



Debates

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Wednesday, 3 May 2006

Registration of Relationships Bill 2006	1077
Childcare.....	1081
Budget—functional and structural review.....	1097
Questions without notice:	
Budget—functional and structural review.....	1110
Policing—vehicle recorders	1113
Health—budget.....	1115
Ministerial arrangements	1116
Disability services	1118
Policing—numbers	1118
Tourism.....	1120
Budget—functional and structural review.....	1120
Teachers—wage negotiations.....	1122
Budget—midyear review.....	1123
Papers	1126
Terrorism (Extraordinary Temporary Powers) Bill 2006.....	1126
Budget—functional and structural review.....	1128
Aged care—nurses.....	1142
Education Amendment Bill 2005	1155
Cardiovascular disease	1155
Adjournment:	
Private Jake Kovco	1165
Tasmanian mine disaster	1165
Overseas peacekeeping forces	1165
Tourism.....	1166
Qantas—Canberra-Sydney flights.....	1166
Environment—greenhouse gas emissions	1167
Multiculturalism—Sikh community.....	1168
Mr Zed Seselja.....	1169
Women	1169
National Australia Bank volunteer awards.....	1170

Wednesday, 3 May 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.

Registration of Relationships Bill 2006

Mr Stefaniak, pursuant to notice, presented the bill and its explanatory statement.

Title read by Clerk.

MR STEFANIAK (Ginninderra) (10.31): I move:

That this bill be agreed to in principle.

Indications are, from statistics collected elsewhere, that this will not affect very many people at all. Nevertheless, it is a very emotive issue and people in our community have very strong views either in favour or against. Because of this, one must wonder whether the introduction of such legislation by the government at this point of time has an ulterior motive, especially given the government's disastrous handling of the economy. Still, the government has introduced this bill and the issue will be debated in this assembly.

The opposition has debated and consulted widely on this issue and, after much consultation, we have decided to introduce a bill of our own which does not cause the same problems the government bill does. It is a bill that is not inconsistent in any way with the commonwealth Marriage Act. It is a bill which does give due recognition to persons in longstanding, loving and caring relationships. It is a bill, too, like the government's bill, that will not please everyone and we do not shy away from that. There are some people already in the gay and lesbian community who want nothing short of marriage who do not agree with the steps we are taking and there are others in the heterosexual community who want no recognition of gay and lesbian rights at all. I have received a few representations from them as well.

We accept that our bill will not please everyone, but that is the way, I think, with a lot of pieces of legislation. But it is an honest attempt to recognise loving and caring relationships, regardless of the sex of that person, and also it extends registration to caring relationships, just as the Tasmanian legislation does, as well as dealing with members of our community who are either heterosexual or gay and living together and want due recognition of their relationships.

It is not marriage. Marriage is unique and the Liberal Party in the ACT accepts that. We have listened long and hard to various views on this issue and we accept what the Federal government has done in relation to the institution of marriage, as I understand the Federal Labor Party has too, and as is defined in the Federal Marriage Act. Historically, culturally, traditionally and by definition, marriage has always been in our culture and nearly all other cultures and a formal recognition accorded by law between a man and a woman. It is a cornerstone of our civilisation and we do not resile from that.

We also accept the comments made by the Prime Minister and the federal Attorney-General that the government bill does breach, in a number of aspects, the Commonwealth law and is inconsistent with the current federal Marriage Act. The federal Attorney-General has specifically referred to sections 5 and 19 and there are some other sections of the Stanhope bill, which we also find unsatisfactory and problematic—such things like extending unions to people outside the ACT and allowing persons as young as 16 to enter into civil unions with their parents' consent. No wonder the federal government had a problem with that. Mr Ruddock put out a media release some time ago in relation to this—on 30 March. He began by stating that the Chief Minister had initially said on the ABC that he had gone to enormous lengths at every stage to make the point that civil unions are not marriage and can never be marriage. The federal Attorney-General then, however, suggested that either Mr Stanhope was being duplicitous or he had not read his own legislation, because the federal Attorney-General felt it was very clear that the ACT legislation went further to matters which the commonwealth regards itself as having a direct interest in. He specifically mentioned section 5 of the government's bill, which states:

A civil union is to be treated for all purposes under territory law in the same way as a marriage.

The federal attorney also singled out section 19 which states as follows:

A marriage solemnised in a foreign country that cannot be recognised as a marriage in Australia because of the Marriage Act 1961 (Cwlth), section 88EA is a civil union for the purpose of territory law.

He made further comments in relation to marriage celebrants. He mentioned section 51 (21) of the Australian Constitution that gave the commonwealth power to legislate in respect of marriage. He concluded by saying, "The federal government strongly supports the fundamental institution of marriage. Our position is that marriage is the union of a man and woman, voluntarily entered into for life to the exclusion of all others. Labor supported recent amendments made to the Marriage Act 1961 to reflect this position."

He was, of course, speaking of federal Labor. He went on to say that the federal government would oppose strongly any action that would attempt to equate other relationships with marriage or which would create confusion over the distinction between marriage and same-sex relationships. The federal government's position in relation to this is quite clear and, in terms of his legal basis, we think he is on firm ground.

We do not resile from the fact that we support the position in the federal Marriage Act. Similar positions were taken by other persons in relation to the institution of marriage as such. Why is there a difference? Why does it appear that the Stanhope government is being deliberately combative and provocative with the federal government? There is other legislation around, such as the Tasmanian legislation. It seems that, unlike the Tasmanian legislation, the Stanhope legislation has significant problems.

The Tasmanian legislation was largely supported by all groups in the Tasmanian parliament and the Tasmanian gay and lesbian community were, overall, quite

enthusiastic about the legislation. It was the first of its kind in Australia and did not offend the sensibilities of those in the community who firmly believe in the idea of marriage as a union between a man and a woman but who recognised that people in a loving and caring relationship, regardless of their sex, should be afforded due and proper recognition. Accordingly, we have decided to follow the Tasmanian way and in this we are supported by a number of significant groups in the community.

There are a number of ordinary persons out there who do not have extreme views one way or the other. We are supported by such groups as the Catholic church in the ACT, particularly people like Bishop Pat Power, by the Anglican church, in particular Bishop George Browning and also by the Christian lobby led by Brigadier Jim Wallace. The two bishops mentioned could hardly be described as rednecks. They are very compassionate men who come out on a wide range of social issues, often bagging people on my side of government. I do not think anyone can accuse them of being rednecks. From discussions with them, they are very supportive of the registration scheme; they are supportive of the institution of marriage; and they are very supportive of all groups in our community. I do not think anyone can quibble with that.

I come now to what my bill does. Firstly, it will apply only in the ACT. It will not apply to registration, marriages, or whatever outside the ACT. It will apply only to people who want to use it in the ACT. There are two types of relationships here. I think this is important—and, again, we base this on the Tasmanian bill. The first one, referred to in clause 5, is a significant relationship between two adults who have a relationship as a couple, who are not married to each other or related by family.

If a significant relationship is registered under this bill, proof of registration will be proof of that relationship. That can apply to two people living together. It does not matter whether they are the same sex or opposite sexes; they will get the benefits of registration, should they wish to go down that path. The second category, under clause 6—people in a caring relationship—is also important. Although recognised in the Tasmanian bill, this is one we tend not to think much about. I think these people also deserve proper recognition. It reads:

A caring relationship is a relationship other than a marriage or significant relationship between 2 adults (whether or not related by family) one or each of whom provides the other with domestic support and personal care.

The section goes on to define that as being people who are not in a paid caring relationship who receive some recompense for it. For example, you will often find two elderly sisters, who might be spinsters—or two old friend—who have lived together for 20 years and care very much for each other. It is not a sexual relationship but a caring relationship. I think they can benefit from registration. In some instances registration would stop predatory relatives, who could not give a stuff about them, who show no sympathy for them and who are perhaps after something when they subsequently die. There are people like that in our community. I was pleased to see that recognised in Tasmania—and we would certainly like to see it recognised here.

Registration would take effect immediately. You would not have to wait two years, as do those in a de facto relationship under our domestic partners act of 1994. If a same-sex couple have been in a relationship for, say, two or three months and they say, “We want

to make a permanent commitment,” they could register after three months. All the benefits that would accrue under ACT law would flow to them from that time because registration would take effect immediately. There are provisions in relation to how they would register and there are also provisions in relation to how a registration would be dissolved. There is a 90-day period there—again very much based on and uplifted from the Tasmanian law. You can read it all in the act and explanatory statement.

Further in relation to this, we note that there is a HREOC committee currently looking at financial issues in relation to same-sex couples. On behalf of my party, I will be writing to that committee supporting the removal of any financial discrimination on the basis of sexual preferences. There are still problems there which have been brought to our attention and which no doubt have been brought to the attention of other members. I think improvements can be made federally in that regard. We believe that, if people in a loving or caring relationship are prepared to make a permanent commitment to each other, regardless of their sex, all the benefits that would flow to them if they were in a heterosexual relationship, including a marriage, should flow to them as well.

Society benefits from people being in stable relationships, no matter what sexual orientation they have. When people are in a loving and caring relationship it is unfair, we feel, that if a same-sex couple are living together for a long period and one dies, the surviving partner is not entitled to such things as a commonwealth pension, which they would be entitled to if they had been in a heterosexual relationship. We see no reason why this discrimination should continue. We have consulted with many people in the community. Even people in our community with very strong views on the institution of marriage feel that financial discrimination should be avoided and feel that improvements can be made concerning this federally. We are also of that view. Accordingly, I will be writing to HREOC putting my party's position.

I point out that, despite some people being at opposite ends of the spectrum on this argument, the bill I am putting forward seems to have significant support from many members of our community. I would suspect it also has the support of most members, including members opposed to Mr Stanhope's bill. There are of course some people on both sides who are vehemently opposed to this bill. I have been having a few little email chitchats with people on both sides in that regard—and no doubt people have had discussions in relation to Mr Stanhope's bill. Whilst that is unfortunate, it is a fact of political life and we, as a party, are not going to resile from our views. We will certainly not resile from our views about the uniqueness of marriage as an institution, and we will not resile from our views that people in a loving and caring relationship should not be discriminated against.

If there is some discrimination—some people might think there is some discrimination in terms of not allowing same-sex couples to enter into a marriage or indeed a civil union that amounts to a marriage in everything but name—then so be it; we will wear that criticism. Indeed, all laws are discriminatory. For example, I know some young people who are magnificent drivers and riders of motorbikes at the age of 13 or 14 but they cannot get a licence until they are 17. I certainly know some people of 17 who are probably much more capable of voting than adults of 45, and they are certainly not able to do that. So I suppose you could say you are never going to have what some people might say is complete equality.

However, we in the ACT Liberal Party are a fair-minded opposition and we are more than prepared to offer a scheme that affords the benefits and recognitions due to people regardless of their sex by way of a formal commitment to each other. We are not going to mandate, apart from how they legally make that formal commitment, how they want to celebrate that formal commitment.

It is up to people in the community, whether they get married or enter a Tasmanian-type scheme, to choose the type of ceremony they want to have. For example, some people get married in a church; some people get married in a garden; and in parts of America people can have a drive-through marriage in a place like McDonald's. There are all sorts of ceremonies people might want to enter into in relationships, be they marriage or be they a registration scheme such as this. That is not in the legislation and I do not think it is right for people to determine that. Not all sorts of ceremonies are necessarily mandated, even in marriage legislation.

In commending this bill to the house, I am under no illusions that the government will be supporting this in a fit, unless it is dragged kicking and screaming because of the problems it has in relation to its bill and the federal government's legislation. That is not going to stop us from putting up what we consider to be good law that accedes to the wishes of the majority of people in the ACT.

It is also—this is fundamentally important when you are putting up laws—compatible with commonwealth legislation; it is not something the federal government is going to override. It is something that I think will bring considerable benefits to those persons in the community—be they in a loving relationship, in a same-sex relationship, in a heterosexual relationship or in a caring relationship—who want to avail themselves of this opportunity. Accordingly, I commend the bill to the Assembly.

Debate (on motion by **Mr Corbell**) adjourned to the next sitting.

Childcare

Debate resumed from 8 March 2006, on motion by **Dr Foskey**:

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 types 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 to facilitate better information on childcare availability across the ACT;
and
 - (c) report back to the Assembly in the sitting week in June 2006.

DR FOSKEY (Molonglo) (10.47): When I moved this motion on International Women’s Day, I pointed out that ACT Labor policy strongly promotes the provision of childcare and that an adequate supply of high quality childcare is seen by ACT Labor and the Greens as “crucial to children’s development; vital to women’s independence and capacity; and creating family-friendly work environments”. I pointed out that the recently released ACOSS policy paper on childcare argues that the untargeted and inflationary childcare rebate should be scrapped and financial support directed to those who need it most. When debate was adjourned I was about to make the point that it is not simply a federal issue. The ACT government has real opportunities and responsibilities to address childcare needs in the territory.

A week after that, the ALP’s national childcare policy was unveiled. It includes the creation of a national database of childcare places to be coordinated by local government—something this motion also calls for. It commits to the introduction of a network of childcare centres at schools—something which is also suggested in this motion but of which the ACT government has been wary. I should note that, since then, the New South Wales government has already instigated the process of developing a database on the location of childcare centres and the demand for childcare.

Also in the last few weeks we have heard about thousands of reputedly empty desks in Canberra schools that are costing the ACT government dearly and putting small schools at risk. One important aspect of childcare is that it is not simply childcare; at its best, it is early childhood education. We want quality care although, given the shortage of childcare places, that is not something everyone can insist on. So some of the extra space in our small primary schools should be looked on as early childhood education opportunities.

The cooperative school in O'Connor—a government school from preschool to year 2—is full and has a waiting list. The independent Blue Gum School, also on the northside, runs a highly successful early childhood centre. Canberra Grammar School has responded to demand for early learning by opening a centre in Campbell. There is clearly scope for similar projects on the other side of town where schools have the space. If we are prepared to look at cost in the longer term we will factor in that, for young children at risk of not doing well at school, early childhood education is particularly important.

The ACT government is already host to a number of childcare centres. Out of 41 centres, the ACT government charges no rent at all for 35 and from \$10,000 to \$80,000 annually for the other seven centres. While all the rent-free facilities are run by incorporated associations, some are small organisations specifically set up to run their centres. Others are large operations such as the YWCA and Communities at Work. The centres which are charged rent are a mix of small business and community organisations, with the Teddy Bears Child Care Centre about to be forced out of a school building in Curtin, paying almost three times the rate at the next one.

Such a disorganised approach to childcare is inefficient and discriminatory. The teddy bear story illustrates other problems as well. The government ruled out co-location in a school campus or direct sale of a block of land so teddy bears could continue because it was a private business. I accept ACOSS's view that the quality of care in community centres is generally better than that provided by commercial childcare franchises but we cannot presume that private operations are, by necessity, low quality and that all community organisations are, by definition, good. Parents have made it clear that this particular small business is providing high quality childcare.

The ACT government needs to open its mind. The availability of childcare varies across the ACT. There are shortages in many areas, especially suburbs surrounding the inner city and the Woden Valley where many people, including mothers, just happen to work. This motion asks the ACT government to conduct a review of the demand and supply of childcare across the ACT in order to identify areas of unmet demand. Consistent with the ALP's new national policy, the motion also asks the government to consider a central waiting list for childcare.

Rather than simply looking at waiting lists, we need to consider the social and economic impacts on people struggling with unsatisfactory childcare arrangements; we need to consider the impacts on their health; we need to consider the impacts on their relationships with their children and each other; and we need to consider the impacts on their personal finances by having to take up too much or too little childcare, depending on what is offered. People may have to pay large fees, drive long distances and so on.

Such a study would provide us with valuable information for organising ACT services and, given that a review of the federal government's childcare policy is on the cards, it would inform federal policy and funding. Armed with the information on demand, there are a number of ways the ACT government could direct new growth to the areas of unmet need. As I have already suggested, these include the use of schools and other community buildings for childcare; working with childcare providers to identify and develop centres in areas of shortage, including the direct sale of land; and small business support as appropriate.

There are issues of staffing as well as facilities. Parents want skilled childcare workers, high staff to child ratios and appropriate curricula. However, there is a shortage of childcare workers in Canberra—particularly qualified workers—and this motion calls for the ACT government to provide the Assembly with a more accurate picture of the work force and explore options for CIT to offer more childcare training places. There is also a question of affordability. Childcare costs have risen steadily—by 49 per cent from 2000 to 2004. The commonwealth's childcare benefits scheme is not keeping up with escalating costs and the ACT has the most expensive childcare in Australia.

Many families spend much of their income on childcare. ACOSS makes the point that the childcare rebate system does not alleviate the high cost of childcare, especially for the families in greatest need. In fact, rebates assist those who can afford to pay most in the first place and who can afford to wait to get their rebate. We should remember that early childhood education, which high quality childcare provides, is of greatest developmental benefit to children of families at the poor end of the socio-economic spectrum. Unless something is done to ameliorate the operations of the childcare market, it will continue to serve the interests of those who least need the support.

One key area where availability and cost intercept and create stress is for babies aged from nought to two years. Babies need a much higher ratio of trained staff than toddlers or preschoolers. Federal funding via the childcare rebate goes to parents using the service, not to the centre. Consequently, the costs of holding even one empty baby space can be prohibitive.

One key area where availability and cost intercept and create stress is for babies aged from nought to two years. A much higher ratio of trained staff to babies is required than for toddlers or preschoolers. Federal funding via the childcare rebate goes to parents using the service, not to the centre. Consequently, the costs of holding even one empty baby space can be prohibitive.

This means that a woman needs to put her baby's name on a waiting list when they are first pregnant. They cannot presume that they will find sufficient childcare at the time they want to return to work. This means that, if childcare is offered to them at any time, they must accept it because they may otherwise lose their chance. They have to be prepared to travel to any centre that can offer them a place, despite inconvenience. If they are offered more childcare than they need, they should take it because, in the end, part-time places are more difficult for centres to manage than full-time ones.

One of the more flexible and responsive models for high quality childcare is for parent-run cooperative childcare centres. Unfortunately, the accreditation and licensing

arrangements are complex and securing appropriate accommodation can be tortuous. It should not be beyond the wit or capacity of the ACT government to provide support through one of its business or community services to groups wishing to establish their own centres.

