through and rampage through the Tuggeranong Hyperdome late last month. We have seen trouble at Erindale. We have had complaints from Red Hill, in Campbell and at the show.

Let us go to the show. What happened at the show? There was a fight at the show. A 14-year-old or 15-year-old was punched twice in the face. He suffered severe damage to his eye and to his lip. He was taken by his friends to the paramedics tent. At the paramedics tent they cleaned him up. The young fellow went to the loo and came back. There were three police officers in the paramedics tent. He went to those three police officers and told them what had happened. What happened? Nothing. They know the name of the offender, they know what happened, they have got witnesses, but nothing happened.

That young man's parents came to collect him. They went to the admin block at the front of the show where there was a police officer stationed. They went to complain and report the assault. What was the response they got? "Sorry, I am the lost and found; you will

have to go to a police station tomorrow to report that.” That is the response they got, and that is why they approach us and tell us what is going on.

They went the next day to the police station, at 11 o’clock, and were told that the police were busy and somebody would come to their home. That is a pretty reasonable service. “Wait approximately an hour and somebody will come to your home.” The woman told the police officer she wanted to take her son to a doctor to get his face checked out. She waited till 4 o’clock, when she was rung again and told, “We have been busy; we will get there shortly.” That Sunday, I know, was particularly busy. I am sure it happens. They waited till 8 o’clock that night. They then went to the doctor; they went down to the police station where they were assisted by Constable Paul Brown and Constable Hawk who were absolutely excellent, who took their statements.

Mr Stanhope: You are not going to bash them; you are just going to bash everyone else. You only bash the nameless police, do you?

MR SMYTH: No, we discern. This is your scattergun approach. We can discern between good service and bad service. We can discern this; you cannot. You sit there all puffed up, with your mock indignation and your attack on everybody.

The problem is that people are not getting the response that they deserve, that they want, that they need and that they deserve, because your policies are stopping it. That is what we attack constantly. I know that Mr Hargreaves likes to twist it and turn it. I know that he likes to say that we are bashing cops, but we are not. We are supporting the police in trying to do their job and, at the same time, supporting the constituents.

The case of the young man who was beaten at the Canberra show is particularly personal to me because he is my nephew. I have seen the bruises on his face and I have seen his broken lip.

Mr Stanhope: So we use question time now for family matters!

MR SMYTH: No, I am not using question time for family matters at all. It does not matter whether it is my family; it should not matter where it is your family, Jon Stanhope: if somebody gets beaten up at the Canberra show, surely you should be concerned. What sort of Chief Minister are you that you now denigrate it simply because the constituent was related to one of us? There you go, 17 members, do not report something that goes wrong or that in some way affects your family, because you are not allowed to under Mr Stanhope’s rule; it is denigrated.

That young man is entitled to the protection that our police service, our laws and our city should offer him. He should get the response that he deserves, whether or not he is related to me or to you, Chief Minister. I did the right thing. I reported this to the police; I was so angry about this that I reported it to the police.

The problem for the lady in Campbell is that 10 days later she has not given her evidence to the police. Any opportunity to collect evidence, I would suspect, has disappeared. A number of the kids from that party who are quite scared of the gang that lives in this area—and they call it a gang; they are not our words; these are the words of the constituents—went to the police station last week to report the incident. They got the

courage up to report the incident. One kid who had been beaten up on a number of occasions by these individuals got the courage to go down and tell the police.

The response was: "Do you have an appointment?" He was sent away, without giving his statement. I understand that three, four, five kids went down; the police took the mobile phone number and the name of one—not all of them, just one—and said, "We will get back to you." I would not be at all surprised if those kids do not want to go back and make a statement now. But this is what we are facing.

You say, "It is the dreadful opposition; they are just attacking the police." This is the information that we are getting. We are getting it from the retailers at the Hyperdome, the retailers at Red Hill, the retailers at Erindale, residents in Campbell, people who go to the show, people who do the right thing, who report it to the police. The police spend an enormous amount of money. We got the advice: "Ring Crime Stoppers." They rang; they rang the numbers and they rang the triple-0 and they did not get the level of service they deserve. That is why they contacted us and that is why we raised the questions here.

I hope that Mr Hargreaves will agree to the amendment that I now put forward. I move:

After "directs", insert "Mr Hargreaves,".

Let us get all the information on the table. I am happy to give the notes over that I have got. I do not know whether Mr Pratt has got any. I have had verbal briefings; I will not be able to give it all to you. I will certainly put forward the things that I wrote down. The police already have it, Chief Minister, because I gave it to them. We did the right thing, not like you. We responded. The indignation that we get from you, the joke that you make of this and the way that you treat this so flippantly are so characteristic of the arrogant approach that we have had from you and of your out-of-touch nature. People are questioning the response of the police. It is our right, it is appropriate, to raise these matters.

I met five officers, a senior officer and four beat squad officers, in Petrie Plaza the other day. We had a discussion about this. They do not like our raising these issues because it reflects on them, but they agreed that we had to raise it when the constituents came to us. And we do. And we did.

Ten days after a lady reported a crime in Campbell, she has not been interviewed by the police. Can you answer that, Chief Minister? Why is that so? Why is it that 10 days after this woman rang to say, "I have people at my home committing acts of violence; I have a man on the ground, knocked out, and kicked on the ground; I have got a kid with a broken nose; I have got some cars that have been damaged," she has not been interviewed? Why are young people turned away from the police station? Because you have now got to have an appointment to give a statement. Have you ever heard anything so ridiculous in all your life? You have got to have an appointment.

When will those appointments occur? When does the trail go cold? What happens in the interim when people know that they can get away with it, with impunity, because the police seemingly do nothing? I know that they do lots and that they have got lots to answer. The problem is that they do not have the resources to maintain this city at the

level that Canberrans want and expect and pay their taxes for. This should be the safest and the best city in the country.

We have got a great police force. We always defend that police force. It is Mr Hargreaves who is on the record calling them the Keystone Cops. It is Mr Hargreaves who has denigrated them. It is Mr Hargreaves who laughs at them. Mr Pratt continually asks why is the government not resourcing the police and why is it that the government's policies are leading to this situation. This is a serious issue. We have attempted to put on the table the concerns of the community, as is our job.

Mr Corbell: Your relatives.

MR SMYTH: Mr Corbell interjects, "Your relatives." I did not ask the questions on my behalf. You all need to acknowledge the new standard that Mr Corbell and Mr Stanhope have. If you have got a relative or you know somebody in the ACT, they are now second-class citizens in the Labor Party hierarchy. You cannot represent them when something goes wrong in their lives or when they have an encounter that is unsatisfactory to the Stanhope government.

Unlike people who come to this place and read letters and do not tell whom the letters are from, I am quite willing to say that I did the right thing. I went to the police and told them what I knew. As I got more information, I gave them that information so that they could help make Canberra a safer place. But when somebody rings me and says that 10 days after reporting an incident she still has not been able to give a statement, has not been interviewed by the police, you have to seriously question what is going wrong.

It is the policies of the Stanhope government; it is not the individual officers. The individual officers are good and sound and they do a great job. We say that often and we say it constantly. We constantly criticise the policies you have put in place, the lack of adequate funding and the lack of adequate officer numbers on the street to ensure the safety of the people of Canberra. That is what we will criticise, that is what we have criticised and that is what we will continue to criticise.

I commend the amendment. If we are all going to put our cards on the table, let us see the full story from Mr Hargreaves. Let us get all the details and, if you like, table the tapes as well. Table all the tapes that night from the communications centre and let us find out about the earlier calls as well. It would make interesting reading to have the full story, Chief Minister, not the small part that you chose to put.

MR QUINLAN (Molonglo—Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for Racing and Gaming) (3.49): I find the situation the house finds itself in quite curious and quite odd in that we now have Mr Smyth giving all sorts of detail. Some of the detail that has been given by Mr Smyth is quite concerning. But that is not the way it was handled in the house.

I just asked the minister for police had there been any approach by the Leader of the Opposition's office to his with a level of detail—a level of detail that does not lend itself to questions without notice unless the primary objective, Mr Smyth, is political gain. You are not here to stand in this place and go through the tactic that you have just been

through, and say, “I am concerned about the safety of the community.” I know whose safety you are concerned about, buster. And I would be too. The point here is that Mr Smyth has available a whole raft of information which needs to be verified, obviously. Given the events of the last 24, 25, 26 hours or so, it would seem obvious there would need to be a significant amount of verification.

What we had was this incident in which someone from Mr Smyth’s family was injured in what was obviously an unsavoury incident, an incident that we all should be concerned about. But that turned into some anonymous question about rampaging gangs. That is when it was dramatised for the purpose of political gain. Your own family, Mr Smyth! The approach that has been taken by the opposition in this is appalling. The point you want to try to make, and the point you are trying to get across to the community, is that there are not enough police and that this government is not supplying enough police.

The facts are that, in the time that we have been in government, one of the difficulties we have faced in this town is a lack of growth in population. But we have seen since this government came to power an increase of 50 or 60 in police numbers—a significant increase, given that we do not have population increases but we have an increase in the complement of police. You have obviously got some police per thousand increase ratio. What is it an increase over? It is an increase over what you provided previously. That is what it is. It is simple mathematics: virtually no population growth, 60 more police; therefore, there is quite clearly an increase in resources.

What do you see as a result of the increase in resources? You see a decrease in crime. We have not got, unfortunately, a total elimination of crime. In the future, there will be crime in this city, in this territory. If you look at the world through the prism of a single incident, you will make a whole lot of different conclusions than if you take an overall, broader view. Of course you do not want to do that. And that is why you have come in here and virtually supplied no detail, except “rampaging gangs”. Yes, dramatise it, and then say, “Minister, why have you failed to resource the police because there are rampaging gangs?” That is, quite frankly, appalling politics.

I absolutely support the move that the Chief Minister has taken in putting his motion on the table, because it has drawn out the problem now. We know what we are dealing with. We know that we have had a couple of unfortunate incidents. We have now got the facts, I think, in relation to the time it took to respond and why, and what the response process was. That is all very reasonable in itself, I would suggest. It therefore paints a completely different picture than the picture that was painted here yesterday by Mr Pratt because you dramatised it. You are dramatising for political gain. Then we get Mr Smyth speaking about the incident at the show.

Mr Smyth: One of the—

MR SPEAKER: Mr Smyth, you are a serial interjector. I am going to warn you next time.

MR QUINLAN: We get a rolling out of the detail. If that happened, whether I was in opposition or not, why on earth would you not put that information together and give it to the minister and say, “There is a serious problem here; this is something that we really need to look at,” if that is the way you think about it? But you did not. Why? “Better

stick that under the blotter so that we can try to make something out of it at question time.” That is sad. Your own family!

MR STEFANIAK (Ginninderra) (3.56): I have not heard so much humbug for quite some time—and we get a fair bit of that in this place. It is the duty of an opposition to ask questions. That is what Mr Smyth and everyone else is doing. If this motion drags out a lot more information from both sides, well and good; and if it leads to some good outcomes, well and good. Mr Quinlan went on with a lot of humbug. Ted, you talked about dramatisation. I think there was only one word you could seize on there. Go back and have a look through *Hansard* on similar issues from 1995 to September 2001 and see how much dramatisation we had then.

I heard the Chief Minister going on about the opposition bashing police. That is absolute nonsense. I have been in this place since it started—apart from an absence of 2½ years. I jotted down a number of measures which the Labor Party in its various guises, including you lot, opposed or did not do, which clearly bashed police and clearly did not assist police. You were trying to either stymie legislation that helped police do their job or put up legislation that restricted police in the proper execution of their job of assisting the citizens of the ACT. When we talk about bashing police, let us go right back to the move-on powers. Of course they were objected to and voted against by Labor.

Mr Corbell: Mr Speaker, I wish to raise a point of order on relevance. The motion is in relation to requiring Mr Pratt, Mrs Burke and Mr Stefaniak to table by 5.00 pm today all information in their possession relating to the claims they have made about the alleged failure of police to attend incidents in Campbell, at the Canberra Show and at Erindale. It is not about the policy position of past or present government. It is about whether or not it is appropriate to do this. I think that, whilst some latitude should be shown in this debate, Mr Stefaniak is simply going well beyond the scope that should be allowed on these issues.

MR SPEAKER: I think this will end up being a wide-ranging debate, Mr Corbell. Your reference to things that happened in the past probably does not add much to the debate, Mr Stefaniak. That is a political comment, perhaps. Stick to the point of the debate—the provision of papers and the reasons for it.