As a community, we face real challenges in addressing the problems of cost and access to childcare. The ACT government owes the women of Canberra a commitment to explore innovative solutions to these problems. We cannot be encouraging families to come here—or we do so under false presumptions—if in the end they cannot go to work, which is available, because they cannot find decent, affordable childcare, which is not available in the quantities in which we need it.

MRS BURKE (Molonglo) (10.56): I thank Dr Foskey for placing this motion on the notice paper today. As a precursor, I point out that all that I say today in relation to this motion on childcare is in an endeavour to make it very clear that I know that the majority of centres do a great deal more than simply babysit and thereby care for babies. I guess that is a given, but I think sometimes the notion of childcare gives that bit of a connotation. Childcare is an integral part of the government's strategy to promote the wellbeing of Australian families. The vast majority of childcare funding goes towards the payment of childcare benefit, or CCB. The Australian government childcare support scheme contributes to helping families participate in the economic and social life of the community by assisting families with the cost of childcare.

Assistance with childcare helps families to balance work and parenting roles by way of promoting and supporting the provision of flexible childcare services—something desperately needed in the ACT, based on our working patterns. Of particular interest is the emergence of a focus on providing access to early childhood intervention and prevention initiatives for vulnerable families and children through funding quality childcare services.

I note that, at the local level, on 2 January 2006, Senator Gary Humphries announced that 10 ACT community-based long day care centres would receive a total of almost \$200,000 to upgrade their facilities under the Australian government's minor capital upgrade program. This is particularly helpful in assisting community-based childcare centres, which are generally not as well resourced as commercially-based operations, to provide services on a not-for-profit basis.

Such funding is vital to help community-based centres address issues surrounding health, safety and licensing issues. It is hoped that such a commitment is made in recognising the vital role these centres play by staying open as another option to parents who may not be able to access, or may not wish to access, commercial operations. I was reflecting on comments made recently by the Minister for Planning, Mr Corbell. I have a concern that the government's actions may be putting out of reach the smaller, private operator, as in the case of the Teddy Bears Child Care Centre at Curtin, to competitively tender for land at auction.

We are surely about offering choice, are we not? To that end, my concern is that smaller operators and smaller private childcare centres are in great demand and much preferred above the larger, corporately-run centres by many of the parents I have spoken to. I think Dr Foskey is quite right in saying that, in the bigger plan, the government needs to be

very cognisant and aware of what it is doing. I am sure the minister is listening carefully and, hopefully, will be able to respond to some of the concerns of the opposition and crossbenchers today.

I trust that this sort of seed funding will continue to flow from the commonwealth by way of grants. It demonstrates their commitment to providing children and staff with the best possible facilities and, hopefully, at the local level the ACT community will continue to see the tangible benefits of additional funding to childcare centres. Again, as Dr Foskey pointed out, this is not something we can simply keep dropping back into the lap of the federal government—and I am sure the Stanhope government and minister Katy Gallagher are not about to do that.

The Australian government census of childcare services 2004 has emerged, providing a snapshot of the operational details of childcare services, the work of staff and carers, and the specific needs of childcare users. It should be recognised that the Australian government and state and territory governments have jointly developed national standards for childcare services. These standards express a national view about the level of childcare all Australians should expect to find in the different kinds of childcare services available to them.

The national standards comprise minimum standards for safe, nurturing and developmentally appropriate environments for children in formal childcare settings. The national standards are voluntary and are not enforceable. States and territories have utilised these standards to inform childcare regulations, funding guidelines and information resources. However, the degree to which the standards have been implemented varies between jurisdictions. Because of the size of our jurisdiction, I think the ACT can do really well in leading the way and leading the charge.

We have a great opportunity to be a showcase for childcare and early learning in this nation. It is promising that a joint Australian government/state and territory governments project is currently underway to review the national standards and to review the current and past processes for the setting and implementation of national standards. The outcomes of this project will be used to inform the development of minimum standards for all existing and future service types of early childhood care and education settings across Australia.

We would all agree that this is predominantly a national issue. As such, the opposition will support the ACT government in its endeavours to conform to a recognised national standard on the delivery of childcare services. I believe this shows the way in which Australia is moving forward. There is a need for a national, consistent approach across all jurisdictions, states and territories. No state or territory is an island anymore and boundaries are now blurred. I think we are going to see more national consistency across a range of portfolio areas.

Members may be aware of the summary of findings from the 2004 Australian government census of childcare services. I would like to highlight some major findings relevant to the ACT. The average weekly fee was \$208 for private long day care centres and \$211 for community long day care centres. For family day care schemes the average weekly fee was \$185. Outside school hours, care services charged on average \$6.68 per session for before-school care and \$10.28 per session for after-school care. For vacation

care services an average of \$139 per week was charged. Occasional care and in-home care services are usually charged on an hourly basis, with an average of \$5.35 per hour for occasional care and \$11.84 per hour for in-home care being reported in the 2004 census.

The Australian Capital Territory had the highest average weekly fees for private long day care and family day care. Variations in fees may be due to a number of factors, including different state and territory licensing requirements that determine child-staff ratios, accommodation costs and whether the fee includes charges for additional services. While nationally 91 per cent of long day care centres open for 50 hours or more a week, only three per cent of children attended care for 50 hours or more. As in 2002, the Australian Capital Territory had the highest proportion of children in full-time long day care—40 hours per week or more—representing 20 per cent.

Some groups in the population need to be designated as high priority for access to funded childcare. Based on the findings of the 2004 census of childcare services, the highest priority group was children who are at risk of serious abuse or neglect. The second highest priority group was children of a single parent who is—or parents who are both—working, studying or training for work, or seeking employment. The third highest priority group was all other children.

It is hoped that, at the territory level, the following groups would be given, in no particular order, a measured level of priority: children from Aboriginal or Torres Strait Islander families; children with a disability; children whose parents have a continuing disability; children in families on lower incomes; children from a culturally diverse background; children in socially isolated families; and children of single parents. Of great interest, I believe, in our community, will be an increasing demand for work-related care.

We appear to be coming to a point where demand for services cannot be matched by a sufficient supply of adequate facilities at the territory level, supported by commonwealth places. I am mindful also that all forms of childcare will need to commence adjustments to service provision to manage the variety of children who require care. Children with special needs or disabilities come to mind—that being my shadow portfolio responsibility—and children from culturally and linguistically diverse backgrounds and those from Aboriginal and Torres Strait Islander families. This shift in need will have an obvious impact on how funding will need to be allocated to the different forms of childcare services and how both levels of government are monitoring and maintaining a responsive approach to meeting demand.

From a national perspective, it is encouraging that there is evidence of a growth in formal qualifications being sought by staff in the industry. According to the 2004 census, 60 per cent of all long day care staff have formal qualifications, compared with 55 per cent in 2002 and 54 per cent in 1999. Private and community long day care centres had equal proportions—60 per cent—of qualified staff. In family day care schemes, 73 per cent of coordination staff and 25 per cent of caregivers have formal qualifications. In home care schemes, 71 per cent of coordination staff and 32 per cent of caregivers have formal qualifications.

Of staff in long day care centres who have formal qualifications, 81 per cent held a childcare certificate, diploma or bachelor of childcare, compared with 77 per cent in 2002 and 71 per cent in 1999. Sixteen per cent held teaching qualifications; four per cent held nursing qualifications and 10 per cent had other relevant qualifications. Some staff held more than one qualification.

There are many other statistics. I would point interested members to this report to look at those things in more detail. The Australian Capital Territory has the highest average weekly fees for private long day care and family day care, while community long day care average fees were highest in New South Wales. The lowest average fees for private and community long day care were in the Northern Territory, while Queensland had the lowest average fees for family day care.

Variations in fees, as I have already said, may be as a result of various things—and, again, I know that this is a really big area. I am sure Minister Gallagher, who has a new baby, is very cognisant of the concerns of mothers who are seeking to put children into affordable, quality day care. We also need to be reminding the government that, of course, just releasing blocks of land does not necessarily mean we are going to go, “Hey presto, there are another 50 or 100 places.” So I think it is quite important that not only this recent block of land be released, but that the government certainly gives great attention to expediting that and fast-tracking other blocks of land.

I have a word of caution for those who seek to infer that the federal government is not making attempts to address some of the problems in the childcare sector. The Howard government has provided unprecedented support to parents for childcare. More families than ever before now get help with their childcare costs. The Howard government’s record speaks for itself. Spending has almost doubled, compared to the previous Labor government’s efforts. Almost \$9.5 billion is projected to be spent over four years to 2008-09. Places have doubled—from approximately 300,000 in 1996 to present figures of approximately 600,000. In fact, the Howard government announced more OSHC places—over 84,000—in the last budget than Labor had in total during its entire term of 13 years, when it allocated 72,000 places. Labor’s term ended with a mere 8,000 places in its final year in office.

Nearly 790,000 children are now accessing childcare. This is a 23 per cent increase since the introduction of the childcare benefit in the year 2000. On average, families are now receiving over \$2,000 per year in childcare benefits under the Howard government. As a complement, the Howard government introduced a 30 per cent childcare tax rebate, meaning that parents may be eligible for up to \$4,000 per child per year for out-of-pocket childcare expenses.

For the ACT to garner further support to meet projected growth and demand in the childcare sector, a commitment will be needed to work across all levels of government to build a more flexible system that ensures that Canberra’s childcare sector is meeting the diverse needs of families whilst at the same time remaining of a consistently high quality. I commend Dr Foskey for bringing this motion forward today and I appreciate the opportunity to add to the debate. Mr Corbell’s statement this week was a nice try, but he is going to have to do better than that. My colleague Mrs Dunne will certainly be adding to the debate regarding the Teddy Bears Child Care Centre at Curtin.

MS GALLAGHER (Molonglo—Minister for Health, Minister for Disability and Community Services and Minister for Women) (11.11): I thank Dr Foskey for providing the opportunity to talk about the provision of childcare in the ACT. Dr Foskey's motion calls on the ACT government to do certain things, particularly to look for opportunities to work with childcare providers, to ensure an adequate supply of childcare, to incorporate the use of school and other community buildings in childcare, and to ensure an adequate supply of designated land and facilities.

The Stanhope government is doing all of those things and will continue to work to ensure that there is sufficient childcare across our community, but we need to be clear about what are the ACT government's responsibilities and the matters over which it has control. Paragraph (3) of Dr Foskey's motion calls on the ACT government to provide the Assembly with information on the level of demand for childcare, the existing number of childcare places and the distribution of the places across the ACT. All of those are matters for the commonwealth government. They are not matters for the ACT; they are not things over which we have control. All we could do, if we were to provide that information, would be to go and ask the commonwealth government to provide us with the information.

In relation to the provision of information on the number of TAFE and university qualified childcare workers in the ACT, including those not currently employed in childcare, I just do not know how on earth we would do that. We could certainly provide Dr Foskey's office with details of the number of students currently at the CIT in childcare diploma courses. We would have to survey the whole of the ACT to find out who has a childcare qualification and is working in childcare and who is not. I just do not think that such a response would be practical.

We have taken a number of measures at the CIT to increase the number of students accessing childcare courses, including encouraging the training or retraining of unqualified staff in centres to enable them to upgrade qualifications or, in fact, to get a qualification. But at the end of the day it is not about a shortage of qualified childcare workers; it is about an actual shortage of people who are willing to work in childcare centres.

That comes as no surprise to me, given the wages that are paid to childcare workers. It is simply a question for young people of whether to go on and do an extra year of study and become a preschool teacher and get much more money than they would currently from working in the childcare system under the federal award. Under the federal award, of course, we can see nothing that is going to significantly improve those conditions or increase those wages from what happened in a recent case which was won by the LHMU.

If we look back at what the ACT government has done, we see that in 2002 additional facilities were provided at Nicholls and Ngunnawal, providing 54 childcare places. In 2003, a centre was built at Gungahlin, providing 89 places. We have expanded existing centre-based children's services across the ACT, which has led to an increase of 125 places over a number of centres right across Canberra. We are currently rebuilding the Weston Creek childcare centre, which will have 20 per cent more places than the original centre.

We own several buildings which childcare centres operate out of, primarily community-based childcare centres operated by not-for-profit organisations which we charge a peppercorn rent. There are 116 before and after school care and vacation care programs operating from both government and non-government school buildings across the ACT. Additionally, a number of centres, one locally in Civic, are due for completion this year and in 2007, which will increase the number of available places.

In fact, since the childcare issue has been in the media recently, I have been contacted by a couple of centres across the ACT which have very significant vacancy rates and are wishing to work out where all these children are that are not getting access to childcare centres. In one centre the occupancy rate was at, I think, 30 per cent. So it is not simply a matter of building centres or going out there and saying that we need many more centres and many more places, because what happened, say, 15 years ago when a number of centres opened was that demand dropped off and centres went broke or had to close. So there is a fine balancing act involved. I am not genuinely convinced that there is a shortage of childcare places in the ACT. It may be about where those places are and it may be about age groups. Some work being done by the Office for Children, Youth and Family Support indicates that the demand is highest for the nought to three age group, which comes as no surprise.

As Dr Foskey said, the licensing requirement of a higher staff to baby to toddler ratio means that there are fewer of those places in centres to begin with and it is more expensive for centres to operate those places. So there is demand for the nought to two age group. Of course, a number of centres do not offer places for the nought to two age group; they actually start offering to provide childcare once children have turned 18 months or two years old.

As I have said, we surveyed the ACT childcare providers recently and have looked at the information that they have been able to provide to us. Not all centres are going to provide us with information about their waiting lists. For some of the centres that are running a private business, it does not necessarily assist them to provide that information publicly. So we have to go on what the centres are saying to us.

Anecdotally, the centres are saying that the increase in preschool hours to 12 per week has hurt them, that they are not getting those places for three-year-olds and four-year-olds anymore, that parents are using the option which I guess was a bit of the motivation behind the increase in preschool hours of having more flexibility in sending their children to preschool and having other days just designated for childcare. At a meeting I had last year, some childcare providers were saying that that is actually reducing the demand on these centres. So it is a very complex issue.

I have circulated an amendment to the motion which acknowledges the areas in which the ACT government is working and calls on the federal government to do a range of things.

Mrs Burke: Can we just have the debate?

MS GALLAGHER: It is their area of responsibility.

MR SPEAKER: You will need to move the amendment.

MS GALLAGHER: I move:

Omit all words after “situations in the ACT”, substitute:

“(3) acknowledges that the ACT Government has:

(a) incorporated the use of schools and other community buildings for childcare where available; and

(b) ensured an adequate supply of designated land and facilities, including direct sale to approved providers where appropriate;

(4) calls on the Federal Government to:

(a) look for opportunities to work with private, co-operative and community childcare providers to ensure the level of supply for childcare is adequate and developed in areas with current shortages;

(b) fund an increase in long day care and outside school care places;

(c) remove the ever-widening gap between the Child Care Benefit and childcare fees to ensure childcare does not become a luxury service available only to certain parents; and

(d) heed calls by the Australian Council of Social Services to make early childhood sector ‘simpler and fairer’; and

(5) calls on the Chief Minister to write to the Federal Minister responsible for childcare communicating the Assembly’s resolution on this issue.”.

The ACT government does not have control over the allocation of childcare places or funding for childcare benefits.

Mrs Burke: Let’s just debate it.

MS GALLAGHER: It is all linked, as we have just heard from your speech. It is all linked. Childcare places become available only when the childcare benefit is attached to them so that parents can get the rebate. The ACT government cannot go out there and build centres without the agreement or the support of the commonwealth government. It simply cannot do so.

So, more appropriately, this amendment actually links the motion to areas where the commonwealth government has responsibility. We are asking them to do this work. I have met with federal ministers and I have met with childcare ministers across the country. These are areas that state and territory governments do not have responsibility for or the capacity to deal with the issues that parents are talking to us about.

The affordability of childcare is not something that the ACT government has control over, nor can it do anything to alleviate the escalating costs of childcare. The issue is

directly linked to the fact that the federal government refuses to fund centres and refuses to fund operational subsidies for centres, withdrawing them 10 years ago or so. That was the money that centres used to fund staff and keep childcare fees down. That money went and no centre gets any direct funding from the federal government any longer, so all of their staff costs, their program costs, their equipment costs and their food costs, everything in a centre, has to be paid for out of childcare fees. It is no wonder that childcare fees have escalated, because the costs have escalated and the federal government's support for those centres has been withdrawn.

I have asked the federal government a number of times to reinstate the operational subsidy. If you talk to any childcare provider across the ACT, you will find that that is what they need. They need that operational grant to keep their centres going, and the federal government has refused to provide it. It has made it clear that the only responsibility it has is directly to parents through the childcare rebate, and, as for centres and how they meet their costs, that is for them to deal with.

Mr Speaker, the government will support the amendment to Dr Foskey's motion. It calls on the Chief Minister to write to the federal minister communicating the Assembly's view on this issue. Of course, we will all work together here, as we all have an interest in childcare to make sure that in areas for which we have responsibility we can meet the pressures in the ACT community.

MRS DUNNE (Ginninderra) (11.21): As usual, we have the government coming in here and duckshoving on this issue, as they do on almost every issue. Every time that a member of the opposition or the crossbench raises an important matter of public concern, we have the government coming in and using their numbers, as they will do here today, to change the whole tenor of motions moved in this place containing concerns expressed by the public. What we are doing here is reflecting the views of the public. What Dr Foskey has done, in her excellent motion, has been to raise those issues which people are coming to us to talk about.

The minister spent a lot of time justifying her unjustifiable position. What it really boils down to is that she does not think that there is a shortage of childcare places. She did say that it was a fine balancing act and all of those sorts of things, but the words that she used were "I do not believe that there is a shortage of childcare places". She said that possibly they were not appropriately spread and there may be shortages of spaces for the nought to two age group, for the tots, but she said, "I do not believe." That means that her bureaucrats have told her, "Don't worry about it, minister; there isn't really a problem." We have all been there, we know that it happens, and ministers foolishly believe it. What we actually have today with this minister's "I have a majority in this place so I can actually change the tenor of this debate" amendment is—

Ms Gallagher: That is not fair.

MRS DUNNE: Mr Speaker, if I could have the floor!

MR SPEAKER: Order, members, Mrs Dunne has the floor.

MRS DUNNE: Thank you, Mr Speaker. What we actually have here is an attempt to hose down the issue and to shift responsibility. Yes, we all know that there is a lot of

responsibility, and in many ways major responsibility, on the federal government. Mrs Burke has addressed that. Dr Foskey, to some extent, has addressed that. But Dr Foskey's motion is about what we in the ACT Assembly do for the people in our community, what the planning minister does and what the minister responsible for childcare does, or should be doing, in this place to ensure that what we can do in this community is being done for the benefit of working families.