MR STEFANIAK: I raised it because the Chief Minister accused the opposition of bashing police. I will quickly go through those matters. Then we had the debate on drinking in public, which was opposed by Labor. Prevalence of offence was taken out. It has to do with the Chief Minister accusing the opposition in this debate and repeating himself ad nauseam of bashing police.

As to this particular government and its various guises in this Assembly, I do not think I have seen any group bash police or do things which make it harder for the police, such as pass acts that make it difficult for the police and refuse to support bills and motions in this Assembly which would make the legitimate role of the police in trying to combat crime easier. Over the length of all these assemblies, you have systematically introduced measures in an endeavour to stymie the proper role of police. You have done nothing to help.

Mr Corbell: Mr Speaker, I again rise on a point of order. Whilst I accept your advice that there is a political point to be made in this, Mr Stefaniak is yet to refer to the substance of the motion in any way. He has now been on his feet for close to half the allotted debating time but is yet to deal with the substance of the motion. Some relevance is required in this debate.

MR SPEAKER: Relevance, Mr Stefaniak.

MR STEFANIAK: I am getting a bit closer at the present time. Let me go to these questions.

MR SPEAKER: No. You will come to the subject matter of this and be relevant. It is true that the government—

MR STEFANIAK: The Chief Minister opened it up.

MR SPEAKER: raised the issue of police bashing. In a debate like this you are entitled to defend yourself, but you are required to come to the question before the house.

MR STEFANIAK: Mr Speaker, I have indicated that it seems—and hopefully the government will accede to the amendment as well—everyone is quite happy to do so.

MR SPEAKER: That is the debate before the house. Why don't we talk about that?

MR STEFANIAK: I think that would be a wonderful idea. Mr Smyth has indicated some information. We are yet to see some information from the police minister and the government. That would be very handy. I hope both these motions will be agreed to. I will get onto the issue of bashing police.

MR SPEAKER: We are not onto that yet, we are on the amendment. Come on!

MR STEFANIAK: The opposition, and even someone in the government, has conceded that the questions raised revolve around resourcing. The opposition have, both in respect of these questions and in respect of other recent questions, been very concerned and have made known our dissatisfaction with the lack of resourcing of police and the fact that the police often find it hard to do the job they would like to do on behalf of the citizens of the ACT.

We on this side have constantly raised complaints about the lack of police resourcing, which clearly impacts on their ability to do the job they really want to do on behalf of the citizens of the ACT. That was the crux of these questions. It is all very well for the government to try to twist them around, but that simply does not wash when you look at the questions. We now have motions in relation to the tabling of material and that is good. In recent times the Chief Minister has also talked about bashing police. Might I remind him that the Australian Federal Police Association and individual police were very keen to see the opposition sentencing package, which was knocked back in both 2003 and 2004 and passed in 2005. I do not think they are helped by some aspects of the Human Rights Act.

Mr Corbell: Mr Speaker, I rise on a point of order. Again, Mr Speaker, the simple fact that this motion is about requiring Mr Pratt, Mr Stefaniak and Mrs Burke to table information about incidents involving the police does not allow Mr Stefaniak to open up the whole debate about every possible law and order issue he feels aggrieved about. You have quite rightly ruled that some level of defence to the assertions made by the Chief Minister is appropriate, but Mr Stefaniak is bringing in an extraneous matter which has absolutely nothing to do with the motion. He is paying lip-service to the motion. He needs to address the substance of it.

MR SPEAKER: What is more, he is reflecting on a previous vote of the Assembly. He will discontinue that immediately.

MR STEFANIAK: Certainly.

MR SPEAKER: You will come to the subject matter of the question before the house, which is the amendment.

MR STEFANIAK: Thank you, Mr Speaker. Might I remind the government that much of this debate is around resourcing and that we say an extra 100 police are needed. I note that that was an election promise in 2001. I will close on this point. Mr Quinlan made a valiant effort to show that the government was reasonably resourcing the police. That is not what we hear from constituents or from the police. I would urge you to go and talk to the police and see what their resourcing needs are.

One of the most fundamental duties any government can have is the security of its citizens. That means an adequate police force which has adequate powers to do its job properly on behalf of the community. Go and talk to them, see what they need and see what other powers and legislative assistance they might need to do their job properly. Why don't you try that instead of making stupid, spurious comments about the opposition which have no substance whatsoever.

MR CORBELL (Molonglo—Minister for Health and Minister for Planning) (4.04): I move:

That the question be now put.

The Assembly voted—

| Ayes 8 | | Noes 7 | |
|---------------|--------------|------------|--------------|
| Mr Berry | Ms MacDonald | Mrs Burke | Mr Pratt |
| Mr Corbell | Ms Porter | Mrs Dunne | Mr Smyth |
| Mr Gentleman | Mr Quinlan | Dr Foskey | Mr Stefaniak |
| Mr Hargreaves | Mr Stanhope | Mr Mulcahy | |

Question so resolved in the affirmative.

DR FOSKEY (Molonglo) (4.07): I seek leave to move a further amendment.

Leave not granted.

MR SPEAKER: The question now is:

That Mr Smyth's amendment be agreed to.

The Assembly voted—

| Ayes 7 | | Noes 8 | |
|------------|--------------|---------------|--------------|
| Mrs Burke | Mr Pratt | Mr Berry | Ms MacDonald |
| Mrs Dunne | Mr Smyth | Mr Corbell | Ms Porter |
| Dr Foskey | Mr Stefaniak | Mr Gentleman | Mr Quinlan |
| Mr Mulcahy | | Mr Hargreaves | Mr Stanhope |

Question so resolved in the negative.

Motion agreed to.

Road Transport (Alcohol and Drugs) (Random Drug Testing) Amendment Bill 2005

Debate resumed.

MR MULCAHY (Molonglo) (4:10): As I indicated before the luncheon adjournment, I find curious the way in which the Chief Minister was quick to condemn Mr Pratt for bringing in a very sensible bill that proposed legislation to save the lives of Canberrans. I was disappointed, although I fully expected the Greens to look for ways to avoid support of this measure. That has consistently been their case on measures that involve illicit drugs. There seems to be a pronounced reluctance to support legislation that might, albeit not the primary purpose of this bill, have the unintended consequence of taking action in relation to people who choose to use illicit substances.

I spoke of the percentage of fatalities on the roads of New South Wales, Victoria and Western Australia involving an illegal amount of alcohol having fallen from 33 per cent in the period 1990 to 1993 to 26.7 per cent from 1997 to 1999. Yet, during the same period, the number of fatalities involving illicit drugs has risen. Clearly the number of alcohol-related fatalities is still too high, but this helps to demonstrate the success of the random breath testing system on Australia's roads. A key component of the success of RBT is the principle of general deterrence. The high perceived risk of detection acts as a deterrent to the general public when it comes to drinking.

The general public need to be made aware of the dangers posed by drugs. They need to know that, by driving whilst under the influence of drugs like marijuana and ecstasy, not only are they placing their own lives at risk but also the lives of others on the roads. That is what this legislation we are proposing is all about. It is a road safety initiative and should be interpreted as nothing else. Illicit drugs can affect driving ability. For example, laboratory studies have shown that cannabis compromises reaction time, affects an

individual's attention span, time and distance perception, short-term memory, hand-eye coordination and ability to concentrate.

When one looks at the fact sheets put out by the national drug and alcohol research people, the evidence is overwhelming. Studies have consistently shown that cannabis can cause a range of problems such as poor ability to maintain lane control. The field studies that have been undertaken have found higher rates of cannabis use by people who have been involved in accidents than the rate that would be expected by chance. Under the last national drug strategy household survey about five per cent of males and two per cent of females reported driving under the influence of a drug other than alcohol. Cannabis is the most common illicit drug used.

It amazes me that we keep going on about this. I am disappointed with this minister. He is probably hamstrung by the directions he has been given, but there is a reluctance to go forward with this issue. All the excuses were trotted out this morning. There was procrastination on this critical issue—any reason not to act. The evidence has been out there for decades. As I recall before I was in this place—Mr Stefaniak will correct me if my timing is incorrect but I believe it was Mr Humphries who did this when he was here—the powers of police to test people for drugs if brought in as a consequence of a motor vehicle accident were extended. I was very pleased to be one of the people who lobbied for those changes.

Scientists have mimicked driving conditions in research and have shown that the effects of drugs such as cannabis can cause serious problems with driving. There is the added issue of the combination of alcohol with drugs, which is, of course, deadly. Some have argued that the effect of cannabis on drivers is minimal, but the facts and statistics speak for themselves. There was recently an advertisement on television warning against drink-driving which made the point that a few drinks will not prevent a person from driving; they will still be able to change gears, accelerate or brake. However, the alcohol in that person's system will affect their ability to deal with unforeseen circumstances or react to the conditions around them. This can lead to tragedy, and indeed drugs have the same impact on drivers.

The effect of illicit drugs on drivers is borne out by an examination of the statistics relating to road fatalities in Australia between 1990 and 1999. According to the drug survey, four per cent of drivers admitted to driving under the influence of drugs. It is interesting that, of a total of 3,398 driver fatalities investigated in Victoria, New South Wales and Western Australia for the period between 1990 and 1999, impairment drugs were present in 23.5 per cent of cases. And we have Mr Hargreaves saying here in the Assembly, "Oh yes. We need to wait for a while and see." That is 23.5 per cent of fatalities—nearly one in four of the deaths in Victoria, New South Wales and Western Australia.

The governments of Victoria and New South Wales have had enough sense to move on this issue. They are all about saving lives on the road, not worrying about the possible political unpopularity of moving into an area of supposed recreational activity. Mr Speaker, 9.6 per cent of those fatalities tested positive to both alcohol and drugs. I would contend that both this Assembly and the government have a duty to protect our citizens by moving now to show that Canberra is not taking a soft view towards the use of drugs when a person is in command of a motor vehicle.

It is interesting that 12.6 per cent of fatalities had cannabis or stimulant activity in their systems. I refer to marijuana and ecstasy, the users of which this bill is seeking to keep off ACT roads. Go and tell the parents of someone who is killed in an accident, "We are not really sure yet whether we are being unfair. The person might have taken that drug 12 hours ago rather than one hour ago and we would be worried about their rights." Tell that to the victims.

The government mounts a very weak case for dragging its feet. Work done in South Australia is fascinating to see. In 2004 they revealed that 28 per cent of driver or motorcycle rider fatalities tested had cannabis or stimulants in their blood. This work was undertaken by the South Australian Department for Transport, Energy and Infrastructure as part of a research program. Research was undertaken at Flinders University back in the mid-1990s. They studied every person who came into accident wards in all South Australian hospitals. About 30 per cent of those who had been riding motorcycles in that period showed the presence of illicit substances.

In addition to fatalities, which are often single-vehicle accidents caused by extreme behaviours that have severe consequences, the use of drugs whilst driving causes accidents and injuries. The South Australian study of drivers injured in accidents found that over 11 per cent were under the influence of cannabis or stimulants like ecstasy. A further study conducted over a year in a major Sydney hospital found that over 15 per cent of seriously injured crash victims had high levels of cannabis in their systems. Significant was the fact that the number of fatalities that had used an impairing drug between 1997 and 1999 rose almost seven per cent from the period between 1990 and 1993.

Do we sit back, as those of us who grew up in the 1960s and 1970s did, and wait until the death toll is horrific—until everybody knows somebody who has been killed because of a drunk driver and then move? Or do we move now when we see clear evidence of a growing statistical problem; clear evidence provided by numerous independent studies that the use of these substances impairs people? We need to get off our hands now and move to achieve legislative outcomes that will send a very strong message to the people of Canberra that drug-driving is not acceptable.

MR STEFANIAK (Ginninderra) (4.18): I think there is more than ample evidence before the Assembly and in the public arena to indicate that this government needs to act now and support Mr Pratt's bill. There is no valid reason to sit back and await any further evaluation. I have noticed that this is not something the government has been concerned about with regard to legislation it wants to see brought in. The government jumped in with its Human Rights Act and with other pieces of legislation it felt was important. It was quite happy to be the first in Australia to introduce some types of legislation which it saw as important—legislation which many on this side would probably describe as social experimentation.

To be kind to the government, I suppose it was ground-breaking legislation. It might not have been a good idea, but the government introduced it and it was passed. I think the government is just making excuses here; it does not really want to introduce this type of legislation. It certainly does not want to give any acknowledgment to Mr Pratt or to the opposition for bringing this sensible bill before the Assembly.

It is painfully obvious—and my colleagues Mr Mulcahy and Mr Pratt have gone through some facts—that illegal or illicit drugs impair your driving. I am amazed. The statistics from Victoria during its trial are very powerful. Something like 250 people were affected by drugs such as cannabis and amphetamines, compared with about 48 people affected by alcohol—and, of course, it is illegal to drive whilst under the influence of that. Quite clearly the law needs to be changed. Quite clearly these drugs can have a horrible effect on your driving ability. Indeed, a person affected by cannabis or some other illicit drug such as heroin is probably far more affected than someone who has simply been drinking.

In one instance I saw in the ACT courts, a person who was badly affected was charged with driving under the influence of a drug or alcohol. That person was caught driving, luckily at only 30 or 40 kilometres an hour, on the wrong side of the road outside the old Hotel Wellington, which is now the Rydges Capital Hill Hotel, on a two-lane, one-way highway, at about 4.00 in the morning, weaving all over the road. Luckily it was that time of the morning. If someone had been coming along and had not seen that vehicle, they would probably be dead. Luckily it was the police who came along and picked that person up. The person was probably lucky that the police did pick them up.

We are not talking just about the safety of innocent, law-abiding road users who might be subject to serious injuries or even death caused by someone who is doped up to the nines; we are also talking about the person themselves. As much as anything, the drink-driving laws in this community are designed to discourage people from getting behind the wheel and driving when they are under the influence of alcohol, thereby protecting not only the community but also protecting those people from themselves. I think it is important for this government to take a stand and do what their Victorian and South Australian colleagues are doing.

Victoria's legislation has now been adopted; it is in force. They have had a very successful trial. Why don't we just adopt that lock, stock and barrel, and bring it in here? We can do that by adopting Mr Pratt's bill. By all means see how it goes for six months. I am sure you will be pleasantly surprised how effective it is. I am sure we will see some equally horrendous statistics in respect of people affected by illicit drugs whilst driving. I am sure that, if this law comes in, our society is going to be a lot safer as a result. There is obviously a move down this very sensible track in the rest of Australia.

I was concerned but not surprised to hear what I regard as some spurious arguments. The New South Wales Council for Civil Liberties said that random drug testing is an invasion of privacy. So is the killing of an innocent victim by some drug-induced person who is driving a car whilst doped up to the nines. That is an invasion of that innocent victim's privacy, and indeed a lot more. I think statements like that should be treated with the contempt they deserve. What about the rights of ordinary, law-abiding citizens? From another perspective, what about trying to do something to help the person who is taking those drugs and prevent them causing damage to others or to themselves?

I think there is an irrefutably strong case, and the statistics bear that out. We are not talking about a few statistics, as if this were something that has not been there for very long and is something we are only just coming to grips with. The statistics which have been put forward in this debate show quite clearly that this problem has been ongoing for

some time. I prosecuted that case in about 1984-85—20 years ago or more. This problem has certainly been around and we now have the statistics to show just how prevalent it is. It is five times more prevalent than drink-driving in Victoria. There is nothing to show that that would not necessarily be the case in Canberra as well.

It is crucial that the Assembly backs Mr Pratt's bill. By doing so we will be saving lives—not only the lives of innocent victims but also perhaps the lives of people stupid enough to take illegal drugs. All in all, I think this is an excellent piece of legislation deserving of this Assembly's support. For the government to dillydally and try to find excuses not to back it—and that is all it is doing—is pathetic. A responsible government should accept good legislation from any source in this Assembly. That has often been the situation in the past.

Perhaps because we now have a majority government it does not want to give credit where credit is due, and it should do so. The government is belittling itself by adopting such a mean attitude. This is good legislation. Why not pass it? By all means put in a sunset clause if you want to see how it pans out in reality. Of course it needs to be adjusted to suit our local conditions, but it is sensible legislation that protects the community and also protects individuals who might be driving under the influence of intoxicating drugs. It is very important legislation which is deserving of support. I am very disappointed to see the government not supporting it, although I must say I am not surprised.

MR PRATT (Brindabella) (4.25), in reply: I stand to close the debate. In responding to what I think is the major concern coming out of the government and, I think, the Greens about some of the technical aspects of drug testing, I want to make a couple of points before I sum up. I appreciate Dr Foskey's advance notification to me that she will not be supporting the bill. I understand her concerns about the drug testing technicalities and I want to address some of those concerns now. The detail I am about to give basically highlights the already existing law. Testing of drivers for drugs already exists in the ACT, along with the types of substances tested for. There is a comprehensive list in schedule 1 of the current Road Transport (Alcohol and Drugs) Act 1977 which outlines what constitutes drugs under the current act. In total there are 17 categories of drugs that are currently considered drugs for the purpose of drug impairment under the current ACT law.

My bill is not so much about introducing testing for drugs and how those drugs are tested for—that law already exists. My bill effectively allows for random roadside drug testing. We need to mobilise the existing model to allow more random testing to create much more of a deterrence. Current arrangements in the ACT see us only testing for drugs where it is suspected that a person may be under the influence of drugs or where an accident has already occurred; it is not randomly done. The growing statistics, including a recent AAMI survey, are readily available and show that, across Australia, at least one in four drivers under the age of 25 thinks it is okay to drive under the influence of recreational drugs. It is amazing how often that 25 per cent factor is replicated in other state reviews. I have seen other reports, which I do not necessarily think are all that reliable, which would indicate that it is about the same measure here.

In order to better protect lives on Canberra's roads, it is highly important that this issue be addressed. I think we have to assume that there is a significant number of people

driving whilst affected by drugs. Police tell me that they think many road rage incidents are based on some young people being drug affected, because it speeds them up. The *Canberra Times* reports last Saturday show that, from the Coroner's findings, quite a proportion of the fatalities in the ACT last year—unfortunately one of the worst years ever in that regard—could also be attributed to the use of drugs. At least 47 per cent of the 37 fatalities referred to by the *Canberra Times* involved alcohol and drugs, but the authorities have not finally determined that percentage. They believe that percentage will go higher. The early findings are 47 per cent. That is a major concern.

Part 2 of the current legislation—the Road Transport (Alcohol and Drugs) Act 1977—spells out comprehensively the methods of examination of a person for alcohol or drugs. Section 24 of the existing road transport act states that, if a person drives a vehicle under the influence of alcohol or drugs to such an extent that they are incapable of having proper control of a motor vehicle, they commit an offence. Not only does this cover illegal drugs but it also covers other substances where they seriously impact on a person's ability to drive a vehicle—alcohol, for example, which is not an illicit substance.

Other examples of substances that could impair a driver's ability are Valium, antihistamines, pain-killers and cold and flu tablets. It is already illegal to drive under the influence of drugs, illegal or not, where they seriously impair the driver. That is spelt out in the current act. I fully understand the concern of the government and the Greens that the testing of drugs, including other illegal substances people may have in their systems, is a problem. It is a challenge but it is not insurmountable. When you compare the risk of managing that issue with the greater concern of catching people driving with substantial drugs in their systems, it should not present as an obstacle.

Referring back to John Hargreaves's interjections earlier in the debate, he raised a point in the tabling phase of this debate about the use of Sudafed. Of course Sudafed is a problem. It is illegal to drive under the influence of Sudafed where this impairs a driver's ability to control a vehicle. As minister for police, Mr Hargreaves ought to know that that is the concern. He ought to know that there are legal and illegal drugs which can be defined under the act.

Section 15A (3) of the current act says that, if a police officer has cause to suspect that a person has a drug other than alcohol in their system, they can request an analysis of the person's blood to determine the concentration of such a drug. Again, I stress that we are not introducing the ability of a police officer to test for drugs; the law already exists for that. Therefore an argument against supporting the bill on the basis that there are concerns about the testing of the drugs themselves is questioning the regime of drug testing which already exists in the ACT under current legislation.

I think we should just dwell on that. That would be illogical. I do not know why the government has raised that concern. Perhaps I am overdoing it; perhaps they have not raised it as a major obstacle, but they have raised that concern, and the Greens certainly have as well. I do not know why the government has raised that concern. Perhaps I am overdoing it; perhaps they have not raised it as a major obstacle but they have raised that concern. The Greens have certainly raised that concern as well. If we have a problem with our police testing for drugs now, why would it be any different in random drug testing?

In response to a couple of other points, I remind the house that four out of the seven states of Australia are either trialling or have implemented RRDT—random roadside drug testing. The ACT now says it is thinking of implementing new RDT laws. That is a bit strange. There must have been a seismic shift since December, when I recall the Chief Minister calling this redneck law. I find the inconsistency strange. Does he call random breath testing redneck law? The regimes are exactly the same. Perhaps the government is being dragged, kicking and screaming, to the realisation that there is an essential need for this law. I am glad to see that a working party has been established, but why has it taken all this time, given that other states have been thinking about this for a long time, given that some of my colleagues have raised it here quite often before and given that there is already a truckload of evidence going back a number of years about the threat of drug-affected driving on our community?

The minister says that we need to look at testing. Does that mean we must go through another two or three years to sort out the Sudafed factor? I do not think that is responsible governance. The minister says he does not applaud the idea of a law which might see authorities springing up from behind bushes to nab somebody who is on marijuana. That is not the purpose of this bill. We are not seeking to set up police in ambush to test all citizens who might be on drugs. The primary aim of this law is to protect our drivers and to protect the community. I do not give a damn if that means that habitual drug takers have their behaviour changed because they might run into a roadblock on the way home. That would be a good by-product, but it is not the primary aim. The primary aim here is to protect the community.

The New South Wales civil liberties people, according to the Greens, were concerned about the invasion of privacy. Mr Mulcahy has really made quite a fist of this particular issue. It is not as if the road death of an innocent citizen hit by a drug-affected driver were not an invasion of privacy. It is no wonder that the civil liberties group are treated as an irresponsible laughing stock by the majority of Australians. The Greens also raised the question: how do we know that an RDT regime would influence the habits of young people? When I was a young man, the RBT regime very much influenced my habit of having a few glasses of kerosene on the way home. It changed my life. I became a bit of a chardonnay drinker and drank a lot less. That was the experience of my generation with the drink culture of the early 1970s.

Mr Hargreaves: You should have turned to turps!

MR PRATT: Precisely, minister; turps is even better. Why would history not be replicated? I would like to see a more positive spin from the Greens, rather than the tunnel vision we have here. The Greens ask: where is the evidence that this might occur? There is a truckload of it—and I will drive it down the hallway to Dr Foskey's office. We are deeply concerned with the irresponsible attitude taken here today by the Greens, who do not seem to want to support any sensible law that might provide better protection for the majority. I am also disappointed that the government did not have the foresight to come here today with some amendments. Could they not have amended our legislation so we could expedite something into the system? We would have been happy to sit down with the government and tweak this bill—to change it—so it could have been rushed into service; so that you, minister, could better protect our community.

The Victorian experience is very clear. There was a two-year trial. There is plenty of evidence there for all of us to have a look at. As I was saying before, the threat of drug-driving in the country, including the ACT, has been very clear for a long time. Why has the government not seized the opportunity? I think the minister would really like to see something put in place as soon as possible but I will bet that his colleagues, and that civil liberties loving Chief Minister, have put the kybosh on any initiative he might otherwise have taken.

The minister raises concern about there being a problem with testing for minor drugs. Of course there will be mistakes. Mistakes are already made with random breath testing. We know that people are sometimes unfairly detained for alcohol testing. In any policy like this there is some risk management involved. But are we going to be saying, “Oh, damn it. We’ll let the 20 to 25 per cent of Canberran drivers who are drug-affected go down the highway because we are damn frightened that we might unfairly detain 0.1 per cent of people who might be on Sudafed or cough medicine versus the 20 to 25 per cent who are driving whilst drug affected and might kill somebody else”? There is an illogicality here. I think good governance means that you take a minor risk.

Why not trial this regime? We can lift the Victorian model lock, stock and barrel with the two years of trial experience behind it. We can plant that policy here in the ACT now. We can run a six to nine-month trial—six months would perhaps be enough—and adapt the Victorian model to the ACT landscape. In that timeframe we can tweak out these little concerns about other substances which might cloud the issue. Any good government policy has safety nets in place to take care of people who have been unfairly detained. Out of the thousands of people tested in the Victorian trial, nine people were accidentally unfairly detained. Those people have been compensated. Good policy means that you can take care of that. You must have some risk if you are going to put in place good policy which deters offenders. The government is just not thinking in those terms.