The newest member of this place stood up here yesterday and rattled off all the figures, figures that we all should know, about the high proportion of women in the ACT in particular who participate in the work force. For them to do that properly, and so that they actually get satisfaction out of their job and provide a good service to the people who are employing them, they need reliable childcare that they can trust and they need to know that they can trust the people who look after them, that they can rely on them.

The issue that both Dr Foskey and Mrs Burke touched on of the hideous saga of the Teddy Bears Child Care Centre is an example of the failure of this government. There may be a number of places which are saying that they would like to get some more children in their childcare centres, but if you talk to the people who are the clients of the Teddy Bears Child Care Centre, who are looking for childcare in southern Canberra, you will find that it does not exist.

I have talked to those mothers and fathers and I have talked to the people who have, as an exercise, gone around and seen what else is available for them, and there is nothing available. If the Teddy Bears Child Care Centre closed tomorrow, we would be looking at some people having to wait 18 months before they could get appropriate childcare in a centre in south Canberra, which means that those 80 families would be in a situation where someone would have to give up work because there would be no one to provide care for their children. That has huge social, financial and economic—financial for the family and economic for the community—implications, but this government does not care.

We had Mr Corbell come out and pull a swiftie in the last couple of days by saying, "We have found a block of land." I am relying at this stage on second-hand advice because I have not seen the block of land myself. I attempted to go and have a look at it last night but it was too dark when I got there to have a look at it, but I have been told that it is a rather small—pocket handkerchief size—block, probably not more than half the size of the block currently occupied by the Teddy Bears Child Care Centre, and probably would be inadequate for a childcare centre.

This was a case of a minister of the government saying, "I have to appear to be doing something. Here is a likely looking block of land. I can put out a press release and save my bacon for another day." I touched yesterday on the obvious rush job that the minister has done on this issue. The press release displays a monumental lack of understanding—either that or it was a rush job—on the part of an experienced planning minister about the implications for planning of this issue here. I am being told by the parent group who have had a chance to look at the block in daylight that it would not meet the requirements of any childcare centre.

It was very interesting a couple of weeks ago to see the *Stateline* program about childcare in the ACT. It did actually look at many of the issues that have been touched

on by Dr Foskey and by Mrs Burke. One of them was the real concern in the community that, if every block of land that is made available for childcare goes to auction, we will see a real diminution of choice in providers in the ACT because large, stock exchange listed corporations which provide childcare will be able to come in with a very large chequebook and snap up all the land available.

This is not necessarily to criticise the service they provide. I do not have first-hand experience of that service and I suppose I have never had much experience of childcare centres because I was always a great advocate of family day care, but lots of people say to me that they would prefer either community-based childcare or a childcare centre that is run by an organisation, even if it is a private organisation, that is part of the Canberra community. So it might be a commercial job, but what we want is to have local people running it.

They do not want, when they have a problem, to be dealing with people whose first responsibility is to shareholders and a board of directors in another city. They want to be dealing with someone who has hands-on experience of childcare and who understands childcare and whom they can contact when they have a concern. What this government is doing by saying that it will provide the space but the person with the biggest chequebook will get it is removing that sort of choice that the people of Canberra, the mothers of Canberra, are telling me that they want when they go looking for childcare.

They want a community-based centre or they want a centre where they can actually eyeball the person who owns the centre and say, "I have got a problem and I want you to fix it." That is what the women of Canberra are telling you, minister, and you are not listening. The women of Canberra, the mothers who send their children to the Teddy Bears Child Care Centre, have said that loud and clear to this government. The mothers, fathers and grandparents of the children who go to the Teddy Bears Child Care Centre have signed a petition, 597 people signed the petition, and members of this Assembly attempted to have this matter investigated by a committee but, again, the majority Stanhope government thwarted that attempt so that there can be no discussion in this place about the provision of childcare and there cannot be a proper inquiry.

If Minister Gallagher is absolutely convinced that there is no need for more childcare places and that by the time the ones that are currently being built are open everything will be hunky-dory, let her show us that that is the case. Let her show how much ticker she has and let her put those facts on the table so that members of this Assembly can scrutinise those facts and members of the community can have their say. Let us not have it handed down from on high by the minister responsible for childcare that everything is fine in the garden, because the parents out there do not believe that.

MRS BURKE (Molonglo) (11.30): Mr Speaker, I rise to talk briefly to the amendment. I need to make it clear that I am really disappointed with it. I thought I made it clear that I understand the federal government's part in this issue. I see the amendment moved today by Ms Gallagher as, sadly, a thinly veiled attempt to try to cover up the mess handed to her by Mr Corbell. The government have to acknowledge that they have made a complete mess from beginning to end with respect particularly to the Teddy Bears Child Care Centre. It is a disgrace that someone who is trying to provide a much-needed service there is being forced now to compete, as Mrs Dunne put it very eloquently, on another playing field possibly by having to tender for this block of land.

I also want to say about the amendment that it is disappointing that, now we have majority government, every motion put up in this place by the opposition or the crossbench member is slashed mercilessly. We do not seem to have a government which has the courage and the guts to debate issues before it, and all the time we are seeing motions being slashed and torn apart in a way that ruins the whole essence of what they stand for.

As Mrs Dunne said, the community expects us to stand up and debate things in this place, yet when we try as members to stand up for our constituents we have the government changing the whole theme of what we are talking about. Changing motions shows to me that members of the government obviously do not want to debate things, do not want to be answerable and do not want to be accountable.

DR FOSKEY (Molonglo) (11.32): I thank members of the Assembly for their interest in this issue. It will be reassuring for the community to know that members of the Assembly are concerned about the provision and quality of childcare, but I think they would be very disappointed with the government's reaction. I am sure they are anyway.

I agree with Ms Gallagher's critique of the federal government's funding model. I am someone who does not need childcare now but, as a sole parent, I needed childcare for my daughter for a period after she was two years of age. Basically, I feel that childcare providers have been co-parents with me and I have been very lucky in that I have been able to access parent-run models, first of all in a cooperative community childcare centre in Fitzroy in Melbourne and then here on the ANU campus. So I know how important it is.

There is so much guilt out there for parents—for a start, parents who do use childcare and then for parents who do not use childcare. The whole business of being a parent is guilt ridden. Once upon a time it was seen as the family's domain but, I am sorry, things have changed and it is now the domain of the state. We have an ACT government that is putting out the call for families to come to the ACT because we are short of skilled workers—skilled workers, note; we have plenty of workers who would probably like to gain skills so that they could be paid workers—but it is a false promise if we do not offer them the full package.

Okay, we might have the jobs and we know that there is a problem with affordable accommodation but, as I said in my speech earlier, you have practically got to put your child on a waiting list from the moment that you conceive to get into a childcare centre. How are people who have already got children going to come here full of hope and step into a childcare centre? It is duplicitous, to my mind.

The federal government model is wrong. The funding model is wrong. It is wrong to steer money into services through parents' bills because it places the onus on the centre and denies the role of the federal government. It tries to turn it into an exchange between a family and the service. Meanwhile, the federal government sits back, keeping its hands behind its back in terms of distributing the dollars. That is a wrong relationship. I know that childcare centres operated much better when they were funded.

That is the situation now. There may be an opportunity to change it. We have heard promising noises from some members of the federal government. Some of them are parents, for God's sake—it is hard to imagine at times, but they are—and we have seen change within the federal government when such people have taken action. I thought the RU486 debate indicated that and also some moves in terms of the children in detention, so let us not give up totally. We can write to the federal minister, as the government's amendment suggests, but it is not really enough to do so. It is also blame shifting, because there are things that the ACT government can do. I did highlight some of those.

I have to thank the parents who have used the Teddy Bears Child Care Centre for their efforts and the research that they have done as a result of their incredible situation of need and their support for a good service. Unfortunately, maybe it is not run by the best advocate for himself in the world. Not everyone who runs a childcare centre is good at lobbying the government. ABC Learning Centres obviously is quite good at it. I echo the fear of Mrs Dunne about taking the approach of auctioning off land. There is going to be more of that, I suppose, if we have a deficit and there is concern about revenue but, if it means that services will miss out, it is not going to help us.

I am pleased about the things that the government is doing. I am pleased that there are new centres being developed. But that does not answer our concern about the location of those centres and the staffing of them. There are issues. It is possibly true that the increase in preschool hours is making it difficult in a way, but why do we not find out about these things? We can speculate all we like. My motion is about getting some hard figures in there. I do acknowledge that some of the things that we have suggested might be difficult. We are always prepared to negotiate and talk. We would have talked through this motion. If we could have come out with some action from the government, we would have acknowledged whether things were reasonable or not reasonable.

We are not the government. We can only suggest and we try to be the voice of the community. They cannot come here and speak for themselves and those kids surely cannot. The problem is not just with childcare centres. Family day care is in crisis as well. People who are looking for good places in family day care are having a really difficult time. Lots of people do prefer that model, especially for small children, but there is not a lot to encourage people to stay at home and look after children. There are some wonderful people who are prepared to do it, but obviously not enough.

What can the government do? Heaps. It has the planning capability for a start and the access to land. It has the CIT and it has an ability to support parents. Once we have identified where the need is and the services are not, I suggest we add small schools with so-called excess space into the mix because it just could be that some of those are in those locations. In fact, I would say that it is very likely that that is so because of the demographic shifts. What we are seeing with a lot of the suburbs where we have so-called empty classrooms—I am going to call them that, not desks; I think that is a spin word—is young people moving back into those areas. Also, they are often located near work, so there are those possibilities there and it means that they retain their essential function, which is educating children.

The other thing is that we could support groups of parents who get together—for instance, we could be supporting the Teddy Bears parents right now—in a co-op model,

which I have seen work really well, whereby a group of parents determines what kind of childcare the parents want and then works with the government, the funding bodies and its staff to get the kind of childcare that the parents want.

This is not an issue that is going to be resolved right here and now. That is why our motion says, “Go out and find out, acknowledge that there is a range of models, look at the level of demand, look at the number of places here at the moment and then set up that flexibility that means that we do not become like some other states where the only childcare that is increasingly being offered is the corporate model, whereby childcare is for profit more than it is for the good of the children.” We have some great childcare providers here, including Teddy Bears. If we want them to stick around, we have to help them.

The ACT government has that power. Sorry, I just will not accept that it is all a matter for the federal government. The federal government has a role, sure, and I wish that it would get off its butt and acknowledge it, but so has the ACT government. I am disappointed that this amendment is, in a sense, a cop-out.

Question put:

That **Ms Gallagher’s** amendment be agreed to.

The Assembly voted—

Ayes 8		Noes 7	
Mr Barr	Mr Gentleman	Mrs Burke	Mr Seselja
Mr Berry	Ms MacDonald	Mrs Dunne	Mr Smyth
Mr Corbell	Ms Porter	Dr Foskey	Mr Stefaniak
Ms Gallagher	Mr Stanhope	Mr Pratt	

Question so resolved in the affirmative.

Motion, as amended, agreed to.

Budget—functional and structural review

MR SMYTH (Brindabella—Leader of the Opposition) (11.45): I move:

That this Assembly:

(1) notes that:

- (a) the government has commissioned a functional and strategic review of Government structures and programs, referred to as the Functional Review of the ACT Budget in its terms of reference; and
- (b) the report of the Functional Review has been presented to the Government; and

(2) calls on the Government to table the report of the Functional Review by the close of business today.

It is a very simple motion. It simply calls on the government to be honest, open and accountable, as they have promised so often to do. What the motion does is note that the government commissioned a report called the functional and strategic review of government structures and programs, also known as the functional review of the ACT budget. The government has now been presented with that review. The motion calls on the government to table the report by close of business today.

All governments, of whatever persuasion, find it useful to review part or all of their operations at regular intervals. Policies change, priorities change, the external environment changes and other factors change. In this context, it is incumbent on good governments to be aware of what influences are changing and to be prepared to meet those changes.

The Stanhope government is no exception to this and, in the ways of many of these of types of reviews, has turned to a person outside the bureaucracy to undertake such a review. Hence the ACT government has now received a report prepared by Michael Costello on an activity that was described by the Chief Ministers as a functional review of the ACT budget.

There is nothing unusual about this approach. What seems to be unusual, however, is the way in which this government has handled the report of this review. I will get to that in a moment. It is instructive to consider, in addition to the more generally accepted reasons for conducting such a review, why the Stanhope government has sought this report at this time.

Everyone who lives in the ACT is now quite well aware that the Stanhope government has not delivered when it is assessed on its economic and financial performance. We are all now well aware that the Stanhope government has spent its funds as if there were no tomorrow, that the Stanhope government has frittered away the revenue generated by the boom in the housing industry, that the Stanhope government has failed to husband the additional revenue that has flowed to the ACT from the goods and services tax, that the Stanhope government is pursuing things that simply should not be on this government's spending list, that the Stanhope government is not approaching the funding of major capital projects in an appropriate way, that the Stanhope government has made no provision for the not-so-good times that all too often follow the boom years and that the Stanhope government did not reform when it should have. It is very awkward fixing a leaky roof in the rain. It is far better to maintain that roof before the rain begins than fix it then. Jon Stanhope has finally been forced into recognising that the four years of profligate spending under his government had to stop.

It is little wonder that the former Treasurer, Mr Quinlan, pulled the plug a few weeks ago. It is obvious that he saw the writing on the wall and decided that he did not want to continue to be associated with this nonsense. Of course there are some in the Labor Party who see Ted Quinlan's action as betraying the party because he left the party in the lurch mid-term, as it faced a very difficult budget. But I would judge that Ted Quinlan had basically had enough of providing sensible advice to his colleagues and seeing this advice repudiated as further stupid spending decisions were made. Rather than make any hard decisions, therefore, Jon Stanhope called in the consultant, and the report from Michael Costello is that result.

Now, having received this report, Jon Stanhope is hiding it under the cloak of cabinet confidentiality, which is quite amusing because it was a unilateral decision of the Chief Minister to instigate the review. We understand his colleagues in his cabinet did not know. Ted Quinlan certainly did not know. He went over Ted's head and appointed Shane Gilbert, recently removed from Mr Quinlan's department—a more or less up-yours to the former Treasurer from the Chief Minister. But now, having received this report, the Chief Minister is hiding it under the cloak of cabinet confidentiality. If the Chief Minister had any courage, had any sense of what is right and had any sense of engaging with the community, he would release the report now; he would consult, and debate with, the community on the findings in the report. Then he would develop proposals to respond to the report's findings in the view of the community.

We have got a Chief Minister who is quite prepared to take potentially divisive, social issues to the community because he can argue these issues from what he sees as the moral high ground. But put the Chief Minister in front of the community with some really tough financial or economic matters and he just goes to water. He cannot even start the fight, let alone sustain it. So we are seeing, in Jon Stanhope's decision to hide the Costello report, weakness. Weakness in a leader is a real problem for the constituency. It is now a cabinet document, simply for convenience. It is interesting that, in his weakness, Jon Stanhope seems to have sensed that the community warrants some insights into the conclusions of the Costello report.

What has he done? He has let Mr Costello provide briefings to select groups within our community, and this decision has raised some critical questions. Who will be included in these briefing sessions? Who will not be included in these briefing sessions? And what information will be provided in the sessions?

As far as we are aware, Mr Costello has briefed a small number of representatives from the trade union movement, and Mr Costello has met with a small range of representatives from the ACT business community. We are not aware yet whether Mr Costello has met anyone else. Mr Costello apparently has not met with some of the key unions that operate in the ACT and, in particular, any representatives from the ACT's community sector. Jon Stanhope has been selective in the way he has orchestrated Mr Costello's briefings as he sought to stifle any outbreak of concerns about the tough decisions that had to be made.

In 2001, Jon Stanhope promised open, transparent government, with proper notions of accountability and responsibility. Once again, he and his government have been wanting in these respects, yet they have consistently caved in to their own self-interest and pet projects. Moreover, it was Jon Stanhope, again in 2001, who was at pains to emphasise the importance of conducting effective consultation with the ACT community, yet it is now Jon Stanhope who has failed in this regard on so many occasions, demonstrating an increasing level of arrogance and disregard for community opinion.

The Chief Minister claims that the Costello report is protected by cabinet confidentiality. In reality, this is simply a device imposed by the Chief Minister to hide the nature of the analysis, conclusions and recommendations made by Costello from the people of the ACT. As I have said, neither the cabinet nor his colleagues even knew the review was to begin.

There is a place for appropriate confidentiality of cabinet documents, but this is not one of them. It is interesting to contrast the approach of Jon Stanhope with that of his Labor colleague Morris Iemma, the Premier of New South Wales, who initiated a similar review to that conducted by Costello. When Iemma received the report of that review he released it and concurrently released the response of the government to the matters raised in the report. I have a copy of the economic and financial statement by the Premier of New South Wales. It is amazing that I can actually get documents from New South Wales but I cannot get documents from our own government. And neither can anyone else in this territory.

Then, of course, there is the claim that no government has had the courage to get out there, no government has looked at this and no government has tried this before. That is a claim that founders because the Chief Minister has no sense of history. Mr Speaker, you would remember this because you were there when it happened: in the ACT the then Chief Minister, Trevor Kaine, established what he called a Priorities Review Board in February 1990 to undertake a range of tasks that were essentially equivalent to those set out in the Costello review.

Mr Kaine released the report—I have a copy of that report—and if the Chief Minister wants to read my copy of that report he can. But we cannot read a copy of his. Mr Kaine released the report of that review and engaged in valuable community consultation about the conclusions reached by the board. Mr Iemma and Mr Kaine had the courage to release reports that raised difficult issues for their respective governments to deal with. There is a marked contrast between the actions of these two leaders and those of the current Chief Minister of the ACT. Jon Stanhope is full of self-righteousness and self-admiration when it suits him, such as during an election campaign. But when there is an opportunity for Jon Stanhope to reinforce his notions of good governance, he fails. He fails completely.

One of the sad aspects of the refusal of Jon Stanhope to release the Costello report is that the community is being denied a valuable resource. In recent days, I have had cause to re-read some of the parts of the report prepared for Trevor Kaine. It is fascinating that some of the issues have remained the same, such as excessive spaces in our government schools. It is fascinating to read the analysis undertaken by the review team, as it provides a good insight into how various issues could be responded to.

The report prepared for Premier Iemma, likewise, is a valuable commentary on the current performance of the New South Wales budget, amongst other matters. Again, it is fascinating to see, from the terms of reference, how the New South Wales government has been concerned about the state of the New South Wales budget. That government has also offered advice on how to deal with these issues that are identified with the budget, particularly those that relate to attempts to reduce spending. Despite this passage of time and the differences experienced in other jurisdictions, many issues faced by governments today remain remarkably similar. These issues require equivalent responses.

It is fascinating to read the views by Stephen Bartos in yesterday's *Canberra Times*, in which he argues strongly in favour of releasing the Costello report. The headline reads: "ACT public deserves to know what's in the functional review". Professor Bartos canvasses when and where you should not use government-in-confidence and comes to

the conclusion that this report should be tabled; this report should be made public. It is all there in the *Canberra Times* yesterday. Professor Bartos argues that, as the public has funded the Costello review, as a general principle the public should see the report from the review.

Professor Bartos contrasted the position of federal Labor with the Stanhope government in their respective approaches to open government and criticised the Stanhope government for not having a commitment to open government and accountability. Welcome to the real world, Professor Bartos. If I had a copy of the Costello report, of course I would examine it carefully and use it to engage in constructive dialogue with the government. However, this government will not release it. In the absence of the Costello report, we will be constructive in how we approach the coming budget. But we cannot have an informed decision because the Chief Minister sits on his report.

The ACT has been before where Jon Stanhope is attempting to take us with his centralised, shared services model. This might be a bit of a surprise for some. I suspect it will come as a surprise to the Chief Minister. Some years ago in the ACT—and I am sure you would remember this, Mr Speaker; I think you and Mr Stefaniak are the only two survivors—in 1991, the then Chief Minister, Rosemary Follett, a Labor predecessor of Mr Stanhope, decided to establish what? A Corporate Services Bureau to provide such services as payroll, industrial relations, human resource management and information technology to the ACT government. What did Ms Follett say in announcing this bureau? Listen to this. She said—and I quote from page 4558 of the *Hansard* of 20 November 1991:

Significant savings will be achieved which will impact favourably on the ACT government's financial position.

Those words sound remarkably familiar, do they not, colleagues?

In April 1994, the Follett government established the Department of Public Administration, and the Corporate Services Bureau was incorporated into that new department along with functions from elsewhere in the ACT government. Then, in 1995, the Carnell government was forced to abolish the Corporate Services Bureau, along with the disbanding of the Department of Public Administration, because it had not worked. The resounding failure of the Corporate Services Bureau was its failure to provide tailored services that each agency required.

In general terms, the Labor Party's one-size-fits-all approach did not work in the ACT; it did not work from 1991 through to 1995 and it will not work now. What the Carnell government did in 1995 was centralise the ITC services—we did this in InTACT—as the shared service function had the capacity to deliver economies of scale to the ACT government. I observe that, in the context of Jon Stanhope's intentions, there are no savings to be gained from this already shared service.

One of the factors that undermined the potential effectiveness of the Corporate Services Bureau was the creation of many service areas in the line agencies that duplicated the services that the Corporate Services Bureau provided. You have already proven, Chief Minister, that you cannot control or do not control or monitor the numbers or the growth of the public service. Why would that change now? This proliferation of service delivery

function in line agencies led to duplication and the loss of the efficiencies in the services that the Corporate Services Bureau was meant to provide.

What happened with the money? The history of this experiment by Rosemary Follett is interesting. It was a sorry outcome for the ACT and its people, as Mr Stanhope's experiment will be. In the 1991 budget papers, the Follett government anticipated savings of \$1.5 million because of the creation of the Corporate Services Bureau.

But what was the reality? According to the 1992 budget papers, the Corporate Services Bureau incurred a deficit of \$3.4 million. It blew the budget yet again. If the ACT budget, which has trebled since that time, is treated the same way, it will come at a significant cost. So we need to know whether or not the Chief Minister had this history lesson in mind with the Costello review or whether we are just idling along with ideas that are put up but are not substantiated.

I could go on and talk about what happened in WA, where there have been no savings. I could go on and talk about other inefficiencies that have occurred because of the expansion of this government's public service. But what we need is an informed debate. To have that, we need the Costello report and we need it tabled today.

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs and Minister for the Arts) (12.00): For humbug and hypocrisy, I guess there is no place like a parliament. In relation to a debate by an opposition on the release of documents, there are perhaps lines utilised by Mr Smyth that I might, to be honest, have used myself on occasion when I was Leader of the Opposition.

Let us cast our minds back, in the context of the release of cabinet-in-confidence documentation, to the many debates held in this place on the hospital implosion, the many debates held in this place on Hall/Kinlyside and the many debates held in this place on Bruce Stadium. Let us go back to the *Hansards*. We note today Mr Smyth quoting judiciously, and with some gusto, claims and statements made by members of oppositions and governments in the past on specific instances. I could go back to all those same *Hansards* and quote the then government's response to motions moved and claims made by the opposition on the hospital implosion. In relation to the hospital implosion, I have no doubt—and I recall quite specifically—that motions—

Mr Smyth: So you admit you are a hypocrite.

MR STANHOPE: We are talking about your position and your motion at the moment, Mr Smyth. We are trying to provide some context on the humbug, the hypocrisy and the grasping for some traction by this Leader of the Opposition on a cabinet-in-confidence budget document.

It is interesting that, on some of those previous issues that we debated in this place, there was a certain interest by the opposition and the community in important documents, particularly cabinet documents, and decisions taken by the Liberal Party in government—in cabinets which included Mr Smyth and Mr Stefaniak—on the hospital implosion, Bruce Stadium and Hall/Kinlyside. There was an extreme level of public interest in the release of those documents.

For instance, in the context of the hospital implosion and the report of the coroner on that, one of the interesting and yet-to-be revealed details of some of that criticism was the severely flawed nature of cabinet submissions and decisions taken by the cabinet on that. We look forward to seeing those cabinet submissions which I believe will become available in a couple of months time. Under our documents release legislation here in the ACT, we will see, 10 years after the event, what the Liberal government were so determined not to reveal or disclose on those particular cabinet documents and those particular decisions that were taken.

We have had the same debate on the Bruce Stadium fiasco and the decisions that were taken to break the law by way of the infamous overnight loan. Decisions were taken on that particular budget by that cabinet of which Mr Smyth and Mr Stefaniak were members. You both have your fingerprints on the overnight loan and the cabinet decisions made on that, which have been so critically commented on by auditors-general. We, of course, were very interested in seeing those cabinet documents.

Mr Smyth interjecting—

MR SPEAKER: Order! Mr Smyth, no more!

Mr Smyth: On a point of order, Mr Speaker: he cannot mislead the Assembly. I was not in that cabinet.

MR SPEAKER: Withdraw that, Mr Smyth.

Mr Smyth: I withdraw, Mr Speaker.

MR STANHOPE: We are interested in seeing the cabinet-in-confidence documents, in the budget context, on the funding of Bruce Stadium. There are matters of significant public interest on decisions which Mr Smyth and Mr Stefaniak took on Bruce Stadium. We sought access to those documents, as one would, and we were refused. We accepted the refusal, but there was no harm in asking. We asked, and we asked in this place in motions identical to this, that those cabinet budget documents on the funding of Bruce Stadium be released for public debate.

Mr Smyth: Did you change your mind?

MR STANHOPE: No. We asked the question, as you are asking today, and we were unsuccessful. We moved the motions; we asked the questions; we asked for cabinet documents on Bruce Stadium to be tabled in the way that you today are asking for budget documents to be tabled. You refused, and we accepted the refusal; just as we will refuse today and just as I know you will accept the refusal.

These are budget cabinet documents. We asked for them in relation to Bruce Stadium. I know we did. I moved the motion. You refused to release them. Why did you refuse to release them? You refused to release them on the basis of cabinet confidentiality and all the principles under the Westminster system applying to the release of cabinet-in-confidence budget documentation. That is the basis on which you refused to

release the budget documentation on the Bruce Stadium budget cabinet meetings, and it is the basis on which of course we will refuse to release them today.

These are budget cabinet documents and the basis on which they are treated by this cabinet and this government is precisely and exactly the same as the basis on which you responded to previous requests by then oppositions to release the budget cabinet documents on budget cabinet deliberations and documentation on which you, Mr Smyth, and you, Mr Stefaniak, were each involved.

Mr Smyth: Are you sure?

MR STANHOPE: Yes, absolutely—and on documents on Hall/Kinlyside and many other issues of some notable public interest that are a hallmark of the Liberal Party in government in this place. But Mr Smyth, in quoting Professor Bartos, glossed over those bits which were perhaps inconvenient to his argument or which perhaps reflected on him personally. They actually named him personally. But Professor Bartos leads off essentially by saying:

Not everything a government does can be open to scrutiny.

Then he goes on to say:

... budget information is best kept under wraps.

He actually says that. These are the issues that Mr Smyth did not go to in his speech. Professor Bartos then goes on to say:

Reports on government functions particularly, if like this one, they are aimed at helping a government find savings in a tight budget, will frequently contain sentences or whole paragraphs that if taken out of context ...

Let us dwell on things taken out of context by the Leader of the Opposition yesterday in relation to statements on the functional review, and repeated in all their glory by the *Canberra Times* today. Let us look and wonder at just how prescient Professor Bartos was. I cannot believe he would have thought that, within a day of writing his article, we would have seen that most outrageous—not beaten up but outrageous—reporting of statements that are simply false. These things, if taken out of context, Professor Bartos says, can be beaten up to alarm or annoy the electorate.

It is interesting, is it not, to reflect that this was written on Tuesday. Then in Wednesday's paper, look what we see on the front page in the context of what Professor Bartos said: statements that if taken out of context can be beaten up to alarm or annoy the electorate. Have we not seen that in taws today from the Leader of the Opposition in the way in which he has just grievously misstated, misled or made statements that simply do not bear any comparison with the truth? It is awful being personal about these things, but I ask Mr Smyth whether he might reflect on that rather gratuitous throwaway line of Professor Bartos's:

Non-publication of the report has created unlikely bedfellows. Non-disclosure has given a free kick to Brendan Smyth, an Opposition Leader who sometimes finds it difficult to gain traction on issues.

I must say that, if you have ever seen an understatement, that is about it—“an Opposition Leader who sometimes finds it difficult to gain traction on issues”.

The absence of the shadow Treasurer is interesting. It is interesting, in the context of any debate or discussion on frugality, is it not, that the shadow Treasurer, on his taxpayer-funded, round the world trip, is today sipping tea in the Mall, waiting for the Queen to pass by on her way from Buckingham Palace.

Mr Smyth: Are we that bitter and twisted?

MR STANHOPE: I am not that bitter and twisted. In the context of the greatest junket ever—a trip by me to Nara last year, in the context of our sister city relationship, was described by the Leader of the Opposition as “the greatest junket ever”—here we have the shadow Treasurer on a \$30,000, round-the-world trip not even bothering to turn up for a sitting of the Assembly and here we have the Leader of the Opposition, in the shadow Treasurer’s absence, talking about fiscal responsibility. We have the shadow Treasurer on his round-the-world study tour, encompassing a whole sitting week of the Assembly, and we have the Liberal Party here talking about fiscal rectitude and responsibility.

We understand the messages being sent back from afar: “Bill, I concede defeat. It is up to you now, Bill. ‘Chinese whispers, and walls have ears.’ Go for it, Bill.” The message from afar from Mr Mulcahy is: “Bill, it is getting worse. In the interests of the party, I will concede. You do the deed, mate, and we will be there behind you. You have the numbers.” You have the numbers now, Bill. Have you got the bottle? Mr Mulcahy has delivered you the numbers, Bill. Have you got the bottle to do the right thing, not just by your party but by the community? We need a leader of the opposition that has some capacity from time to time to gain some traction. They are the messages from London.

Mr Smyth: We really are smarting, aren’t we?

MR STANHOPE: I am not smarting; I just find it ironic that Mr Smyth is being required to lead the charge on issues about the budget or the midyear review in the absence of the shadow Treasurer. One is entitled to ask, “Where is the shadow Treasurer this week—a very significant week, a sitting week of the Assembly?” There is more important business to be done in London this week than there is in Canberra. We see the effect of the absence of the shadow Treasurer, the major challenger to Mr Smyth. In that absence, Mr Smyth steps into the role of shadow Treasurer. We saw his major foray yesterday into claims of a—

Mr Smyth: On a point of order, Mr Speaker: the Chief Minister has to be even vaguely relevant to the subject, which is the release of this report from Mr Costello. I know that when he is upset he has a little defence of resorting to Hall/Kinlyside and other things, but you really should bring him back to the issue.

MR SPEAKER: Relevance is a fair call, Chief Minister.

MR STANHOPE: There is some relevance to the fact that we saw yesterday the implications of the shadow Treasurer not being here—the Leader of the Opposition

treading in to fill his shoes and making incredibly false claims and allegations about imagined \$390 million deficits growing out of a midyear forecast review of \$16.8 million. No such claims or statements were made. The midyear review forecast operating loss for 2008-09 remains \$16.8 million. Here we have the Leader of the Opposition conjuring up, for the purpose of gaining some traction and probably comparing himself to his challenger, Mr Mulcahy, an imagined figure. It is interesting to dwell on the operating loss or the risk that would grow an anticipated deficit of \$16.8 million to \$390 million. The mind boggles that the Leader of the Opposition believes that a reported budget deficit of \$16.8 million in the space of three months can grow to a deficit of \$390 million.

Mr Smyth: He is smarting.

MR STANHOPE: I am not smarting. I am just amazed that anybody could believe that a reported deficit of \$16.8 million could grow to a reported, claimed, alleged deficit of \$390 million in the space of three months. Jeepers, that is a big unanticipated risk to rear its ugly head in the space of three months. The mind boggles that anybody could make such an amazingly or appallingly misguided or misjudged claim or assessment. The egg on the face will be there for all to see.

The bottom line is that this motion is not unexpected. It is the sort of thing that one would expect. I cop it. I, in opposition, moved motions of this particular order, seeking the release of documents, confident in the knowledge that the motion would not be successful, as the Liberal Party, in this particular case, is. They know this is just part of the tactics, the to and fro, the push and pull of adversarial Westminster politics. We all know that and accept it. We moved motions such as this, seeking documents on a whole raft of issues across the board time and time again, and they were always refused because there are, at the end of the day, fundamental principles on good governance, good cabinet governance, on cabinet documents being, at least in the context of the decision-making process, reserved for that purpose.

The Leader of the Opposition makes an interesting point—I do not think he was aware he was making it—on New South Wales Premier Iemma's response. The point is that my government has had this document for less than a month. We are in the process of preparing our response to this document. We will prepare and release our response to this document in the budget. At the time that we release our response to this document, we will, in the very terms that Professor Bartos uses, be releasing significant details of the basis on which the fall rate—

Mr Smyth: That is a shift.

MR STANHOPE: It is not a shift at all. We are not releasing the document, but we will do exactly what Professor Bartos suggests. We are going to prepare our response first, as you would expect we would. We have not yet, as a government, responded to this document; we have not finalised or concluded our configuration of it. We will do precisely what Premier Iemma did.

MR SPEAKER: The minister's time has expired.

MR STEFANIAK (Ginninderra) (12.16): It is amusing to hear the Chief Minister maybe conceding, “Yes, all oppositions do this; I did this myself,” and then refusing to release this document. He mentioned humbug. I do not think I have seen quite so much humbug for some time. Chief Minister, you need to look at your own pronouncements. I quote now from a code of good governance speech you made on 14 March 2001:

We will negotiate with other parties in the Assembly and we will be responsive to the community.

But we will not compromise our integrity. We will lead when necessary and not trade off our position in secret deals.

ACT Labor will abandon the limited, restricted draft Budget process adopted by the Liberals with the usual fanfare two years ago.

That is not to say ACT Labor will draft its Budget behind closed doors or in isolation from the community. But that process will not be the carefully controlled process of the Liberals. We will open debate with the community, rather than contain it to Members of the Assembly. Openness is one of our core values.

You kept pumping openness during the 2001 election campaign. It was meant to be a hallmark of your government. What do we see now? We do not see any openness. It is probably not only in this area but in other areas as well. This has become a very secretive government. There seems to be far less consultation on a lot of issues than there was even perhaps by the Follett government and certainly previous Liberal governments.

I was interested in a point Dr Foskey made yesterday on something as simple as the animal welfare bill. She believed that there was not proper consultation, with the RSPCA being told about a year ago being about the sum total. You relied on a particular advisory group without consulting the community. That, unfortunately, is a hallmark of this particular government. You are being very, very secretive indeed. You have shown that in so many ways, and this is just one other way where you are being secretive.

Professor Bartos said about the Costello report—in fact this is at the top of the article:

The ACT Government’s functional review, an official review funded by the public purse, is vitally important to the future of the territory—and it should be made public.

Mr Stanhope mentioned that he might make some part of it public. Professor Bartos goes on to say:

When public money contributes to an evaluation, review or study, then as a general principle the public should be able to see the report that review produces.

As a general principle. He also referred to cabinet-in-confidence. That is an interesting point. Yes, governments of all persuasions have a nasty tendency to say, “We do not want that released. Let us make it cabinet-in-confidence. That way those documents cannot be released.” In the ACT that is probably going to backfire in some respects, to varying degrees, on all governments because we have that act that says that after

10 years cabinet-in-confidence documents will be released. That is an old ploy. Here we go again. Bartos is awake to that because he says:

Classifying a report as “Cabinet-in-confidence” will keep it secret, including from Freedom of Information requests, but as a general practice is highly undesirable.

He goes on to say, in relation to the functional review, at page 7 of the *Canberra Times* report:

In the case of the functional review, it should be possible for the Government to publish some sections—if not the recommendations, at least some of the facts, figures and analysis it undoubtedly contains.

I hope we will see that at least. Here is a Labor man coming out quite strongly, saying, “The public purse has paid for this. It is something that the government should review.” In fact, he goes on to say in his article:

To the extent that the functional review is feeding in to the ACT Government’s budget process, there is therefore some justification for the review remaining confidential until the overall shape of the budget is announced. But there is a good case for factual analysis in the report to be published, either with the budget or as a separate document.

He then goes on to say that “the public should be able to see the report that review produces” because public money has been used to contribute to “an evaluation, review or study”.

Mr Stanhope: Table that quote, Bill.

MR STEFANIAK: I will table the whole paper. I will table the lot actually; there you go. The quotes are highlighted. A Labor man, someone you would expect to support you and no doubt does, is saying that you should be tabling this functional review. I am a little bit amazed at the extent to which you are being so secretive. Secrecy seems to be a hallmark of this government, but I can see some benefits, even to you, if you table this.