In summary, there is a growing threat across the country and in the ACT. Drug-affected driver testing is needed. The Victorian experience has provided us with plenty of information and a good model which we can adopt. Unfortunately, the government did not come here today with any amendments. With this model we can test at least for cannabis and amphetamines—and other adjustments could be made. The government will not support this bill because they have failed to think ahead. They are lazy in their governance and they will not protect the community because they do not have the vision to take care of these matters.

MR SPEAKER: The member’s time has expired.

Question put:

That this bill be agreed to in principle.

The Assembly voted—

Ayes 6

Noes 9

Mrs Burke
Mrs Dunne
Mr Mulcahy
Mr Pratt
Mr Smyth

Mr Stefaniak

Mr Berry
Mr Corbell
Dr Foskey
Mr Gentleman
Mr Hargreaves

Ms MacDonald
Ms Porter
Mr Quinlan
Mr Stanhope

Question so resolved in the negative.

Australian Broadcasting Corporation—funding

MS PORTER (Ginninderra) (4.44): I move:

That this Assembly:

- (1) recognises the Australian Broadcasting Corporation's (ABC's) essential place in the media and broadcasting landscape of the ACT, and the nation;
- (2) notes that the ABC is currently under-funded; and
- (3) requests that the Chief Minister advises the Federal Government of the Legislative Assembly's support of the ABC triennial funding submission.

The ABC is currently in the process of negotiating its funding arrangements for the next three years with the federal government. You may remember that Mr Hargreaves raised the matter of the ABC's funding in March 2003, and I thought it was timely for the Legislative Assembly once again to address this issue and ensure that the ABC has our support during this funding bid.

The ABC is arguably the most important broadcast media outlet in the ACT. It broadcasts local television and news seven days a week and it is the only outlet that broadcasts a local television current affairs program. In 2003 Mr Hargreaves highlighted that ABC Radio Canberra 666 is the only broadcast outlet to provide local content throughout the day. There is nothing more frustrating than listening to some of the pre-packaged and pre-recorded programs that many of the commercial radio stations serve up, particularly in the evening.

As we all know, 666 made a significant contribution during the 2003 bushfires, and its role in any future emergency will be critical. We are already hearing important community announcements regarding emergency warnings and how to recognise them. Members of this place know that when they want up-to-date information on local news events as quickly as possible, they can turn to the ABC. Many community groups use the opportunity to broadcast coming events in person on Friday afternoons and Saturday mornings or file their events on the 666 website.

In its submission to the commonwealth government the ABC clearly identifies coverage of local events in outer metropolitan and regional areas as an area they are looking to build on. A boost to the coverage of events in the ACT can only benefit our community

in general, I believe. We have all grown up being used to our ABC, but what if it were no longer there?

The media landscape has changed very dramatically and very rapidly of late. Terry Flew, a media and communications academic at the Queensland University of Technology, identifies how this change has taken place. What he calls the three Cs of convergent media are: communications networks, content and computing. For a media organisation to remain relevant and dynamic in today's new media environment, it needs to have expertise in all three of the fields I have just mentioned. Gone are the days of a simple broadcast via the television set or over-the-wireless network. Media organisations must provide content over a vast range of communication networks and technologies and must let these networks and technologies feed into its content.

Australians are looking for flexible and diverse ways to access their information. Digital television, podcasts and mobile telephony, to name but a few, are now coming on board. Moreover, people are looking for information relevant to them. It is not just the academics or the ABC saying this. Media baron Rupert Murdoch, in a speech to the American Society of Newspaper Editors in April 2005, said:

We're now seeing a revolution in the way young people are accessing news ... they want their news on demand, when it works for them. They want control over their media, instead of being controlled by it.

The ABC's triennial funding submission directly addresses this need for flexibility and relevance through its proposal "Content that motivates digital television uptake". In 2005 the ABC launched its digital-only free to air television channel, ABC2. This new service offers time-shifted content, state-specific material that is unavailable in other states and territories and a comprehensive mix of documentary, art and children's programming, as well as international and regional news programs not otherwise available.

The new digital proposal will also make available further programming on ABC2, as well as a video-on-demand service through ABC Broadband. By providing up-to-date technologies full of relevant information that can be accessed by a variety of mediums, we are creating further consumer interest and providing consumers with greater choice. This is a vital element of the ABC's fulfilling its charter and the federal government should not overlook it.

The ABC has produced any number of critically acclaimed local television programs: *Brides of Christ*; *Seachange*; *Changi*; *Grassroots* and *The Dismissal*. Local drama is a window into our lives. It helps identify us as a nation and brings together all those wonderful elements that assist us in identifying what Australians see as important. It often asks the question: "What do you and I value?"

John Doyle, at the 2005 Andrew Olle memorial lecture, stressed the importance of the ABC's contribution to local content, stating that without the ABC, "local content is reduced to game shows, dancing shows, lifestyle shows and talent quests ... Think of something mindless, rope in a couple of celebrities and there's your show". Doyle asks, "Why is there such a paucity of great locally made drama?" More to the point, Doyle is not the only person arguing about the ABC's role and the contribution to local content. The ABC charter states that one of the functions of the ABC is to:

broadcast programs that contribute to a sense of national identity and inform and entertain, and reflect the culture of diversity of, the Australian community.

Is Doyle right? The kind of program we find on commercial stations is not engaging. It does not explore our cultural identity. The only culture I find on weeknight commercial television—if I turn it on, which I must admit is not likely—is the cringe kind. It is cultural cringe: the Gen Xers and Yers shut up in houses 24/7 for months on end getting intoxicated and behaving badly; soap operas full of emotional angst; endless B list celebrities learning to dance or lose weight and people trying to win loads of cash or wanting to be the next pop music flop. They go through other ridiculous processes. What lame excuses for television are these?

Last year the ABC produced only 20 hours of new Australian drama. This is an all time low in the 50-year history of ABC television. It is a national disgrace. It is time the federal government fully recognised the ABC's role and responsibility in nourishing, promoting and sharing the culture of Australia.

I have become very concerned lately about what I see as the increasing politicisation of the commercial broadcast media outlets and a number of national print media outlets. There are a number of journalists and commentators who are openly associated with one side of politics. These journalists are blatantly flouting the Media, Entertainment and Arts Alliance journalism code of ethics. A particular commentator for a Sydney daily tabloid and a particular Sydney breakfast radio host come to mind. I am sure that we all know whom we are talking about.

What I find most appalling is that these outlets allow their journalists, who work for them obviously, to blatantly flout their own code of ethics. John Doyle highlights this, telling us that he worked “with a high profile journalist on a commercial network ... who stated that his ambition was to work as Peter Costello's press secretary when he assumed the Prime Ministership”. He might have a while to wait, I suggest.

Reputable media organisations should remain completely non-partisan. At the moment I fear that the ABC is the only organisation that is currently doing so. What also concerns me is the quality of the reporting from some of the commercial media outlets. There is only so much of the drivel that is served up as so-called commercial current affairs that we can stand. How do we stand it; how long can we stand it?

I fear that in the current media climate the only media organisation that can deliver real news from an independent perspective is the ABC. In saying that, we would benefit from more, rather than less. As I mentioned previously, we now have local ABC TV news and we are very grateful to have it. However, the local content could certainly increase significantly.

For the sake of independent journalism with integrity, for the sake of good locally produced content, for the sake of the need to develop and provide new media technologies and for the sake of good coverage of local events, I am here today asking the Assembly to support the ABC and for the Chief Minister to convey that support to the federal government in the light of the current triennial funding submission before the

federal government. In closing I would like to thank all those who work as announcers, producers and behind the scene to deliver what the ABC does so well in Canberra.

MR MULCAHY (Molonglo) (4.55): When I hear motions like this I sometimes wonder whether I stood for election in the House of Representatives in October 2004. I think I am in the wrong place. What on earth the ACT Assembly has to do with the funding arrangements for the Australian Broadcasting Corporation is beyond me. Whilst I know we can carry motions here about everything from Guantanamo Bay to the ABC and all points in between, I really am troubled at times that the Assembly devotes much of its efforts to these extraneous matters that are not central to the core of ACT government business, nor to the matters impacting on our constituents, who see us as their representatives on territory matters.

But, lest the record be left without an accurate picture, I will make a few comments in relation to the ABC. Ms Porter's motion contains an inaccuracy. Paragraph (2) states that the ABC is currently underfunded. I would like to know in relation to what, in what areas and what her yardstick is, because I did not hear Ms Porter address that point in her remarks.

She also expressed the view that the ABC was the only organisation that could give an objective and unbiased perspective on matters. I doubt that there would be too many people in the ABC who would subscribe to the view that they are that holy. Plenty of commercial stations have taken partisan views. It cuts both ways. I note the rather savage campaign that was run by the Murdoch media against the Tasmanian premier after he received hospitality from Mr Packer. I think the ABC is not immune from people who choose to expound their own personal points of view in the presentation of news and current affairs. But I wonder why SBS does not get a guernsey here in terms of government-funded organisations that are able to provide objective points of view. I actually find the SBS news and current affairs to be generally quite balanced and reasonable.

But I want to state a few facts in relation to the ABC. At the start of the new funding triennium in 2003-04, the Australian government fulfilled its 2001 election commitment to actually maintain ABC funding in real terms. The final year of the current triennium is 2005-06. In 2005-06 the ABC's total government funding will be \$792.9 million. That is as large as any agency of the territory; I think the Treasurer will agree. The ABC will receive nearly \$2.3 billion from the Australian government over the 2003-06 triennium. Interestingly, in the 2004-05 federal budget, the government went beyond the terms of that election commitment and provided additional further funding to the ABC of \$4.2 million per year, ongoing and indexed. That was designed to assist the ABC in meeting the increasing costs of television program purchasing, which does in fact help the Australian industry.

In addition, in the 2004-05 budget the federal government continued the ABC's regional and local program funding at a cost of \$54.4 million over three years from 2005-06. The government has done this to provide the ABC with certainty in its planning for the range of radio, television and online services that have been funded under the RLP initiative. This is particularly the case in relation to the extensive additional ABC local radio services this program has funded, which I know Mr Quinlan will sorely miss after his period in office.

The government is also fully funding the ABC's digital and transmission distribution costs, and Ms Porter referred to that. But it needs to be recognised that the cost over the decade from 2001 is estimated to be in the order of \$600 million and it is enabling the ABC to roll out its digital television services to match the coverage of its current analog service. Without this funding our national broadcasters would not be able to participate in what is one of the most important broadcasting developments in the history of television, notwithstanding my comments expressed last night about how this whole digital rollout has been handled.

Certainly, when you look at those figures, the comment that government support for the ABC and its commitment to public broadcasting is lacking cannot be justified. I ask: if that \$600 million commitment is inadequate, what on earth is the amount that Ms Porter thinks is appropriate?

To ensure that the ABC uses the funding to its greatest potential, the government has agreed, in conjunction with the ABC, to undertake a funding adequacy and efficiency review. Senator Coonan released the terms of reference for this review on 17 June last year. They were drafted in consultation with the ABC. KPMG, an external consultant selected through an open tender process, is conducting the review.

The review is close to completion and the results of the review will be taken into account during the government's consideration of ABC funding in the 2006-07 budget. As was stated previously by the federal communications minister, the ABC will not lose funding as a result of this process. It is consistent with the federal government's election commitment that there be an examination of the efficiency of the ABC's use of its funding, which is integral to the review, and any efficiencies identified will be available to the ABC to use in meeting its charter obligations.

I do not see any basis on which the review of efficiencies of operations is not appropriate. Indeed, this territory government is going through that process at the moment and, in the wake of the departure of the Treasurer of this territory, we are waiting with bated breath for any proclamations by Mr Costello in terms of reviewing ACT government operations.

The ABC recently released a summary of its triennial funding submission. In that the ABC is seeking additional funding to extend the reach of its current radio and online services, to increase the amount of Australian content on ABC TV—and Ms Porter referred to that—and new digital content to encourage the take-up of digital TV. I am advised today that these proposals will be considered in the context of the budget process and in the context of the outcome of the funding adequacy and efficiency review.

As for suggestions that have come from the other side or those outside this place that the government has cut the ABC's funding, it is very important for those of us who have got a bit of a memory to point out that the largest drop in ABC funding occurred during the late 1980s and early 1990s under the federal Labor government. That is right. The champions of the ABC were the ones who put the axe in. The reason why the ABC's funding was reduced at the commonwealth level in the period 1996 and 1997 is that the ABC, like nearly every other government agency, was required to contribute to the

whole-of-government budget savings necessitated by the \$10 billion budget deficit—that is right, the \$10 billion budget deficit—inherited from the previous Labor government.