Mr Smyth, in moving this motion, stated that regular reviews of government operations are valuable. He has listed reports, including Mr Kaine’s report. I vaguely recall that. I think it was in May 1990. I do not think he dilly-dallied about tabling that. That was tabled very, very quickly indeed. Regular reviews are a crucial part of the government process. A crucial part of the review process is to involve the community in the review. That means that the review should be released.

Morris Iemma, as my colleague Mr Smyth said, has released an equivalent report prepared in New South Wales earlier this year. Why are you not doing so? Is a key reason—and this is something that we are well aware of—that the need for the Costello report has been the poor financial management of the ACT budget? I have one little point there. I am not going to dwell on it because that is not the crux of this motion. You were left with a surplus. You had GST revenue of about \$437 million when you took over. It is now \$700-something million. How on earth can you get yourself into the mess you have got yourself into? You need to get yourself out of that. As is the situation in New

South Wales, your government needs answers on how to get the government back on track. You need to take the community with you on this as well.

Interestingly, given the refusal of Mr Stanhope to release the Costello report, we have got the Chief Minister authorising Mr Costello to give briefings on his report to very selected people. However, many significant organisations certainly have not been included in these briefings. Mrs Burke has been saying, “What about the community sector, for example?”

There is no sense of engaging in community consultation. I have already mentioned your lack of consultation—and I quoted some of the statements you made prior to the 2001 election—and the complete failure after the election. But I am amazed that you are not taking the community into your confidence here. It is inevitable, with such a major report as this, that there will be increasing calls for the release of it because a report like this is too significant to keep secret. Whilst you do not release it, you will continue to have rumours about critical issues such as changes in the estimate budget outcomes, including budget deficits as high as \$190 million, rumours about the prospect of redundancies—and you do not seem to even have any idea of the numbers in your public service—and all sorts of other rumours.

It is too significant to keep secret. I am sure this report contains a great deal of valuable information and information that will assist the government and the community in discussing important policy issues. It may even help prepare the community for certain unpalatable tasks that have to be undertaken in the course of the budget. That is probably one of the main reasons.

I recall this document back in May 1990. Yes, there was considerable discussion of the problems facing the ACT. Yes, the Alliance government probably tried to bite the bullet there. It was stymied very much by other groups in the Assembly. Yesterday you said that one of the problems with minority government is just that.

Mr Stanhope: Absolutely.

MR STEFANIAK: Thank you. I am glad you concede that. You are not a minority government and you certainly do not act like a minority government in some of the arrogant things you do in this Assembly. But you have got a big chance here to live up to your rhetoric—to do what you told the people of Canberra you would do in 2001 and continue to say you will do but do not—and take them into your confidence and release this report. Let us have a public debate about what belt-tightening measures we need.

Let us put that to one side, because it is not the point of this motion, which is the chronically incompetent state you have got yourselves into. I still find it amazing how you can go from 99 senior executives to 149 or whatever and an extra 2,000-odd public servants—and not really know about it—blow a perfectly good surplus when you have got increasing GST revenue and come up with the huge problem you have got yourselves into. You have got yourselves into a huge problem. You need, for the sake of the territory, to live up to the rhetoric you have been talking for the last few weeks and get yourselves out of it and put the territory on the right track.

One of the fundamentally sensible ways you can do that is by releasing this report. Do not hide behind cabinet-in-confidence. Release the report. It was provided out of the public purse. It was probably a sensible thing to do. Prepare the community and get ideas from the community. You are not going to get sensible ideas all the time. You will get some groups who will always want you to spend more money. But you might be pleasantly surprised if you release the report and take the community and the Assembly into the confidence of the government. We might get somewhere. You, as a majority government, might be able to make some significant changes that will assist the territory's situation in years to come, rather than hide behind cabinet-in-confidence and hide behind this particular report. You have said you have had it for a month. Mr Kaine did not have his for a month before he released it. There have been several others.

Mr Stanhope: How much of it did he implement, Bill?

MR STEFANIAK: He tried to introduce quite a bit of it and got stymied because he was in minority government.

MR SPEAKER: The member's time has expired.

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 12.26 to 2.30 pm.

Questions without notice

Budget—functional and structural review

MR SMYTH: My question is to the Chief Minister. In his functional review, Mr Costello has identified four primary areas for cuts. No 1 is health, No 2 is education, No 3 is business and tourism, and No 4 is the Emergency Services Authority. It has now been confirmed that your government faces a deficit of \$190 million in the outyears and that the \$190 million will only be achieved if \$200 million in savings are made from health expenditure over the next few years.

Minister, how do you propose, once you have cut \$200 million from health spending, to make the other savings required to bring the budget back into surplus? Can the ACT community expect equally savage cuts to education, business and tourism and emergency services?

MR STANHOPE: I thank the Leader of the Opposition for the question. Let me say that in this place, in the lead-up to the delivery of the budget in four weeks time, I am not going to debate across the chamber initiatives that may or may not be included in the budget or decisions that may or may not be taken by the government in the context of the budget. I am certainly not going to engage in a game of ruling this in or ruling that out or confirming this or denying that.

The budget will be delivered on 6 June. In the context of developing the budget, the cabinet has, of course, been giving detailed consideration, as all cabinets do in the development of all budgets, to a whole range of issues. Indeed, it is, I have to say, quite

encouraging to see the Leader of the Opposition acknowledge that the government will be giving consideration to the health budget, to the education budget, to the budget for emergency services and to the budget for tourism and business. There is not much else left in the context of government service delivery once one deals with those four major areas of government expenditure.

Health on its own comprises a quarter of the entire budget. It is somewhat of a revelation to have the Leader of the Opposition acknowledge that, in delivering a budget, the government will be paying attention to issues on health—in other words, a quarter of the entire spend that will be incorporated within the budget.

I am not going to engage in an essentially fruitless exercise of ruling in or ruling out or confirming this or confirming that. A budget is being developed and will be delivered on 6 June. The cabinet is giving detailed and the most rigorous assessment of each of the government's priorities. In that context it is relying on detailed briefings and advice from across our public service, as one does, on a range of expenditure initiatives and other initiatives that have been developed.

On each significant work, a cost-benefit analysis, case studies and business cases have been developed on a range of new policy initiatives and proposals on efficiencies and how to ensure that we have the capacity to meet the challenges which the community faces in meeting the growing expectations of the community, the growing need and gaps in need that will develop, particularly in relation to ageing and health, and the need for us to concentrate on necessary infrastructure and planning for the future of the territory.

In that context, it needs to be acknowledged that over the last four years we as a government have produced consecutive surpluses to the tune of approaching \$250 million. In keeping faith with our commitment to ensure that we deliver a budget surplus, we have done it significantly since being in government. It remains our commitment to ensure that we maintain our commitment—a commitment which we have met most significantly since coming to government. And we have met it despite the need for us as a government to meet those major shortfalls in expenditure which we inherited from the Liberals during their period in government.

I still think that perhaps the greatest shock, surprise and disappointment which greeted us and was revealed during the first treasury briefing which was provided to us when we came to government in 2001 was the lack of any forward estimate provision for wage increases for the ACT public service. It is a measure of that government's duplicity and the approach which the Liberal Party in government took to its forward estimates and the essential truth of its forward estimates that it did not make any significant provision for pay offers that it had made, let alone that it had no intention of keeping.

MR SPEAKER: The minister's time has expired.

MR SMYTH: Chief Minister, do you stand by your statement in this place on 15 November 2005 that the government will not abandon any of its election promises in health and education that remain outstanding?

MR STANHOPE: Returning to the point I was making—

Mr Smyth: No. Answer the supplementary.

MR SPEAKER: Order, Mr Smyth!

Mr Smyth: He can't do that. He should answer the question.

MR SPEAKER: I warn you, Mr Smyth.

MR STANHOPE: It is relevant to remind members of the opposition of their quite negligent approach to budgeting during the period that they were in government. I will never forget the pay offer which the then government, through the then minister for health, Michael Moore, made. This was a matter of some moment in the lead-up to the election. It offered over 14 per cent to nurses which they had not at that stage accepted.

We assume that an offer of that significance would have been budgeted for and that there would have been some allowance in the outyears, to the extent that the then government sought to dress up its so-called fiscal responsibility by producing in the outyears a particular stated position. It was a position on which there was no real allowance for wages in the negotiations which they knew they would have to engage in after the election. It really is a significant sign of the Liberal Party's approach to budget that in government they refused to show some of the fiscal responsibility which they urge.

It was not just in relation to budgeting practices but in relation to this government's attitude to the provision of essential services such as disability. One of the other things which we inherited and which had a significant budget impact was the Gallop report into disability services—a royal commission into disability services and service delivery under the Liberal Party—

Mr Smyth: A point of order, Mr Speaker: under standing order 118 (b), the Chief Minister cannot debate the point. The supplementary was: will he honour his election promises? It was not about what happened in 2001. I ask that he direct himself to the supplementary.

MR STANHOPE: We made promises on disability services. I am talking about disability.

MR SPEAKER: Come to the subject matter.

MR STANHOPE: Thank you, Mr Speaker; I will. We made certain commitments to this community on disability services. The promises that we made we will keep. Those promises arose out of the Gallop report which essentially was a commission of inquiry, a royal commission, into the management of disability services by the Liberal government. It was a scathing report in its findings and it was a scathing report on the Liberal Party's commitment to people with a disability in this community.

This government accepted, adopted and implemented that report at significant cost to our budget. We will carry through our election promise and our commitment to people with a disability in this community, unlike the previous government. We will carry through our

commitments to people with a mental illness in a way that the previous government did not.

It is interesting to go through these issues in terms of the commitments which we made and which we stand by and to look at this government's record in disability services—a record which required the holding of a royal commission into their failures. The Liberal Party's position on the delivery of mental health services, when we came to government, was the lowest per capita level of mental health funding in Australia, which we have worked assiduously to overcome.

The lowest per capital level of mental health expenditure in Australia is Brendan Smyth's legacy. A royal commission into disability services is Brendan Smyth's legacy. The need to inject \$100 million of funding into emergency services is Brendan Smyth's legacy. The need to employ dozens of additional child protection workers, on coming to government, is Brendan Smyth's legacy. These are Liberal Party legacies which we have been required to fund. Of course, the failings which we have picked up and have been required to fund on the basis of the fact that you had no commitment to these issues or to your community go on and on.

You failed people with a disability. You failed people with mental illness. You failed children at risk. You failed in your obligation to appropriately fund emergency services. This community has paid a price as a result of your failings. It is only through this government and this government's commitment and diligence that we have been able to address those issues. We stand proudly by our achievements.

We will continue to deliver, but we will do it in a context of incrementally increasing demand, a level of commitment that cannot continue at the level it was. To the extent that you may wish to throw barbs at us, it is that in some areas we have been forced to expend, particularly on health, at an annual level of 10 per cent, which cannot continue in the future. We will reduce the level of the growth.

Policing—vehicle recorders

MR GENTLEMAN: My question is to the Attorney-General and Minister for Police and Emergency Services. In the light of the comments made this morning by Australian Federal Police Commissioner Mr Mick Keelty in relation to the number of police officers in the ACT and the decision to introduce black box recorders for ACT Policing vehicles, can the minister advise the Assembly of the government's response to those matters?

Mrs Dunne: I raise a point of order, Mr Speaker. Standing order 117 does not allow for people to be asked about government policy. I ask you to rule whether this is a revealing of government policy.

Mr Corbell: On the point of order, Mr Speaker: Mr Gentleman was not asking for an announcement of government policy; he is asking for clarification of what the government's policy is, which is entirely in order.

Mrs Dunne: No, actually Mr Gentleman asked what was the government's response to this announcement today.

MR SPEAKER: Can I hear the question again, please, Mr Gentleman?

MR GENTLEMAN: The question is: in the light of the comments made this morning by the Australian Federal Police Commissioner Mr Mick Keelty in relation to the number of police officers in the ACT and the decision to introduce black box recorders in ACT Policing vehicles, can the minister advise a response to those matters announced?

Mrs Dunne: That's not what you said before.

Members interjecting—

MR SPEAKER: Just put the question again. If it can be done without interjection, it is easier for me to make a decision on it as well.

MR GENTLEMAN: In the light of the comments made this morning by the Australian Federal Police Commissioner Mr Mick Keelty in relation to the number of police officers in the ACT and the decision to introduce black box recorders in ACT Policing vehicles, can the minister advise the Assembly of the government's response to these matters?

MR SPEAKER: And your standing order, Mrs Dunne, was in relation to 117 (c)?

Mrs Dunne: In relation to announcing government policy.

MR SPEAKER: I do not think he is asking the minister to announce government policy.

MR CORBELL: Thank you, Mr Speaker, and I thank Mr Gentleman for the question. Both of these issues are of significant importance to the government and to the broader community, and I would like at the outset to outline very clearly that both I, as the minister, and the government as a whole consider the relationship between ACT Policing and the Canberra community and its government to be a vital one. Good community policing cannot exist without a healthy regard for the respective roles and responsibilities of each of the parties.

As minister responsible to the community for the provision of policing services, I believe I have a responsibility and an expectation to be made aware of important developments in the provision of policing services to our community. I also believe I have a reasonable expectation to seek advice from the police on issues that deal with resourcing for police services and to do so in an environment that allows the government to make considered and informed decisions. These are the expectations I have already outlined to the Chief Police Officer shortly after my appointment as the responsible minister. I have also clearly indicated to the Chief Police Officer that, as minister, I will not involve myself with matters that are operational in nature and that clearly need to occur at arm's length from the government.

In relation to the matter of new black box recorders for ACT Policing vehicles, I regret that I am unable to advise the Assembly of the government's considered view on this initiative, although on the face of it it would appear to be a sensible proposal. The reason for this is that I, and the government as a whole, have not received any advice from the

AFP in relation to this initiative. Indeed, the first I was aware of any detail of this proposal was when the commissioner made his comments this morning.

Clearly, the provision of black boxes is a matter of considerable interest to the government and the community, given the tragic death of Ms Clea Rose late last year. In these circumstances, I would have expected that the government would have been made aware of this proposal, given that the boxes will be, apparently, installed in police vehicles that the ACT community pays for, which are driven by officers that the ACT community pays for and which provide police services that the ACT community pays for and for which I am publicly accountable. I can reassure members, however, that I have raised these concerns today with the Chief Police Officer and sought her reassurances on these matters.

Equally, the comments of the commissioner today in relation to police numbers are, in the government's view, inappropriate. The commissioner has indicated today that he considers himself to be a public servant, not a politician—and he is quite right. He is not a politician; he is a public servant. However, I am sure we would all understand that the role of a public servant is to advise the government on the options available to it, to do so in a full and frank manner and to allow the government to consider the most appropriate course of action. It is not the role of any public servant to publicly advocate their preferred outcome ahead of a government decision. Unfortunately, in indicating his preference for the level of police officers available to the ACT, he has pre-empted the decisions of the government, and in my view this is outside his role as commissioner.

I can inform members that I have indicated to the Chief Police Officer, as late as Monday this week, that the government wants more advice from the AFP on the potential level of police resources available in the ACT. This issue is being closely considered by the government, having regard to the joint study on ACT Policing and the overall budget position. The government has not concluded its considerations on the matters and they are still subject to discussion in budget cabinet.

I hope that today I have spelt out clearly the government's approach and expectations on these matters. I can reassure members that I have today, on behalf of the community, reasserted with the Chief Police Officer the government's expectations of ACT Policing and have sought also to raise these matters with the commissioner. I would like to reaffirm my desire, and the desire of the government, to work cooperatively and openly with the Australian Federal Police in delivering police services to the Canberra community.

Health—budget

MR STEFANIAK: My question is to the Minister for Health. I offer my congratulations—perhaps it should be commiserations—to the minister on her new portfolio.

Minister, the government has received advice that substantial savings have to be made in the health budget if the parlous financial situation facing the ACT is to be tackled effectively. Minister, what action are you taking to achieve savings of the order of \$200 million in the out years in the health portfolio that have been deemed necessary to contribute to reducing the overall estimated deficit in the ACT budget?

MS GALLAGHER: I thank Mr Stefaniak for my first question as Minister for Health. I will repeat the answer from the Chief Minister, which is that we are not going to stand here and enter into discussions of matters that are currently being considered by the government in relation to the functional review but also in relation to the budget cabinet process. It is not something that we do any year. It is not something that other governments do either.

From the first budget since it was elected this government has prioritised health. In fact, I think the first appropriation was to fund nurses' pay increases. Health remains a critical area of service delivery for any government. Demand for health services is growing. It is increasing all the time and that is a challenge for governments, particularly when they are working within a particular finite financial capacity. This government will continue to prioritise health.

Health services are of critical importance to every single member of the Canberra community, whether it is babies, children, young people, adults or the ageing. Health services here have to be first rate. Governments have to meet the challenges that are presented by increasing demands being placed on the health system, and this government will continue to do that.

MR STEFANIAK: I ask a supplementary question. Minister, what consultations have you had with staff? Are you planning to alert all the staff working in the health system of the magnitude of the financial issues in the health portfolio?

MS GALLAGHER: Like any good new minister to any portfolio, I am having a range of discussions with people in my department and staff within the agencies. In fact, I am looking forward to getting out to the hospitals and other areas of health provision to talk about what is going on in order to fully understand the breadth of the issues of service provision across the health portfolio. It is part of my job to do that.

I will be talking to everybody. I will be talking to different stakeholder groups about their areas of expertise and speciality. That will assist me to get across the breadth of the demands in the health portfolio. We will talk about a range of matters. It is part of any politician's job to talk, but it is a very important part of my job to get across and fully understand the new portfolio that I am in charge of. That, of course, will include talking with staff.

Ministerial arrangements

DR FOSKEY: Mr Speaker, my question is to the Chief Minister. It concerns the recent ministerial appointments and related administrative arrangements. Could the Chief Minister please advise the Assembly of the benefits of fragmenting environmental and sustainability policy work between the Chief Minister and the minister for municipal services over the previous arrangement of a single Minister for the Environment?