As an aside, I heard a news story last night. The newsreader was talking about the debt reductions federally. She said “billion” and then thought it could not have been that bad in the past. She said, “I mean millions.” Well, no. It was billions under the Labor government.

Since that period in 1996 and 1997, though, the Howard government increased the ABC’s funding to the extent that its current funding levels exceed those under the Labor government prior to the 1996 election. Furthermore, in providing additional funding for the ABC’s national interest initiatives program and additional program purchasing funding in the 2004-05 budget, the federal government was providing the ABC with its first additional funding for programming since the mid-1980s. Remember the figures I cited in relation to the performance of the federal Labor government and the slashing they inflicted on the ABC at that time.

In 1995-96 we were looking at a time of change federally. The ABC received total government funding of \$522 million. When that figure is indexed to reflect today’s terms, that equates to about \$704 million compared to the total government funding of \$792.9 million the ABC received this year. Therefore, my statement that the ABC receives more than it did in the final year of the Labor government is most certainly correct.

I have just a few concluding comments. The regional and local programming funding the federal government has provided for the ABC since 2001 is the first additional funding for ABC content by any government since the early 1980s, more than 20 years ago. This funding has provided \$72.1 million over four years for the creation of new regional and rural programming, and the government has made a further \$54.4 million commitment to the program over the three-year period from 2005-06.

In addition to the regional programming fund, the federal government also committed an additional \$4.2 million per year, which I referred to earlier, both ongoing and indexed, to assist the ABC to meet the increasing costs of purchasing new television programs. Certainly, in terms of this being the final year of the funding triennium, the ABC’s funding levels will obviously be considered as part of the 2005-06 budget process. Certainly the information that we have seen presented there, much of which seemed to have been overlooked in Ms Porter’s remarks, demonstrates a far greater commitment to supporting the broadcaster than occurred prior to 1996.

I think the ABC fulfils an important role. Like all organisations it may well have areas where it can improve its efficiency and the management of its resources. That is something that the review will determine, and that will obviously be examined by our colleagues federally. But I repeat that I do not think the ABC’s funding arrangements are in fact a matter that we should be concerning ourselves with here in the Assembly. That is the role of the commonwealth parliament and the commonwealth government, and I struggle to understand why this matter is brought before the Assembly.

The opposition will not be opposing the motion that has been put forward, but I would like to see more local issues tackled. I will say in relation to the ABC that I am pleased

that we get some modicum of television news coverage here in Canberra relating to local issues. I think it is disappointingly limited in terms of the fact that most Canberra stories come on well into the bulletin and they are very limited in their scope.

I think we are well served with ABC radio and the quality of programs throughout all hours of the day. We have got an excellent line-up of presenters in the ACT. I hope they can continue to maintain that standard of broadcasting, and that applies to the reporting staff that we deal with. It would be great to see the capital of this country given a greater level of television news reporting, rather than being a virtual appendage to stories generated out of Sydney.

I will conclude my remarks there. The opposition will let this go through unopposed. But I do flag the concern I have about motions constantly coming up that seem to be more suited to the federal parliament than dealing with the matters that constituents raise with me as fundamental local issues.

DR FOSKEY (Molonglo) (5.08): I would like to speak in support of the motion, but I agree with Mr Mulcahy's comment that some of the discussions we have here seem to be matters more for the federal government. Nonetheless, I note that Ms Porter supported her arguments with local examples and in that, I think, this one actually slips by a little easier than some of the other motions that we have seen here.

I think the ABC is a bit like the aunty that some of us call it. It is often taken for granted in our community and regarded by some people as a little bit out of touch or not really relevant. It is one of those things that people do not realise how much it offers to our lives until it is no longer there and that is why it is really important that we talk about it now. It is a positive thing to do. The board's submission is before the government. It is, I believe, a modest submission in relation to what some of the support groups—for instance, Friends of the ABC—would like to see happening.

Of course, the ABC has learnt from earlier years. Over the last decade or so it has been knocked back repeatedly in its requests. That is not peculiar to Liberal governments. In fact, it was during the Keating era that it had one of its biggest reductions. What that perhaps says is that federal politicians of all flavours often feel that the ABC is biased against them. I suppose that is something that happens when people come to positions of power. There does seem to be a tendency to take criticism personally and to not like criticism.

We have seen the ABC go through an audit recently. It came out of that quite well. Most people would probably be aware that all flavours of opinions are given an airing on the ABC. But it does air the kinds of opinions and thoughts you are less likely to find on some of the commercial stations and that is why I think it is valuable. I believe that the ABC plays a really important role in community education.

The new minister for communications, Helen Coonan, does seem to be more sympathetic to the ABC than earlier ministers. She did make a statement earlier in the piece that the ABC is not underfunded, but she appears to have revised that. Perhaps she looked at the figures that show that in 1985-86, which is before all of the cuts started happening, the ABC was given \$889 million; in 2004-2005 it was \$625 million. That is a decrease whichever way you look at it.

The taxpayer currently pays 10c a day for an ABC which runs 60 local radio stations, four national radio networks, ABC Online, TV stations, digital TV and a number of other services as well. What is the impact of too little funding? First of all, last year *Four Corners*, which I think most people would agree is a pre-eminent documentary program, was only able to afford to make 26 out of the 41 programs that it chose. It is true we saw some quality programs from overseas that we were interested in but it is very hard to imagine the ABC having the resources to do hard, cutting analysis of the type that resulted in the investigation of Queensland police back in the eighties, I think it was. I am not sure. It is very hard to imagine the ABC having the resources, or indeed the political freedom, to do that kind of work now.

Any question of cutting funding to triple J, the youth station, will have a dire impact on the Australian music scene. It provides air time and an audience across Australia for emerging talent. But this was exactly the part of triple J's program, which was cut out of the 1996 ABC budget. This is an area where Australia has potential for economic growth, apart from just thinking about giving our musicians an audience. It is not really possible to become a world famous band or even a nationally famous band unless there is a setting in which your music can be heard and nurtured.

This is also true of drama. Locally produced drama is at an all time low. I think I heard Ms Porter say 20 hours, compared with 102 hours in 2001. That is enormous—20 hours compared with 102 hours. The cost of drama production is rising at a higher rate than the indexation of ABC's base funding. Yet local drama provides opportunities to Australian writers and actors and all the other expertise needed to make a successful program. Think of *Brides of Christ* and *Seachange* for starters and how many actors they brought to our attention. Cate Blanchett, an excellent actor who struts the stage and brings welcome attention to Australia, first came to our attention on the ABC program *Heartland*, along with indigenous actor Ernie Dingo.

Whether we like it or not, television provides services to parents with young children. Many children spend more time than is good for them in front of the TV. It is better for their health and development if they are not subjected to a string of advertisements for unnecessary toys or unhealthy food. Therefore the ABC provides a crucial service to families and it needs more money to increase its hours of local children's television.

Radio Australia plays an important role in our relationships with Asian and Pacific countries, yet its funding was halved in 1995-96 by an ALP government. I believe that that has been restored to some extent, but given our concerns about our region in which we were willing to spend millions and millions of defence dollars, how about a few dollars for the ABC to improve our relationships? Where would we have been in the bushfires without our local radio station?

A 2002 study by Macquarie bank showed that the ABC was ranked 16th out of 17 public broadcasters in terms of government funding in developed countries. We know that most Australians, when they are asked, support the independence of the ABC. The community education role that the ABC plays will be particularly important to an ageing population. It is already important for people who lack mobility and there is a great deal more that the ABC could do in this area.

We know that people trust the ABC and that they go to their local ABC station in an emergency or natural or other disaster. It seems odd to me that the federal government can expect a terrorist attack enough to pass draconian legislation, but not enough to ensure that we have a well resourced source of information accessible to everyone to warn them and give instructions which may be life saving. There are a number of other ABC initiatives waiting in the wings for farmers, such as new digital TV stations and ABC Online, but just to maintain the service that we have our Aunty needs more money. Consequently, I will support this motion.

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs) (5.17): I am very happy to support this motion. With the ABC in the process of negotiating its triennial funding with the commonwealth government, I think that it is important that we take the opportunity to recognise the ABC's essential place in the media and broadcasting landscape of the ACT, and indeed of the nation, and to express our support for the ABC's triennial funding submission.

In that regard, I do not support the position being put by Mr Mulcahy, in particular, that it is inappropriate for an Assembly or a parliament within the ACT, representing the people of the ACT, to express through a motion on private members' day its essential support for this very essential institution, an independent ABC. It is fundamentally important to us as Canberrans and, of course, it is fundamentally important to us as Australians. We of the ACT are, after all, just as affected by the fortunes of the ABC as anybody else in Australia. Whilst the ABC may be funded through the national parliament, it is an Australian institution and of fundamental importance to each and every one of us.

A whole range of reasons have already been expressed by other speakers—Dr Foskey has just gone to some of them—as to why we need to support a public broadcaster and why public broadcasting is very important. It plays a fundamental role, a crucial role, in informing firstly, but also indeed in entertaining our community. Today's ABC encompasses much more than domestic and international broadcasting on radio and television. Technology has brought new ways to deliver content. The ABC has certainly moved with that, going into online services, broadcasting, broadband, digital television and radio and, indeed, services through mobile phones and other wireless devices.

In order to service the needs of consumers embracing new technologies, maintain faith with traditional audiences and address the needs of underserved communities, the commonwealth government does, I think, need to adjust the ABC's current funding base. I do believe that it is appropriate for us to indicate to the commonwealth that the people of the ACT, through this parliament, believe that it needs to continue to support this institution.

Not only do we recommend that the commonwealth government address a cumulative funding gap in relation to operational and capital expenditure, but also we support the proposition from the ABC, as I understand that proposition, that it be funded at an annual average of \$38.4 million over the next three years, funding which in the ABC's submission, which I accept, is needed for servicing outer metropolitan and regional radio and online audiences, including within the ACT and this region, which will result in

significantly increased locally relevant material, with the ABC proposing to appoint significant numbers of additional online producers and journalists in metropolitan and regional areas.

Funding is needed for producing content that motivates digital television uptake. ABC digital broadcasts are available to around 96 per cent of the population and it is proposed by the ABC to stimulate public interest through an extra 200 hours of digital-only content for ABC2 and ABC Broadband. Also, funding is important for the investment that it presages in quality Australian television content. In recent years, due to the need for cost savings, the ABC has had to reduce the quantity of home-grown content that it broadcasts. It is now time to reverse that trend and for the ABC to take a leadership role in providing the Australian community with a greater range of high-quality landmark programs made by independent producers.

The ABC provides an independent voice, free not just from commercials but certainly free from political interference. We know that that independence is not tainted by advertising, sponsorships or other deals of which we might not be aware. It is as a result of that independence and our faith in the independence of the ABC as a public broadcaster that we lend it our greatest support. I think that those of us in politics know only too well the role which an independent media and the media generally play in our democratic processes. Media organisations have enormous power to influence public debate, public feeling and public perceptions and, indeed, to effect policy outcomes and at times, of course, to impact severely on the reputation, standing and perhaps even existence of governments. That is their power.

The need for an independent, objective, ethical and trustworthy media, which we hope and expect of the ABC, is fundamentally important. That is a role which the ABC has traditionally played. From time to time, I am sure, each of us has a view on how well or otherwise the ABC has performed that role or function but, generally speaking, it is a role that is delivered particularly well in the array of local, national and international services that the ABC does provide, including of course its full range of national programs—Triple J, as has already been mentioned, Classic FM, Radio National and NewsRadio.

The ABC has a very wide-ranging sweep of stations around Australia, including 666 radio here. It has a comprehensive internet presence, with over a million and a half pages of content, international broadcasting, 24,000 hours of independent news and current affairs a year, and digital services, and there is not a single one of us that would question that Canberra would be a much poorer community without the ABC, as would the rest of Australia.

We are hoping that, through the increased funding which is requested in the submission and which goes to the motion which we are debating today, not only that the ABC will not be forced to cut content, programs or services but also, so far as the ACT or Canberra were concerned, that it might be able to enhance the level of content that it delivers to the people of the ACT. That is a point which Mr Mulcahy touched on, and I do not disagree with Mr Mulcahy on this point. I am one of those that remember, but I do not know how long ago it was, that the ABC television news or the national news within Canberra was once preceded by five minutes of Canberra news. I think that was probably 20 years ago

or so and then the local content was abandoned completely and ABC television news was delivered from Sydney, with no Canberra or local content.

I think there was great expectation two or three years ago that, with the significant enhancements at Dickson and a commitment by the ABC to return local content to its television broadcasts in the ACT, we would see a level of reporting of local affairs that many of us felt in its absence did not reflect well on the ABC or, indeed, suggested that the ABC was not meeting its charter obligations to the people of Canberra or to the ACT. It was the major refurbishment and the appointment of local reporters and, indeed, a news presenter who is a Canberran that led us to hope and expect a significant or comprehensive coverage of Canberra events and news on Canberra television.

That has not come to pass. Mr Mulcahy, in drawing attention to that, is quite right; that is, that the Canberra news content on ABC television in its nightly 7 o'clock news is poor. The time is derisory. It is normally squashed in between the financial report and the news. It comes late and it is inconsistent. Some nights there is none. I am one of those that believe that it is a pity and a matter of some regret that ABC television news within Canberra is not providing a level of information to the people of Canberra about their community.

In that regard, it has to be said that we have come to a position or we are at a position in the ACT where we have four television stations operating, but only one of them, WIN Television, is providing a comprehensive service to the people of the ACT. Whilst we debate today our support for the ABC, there is not a single person in this place, I am sure, or indeed a single Canberran who is interested in their community, that does not say every night, "Thank God for WIN. Thank God for Peter Leonard." If you are a person who relies on television for your news and information on what is going on in your community, then you rely upon WIN. So, whilst I am a great supporter of the ABC and I support this motion, let us not forget that we are now almost wholly and solely dependent on Peter Leonard, the team at WIN Television and WIN Television for our TV news. That is an issue which the ABC, locally, simply must address.

MS PORTER (Ginninderra) (5.27), in reply: I thank the Chief Minister, Dr Foskey and Mr Mulcahy for their contributions to this debate. I thank the Chief Minister and Dr Foskey particularly for their support of this motion in its totality and the Chief Minister for his support of the ABC's submission and the continued independence of the ABC. Dr Foskey is right in pointing out how important the ABC is to those who are isolated or at risk of being isolated. She also mentioned how the ABC has nurtured and developed so much talent in this country, people who have taken the Australian product overseas.

I am sorry that Mr Mulcahy suggested that I said that the federal government had announced a cut recently, but heard incorrectly. There is a whole lot of difference, I believe, in the statement that there has been some kind of cut, which I believe I did not say, to what I did ask for; that is, support for the current submission that is being considered. I am sorry that he is so out of touch with his constituents that he does not believe that the ABC is important to treasure and to fight for in this town. It is certainly very important, as the Chief Minister has just said, to this town and to its people.

Are Mr Mulcahy and those opposite happy for it to experience any kind of risk by way of a threat to its funding? That would throw into question its ability to respond to emerging technologies and also it would threaten its independence. Surely we should recognise that Canberrans, of all people, would want us to support their ABC for all the reasons that we have been speaking about in this place this afternoon.

When I was reflecting on this motion, I realised how important the ABC was to me and to my family. I realised that, just as the BBC had been part of my family life as a child, the ABC has always been an important part of my life since I arrived here at the age of 12. There is not a day goes by that my radio, in whatever room I am in at home or in my car, is not turned on to the ABC. I tune in to Ross Solly of a morning to hear his take on the local goings-on, and early morning programs and later *AM* are essential listening. When I am able to tune in to Classic FM it can soothe the troubled soul. Margaret Throsby's interviews, Drive Time, and Tony Delroy have been amongst my favourites over the years.

As CEO of Volunteering ACT, the community notices on Friday and Saturday were, of course, essential listening. The ABC's 7 o'clock television news, followed by the *7.30 Report* and, of course, *Lateline* and *Four Corners*, as Dr Foskey mentioned, are all essential viewing, if I am lucky enough to be home at those times of the day. I am sure all in this place have noticed how much their regular listening and viewing habits are changed by being a member of the Assembly, as other pressures intervene. That is why the new technologies I mentioned before are so important to all of us. That is why, if the ABC is going to deliver the quality we should expect of our ABC, our national broadcaster, it must receive adequate funding that recognises an ABC that we need to rely on.

We do not want an ABC that relies on the last century's technologies. It cannot stand still. It must move forward. We have already heard that there are a number of ways that improvement is needed, particularly, and I would agree with the Chief Minister on this, in the content of the television news in the evening. The local content is usually a few seconds of something towards the end, as the Chief Minister said, and we do rely greatly on WIN Television. I certainly was very appreciative of WIN Television when I was the CEO of Volunteering ACT, I can tell you.

However, we do look forward to the funding submission being successful, we do look forward to increased coverage of our region by ABC TV, and we do look forward to the numerous technologies that are available to us being taken up by our ABC and taking us into the 21st century.

Motion agreed to.

Criminal behaviour in Campbell and Erindale, and at the Canberra show Paper

MR PRATT (Brindabella): Pursuant to Mr Stanhope's motion of today, I table the following paper:

Criminal activity in Campbell—Record of meeting between Mr Pratt and Belinda Hill/Riley, dated 27 February 2006.

I seek leave to make a statement.

Leave not granted.

Standing orders—suspension

MR SMYTH (Brindabella—Leader of the Opposition) (5.33): I move:

That so much of the standing orders be suspended as would prevent Mr Pratt from making a statement.

It is standard practice in this place for members tabling documents to seek leave and be given the courtesy in tabling the documents of making a supporting statement. We constantly give leave to members of the government to table documents and make statements. That is a courtesy that we constantly extend to them. The last time this happened and Mr Corbell attempted to stop members of the opposition making statements, we applied the same rules to him. If we have to do that here, we will do so.

This place normally works a little bit more harmoniously than it has today because courtesy is extended. I certainly do not see any reason that Mr Pratt, who was gagged in the last debate by Mr Corbell, should not have an opportunity to table a document, as requested by the Assembly, and say a few words to that document. That is a normal courtesy that we extend to each other. The fact that the last debate was gagged and that the Chief Minister is now trying to stop Mr Pratt putting his side of the story on the table shows to me that we have a problem with the Chief Minister and his view of what is going on in this place.

It is entirely appropriate for members to make a statement in regard to documents. It is entirely appropriate for the Assembly to know the context of those documents and the explanation of the member as to why he is tabling those documents so that people can read them in that context. For instance, there might be names, addresses and phone numbers of victims, perpetrators or police officers who were spoken to and Mr Pratt might want to ask people to use the documents wisely and not expose victims, perpetrators or police officers. There is any number of reasons that members would wish to speak to a document as they table it and there is every reason for this place to extend courtesy.

An hour ago, Mr Stanhope was very keen to get to the bottom of this matter and he now seems to be a whole lot less keen. I suspect that it is because it has blown up in his face and he is now exposed and that what he wants to do by stopping Mr Pratt from speaking is to minimise the damage that he has done to himself and minimise the damage to Mr Hargreaves, who is suffering from this whole fiasco that he has brought to the Assembly.

Courtesy is very important, because we can give it back to the government if they want to play this game. Do they want to have to get leave and suspend standing orders on

every document they want to table? If we have to go through that charade, like we did last time, I am quite happy to do so, because we wish to be treated with respect in this place in the same way as we treat you with respect and give you courtesy to make statements. It is all done by leave, Chief Minister: what is good for the goose is good for the gander.

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs) (5.36): The government opposes the motion for the suspension of standing orders. Under the standing orders, we would be debating now, but for this move to justify a position, the provision of childcare in the ACT. We would and should be debating under the standing orders an important motion, a motion to be moved by Dr Foskey, on the provision of childcare in the ACT. That is what we should be doing now.

It is important that the affairs of the Assembly be conducted in an orderly manner. As a result of that and our determination to ensure that that is indeed how the Assembly and the chamber operate, it was agreed by all parties that the order of business today would involve in notice No 3 an important debate on the provision of childcare and it is very important that we get on to that.

The issue in relation to the particular suspension goes to a motion moved earlier today requiring Mr Pratt, Mrs Burke and Mr Stefaniak to table information by 5 o'clock today. At 5.35 pm, in clear breach of that direction of the Assembly, Mr Pratt now proposes to table the material required of him. It appears that Mrs Burke and Mr Stefaniak have not yet chosen to respond to the direction of the Assembly.

The direction in the motion of the Assembly was that Mr Stefaniak, Mrs Burke and Mr Pratt table certain information. It was the government's intention that that information be provided to the police. There is no need for further debate and there is no need for statements on the information. This is information that goes to bald statements made as allegations of fact yesterday and today by Mr Stefaniak, Mr Pratt and Mrs Burke, salacious allegations which went certainly to the integrity and the capacity of the ACT police.

The members opposite have every opportunity to raise issues in other ways and to make statements on these matters. It was in Mr Pratt's capacity to move a motion today in private members' business on the issue if he so wished. That is what Dr Foskey is to do in relation to childcare.

Mr Smyth: You hypocrite!

MR SPEAKER: Order! I will not tolerate that sort of name calling across the chamber. Withdraw that.

Mr Smyth: I withdraw, Mr Speaker.

MR STANHOPE: It is appropriate now that Dr Foskey's motion in relation to childcare in the ACT have precedence over Mr Pratt's need to seek to explain his quite vicious attack on the police yesterday in which he, as it transpires, quite wrongly claimed that the police had refused to respond to a triple-0 call in an appropriate time frame.

Mr Pratt: I take a point of order, Mr Speaker, concerning imputation. There was no vicious attack. That is an imputation and he should withdraw it.

MR SPEAKER: That is not a point of order.

MR STANHOPE: There was a vicious attack by Mr Pratt yesterday on the police, an allegation by him that the police refused to respond to a triple-0 call. There is no more damning allegation. And then we discovered in the debate around that allegations being made by Mr Stefaniak. We are waiting for Mr Stefaniak to table the information which he relied on in his question, the names and the details of the gang and the gang members of which Mr Stefaniak is aware and which formed the basis of his question yesterday, for provision to the police so that they can now better respond to the allegations made against them, so that the police can now seek to defend once again their reputation against these outrageous attacks that are being made constantly by members of the Liberal Party against the police in the ACT and their capacity.

I can understand the desire at least—not the need, but the desire—of Mr Pratt to make a statement in relation to the tabling of the documents because we know obviously of their paucity. We know on the basis of questions asked, of the allegations which have not been well founded or proven, that he wants basically to cover why it is that he continues to attack the police.

Mr Smyth: He does not have to.

MR SPEAKER: Mr Smyth, I think you have forgotten that you are on a warning.

MR STANHOPE: An issue, of course, is the fact that it is really a family matter involving the Leader of the Opposition that we are dealing with here. The complainant happens to be a relative of Mr Smyth's. That does raise the question of the Leader of the Opposition using his position as Leader of the Opposition to personally contact the Chief Police Officer to make allegations and to follow up family matters. I think there is an issue there for us to consider as well.

MR PRATT (Brindabella) (5.41): In talking to the motion put by Mr Smyth for the suspension of standing orders, let me just point out a couple of things. The first is that we have the old Chief Minister going off half-cocked here, flying off at a tangent and going out deeper and deeper into space. He would not even have bothered to check that this document was brought to the Deputy Clerk at 5 o'clock and the Deputy Clerk advised me that I should table this document after the then motion was completed. Get your facts straight, Jon; get your facts straight. That is the first point. The second point is that Mrs Burke and Mr Stefaniak may not have written information because they were verbally briefed by me and Mr Smyth in the party room—straight out, face to face.

I have information because I participated in a face-to-face briefing with Mrs Belinda Hill/Reilly, one of the mothers witnessing the incident at Campbell in which a large gang of youths ran through the place and carried out a number of assaults. What I have here is a paraphrasing of the notes taken on my XDA02PDA in that particular meeting and transcribed in this document. Mr Smyth and I had taken notes in the initial discussions face to face with families about the incidents which occurred. We had then briefed

Mr Stefaniak and Mrs Burke in the party room. They do not need to be documenting their details. They got up and asked their questions on the basis of the briefings issued by Mr Smyth and me.

The next point I would make is that today we have had the Chief Minister denying me the right to make a statement. As we saw with the motion previously debated this afternoon, he gagged the debate. He wants to gag debate because he is damn frightened what information—

MR SPEAKER: Order! You cannot reflect on a vote.

MR PRATT: I withdraw that; I withdraw the word before “frightened”. He is frightened of the facts that we put out on the issues which we have substantially raised in this place, issues which go to the heart of illustrating the Chief Minister’s and the minister’s failure to support the ability of our police to respond in time and to follow up incidents that have occurred. That is the concern that we have. We have a role as an opposition to represent the concerns that the community raises with us. In the discussion that I had with Mrs Hill/Reilly on 27 February at 9.30—

Mr Stanhope: I raise a point of order, Mr Speaker. The motion before the Assembly is that standing orders be suspended. The member really does need to address the motion and not to address the substantive issue that purportedly is behind the moving of the motion for the suspension of standing orders. The motion is that the standing orders be suspended. The member should give some justification for why it is that we should actually abandon an important motion on childcare to allow him to make a statement on a matter at this juncture in the proceedings today.