MR STANHOPE: I thank Dr Foskey for the question. The previous ministerial arrangements in relation to sustainability vested responsibility for policy in relation to energy and water in the Chief Minister. That was the initial structure developed for the Office of Sustainability. The initial structure and staffing of the Office of Sustainability

focused very much on the development of policy for, in the broad, water and energy issues, including all issues associated with that in a policy sense. At that stage I was not the Minister for the Environment. It was only when I became Minister for the Environment that, for operational reasons, it was decided to merge into the Office of Sustainability some of the practical or application functions the department of environment is responsible for in the Office of Sustainability.

Under the new ministerial arrangements I have taken the decision to incorporate environment with the Department of the Territory and Municipal Services. In the context of other decisions made, much of my thinking was to create, to the greatest extent possible, a single point for land management within the territory. I took into account a range of other decisions and considerations across the board in the ministerial arrangements and structures I eventually decided upon. Nevertheless, I was intent on ensuring that issues around water and energy policy remain vested in the Chief Minister. I believe there is a real significance in these most important issues being my responsibility and contained within the Chief Minister's Department.

It was logical that management or application issues in relation to management of, for instance, water be retained in and returned to the environment portfolio which is now, as you know, part of the Department of the Territory and Municipal Services. The rationale was the desire to ensure that an all-of-government policy approach vesting in the Chief Minister, as the minister responsible for the central agency, retain responsibility for water and energy policy.

In relation to the application and implementation of initiatives pursued under the broad ambit of, say, water policy management and the management of many of the programs, it is logical that they now be vested in Environment ACT, which has that overarching responsibility. That is the broad justification but there is a determination or commitment to ensure that high level policy issues in relation to water and energy remain the responsibility of the central department—the Chief Minister's Department—whilst acknowledging that the Minister for the Environment, through Environment ACT, will have responsibility for implementing many of the actions decided upon in those areas.

DR FOSKEY: Mr Speaker, I have a supplementary question. Chief Minister, can you assure the Assembly that, while it no longer reports to the Chief Minister and has been separated from sustainability policy and placed under municipal services, greenhouse policy is still a whole-of-government priority? Could you please advise us how it will be pursued across government agencies?

MR STANHOPE: I certainly give the absolute commitment that issues in relation to climate change and energy and water policy—and energy policy in particular, which goes to the heart of the development of a climate change strategy—will of course be pursued at an all-of-government level. I guess that was the rationale and the reason why I retained overarching responsibility for myself as Chief Minister, and through the central department—the Chief Minister's Department—for water and energy policy.

As Chief Minister I remain deeply committed to climate change and greenhouse issues. It is a very active campaign. The point I am seeking to make is that, as Chief Minister, I remain responsible for decisions taken on energy policy and water policy. The Chief Minister's Department remains responsible. The Office of Sustainability will be retained

within the Chief Minister's Department. That is my commitment—to remain committed to the central implementation and overall control vested in me for issues around energy and climate change.

Disability services

MRS BURKE: My question is to the Minister for Disability and Community Services. Families of children who reside in disability group homes have recently been given conflicting responses by two different departmental officials from disability and community services. One piece of advice was that there were no vacant places in any group homes across the ACT. Another statement was that there were 14 vacant places and that, of those 14 places, two or three are left in the case of emergency. Minister, can you please advise me which position is the accurate one?

MS GALLAGHER: I will take some advice on that. I have not been briefed on that issue. I have not had any feedback from parents on concerns about that. We do run, I think, 65 group homes and about 160 adults live in those homes. I understand that from time to time there will be vacancies and that some places do need to be kept for emergency placement. I will take some advice on that and get back to you. I should be able to do that today and give the Assembly that information.

MRS BURKE: I have a supplementary question. Minister, perhaps you will also be able to find out whether the provision of group homes is subject to the findings of the functional review and what cuts to disability services will result from the review.

MS GALLAGHER: I am not sure that that is supplementary to the first question, Mr Speaker, but my answer is going to be as it was to the question on the health area. The functional review has looked at the entire range of government expenditure. Cabinet is currently considering that information and we are not going to stand here and go to and fro on this matter. Decisions will be taken in the context of the budget as a whole.

Again, like health, this is an area of great importance to the community—the provision of appropriate accommodation for people in our community that need accommodation and need supported accommodation. It is not by any means something that the government will walk away from and we need to extend a strong message that Disability ACT's provision of group homes will continue. We are not walking away from that. I do not want the community to get concerned that there will be any change to that. The functional review looked at a whole range of areas and the Department of Disability and Community Services is, of course, a part of that functional review.

Policing—numbers

MR PRATT: Mr Speaker, my question is to the Chief Minister. This morning on ABC radio federal police commissioner Mick Keelty suggested, as we have just heard, the need for the ACT to employ an additional 100 police officers to bring ACT Policing towards the staffing levels that are required to have an adequate community policing force in the ACT. One hundred extra police officers would also bring us closer to the national average. The Costello review has identified that your government is currently spending more per capita on services than any other jurisdiction in Australia and has advised that the government needs to bring its spending back to the national average to

rein in the future \$190 million deficit that is being talked about. Chief Minister, how do you plan to balance the obvious need for additional police officers in the ACT with the obvious need for budget cuts to services? Or will you take this opportunity to simply criticise the AFP commissioner, as you did earlier this year after Mr Keelty made his submission to the committee on the ACT's draft terrorism bill?

MR STANHOPE: I thank Mr Pratt for the question. The member has raised an issue in relation to police numbers and I think it is appropriate for me to respond in the way I did earlier to the Leader of the Opposition around ruling in or ruling out or speculating about the process the cabinet is utilising in relation to issues that it faces. More particularly, I will take the opportunity in relation to the appearance of Commissioner Keelty on ABC radio this morning to reiterate the position which the minister for police has put in relation to the appropriate way in which public officials should bring their views around operational and management issues to government and, most particularly, to the respective minister. I endorse the comments that my colleague, the minister for police, made in relation to that earlier in question time today.

In the context of the point that you made around my relationship with Commissioner Keelty, I regard Commissioner Keelty as a most significant and fine Australian, and a police commission of whom the nation can be proud. I have always held him in enormous regard and continue to do so. In the context of the anti-terrorism debate, the fact remains that Commissioner Keelty was invited by a committee of this place to make a submission and to attend to present evidence, which he did. He made and drew conclusions and expressed opinions with which I disagree.

I was invited by that same committee to appear, to express opinions and to give evidence. I was asked about opinions expressed by Commissioner Keelty on legislation which I had introduced and on which I was called to give evidence. I disagreed. I disagreed then and I disagree now with the evidence that Commissioner Keelty gave. He has a point of view, which he expressed. I have a point of view, which I expressed. To beat this up and to confect this as anything other than the honest expression of an opinion is to overstate the case and to seek to find conflict or seek to suggest that there is in my responses in relation to evidence presented by Commissioner Keelty something of a desire to be personal or in any way undermine or demean Commissioner Keelty in the honest expression by him of his opinions.

Shock, horror! Two witnesses called to give evidence before a parliamentary committee have a difference of opinion. He suggested that the approach my government had taken through legislation introduced by me would have a certain consequence—in other words, that it would expose this community to greater danger. That was the nature of Commissioner Keelty's evidence. My response was quite simple. I simply responded that that suggestion was in my opinion preposterous. That is an honest expression of my opinion. And that is all that I said—that I believed it preposterous to suggest that that is what my actions would result in. I maintain that position just as I maintain a level of the most enormous respect for Commissioner Keelty and the way in which he, as the chief police officer of Australia, carries out his duties.

MR PRATT: Mr Speaker, I ask a supplementary question. Chief Minister, are you going to increase the number of ACT police officers by the net gain of 100 that Commissioner Keelty has in fact recommended?

MR STANHOPE: The government is actively considering community policing and safety issues in the budget context and I will with great pleasure be delivering the government's budget on 6 June in which that question will be fully answered.

Tourism

MRS DUNNE: My question is to the minister for tourism. Early in April, Australian Capital Tourism released an analysis of visitors who came to the ACT during the December quarter in 2005. The corporation said that domestic overnight visitor numbers had declined by 13 per cent in the December quarter. The actual numbers of domestic overnight visitors were 577,000 in the September quarter down to 425,000 in the December quarter, which is in fact a 26 per cent reduction, not a 13 per cent reduction. Why has there been such a dramatic reduction in visitors in 2005 when the September and December quarters in 2004 saw a 15 per cent increase in domestic overnight visitors?

MR BARR: I thank Mrs Dunne for the question. My understanding, Mrs Dunne, is that the most recent figures have shown an increase in tourist visitors to the ACT. I contest the figures that you have presented as not being the most recent data for the territory. I believe that our performance in tourism has been excellent. The work undertaken by the tourism commission has been fantastic and I will continue to support their work.

Budget—functional and structural review

MR SESELJA: My question is to the minister for education. The Chief Minister has said in recent days, in the context of the report of the functional and strategic review, that some government schools will have to close because of declining student numbers. In the *Canberra Times* of 12 August 2004 the then minister for education, in the pre-2004 ACT election context, categorically ruled out through a spokesman the closure of schools by Labor in the next term of government, saying, "The government will not be closing schools." Minister, whom should we believe in relation to school closures? Do you stand by your government's pre-election commitment not to close schools in this term?

MR BARR: I thank Mr Seselja for the question but I think the real question is: what is the Liberal opposition's position? I note from a media release issued by the then opposition spokesperson on—

Mr Smyth: I raise a point of order, Mr Speaker. Standing order 118 (b) says that the minister cannot debate the subject; he must actually answer the question. The question was not about our policy; it was about theirs.

MR SPEAKER: The custom here has always been to make some comparisons, Mr Smyth.

Mr Smyth: Except that you are not to debate the issue.

MR SPEAKER: I draw the minister's attention to the requirement to stick to the subject matter.

MR BARR: Thank you, Mr Speaker. I note from the media release that I have here from the then opposition spokesperson on education—

Mr Hargreaves: Who was?

MR BARR: Mr Pratt. “Schools may have to merge” was the title of the media release. I quote:

The Liberal Opposition has today agreed with the Government that some Canberra schools may have to merge due to declining enrolments ...

The media release goes on to say:

In some of our older areas there are clusters of schools ... that may become obsolete over time.

It names Lyons, Curtin and Chifley. It goes on:

Some of these schools may have to merge to ensure the best possible expenditure of the education dollar.

It is expensive to operate a school and if it can be merged with another school that is not at capacity and without forcing class sizes to swell, this may be necessary in terms of funding, teacher numbers and the best possible student outcomes ...

Mr Speaker, the question is: has the Liberal Party changed the position it took to the election? I have seen Mr Seselja pictured on the front page of the *Chronicle* as seeking—

Mr Pratt: You know how it goes—old dog, new dog.

MR BARR: I think the question is: which faction of the Liberal Party supports which position? Is it in fact the position of the Mulcahy group now?

Mr Hargreaves: Or the Stefaniak group.

MR BARR: Or the Stefaniak group. What is the Liberal Party’s position? As education minister, I have said both in my inaugural speech and in the media that it is inevitable that some schools will have to close. We have an ageing population. We have fewer schoolchildren and, as the city grows and our neighbourhoods change, we will need to restructure our services to suit those needs. However, I have said, and I stand by it, that any school closures will be done in consultation, will meet all the requirements of the Education Act and will be done on the basis of determining good educational outcomes. That is what we need across our education system.

The expense that is incurred in educating students in small schools is too great. The average cost in a primary school with fewer than 100 enrolments is \$18,000 per year. In a fully utilised primary school that cost is \$8,000 per year. We also have to question the educational benefits. Is there a loss in education and the quality of education in some smaller schools? There is no ideal size for a school. There is no doubt that some schools

can be too large but, clearly, some can be too small. In addressing this issue we need to take account of both of those extremes.

There are some schools in the ACT that, in my view, are too small, but I will be consulting broadly with affected communities. Obviously, in some parts of Canberra—in particular, Gungahlin—there is a growing need for public schools and there will be more schools in Gungahlin. There are other parts of the city that, due to demographic changes, will have to see a restructuring of school services, but it will be done in a compassionate manner by a government that cares.

MR SESELJA: Minister, do you stand by your government's pre-election commitment not to close schools in this term?

MR BARR: I have just answered that question.

Teachers—wage negotiations

MS PORTER: My question is to the minister for education. Would the minister update the Assembly on the progress of negotiations with teachers over their enterprise bargaining agreement?

MR BARR: I thank Ms Porter for the opportunity to provide an update on this very important issue. As members would be aware, the current teaching staff agreement expired on 1 March this year. Negotiations for a new agreement have been ongoing since October last year. The government has offered to increase the salaries of our public school teachers. The Stanhope government recognises the importance of our teachers and the important role they play in keeping our education system amongst the best in the world.

The two initial government offers were rejected by the AEU, but in a sign of goodwill the ACT government, with the agreement of the AEU, asked the Australian Industrial Relations Commission to conciliate in relation to the dispute. That occurred on 24 March this year. The former education minister took this step in an effort to protect teachers in the AEU from penalties and fines that would accrue under the federal government's draconian work choices legislation.

Mr Stefaniak: Is that with a small "d" or a big capital "D"?

MR BARR: A big "D", Mr Stefaniak. They are big "D" draconian laws. Under these laws each and every teacher could have faced fines of up to \$6,000 for industrial action.

Ms Porter: Every teacher?

MR BARR: Every teacher, \$6,000. The government felt our teachers and the AEU should be protected from these harsh penalties. On 26 April the government made a new offer to teachers that replaced our earlier offers. This new offer is for a 12 per cent salary increase over three years commencing on 1 July 2006, with consequent increases in teacher contact hours from 2007. This offer meets the AEU's original claim for a four per cent increase for all teachers and principals.

The ACT currently has the lowest contact hours in the country. The increase in contact hours contained in this offer simply means that ACT teachers would be required to have the same face-to-face contact with students as their New South Wales colleagues and ACT Catholic school teachers. The change for primary school teachers is 15 minutes per week. For high school and college teachers the change is two hours per week—to start, as I said, in the 2007 school year. These new contact hours are still amongst the lowest in the country and are below the national average.

I believe this is a very generous pay offer that acknowledges the worth of our public school teachers. Teachers and principals in ACT government schools will continue to be the best paid in the country. Under this offer a graduate teacher commencing work in an ACT public school at the beginning of the 2007 year will receive a starting salary of \$48,428. By the end of the three-year agreement that teacher will be receiving \$57,618.

It is disappointing that the AEU has indicated that it is only prepared to recommend the new offer to its members provided it is accompanied by a guarantee of no job losses in any sector. I understand that the matter will be discussed further with members at meetings to be held on Tuesday and Wednesday of next week.

I give this commitment: no teacher currently employed by the Department of Education and Training will lose their job as a result of accepting this offer. Any change in overall teaching numbers will be managed by natural attrition, keeping a balance between retiring teachers and the recruitment of new teachers.

I believe the government has demonstrated its goodwill and commitment in trying to reach agreement with the AEU and teachers through this revised offer. The next conciliation hearing in the AIRC is listed for Friday, 12 March 2006. I urge teachers to accept this latest offer.

Budget—midyear review

MS MacDONALD: My question is to Mr Stanhope in his capacity as Chief Minister and Treasurer. Can the Chief Minister and Treasurer inform the Assembly of the projected budget outlook as reported in the midyear review?

MR STANHOPE: I thank Ms MacDonald for the question. Yes, I am pleased to be able to inform the Assembly around the midyear review and the budget projections that it contains. As members are aware, this has been an issue of some moment in question time, and certainly within the community and within the media, in the last 24 hours as a result of essentially allegations made by the Leader of the Opposition and the Deputy Leader of the Opposition in question time and elsewhere.

The midyear review, as members will recall, was tabled by the previous Treasurer, I think in February. It contained a projected end-year figure for this financial year and provided predictions into the forward years of anticipated operating outcomes. Those numbers were a deficit of \$37 million in the current financial year, from an anticipated or budgeted deficit of \$91 million—in other words, an improvement of \$50-odd million—and a deterioration in the outyears. In the first of those, there is an anticipated operating deficit of \$109 million, reducing to \$36 million, reducing to \$16 million. Those were the

essential features the budget projections contained within the midyear review, delivered just some three months ago.

There has been much speculation about whether or not the projected operating deficit of \$16.8 million in the year 2008-09 had in some mysterious way grown into a projected budget deficit of \$190 million for the year 2008-09. It is important that I inform the Assembly today that that is not the case. That suggestion is absolutely, unutterably wrong. It is false. If I was not in a sensitive mood today, I might have been inclined to describe that claim, or that allegation, or that suggestion, in terms other than that it is false. I might have been inclined to attribute to anybody that believed or spread or was responsible for the suggestion that the anticipated budget deficit for 2008-09 was \$190 million in terms other than that they were obviously mistaken in their view. I might have utilised some other description which was perhaps less sensitive than that but I am sure, Mr Speaker, that you get my drift.

It is an appalling suggestion that has been put about, regrettably compounded by the *Canberra Times* today. "Budget blow-out may hit \$390m" the *Canberra Times* reports today in a banner front-page headline. I think that is the most misleading headline I have ever seen in the *Canberra Times*: "Budget blow-out may hit \$390m". To whom does it attribute these forecasts? The *Canberra Times*, of course, to the extent that it believes it is entitled to rely on information provided to it by the Leader of the Opposition, has sheeted home to the Leader of the Opposition responsibility for these claims. These forecasts are described by the *Canberra Times* in a little column provided for our assistance and edification—the estimate of a \$190 million deficit is provided to them by the Leader of the Opposition, Mr Brendan Smyth, as the deficit now proposed or anticipated for 2008-09. The *Canberra Times* then quite helpfully goes on to explain that the suggestion that this banner headline of "Budget blow-out may hit \$390m" is in response to information provided to it by Mr Brendan Smyth that, if health spending is not, apparently, cut by \$200 million, the budget deficit in the year 2008-09 will be \$390 million, from the midyear review stated position of \$16.8 million. So we have the Leader of the Opposition claiming that from a position reported in February—

MR SPEAKER: Order! The minister's time has expired.

MS MacDONALD: My supplementary question to the Treasurer relates to the outcome referred to in this morning's *Canberra Times*. Can he further elucidate on the allegations in the *Canberra Times* that the territory could face a budget deficit of \$190 million in the 2008-09 year?

MR STANHOPE: Thank you, Ms Macdonald. I am more than pleased to do that. As I have indicated, the allegations that the base midyear review projection of a 2008-09 deficit of \$16.8 million—being expanded by the Leader of the Opposition into a deficit of \$190 million and potentially, if certain steps such as the cutting of \$200 million from the health budget are not instituted, an anticipated deficit for the year 2008-09 of \$390 million—are false, wrong, mistaken or misguided and are a complete misstatement and misinterpretation of anything that Mr Costello might have said. That is the kindest thing that one can say about that.