MR SPEAKER: Mr Pratt, you should not use a motion for the suspension of standing orders as a device to deal with the issue which you would want to deal with should the standing orders be suspended.

MR PRATT: I have a question, Mr Speaker. Was I ranging any more broadly than the Chief Minister in his speech? I do not think so. The Chief Minister repeated the points that he made in his motion earlier today. I am ranging no more broadly than the Chief Minister did four minutes ago.

I will finish by saying that we have a right to put out this document. I have a right to table this document. I also have a right to be able to speak to it. The Chief Minister has gagged debate today because he is concerned at what will be coming out. If he was so concerned about the order of business in this place today, why did he run a motion this afternoon? Chief Minister, why did you break up the afternoon?

Mr Stanhope: I take a point of order, Mr Speaker. I think it is important that the member does restrict himself to the motion before the chamber.

MR SPEAKER: I think that it has been a wide-ranging debate. In any event, the member’s time has expired.

MR STEFANIAK (Ginninderra) (5.46): I am amazed that the Chief Minister is saying that this debate is eating into Dr Foskey’s time. Indeed, it is and, indeed, the amazing

motion that he put up just after question time ate into private members' time as well. Really, Chief Minister, I think it is extraordinary in the extreme for you to use that argument now, as it has been your actions that have caused us not to get to Dr Foskey's important motion and it looks like we will not get to it, being nearly 10 to six.

Mr Stanhope: Shame on you.

MR STEFANIAK: Shame on you. The opposition is doing its job, which I hope you can actually see, although it seems that you cannot. The argy-bargy you have been going on with has eaten into private members' time and certainly ensured that we will not be able to get to Dr Foskey's motion. Ms Porter, you are lucky that we managed to squeeze in your motion. Maybe we were just lucky in terms of the time there and then this matter came up, but at least you were lucky that you got your motion in there. Poor old Dr Foskey certainly has missed out. She has missed out, not because of the opposition, but because of what you have done, Chief Minister.

Question put:

That **Mr Smyth's** motion be agreed to.

The Assembly voted—

| Ayes 6 | | Noes 9 | |
|------------|--------------|---------------|--------------|
| Mrs Burke | Mr Stefaniak | Mr Berry | Ms MacDonald |
| Mrs Dunne | | Mr Corbell | Ms Porter |
| Mr Mulcahy | | Dr Foskey | Mr Quinlan |
| Mr Pratt | | Mr Gentleman | Mr Stanhope |
| Mr Smyth | | Mr Hargreaves | |

Question so resolved in the negative.

MR SMYTH (Brindabella—Leader of the Opposition): I seek leave to table some documents and make a short statement.

Leave not granted.

Mr Corbell: On a point of order, Mr Speaker: Mr Smyth has been ordered to table documents. He does not need leave.

MR SPEAKER: No, Mr Smyth has not been ordered to do so.

Mr Corbell: I beg your pardon, Mr Speaker.

Mr Stanhope: Mr Speaker, I rise on a point of clarification. I understood the Leader of the Opposition to ask for leave to make a statement. He has leave to table a document, but he does not have leave to make a statement. If I misheard him, I apologise. The government, of course, gives leave for Mr Smyth to table his document. We do not give him leave to make a statement.

MR SPEAKER: I think that is clear now. Do you want to seek leave to table a document?

Mr Smyth: No.

Childcare

DR FOSKEY (Molonglo) (5.53): I move:

That this Assembly:

- (1) recognises the importance of high quality and affordable childcare being widely available across the ACT;
- (2) acknowledges that childcare:
 - (a) can be delivered through a range of models that include private, cooperative and community providers, and that there is a role for all types of models in the ACT; and
 - (b) may be accessed through a variety of situations such as stand-alone, work-based and other community facilities, and that there is a role for all type of situations in the ACT; and
- (3) calls on the ACT Government to:
 - (a) provide the Assembly with information on the:
 - (i) level of demand for childcare;
 - (ii) existing number of childcare places;
 - (iii) distribution of existing places and demand for places across the ACT; and
 - (iv) number of TAFE and university qualified childcare workers in the ACT including those not currently employed in childcare;
 - (b) develop a strategy to support the provision of high quality and affordable childcare by:
 - (i) looking for opportunities to work with private, cooperative and community childcare providers to ensure the level of supply for childcare is adequate and developed in areas with current shortages;
 - (ii) incorporating the use of schools and other community buildings for childcare where available;
 - (iii) ensuring an adequate supply of designated land and facilities, including direct sale to approved providers where appropriate; and
 - (iv) considering the development of a central childcare “waiting list” register and

(c) report back to the Assembly in the sitting week in June 2006.

I will return to this motion at the next possible opportunity. However, that will not be until May, I believe. I do not get the chance the next time we sit. The reason I put this motion on the notice paper was that the best present that we could give to women of Canberra on International Women's Day is the promise that we will look at issues that are of great concern to them relating to their ability to find access to quality, affordable childcare.

Members will be aware that a document published on Monday by the Australian Council of Social Service not only made some very good recommendations but also showed that the ACT has the highest costing childcare in Australia. Therefore, it is important to look at ways that the ACT government can assist parents not only to face the fact that they have got the highest childcare bills in Australia but that often childcare is not conveniently located near their work or their homes and it is often not easy to find a place.

I heard today at the WorkChoices breakfast run by the CPSU that the ACT public service must be one of the few public services in the country in which more than 50 per cent of the employees are women. We know that Canberra, unlike most towns of this size, is a town with many women working and many women juggling the double day. The one thing that would most help with their wellbeing is conveniently located, high-quality and affordable childcare.

While we might imagine that children are a whole-of-society concern and that fathers are equally responsible with mothers in sorting out the care of their children, the reality in our society now is that childcare is essentially a woman's issue. So that is why I deliberately put this childcare motion up for debate today.

Fortunately, I can expect good support from the government because the ACT Labor Party's 2005-06 policy platform includes a strong commitment to accessible and high-quality childcare. For example, ACT Labor recognises "the vital necessity for quality, accessible and affordable childcare for women to have [real] work choices"—not WorkChoices, real work choices. It acknowledges that "women's full participation and independence must be supported by access to quality, affordable childcare, including community based, respite, occasional, work-based and work-related childcare".

It concedes that substantial work needs to be done locally and nationally "to ensure equity in access is not compromised through either a reduction of the number of childcare places or an increase in care costs". It commits to the development of "a full and comprehensive policy on childcare, which covers respite care, occasional care and the needs of shift workers". It supports "the establishment and continuation of out-of-hours school childcare centres using school property at appropriate concessional rates". It promises "to ensure the availability of adequate and affordable high quality childcare and facilities to enable full participation in the labour market".

So I am confident of the government's support for this motion in general. I am sure, if the detail of this motion were calling on the Australian government to take up the key suggestions in ACOSS's latest policy paper, which is to scrap the untargeted and

inflationary childcare rebate and direct financial support to those who need it most, the government would support the motion in its entirety. Of course, in this case it would be the federal government and not the ACT government which would be the target because it is responsible for this initiative.

At 6.00 pm, in accordance with standing order 34, the debate was interrupted and the resumption of the debate made an order of the day for the next sitting. The motion for the adjournment of the Assembly was put.

Adjournment

Queen's baton relay

MR GENTLEMAN (Brindabella) (6.01): On a lighter note to end the day, I talk about sporting events. Every sporting event, no matter the size or scope, has some form of tradition embedded in it. In motor racing, it is traditional to avoid crashing. In basketball, it is traditional that forwards be nearly 7 feet tall. For the Commonwealth Games, there are two great traditions. The first, the Queen's baton relay, has been the cutting of the ribbon to every game since Cardiff, Wales, in 1958. It symbolises the gathering of people from across the commonwealth. In seven days, Melbourne will be hosting the 18th Commonwealth Games. As tradition has it, the official end to the Queen's baton relay will open the ceremony.

Before the baton reaches the Melbourne Cricket Ground, it will have travelled a year and a day, covering more than 180,000 kilometres and having visited all 71 nations of the commonwealth; 3,500 Australians by land, sea, and air will have carried the baton. It will have visited more than 500 Australian communities. One such fortunate community is ours here in Canberra. Of the 3,500 Australians who had the honour of carrying the baton, there are four I make particular reference to this afternoon.

Chris Moy, a community radio announcer in the Tuggeranong area, ran his 400 metres on 27 February at 9.27 am, according to the baton's official website. Chris was running down Constitution Avenue. When he is not involving himself in Commonwealth Games traditions, Chris is encouraging residents of Tuggeranong to get involved in community radio. One of the programs supports senior residents in running their own segment.

Like Chris, Jon Waterhouse, another baton runner, is heavily involved in his community. But unlike Chris, Jon's community is not geographically based. Jon is into motor sport and his involvement has seen him assist many young motor sport enthusiasts in the region. Jon is a strong advocate for driver training and assists CIT in a number of its programs as well. Given his background in race car construction, I am sure that Jon would have found the mechanics of the baton very interesting.

A fellow Canberran who would have found the average 500 metres a walk in his sleep is Rob de Castella. The former Olympian is still heavily involved in Canberra sports, paying particular attention to young people's health in the region.

Finally, a woman who has already received much-deserved praise for her work, the 2005 ACT volunteer of the year, Sharon Sobey: Sharon is a volunteer with the Canberra Blind Society and with the Lake Ginninderra sea scout group. A keen outdoors enthusiast, Sharon is visually impaired. She represents the female tandem bike-riding group where

she helps coordinate outings with others with visual impairment. Sharon's volunteering embodies the second tradition of the Commonwealth Games, and that is community spirit.

Not to draw away from the fierce competition and rivalry, the Commonwealth Games is an event that is about people from around the globe and about international community. Republican or not, having representatives from 71 nations converge on the Melbourne Cricket Ground is a wonderful event, and it is fitting that the baton has touched down in every one of them.

Also fitting was our celebrations of the baton's arrival here in Canberra. A large crowd gathered in Garema Place to celebrate the tradition, with the Chief Minister accepting a baton and welcoming the crowd. Along with the crowd, attending from the Assembly were Ms Porter and me, with senators Kate Lundy and Gary Humphries, and Bob McMullan and Annette Ellis joining us. On another stage in Garema Place, the ABC's *Coodabeen champions* made a live broadcast and encouraged Chris, Sharon, Deek and other runners to re-enact the baton handover in slow motion, much to the pleasure of the crowd and listeners.

So I congratulate all of those Canberrans who were involved in the Queen's baton relay, from the runners themselves to their supporters and to the organisers. In seven days, the baton will arrive in Melbourne and then the 18th Commonwealth Games will commence. I wish the participating athletes the best of luck in their events. In the spirit of competition, I wish those Aussies representing us at the Games even better luck.

Mental health

MRS DUNNE (Ginninderra) (6.05): Yesterday in the matter of public importance on public health I touched on some of the issues relating to our failures in mental health. One of those issues is the inappropriate and unnecessary involvement of emergency services authorities of various sorts in dealing with mental health. This is not to be critical of people in emergency services; it is just that people in emergency services are not appropriately trained to deal with people with mental health problems. Recently the Australian Federal Police Association said:

Police are increasingly frustrated by the definition of mentally ill and mentally disordered persons. The problem for police is that they come into contact with many people who appear to be suffering from a form of mental illness, but who are deemed by mental health professionals not to fit the legislated criteria of a mental health disorder or illness. Frequently the illness is deemed to be behavioural. Because of this, although these people are assessed, they are not scheduled, no matter how obvious it is that they are not well.

One of the issues raised by the *Not for service report* about the ACT is that there was too little attention paid to early intervention issues and too much emphasis on the role of emergency services personnel in the area of mental health patients. We can do better than we currently do. We could possibly take a leaf out of what South Australia does. Adelaide is the home of Australia's first, but by no means the world's first, fully fledged Mental Health Court.

This court applies the principles of therapeutic jurisprudence, dealing with health issues that lead to criminal behaviour. Instead of making a finding of guilty or not guilty, the court takes an active role in securing the treatment and services needed to break the nexus between mental illness and crime. It deals with people whose intellectual mental functioning is impaired, whether through mental illness, personality disorder, intellectual disability, acquired brain disorder or neurological disorder such as dementia. It handles summary offences and some minor indictable offences such as shoplifting, property damage and even assault causing actual bodily harm.