The government, through its deliberation by budget cabinet, continues to base its deliberations on the projected outcomes contained within the midyear review. Those

involve a projected budget deficit of \$16.8 million for the year 2008-09. Of course parameters change and of course as the cabinet, through the budget process, makes decisions, anticipated outcomes change. As we make a decision, the anticipated operating result or expected operating result changes as a result of the decision.

The cabinet is in the process of making decisions. The cabinet, in making those decisions, always has in mind a base position. The base position on which we build our budget is the position that was delivered through the midyear review. As each decision is made, the outcome reflects the decision. The new projected figures for each of the outyears will be revealed in the budget. They will not be, as you would expect and understand, the figures that are now reflected in the midyear review.

Somebody is incredibly mistaken. Through a series of Chinese whispers that commenced after private briefings, they have continued to the ear of the Leader of the Opposition and have been misused grievously by him, to the point where the Canberra community has simply been outrageously misled about the state of the ACT budget and the issues which this community faces.

Insofar as there has been some mention of the position on health, I do not shy away from the fact—I have said it publicly and it is in the budget documents successively from 2000-01 to 2005-06—that in the last five years, as a result of this government responding to many of the issues which I addressed before on matters that were not addressed by the previous government, expenditure on health has been dramatically increased.

There is an interesting test here for the Liberal Party: identify those aspects of increased expenditure which they now, in retrospect, would not have initiated or which they do not support. I cannot remember a single piece of government expenditure on health that the Liberal Party in this place have jumped up and down about as being unwarranted or too much. I cannot recall the Leader of the Opposition ever saying he wanted a cut to health and he did not want an increase in the level of expenditure that this government has invested in health.

Now we have this embracing position that it is all too much. The test remains: identify that expenditure which you would not have engaged in. You now disown our increased expenditure on disability services. You no longer, to be true to what you are saying, support an increase in expenditure on mental health. You do not believe that the additional resources that we have applied to oncology services for cancer were justified. This is now the Liberal Party's position: back to taws, back to where you were in government—the lowest level of mental health expenditure in the whole of Australia.

I have been saying, and saying publicly—and I am sure it was part of the briefing which Mr Costello gave—that in the last five years global expenditure on health in the ACT has increased by \$220 million a year. We cannot possibly sustain that rate of growth in health. We will continue to increase expenditure on health, but we cannot maintain that level of expenditure.

MR SPEAKER: The minister's time has expired.

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

Papers

Mr Speaker presented the following papers:

Study trip reports—

Mr Berry MLA—Improve Government Accountability in Queensland: the Upper House Solution Conference—Brisbane, 21 April 2006.

Mr Stefaniak MLA—Meeting of Shadow Ministers for Sport and Recreation—Melbourne, 15-17 March 200

Mr Corbell presented the following paper:

Revised ACT Criminal Justice Statistical Profile—December 2005 quarter.

Terrorism (Extraordinary Temporary Powers) Bill 2006 Paper and statement by minister

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for Planning): For the information of members, I present the following paper:

Compatibility with Human Rights Act 2004—Memorandum of advice, prepared for the Chief Solicitor, ACT Government Solicitor, by Ms Kate Eastman, dated 24 April 2006

I ask leave to make a statement in relation to the paper.

Leave granted.

MR CORBELL: Mr Speaker, today I have tabled advice from independent counsel on the compatibility of the Terrorism (Extraordinary Temporary Powers) Bill 2006 with the Human Rights Act 2004. In keeping with the transparency that has existed in developing this legislation, the government took the additional step of seeking independent advice as to whether the bill is compatible with the Human Rights Act.

The bill, which is due to be debated next week, has been assessed by Ms Kate Eastman, an expert human rights lawyer, as being compatible with the Human Rights Act 2004. Ms Eastman's advice supports the compatibility statement under section 37 of the Human Rights Act that was tabled when the bill was introduced into the Assembly on 30 March this year.

Members will recall that in September last year at the heads of government meeting the government agreed to enact legislation to allow preventative detention for up to 14 days and to give special stop, search and seizure powers to police officers to prevent and investigate terrorist acts. The government made a commitment that the new laws would be proportionate, involve proper judicial oversight and meet Australia's international human rights obligations.

On 15 December last year, an exposure draft of the bill was tabled in the Assembly and referred to the Standing Committee on Legal Affairs. The exposure draft was assessed by independent counsel Ms Kate Eastman as being compatible with the Human Rights Act 2004. Ms Eastman was asked to reconfirm her advice following amendments to the bill in response to the standing committee's report, which was tabled in the Assembly on 6 March this year.

The government did intend originally that Ms Eastman's advice would be tabled along with the compatibility statement under section 37 of the act when the final bill was introduced into the Assembly. However, this final advice was delayed and that is the reason for its presentation today.

In summary, Ms Eastman has concluded that the bill is compatible with the Human Rights Act. Ms Eastman's advice proves that the ACT government has honoured its commitment to provide laws that protect national security and human rights and comply with our international obligations under the International Covenant on Civil and Political Rights, which is, of course, enshrined in the law of the ACT in the Human Rights Act 2004.

In particular, the bill achieves consistency in relation to the following rights: protection from torture, cruel, inhumane or degrading treatment; protection of the family and children; freedom of movement; freedom of thought, conscience, religion and belief; freedom of assembly and association; humane treatment when deprived of liberty; fair trial; rights in criminal proceedings; and rights of minorities.

Ms Eastman did note that there were significant limitations on the right not to be arbitrarily detained and the right to privacy. However, she concluded that these limitations were likely to satisfy the proportionality test under section 28 of the Human Rights Act, as the obligation to respond to the threat of terrorism, including through legislative means, is an important and significant objective, that the restrictions on rights are reasonable and necessary taking into account the importance of achieving consistency within a national regime and that the bill incorporates extensive safeguards, which, in the context of a national regime, represent the least restrictive options available.

I would now like to turn to the right to free legal representation. In response to the standing committee's report, the bill was amended to ensure that the provision of legal aid representation for a person who is the subject of a preventative detention order application is subject to the means test provisions of the Legal Aid Act. Ms Eastman noted that as a result of the amendment the bill no longer provides an absolute guarantee for the right to be legally represented at a hearing before a person is detained. However, she acknowledged that the right to free legal representation is not an absolute right and that it may be legitimately subject to a means test.

In addition, in practice, if a person is unable to form a prior arrangement with a lawyer, they will be entitled to the services of a duty lawyer in accordance with the Legal Aid Act and guidelines. Further, the Supreme Court, in accordance with ordinary court rules and processes, retains the power to adjourn proceedings where representation is unsatisfactory.

Ms Eastman also queried the lack of provision in the bill for a complaints mechanism for a person to challenge a police officer's actions or to lodge a formal grievance. The administrative decision-making processes and detention arrangements in the legislation will be subject to oversight by the Ombudsman and the human rights commissioner in accordance with existing territory laws. Accordingly, the Ombudsman will continue to perform his role under the Ombudsman Act 1989 and the Complaints (Australian Federal Police) Act 1981. In particular, the Ombudsman will be able to receive complaints regarding the role of the AFP under the ACT laws.

In conclusion, the bill shows that it is possible to fully integrate human rights standards with counter-terrorism measures without reducing the effectiveness of the law or limiting its reach. It is regrettable that other governments have chosen not to fully integrate human rights into their counter-terrorism legislation. The ACT bill demonstrates that when a government makes the effort to ensure genuine community consultation and when it takes the time to get it right it is more than possible to achieve true human security legislation.

Budget—functional and structural review

Debate resumed.

MS BURKE (Molonglo) (3.38): I would like to comment on the lack of information flowing from the functional review. There have been no briefings to the community sector. I have said it before, and I am not ashamed to say it in this place: the Chief Minister has shunned the community sector. I have raised concerns before in this place about the Chief Minister's refusal to provide briefings to the community sector. I believe that community input is crucial to the review being undertaken by the Chief Minister. He is denying peak organisations like ACTCOSS the courtesy of having those broad discussions or knowing the broad background to the functional review, and I think it is a crying shame.

Mr Stanhope's reaction to an article by Stephen Bartos in the "Public Sector Informant" section in the *Canberra Times* this morning was interesting. I know that a couple of my colleagues have already read excerpts from that article. It makes some interesting points, which Mr Stanhope may not like to hear, that are nonetheless relevant to this debate today. In the article Stephen Bartos says:

Disclosure of information, even if it may be temporarily discomfiting to a government, is in the longer-term interests of the community it serves. Is the functional review a different case?

I do not know, but I assume the Chief Minister has regular meetings with ACTCOSS. I ask him to extend grace to the community sector and provide them with the relevant information. We in this place are entrusted with the serious job of administering the ACT budget. That money comes from the community. I am disappointed that Mr Stanhope will not release any information to the broader community. Let us not forget, as Mr Bartos says, that it was an official review funded by the public purse. It is not as if we 17 members somehow chipped in and said, "Let's have a functional review." Any money that we have comes from taxpayers—no other source. We are potentially missing out on

some very valuable input from people on the front line. To me it shows that Mr Stanhope places a level of trust in the business community and the union movement, but he cannot trust the community sector. I ask him to reflect on that.

When did Mr Stanhope ever say that this information would be confidential? The terms of reference seem to be like shifting sand. There was reference to “budget” or “budgetary”, but the review was never linked, as it is being so firmly linked now, to “the budget process”. Of course, we are now rolling into the budget process and the government is saying that the review process is about the budget.

Does Mr Stanhope not realise that he is dealing with other people’s money? It is the taxpayers’ money and they have the right to know what has happened to their money. It is taxpayers’ money that pays for the functional review. I have often heard Mr Stanhope talk about money and what he is doing with the money. I wonder if he thinks that the taxpayers’ money is actually his money to spend, spend, spend. None of us in this place can say, “I am funding this.” It is the ACT taxpayers’ money. We are just entrusted with the business of administering that money. It is not our money. In question time yesterday, Mr Stanhope said:

As far as I am concerned, I do not intend to call on Mr Costello or Mr Smith to provide any further briefings. They have given detailed background briefings, in terms of context and issues, to business and they have similarly provided briefings to unions.

The word around the traps, and I think Mr Stanhope alluded to this himself today, is that there are conflicting reports about what was or what was not said. That is exactly it. The left does not know seem to know what the right is doing. Some people are being told some things and some people are being told nothing at all. It is called selective leaking. Maybe that is a better way of putting all of this. The government says, “We will selectively leak bits of information to certain people about what we want them to know. We will keep them separate from the unions. We will keep them separate from the community. Let’s not be open and accountable.” This morning Mr Stanhope said that he was going to be the one to set the standard. Well, Mr Stanhope is hoist on his own petard. He is not standing by his undertaking. He should be held accountable for slamming the former Liberal government. He is not living up to his own words. Again, to quote Stephen Bartos:

This review is not some minor consultancy—it is vitally important to the future of the ACT.

So what do we do? We exclude a major part of the community. The terms of reference include the word “community”. The article continues:

... the Chief Minister indicated ... ‘Every area of government expenditure in the ACT would be put under the microscope over the coming months, as part of a broad-ranging, functional review of government structures and programs. It is time to take stock, to get an objective analysis of whether resources are flowing smoothly to areas of highest priority and greatest—

wait for it—

community need.

How are you going to know what the community needs if you do not talk to them? You publicly thumb your nose at them. If you are going to do it behind closed doors and then make it public, that is different. That is a second-best way to do it, but at least it is something. You have not openly consulted with them. Irrespective of the release of the report, it should have happened. Stephen Bartos goes on to say:

When public money contributes to an evaluation, review or study then, as a general principle the public should be able to see the report that review produces.

What is so secret? Why are we selectively choosing people here and not other people there? It is interesting that Mr Stanhope made the point that, if the report was released, people could make mischief with it. I absolutely agree. Mr Bartos says:

Mischievous use of a report can damage not only the government but the overall interests of the community.

I would posit to members that that is exactly what the Chief Minister has done. He has made mischief with his own functional review. He has said something to some people, not told other people and thumbed his nose at another group of people. So the whole community is left wondering and pondering: am I going to get to keep my job; will funds be cut here; will we have to come before the budget estimates committee again grovelling on our knees? How are people supposed to plan? I do not know if Mr Stanhope realises what he said this morning. The Chief Minister should remember this when he berates the former Liberal government. Finally, Stephen Bartos said:

The “Johnny did it first/Alice does it too” justification works fine in the playground, but it is not always good public policy. It should be possible for the ACT government to demonstrate a higher level of commitment to open government and accountability, and let the community into the process to a greater extent.

DR FOSKEY (Molonglo) (3.48): When the Chief Minister announced the Costello review in November last year, he told us that he was “keen to identify those areas where we are doing things right”. He also said he wanted to “identify those areas where we could be doing better, where we need to concentrate greater resources or reduce red tape or improve our responsiveness”. Presumably Costello’s report has identified areas where the government could be doing better. No one likes to have their faults paraded in public, and I understand that the government does not want to give what it sees as a free kick to its opponents. It takes courage and a belief in the benefits of participatory and open government to open up the advices and deliberative processes of government to public scrutiny. Of course, sometimes it is inappropriate to submit frank critical assessments to public scrutiny.

The exemption clauses for internal working documents in the Freedom of Information Act are there for a good reason. It would be counterproductive to insist that all information prepared for government become public knowledge. Authors of such reports tend to water down their criticisms, deliver verbal rather than written criticisms, and write with an eye to the public reaction. Anything that discourages frank and fearless advice is to be avoided where possible. However, there is no excuse for withholding in its entirety a broad ranging, comprehensive and inevitably partially subjective report such as one entitled “a functional review of government structures and programs”.

The terms of reference provide that the entire report must have regard to agreed government priorities. I would like to know what those agreed priorities were. I would like to know whether environmental and social concerns had priority befitting their importance. Was the review carried out through the prism of a narrow classically economic perspective? Was a commitment to triple bottom line accounting a feature of the report or did it focus solely on economic indicators? Such an approach means that revenue from sources like gambling, tobacco and cigarette sales is recorded as a positive and desirable thing, as it ignores the inherent social and personal costs of such activities. Such an approach also focuses on short-term outcomes, advocating short-term revenue sources while ignoring long-term costs.

In order to make informed decisions on these matters, we need to see the report. We need to know what instructions were given to Mr Costello. We need to know what alternatives were considered and proffered by him and his team. Without this information how can community, business and private commentators effectively participate in the political process and have the benefit of their informed input utilised in the budget process? Surely this government recognise that public input into their decision-making process is a good thing. I just heard Mr Corbell table the human rights compatibility statement discussion paper. He said:

The ACT bill demonstrates that when a government makes the effort to ensure genuine community consultation and when it takes the time to get it right, it is more than possible to achieve—

in this case—

true human security legislation.

What is good for the goose is good for the gander. Why would a government not want as much free advice and learned counsel as possible? A self-professed progressive government like this one should not play its cards so close to its chest that no one else gets an opportunity to advise it on how to play the game. Mind you, while this is not actually a game, there are winners and losers. Those organisations and political interests that get a peek at the recommendations and findings of reports like this one are obviously in a superior position to defend their interests over those who are kept in the dark.

Withholding this report from everyone would not be so bad if there were good reasons for doing so, but we now learn that Mr Costello has given select business and union interests direct briefings on the contents of the report. Who authorised these briefings? Who drew up the guest list? Where were the social, education, health and environmental body representatives—in short, the community sector? Why have they not received a briefing or an invitation to learn what the budgetary agenda now looks like? Governments should not play favourites like this. If the detail of the report can be released to one section of society, it should be released to all.

Stephen Bartos, who writes for “The Public Sector Informant” has been quoted today. I note that Mr Stanhope likes Mr Bartos when he is saying good things about the government and does not like him when he is not. As Stephen Bartos wrote in the last “Public Sector Informant”, the government risks being grouped with the obsessively

secretive Howard government as another chamber of secrets nominee. Mr Bartos also reported that the Western Australian Labor state government has progressively released large sections of its Costello review, including portions of various reports arising from the review.

The government's claim that the document is a cabinet document and therefore exempt from release is unacceptable. If the report is really cabinet-in-confidence, then why have selected business and union interests been briefed on it? Surely this destroys the privileged status that the government claims for this report.

Unlike other Australian freedom of information acts, the ACT's Freedom of Information Act does not actually use the words "cabinet documents", although such documents probably fall into the exemption category of executive documents. The act does not prohibit the release of exempt documents. In fact, it encourages the release of all documents unless there is a strong public interest against doing so. If the government truly believes that there is a good public reason for withholding the report, as opposed to it being merely politically convenient, then let us hear it. Give a reasoned and detailed argument why the document should not be released to those of us who are not on the government's A list.

The community sector, parents, health workers, teachers and others who may be adversely affected by the report's recommendations and subsequent budgetary responses would be more likely to accept the need for such responses if they knew the extent and nature of the problem. We need to know how environmental initiatives are likely to fare in the budget. Are the presumptions on which budget cuts are made soundly based? How can we know? How can we do our job as public representatives properly when we do not have the information on which such crucial decisions are made? I know that ACTCOSS has been trying unsuccessfully to get a briefing on the report—I cannot imagine a better recipient for such a briefing—but it cannot.

Democratic government relies on the sharing of information. I am afraid that this government is starting to show the signs of arrogance and secrecy that so many governments tend to exhibit when they have a sure majority. When it came to office this government was a champion of open and transparent government. I applauded it for this and announced from the outset that to keep it to it would be one of my key objectives.

What truth is there in the projected \$390 million operating loss figure being bandied about? Someone on the government's information release A list is obviously keen to fuel this rumour. Merely evincing outrage is not going to stop it. The government has brought this problem unto itself by playing favourites. Or has Mr Costello let it down by telling too much to the business sector, which is, at best, a fair weather friend of the government? Misinformation and rumour feed on ignorance and will ultimately rebound to hurt the government, either by damaging the integrity of its decision-making processes or at the ballot box as people believe the worst aspects of the rumours that will inevitably grow out of an information vacuum. Or does the government believe that it can get away with treating us like mushrooms: kept in the dark and fed on dot, dot, dot?

Before lunch the Chief Minister compared himself to past governments as a justification for not releasing these documents. I never thought I would see the day when Jon Stanhope judged his performance against the benchmark of a Liberal government. If

he is no worse than a Liberal government, then he is no better than a Liberal government. Why should true Labor voters support him? The way the government has latched on to Stephen Bartos's observation that sometimes it is inappropriate to release budget papers betrays the desperation that it seems to be experiencing.