When a matter is transferred to the court, the charges are put aside. The defendant does not have to enter a plea, provided there is consensus about the events leading up to the charges. Defendants are put on court-monitored treatment programs which may include counselling and medication and sometimes assistance with housing and other basic living arrangements. Defendants are required to return to the court at regular intervals to report their progress.

This is really holistic treatment for those who are mentally ill. Surely this is a better way to deal with the problems of people who have already had quite enough problems themselves, while keeping the community secure and ensuring the community is sure enough in itself that it can show enlightened compassion to the most vulnerable or disadvantaged members of the community.

In short, if we are serious about regarding mental health as a matter of such national significance as to have it put on the COAG agenda, we must first have the courage to learn from the unintended consequences of what might seem to have been the humane policy of de-institutionalisation, a policy which we know has not worked. It is morally and economically a complete failure. We must go beyond the usual platitudes to implement real change in the two most obvious areas of public policy affecting people with mental disorders: in the hospitals and in the judicial system.

International Women's Day
Union picnic day
Policing—response times

MS PORTER (Ginninderra) (6.09): I briefly touch on the fact that today is International Women's Day. I attended a breakfast this morning which was attended by several hundred women, notably numbers of young women from high schools and colleges who were able to attend, which was very pleasing. Also, I spoke at a lunch organised by ABS at lunchtime to celebrate International Women's Day.

However, on Monday I attended the 2006 annual ACT union picnic day. It was fantastic to go and meet so many workers and their families. I understand there were about 1,500 to 1,700 people there. You were there, Mr Speaker, as were Ms MacDonald and Mr Gentleman and many of our colleagues. There were lots of families, lots of young children, I noticed, with their parents taking advantage of this wonderful day.

This was the 66th year that the picnic day has been celebrated. Unfortunately, due to the Howard government's so-called WorkChoices changes, it may be the last. The Howard government have repeatedly stated that they, through this legislation, were not trying to

attack unions and union members. It is a little hard to swallow when the only holiday directly mentioned in WorkChoices is union picnic day. All other public holidays remain in the domain of states and territories, but not union picnic day. Under WorkChoices, union picnic day is under direct threat. A day for families is under direct threat by the Howard government. I understand that the Minister for Industrial Relations, Ms Gallagher, is doing all she can to ensure the future of the ACT union picnic day. I am pleased to see the ACT government is trying to protect this important day in the calendar of working families.

There has been a lot said in this place this afternoon about our wonderful police force. I relate three personal incidents that I have been involved in. Two that I have talked about before in this place are the burglaries, the thefts in my home, that I experienced prior to Christmas—about October and November—due to the fact, I believe, my dog was ill and then unfortunately died. We experienced these two break-ins.

I must say that the police were very prompt in their attention to us; they came very promptly. Forensics also came very promptly. At all times, they were very courteous, understanding and supportive. I have always held them in great esteem. I must say that my experience of those two break-ins reaffirmed how terrific our police are and how prompt they are to attend when there is a problem. Of course they did not know who I was because when we rang we did not use my name, we used my married name, which is not Porter.

In February, just last month, I was packing up after being at my mobile office at the Jamison shopping centre. In the evening, I was coming out through the back entrance and noticed a bit of a kerfuffle going on. I noticed a man who appeared to be intoxicated had a young man by the shirtfront and was violently shaking him and looked as though he was going to physically assault him. Some other young people were gathered around, were very agitated and were trying to intervene. Some adults were saying; “Please sit down. Do not intervene. This man appears to be very dangerous.”

The man was accusing a young boy of throwing a bottle at his window. Whether he did or whether he did not, I have no idea. As I walked out, a woman said, “We had better ring the police.” This was all happening in front of me. She dialled triple-0. I only had an opportunity to say who I was, introduce myself to the people standing there and speak to the young people and say, “Yes. Please sit down and just wait. The police are on their way.”

Within the space of those few minutes, two police vehicles arrived. One was a van; the other was an ordinary police car. Four police persons got out of those vehicles and attended to that disturbance immediately, quietened the man down, were able to restrain him and speak to the young people that were involved. I was amazed how quickly they arrived on the scene once that triple-0 call had been made; it was instantaneous. I was so impressed about the way they responded and the way they were able to deal with that situation.

Childcare

DR FOSKEY (Molonglo) (6.14): It is a great day for women today, International Women’s Day. Perhaps the brightest bit of hope on the horizon is the Treasurer’s line,

Mr Costello's line, which he gave at the end of his speech to the National Press Club, in which he was celebrating his decade as Treasurer. We must remember that at the same time Mr Howard was in the big house celebrating his decade as Prime Minister. Mr Costello knows how to take the wind out of Mr Howard's sails. He must have done that when he uttered this sentence: "We must look at how to improve the opportunities for women to create the most female-friendly environment in the world." What a promise, what a gift to women!

We all remember that just prior to this Mr Costello had contributed to the conscience debate on the abortion bill on RU486 and actually distanced himself from Mr Howard's position. We must remember that this is a man who has to find a constituency somewhere. It appears that Mr Costello has found women.

How is this going to gel with his government's and his fiscal policies? Does he know that he has let himself in for making sure that women are going to have real choice—that is right, real choice, not just WorkChoices? I mean real choices, not just reproductive rights and those good things, but the ability to make their choices and carry them out. That means that his government will ensure that women are able to rear their children in a community environment that is totally supportive, even if it is hugely expensive.

We know that Mr Costello is committed to a higher birth rate. Those who are able to are out there having one for themselves, one for their hubby and one for their country. But what do they do when they want to return to the work force? We all know that we all have to stay in the work force for as long as we can and that sole parents must not focus on their children; they should be out there working, too, and not living off the fat of the land, for goodness sake! Mr Costello will be planning to do something like the Swedish government does. We do not hear very much about Scandinavian countries here. They do very well in social policies, but our federal government tends to look towards the United States. Their social policies are actually quite abysmal.

Mr Costello will do differently to that; he will look at Sweden. In Sweden, compared to Australia where a level of 43.2 per cent of women with two or more children are in the work force, 81.8 per cent are in the work force. That is not just because they have to work, that is because they are supported to work. The Swedish approach to social welfare is a universal welfare system that supports all citizens throughout their life—from birth, possibly even pre-birth, to death and possibly after death as well. I do not know about that! The Swedish model provides government-mandated, paid parental leave for both parents, regardless of their employment status. This has helped to stabilise the Swedish birth rate in comparison with other countries where the birth rate is below replacement rate and still falling.

How do we do this? We have to ensure access to childcare and preschool education. One thing the ACOSS paper establishes—and *Family matters* research also shows it—is that early childhood education is of more value in families that are poor and where the parents do not have high educational levels as in wealthier families. So we have to make sure that those are the people that are getting those services. Mr Costello will be making sure that all those services are paid out of taxes and he will not be introducing tax cuts.

Criminal behaviour in Campbell and Erindale, and at the Canberra show

MR PRATT (Brindabella) (6.19): Today the Chief Minister ran a motion in here about policing matters and asked that certain proofs, documents and information be produced. I have today tabled a document about the interviews that I have had with the—

Members interjecting—

MR PRATT: May I get a word in here, Mr Speaker?

MR SPEAKER: Order!

MR PRATT: Thank you, Mr Speaker. Talking to the circumstances surrounding that, which of course the Chief Minister and his colleagues over there sought to gag, given that they made the primary allegation against me anyway, you would have thought they would have liked to have heard what I had to say. But no, they had to gag that. Let us talk about those issues. I spoke to the families involved. I have also talked by telephone with the shopkeepers involved in other incidents. All the information relating to the discussion with the family in the main incident has been passed across to the house.

Our reports on police failures to respond to the triple-0 call in that particular Campbell incident are based on reports that we received from the families and other witnesses. I highlight the point made by Mr Smyth this afternoon: the families and the victims of those incidents are still waiting to be allowed to make their statements. It is some 11 days now since that particular incident.

The operatic performance by the Chief Minister here today is typical of the-head-in-the-sand response by a Chief Minister who is feeling rather guilty, I would put to you, about his government's failings on policing and community safety and his failures to support our police to be able to do the job. The incidents that we have reported in this place and that we have asked questions about in this place, based on the reports to Mr Smyth and me from the people involved, go to the heart of that particular issue. The only defence the Chief Minister has got left is to accuse the opposition of police bashing. It is so easy to twist everything which is said in this place. If we criticise government policy on policing, that is misconstrued and twisted by the government as supposedly police bashing. If it makes them comfortable and they can live more quietly with that, so be it.

I, too, am waiting for Mr Hargreaves to table all of his documents relative to these issues so that we can get to the bottom of these issues, which the Chief Minister has said today he wants to do. He wants to get to the bottom of it.

Mr Quinlan this afternoon said that we were dramatising the issue for political gain. That is rubbish. We are representing a deep community concern which reflects a general trend of behaviour which police are having trouble with. Mr Quinlan and the Chief Minister referred to accusations that we had talked about rampaging gangs running riot. That is not true. Of the two questions that I am looking at from yesterday, one said:

In a violent incident at Campbell on the weekend of 25 and 26 February, a teenage gang known for its predatory behaviour and violent nature gatecrashed an orderly teenage party.

The question asked by Mr Stefaniak was:

Over the weekend of 25 and 26 February there were a number of serious bashings at the Canberra show and also at a private party in Campbell by the same gangs of north-side teenagers involved in earlier acts of intimidation over the summer.

Neither of those quotes includes the term “rampaging”. I tell you where “rampaging” comes in, and that is relative to the incident at the Hyperdome on 17 February when up to 100 teenagers rampaged through the Hyperdome. I used that word in a letter to the minister reporting on that incident and seeking more information about how that all went.

As for Mr Quinlan’s point that the government has added 60 police, let me point this out: in 2001-02 there were 602.7 sworn police. In 2004-05 there were 571 sworn police. That is a net loss of 31. That goes to the heart of the problem that we have been raising in this place.

International Women’s Day Brendan MacDonald

MS MacDONALD (Brindabella) (6.24): We all know that today is International Women’s Day. It was a busy day for those working in the Office for Women in the Chief Minister’s Department. The Minister for Women, I know, today at lunchtime handed out the International Women’s Day awards. I dropped by for those.

This evening, I draw attention to another International Women’s Day event at which I had the pleasure of representing the minister at lunchtime today after I dropped into the International Women’s Day awards. That was an International Women’s Day event held by the Multicultural Women’s Advocacy group in the Theo Notaras Multicultural Centre. It was attended by a small number of people, because most women who were going to an IWD event went to the main one. But it was reasonably well attended, given that it was in competition with other events. I certainly was around at the beginning because I gave the opening speech.

I also mention the other people who were involved in that today. The President of the Multicultural Women’s Advocacy, Joelle Vandermensbrugge, gave a very entertaining speech, I have to say. She talked about how, when she had been here for less than three months—she arrived in Australia when she was six months pregnant—she went to the hospital and was asked to fill out a form. She was talking about being asked the usual questions: “Are you allergic to anything?” et cetera. It got to the last question, which she did not really understand very well, which was: “Are you an Aboriginal?” Joelle is from Belgium and was not sure exactly what the question meant. She thought it sounded like something that she should be in support of, so she said very enthusiastically, “Yes, I am an Aboriginal, from Belgium.” It was an amusing speech that she gave. She was talking about how it takes a while for multicultural women to become accustomed to the country

that they are in; that, as a multicultural woman, women have to work twice as hard as men—all women know that—and that multicultural women have to work even harder.

I also mention that Diana Abdul-Rahman spoke this afternoon on expressing your voice in the community. Lulu Respass-Turner spoke on the importance of women's representation in decision making in the ACT multicultural community. Rebecca Vassarotti spoke on dealing with conflict issues arising from committees. I acknowledge the Multicultural Women's Advocacy group and congratulate them on having organised this event.

Finally this evening, in a little bit of indulgence on my part, I mention that last Friday was a historic moment for me and, more importantly, for my husband, Brendan. After eight years of work, he has submitted his PhD thesis. He is now officially not in study and not employed and still without a drivers licence.

Mr Quinlan: Can he cook?

MS MacDONALD: A bit. He can sort of cook. He is not bad at cooking, but not as good as I am, of course. It is great that he has got to the end of that and is still relatively sane. Some might dispute that. I am very pleased for him and am looking forward to a new chapter in our lives.

Question resolved in the affirmative.

The Assembly adjourned at 6.29 pm.