Why was not the fact that the review was always intended to be strictly for cabinet purposes included in the media release when it was announced? Let us see a commitment to public consultation and participatory democracy in practice, rather than mere rhetoric. I do not expect the government to release the report this afternoon. I do hope it will release it, in whole or in part, in the near future. I will support the motion.

MR PRATT (Brindabella) (3.58): Mr Speaker, I support the motion. The functional review has only been made necessary because the Stanhope government have allowed bureaucracy in the ACT to grow like Topsy, with in the region of 800 additional public servants and the creation of new additional functional authorities, over the last four years.

Despite years of good revenue off the back of Howard's GST, land taxes and other increases in punitive local government fees and taxes, this mob are rapidly steering the ACT economy well into the red. They have failed to save sufficient of those revenues reaped during the boom times to target future expenditure on essential services. Instead, they have blown millions on ideological and social engineering projects at the expense of essential services in health, education, urban services and community safety. This government have failed to demand new productivities alongside new pay increases and they have failed to find efficiencies to redirect or simply save expenditure without cutting front-line services.

I am deeply concerned about the failure of the Stanhope government to retain police strengths, including delaying or avoiding the adding of real teeth to the ACT policing agreement, which would allow significant efficiencies in the delivery of police services and likely lighten the burden on an overstretched police service. I am deeply concerned to hear that the government's functional review is likely to lead to cuts in the Emergency Services Authority—not because I do not wish to see cuts in efficiencies, of which there are plenty within the ESA, but because the government, beholden to the public service lobby, is more likely to agree to front-line cuts, not to the ample bureaucracy, which has blown out significantly in three years.

I have been deeply unimpressed with the cuts and waste in the urban services and transport arenas and wonder whether the functional review will properly address these issues as well. Although I am in fact speaking, I am speechless that this government has not already outlined a new capital works five-year funding plan for roads, to take up from where the Liberals' five-year roads plan ended. Does the functional review identify this lack of strategic planning? We clearly do not know at this point what the report really identifies, because this government will not release the findings of the review for fear of revealing the mess they have made of the ACT's finances.

I intend to now deal with a couple of the portfolio areas mentioned above, against the background of the mooted functional review. Let us have a look at police and the police agreement. The existing outcomes-based police agreement is not serving the community or the police well. The system is too flexible, which allows services to fall through the

cracks. The existing quid pro quo arrangement, which allows the AFP to move ACT community policing personnel in and out between ACT and national or international policing tasks, can be advantageous; it can deliver some additional services to our community. But on balance this arrangement is not serving the ACT well.

The community and the police need certainty. The functional review hopefully identified this need. For example, communities need to be able to identify with police patrols dedicated to their areas, and police need to have consistency in their work and where they work. The current agreement fails to meet these fundamental police service requirements, and surely the Costello review must see this. If it does not, one would need to ask: has the review been worth all that effort?

Further examples of where the police agreement is failing lie in the vagueness of its objectives. A stark example of where the standards have been allowed to erode because of the agreement's loose objectives is the eroding of the random breath-testing operation. The agreement lays down an objective for drink-driving, something to the effect of: let us reduce drink-driving. That is the outcome: reduce drink-driving. Such an objective written as a vague outcome allows for slackness—and when governments are seeking cuts or savings they will rely on those vague objectives to move things around. As a result, we have seen the gradual downgrading of the RBT program. The RBT program demise is a fundamental example of where this agreement fails. This is precisely what happened, no doubt in order to save money. The program was reduced by more than 50 per cent. A firm police agreement objective with a benchmark stipulating, for example, “undertake a minimum of 108,000 RBTs per annum” would—

Mr Hargreaves: I raise a point of order, Mr Speaker. I have been listening to Mr Pratt's last few comments and I am just not sure what relevance the comments that he is making in relation to the policing agreement have to the functional review. Perhaps he could show us that relevance or move on.

MR SPEAKER: I think that is the point he is making: he can't show you the relevance. But this is a debate about the functional review and I think it is pretty clear that it could impact on all area of government services.

MR PRATT: On the point of order: I am illustrating the functioning of police and whether that is efficient. Take that for an example. That would be a benchmark that could be measured, so the big question I ask is: has the functional review even considered the current ACT policing agreement? If it has not, the review has obviously not gone deep enough into the operation of police services in the ACT. And, if the ACT policing service has not even been subject to the functional review's findings, this functional review is simply not delivering a service to this community or this Chief Minister and his cabinet.

If the review has considered the scope of ACT Policing, has the review even found any concerns with the existing police agreement? Perhaps it has, and perhaps this has helped the Stanhope government to keep the review under wraps—out of sheer embarrassment. Perhaps the review did not touch upon the issue of policing expenditure, as it is clearly already known that ACT Policing is under strength through a lack of support from this government. It would look quite ridiculous if the review identified areas where funding needed to be increased so that to make budget cuts within ACT Policing would lead to a

further decrease in these already low support levels. As reported in the media this week, the AFPA believe that ACT Policing needs an additional 180 officers just to bring us to the national average. That is a big ask, given our budget constraints, but it is worth noting that that is the observation they have made.

Let us now quickly look at the ESA. One of the key departments that we have heard on the grapevine will be subject to budget cuts as a result of the external review is the ESA. This is despite promises by the Stanhope government to ensure this agency was extremely well resourced in key areas in order to prevent the same serious bureaucratic calamity as occurred during the 2003 bushfire disaster.

The Stanhope government is yet to make clear its intentions for any new community fire units, if I could pick one of the areas of concern. We know that Minister Hargreaves has previously said, "We will look at it," for upcoming budgets, having only installed 22 community fire units against the requirement of at least 80. Will this be possible when the budget is in such bad shape? What does the functional review say about these essential community safety resources? Community fire units reflect the front-line fighting capability of community safety. If the functional review does not identify this as an area that needs to be addressed, it is not worth the paper it is written on.

So, in summary, given what we believe to be the topsy-turvy bureaucratic nature of the ESA and its numbers of tail staff, it seems that we have not learnt very much at all since the Auditor-General in 2003, and then, secondly, McLeod himself, who identified the dysfunctional nature that had been the case with the old Emergency Services Bureau. Will the functional review home in on the ESA bureaucracy and its wasteful expenditure? There is a lot to be cut, but there are areas that have been neglected that instead need to be resourced, as I have outlined.

I will just point quickly to the Fire Management Unit within the Department of Urban Services. The FMU was the sort of essential service, again recommended by the McLeod inquiry, that should have been left in place. Yet Minister Hargreaves helped to substantially weaken the FMU last year by virtually disbanding it. Many FMU officers were transferred out of Urban Services, a force that the McLeod inquiry recommended remain in place in order to ensure that public land managers had more control in the event of fire on urban public land. This disbanding may have come about as a result of the \$10 million in departmental budget cuts that were announced last budget, despite it being an essential front-line service. I just hope that the functional review identifies that that was a mistake; that to have moved all of our bushfire fighting and planning, with perhaps the exception of one man, out of urban services into one basket has probably been a mistake.

Let us see what this review comes up with. There are many inefficiencies that need to be looked at, there are many savings to be made, but there are many areas that have been under-resourced. Let us hope that your mate comes good.

MRS DUNNE (Ginninderra) (4.08): Mr Speaker, what we have seen here today is the absolute low point of the Stanhope government's pledges to accountability. Everything that this man when he was Leader of the Opposition stood for has been walked away from today. I recall the number of times I sat on advisers' benches and listened to Jon Stanhope, Leader of the Opposition, say: "A Stanhope government will be an open

and accountable government. A Stanhope government will not hide behind commercial-in-confidence documents. A Stanhope government will not hide behind cabinet-in-confidence documents.” Today he actually admitted the hypocrisy of his position when he said: “Look, we made these requests. We moved motions just like this and we lost them and, you know, what goes around comes around.” So Dr Foskey is right. When he was the Leader of the Opposition, Jon Stanhope was the height of moral rectitude in terms of openness and accountability, and he has thrown it all out. He has completely brought into tatters his own reputation. He has trampled it on the ground himself and he has trampled it into the mud. What he stands for is absolutely nothing.

It is really a bit embarrassing, I suppose, when people do not have the courage of their convictions—when they say things, because it sounds good at the time, but they never think about: will I be able to live up to this when the going gets really tough? And the going is getting tough.

Mr Hargreaves: And the tough are going.

MRS DUNNE: Yes, the tough got going. We had the code of good government speech from the Chief Minister on 14 March 2001:

But we will not compromise our integrity. We will lead when necessary and not trade off our position in secret deals.

ACT Labor will abandon the limited, restrictive draft Budget process adopted by the Liberals ...

That is because “we don’t want to tell anybody about what is going on in our budget process”. It continued:

That is not to say ACT Labor will draft its Budget behind closed doors ...

It is being drafted behind closed doors, and with everyone sworn to secrecy about the contents of this document—and every time something trickles out into the community we have a range of denials.

Mr Stanhope has stood in this place two days in a row and said the figures, which the opposition have been told and the media have been told came out of the briefings, are wrong. I have said it to him privately, and I will say it to him now: “Put yourself out of your misery, Chief Minister. Table the document and then we will know who is right; whether the community speaking to us are right or whether you are right. It will be over and done with; the misery will be out of the way. You will be able to come clean with the ACT community. You will be able to have a proper, open discussion about the future of the ACT community, about the fiscal future of this community, and you could do it in a way that is open and accountable.”

Mr Stanhope: What—an open and accountable budget?

MRS DUNNE: No, no, no. When you get to a budget that has been put together behind closed doors, which has secret little loopholes in, if you know where to read you will actually find the piece of information—

Mr Stanhope: Are you speaking from experience, Mrs Dunne?

MRS DUNNE: Yes, I am speaking from experience. I have participated in a minor way with the drafting of budgets. I have seen how they have been put together, and I know how you can write a budget to hide things or reveal things. It is not all sort of smoke and mirrors. A lot was said about the code of good government in his speech on 14 March 2001. I like this one:

There will be no Full Monty Budgets—

I remember that one—

no Drover's Dog Budgets, no Three Bags Full Budgets under Labor. Our commitment to our core values will ensure we do not neglect the big picture items like the Territory's unfunded superannuation liability.

But the trouble is that in this place, and in this town at this time, no-one knows what this government are neglecting in terms of big picture items, because they will not tell the community what the issues are.

Mr Costello is a highly-paid official, and the expenditure that has gone on in the preparation of this document is, as Mrs Burke said, not Mr Stanhope's money; it is the money that the taxpayers of the ACT pay for the good governance of this place—and, because they pay, they have a right to see. There may be some parts of those documents that will not or could not be revealed in full, but really this government should be taking the community into its confidence. Its failure to take its community into its confidence shows that the person who leads this government, the person who has taken on the mantle of Treasury, is a man who is not as good as his word. What he said on 14 March 2001 does not hold true today and what he says today will not hold true in the future. This is a man who cannot be trusted and you cannot trust a government that will not come clean with the community.

MR HARGREAVES (Brindabella—Minister for the Territory and Municipal Services, Minister for Housing and Minister for Multicultural Affairs) (4.14): I would like to address a couple of things that have been said today. The accent has been essentially, if I can read it properly, on consultation with the community over this functional review. There are, according to those opposite as I read it, two problems with the functional review. One is that the community have not been involved and consulted prior to its being done and the second is that they have not got a clue what is in it. That is code for “the community doesn't know”, and “the community doesn't know” is code for “we don't know what's in it.” Well, hard luck; you are not going to know what is in it.

Mrs Burke said that Mr Stanhope has not ever said that it is cabinet-in-confidence or it is linked to the budget. In fact, Mr Stanhope has been repeatedly advising that this document is in fact a cabinet-in-confidence document.

Mrs Burke: From when, John; since when?

Mr Stanhope: Since the terms of reference, Mrs Burke.

MR HARGREAVES: Since the terms of reference were issued.

Mrs Burke: Is that right? Now it suits you to say it. You're drawing a long bow again.

MR HARGREAVES: Moo!

Madam TEMPORARY DEPUTY SPEAKER (Mrs Dunne): That was disorderly, Mr Hargreaves.

MR HARGREAVES: I withdraw the "moo", Madam Temporary Deputy Speaker.

Madam TEMPORARY DEPUTY SPEAKER: Mrs Burke, however, should not interject.

MR HARGREAVES: You do tend to tempt people. Predominantly, Mrs Burke's dissertation, if one can give it that sort of appellation, was about whether or not we talked to the community. In fact, I refute Mrs Burke's comments. "Do tell," she says. Madam Temporary Deputy Speaker, I put it to you that this government's record for talking to the community is quite extensive; it is a good record. If we take the housing issues, for example, I had a number of fora in this very building, in the room next door, with a number of interested parties involving many segments of the community, culminating in the summit. In making sure that this government had conversations with its multicultural community, I had conversations in the room next door, more fora, culminating in—what?—another summit. So we have had many conversations with the community out there.

I have met more people—constituents, community groups, lobby groups, interest groups et cetera—over the past 15 months than Mrs Burke has had hot breakfasts, and she is English, so that is a lot of hot breakfasts. Those opposite do not even know what community is; they use the word "community" very much like the Greens do; but if you ask them to define what is community they cannot tell you. Is it every single person in the ACT? That is the Greens' method of management, let me tell you: "There will be no decisions taken by any government until every single person in the ACT has been sat down and explained everything." That is the Greens' way of doing it. Those opposite have a slightly shorter version of it—that every single decision will be discussed with them. You would ask them: what is a community? They say, "The community at large."

Mr Stanhope in fact did talk to representatives of the business community, representatives of the union community. But the opposition are complaining because he did not talk to the rest—the sporting community, the religious community, multicultural community, education community, older persons community, youth sector, and we could go on. The fact is that, if we did that, we would have people born, live their lives and die in that community consultation phase. We would never get a decision made.

The Stanhope government are not afraid of taking the tough decisions; we have done it and we will do it again. The fact is that the opposition are belly-aching because they have not got access to a document they would dearly love to get access to. It is as simple as

that. One of the reasons why you have not got access to this is that it is an advisory document to the mechanism of governance in this town, the cabinet. And I have got some really sad news for you guys: you are not in it—and if you keep going the way you are you are never going to be in it. But I look forward to the day when perhaps—perhaps—Mr Stefaniak gives us the best chance of a good run for our money, but we will see about that as time goes by.

We got accused of not being open and accountable. Well, my conversations with the community were many and varied, with the disabled people in this town and with people interested in housing and community services. There were many, many of them, and I presented myself to them and then talked to them about government decisions. That is accountability. But the ultimate accountability, of course, is the election. Mrs Dunne, in her former guise as government whip—sitting right up the back of the stairs there, not in her present guise as Temporary Deputy Speaker—was saying that we are not the government we were in 2001. Well, hallelujah! That is because we spent the next part of our term undoing all of the craziness that we had inherited in 2001, and in 2004 the community said: “We like the way you guys are doing this. We think this is an open and transparent government and we think that other lot are absolutely rank hopeless.”

Mr Gentleman: How much did they like us by?

MR HARGREAVES: Indeed, Mr Gentleman, indeed. The fact is that the community spoke and they spoke loudly. They trust this government to represent them. I have to say this to the Greens about their consultation process: they believe that everybody that comes into this place is a delegate of somebody; you will do as they tell you. It is a bit like Dennis Stevenson sitting outside the Cooleman Court shops when there was a significant vote on. He said; “Well, you know, the majority of people that come up to my stall at the Cooleman Court shops is the way I am going to vote when I get in the Assembly”. We know what happened to him; the chinchilla kid has just moved on. The fact is that we are not delegates of a particular group; we are representative and we are put in this place so that we can take decisions with, we hope, some wisdom and some solid academic rigour—and that is actually what happens in this government.

We need to understand that the accusations about community consultation around the functional review are nothing short of gossamer and fairy floss. It is just junk—junk food for the intellectually impaired. It is not brain food; it is junk food for the intellectually impaired. Their argument is that we are not accountable to the people. But we have got estimates processes. Estimates processes are a reasonable way of holding people accountable, as are our standing committees, except for the PAC, which is chaired by one of the Harlem Globetrotters. The legislative process that we have here is pretty good in the accountability department.

I am particularly proud to be associated with this government and the way it goes about talking to its community, and I think the only whinge those opposite have which has any substance to it at all is that they have not got access to this document. And—guess what?—it ain't ever going to happen.

MR SMYTH (Brindabella—Leader of the Opposition) (4.23): It is interesting that the arguments we put are just dismissed because they do not meet the government's purpose. I think we have made a number of cases, particularly in how reliable is this report. I

quoted earlier the example of tourism where obviously the government, or the report, has not compared apples with apples. The government runs the flag up the flagpole that we are overfunded by 73 per cent in tourism. If that is indeed the recommendation of the Costello report, we have got things to be worried about.

I then relayed the news that of course this had all been tried before by the Follett Labor government. The interesting thing is that nobody will acknowledge whether or not they knew that this had been tried before. The Chief Minister did not; Mr Hargreaves did not. We are still none the wiser. That is why this report must be tabled.

Then we can move to the example of Western Australia. Mr Costello did a similar report for Western Australia and it has been heralded as some sort of success over there. But, if you go to the Department of Treasury and Finance on the Western Australian government web site and see what the objectives of the savings were, you can see that it is nothing but an abject disaster. The reports coming out of Western Australia now are that the management of their public servants is less efficient and less effective—and to boot it has not saved the government a cent and has cost them a fortune.

If you go to page 14 and 15 of the report entitled *Government of Western Australia—Department of Treasury and Finance—strategic business review of corporate services reform within the Western Australian Government sector—7 July 2003* you will see that I am right. When they started this process—when they absolutely started the process, the very, very first year—there was meant to be an expected benefit of \$7 million, the following year of \$6.2 million, the year after that, 2005-06, of \$30 million and in 2006-07 of \$40 million. These are significant numbers—\$83 million.

But the costs far outweighed the benefits. In the first year, they were \$18 million, in the second year \$25 million, in the third year \$22 million, and in the last year, 2006-07 they were \$4.4 million, which should only cost them \$70 million for a net saving of \$13 million over the years. But what we know from the Western Australian experience is that, after the first three years of implementation, they have not saved a cent. It has cost them \$50 million. They expect to spend a further \$20 million this year. They have employed an extra 200 public servants.

They have not saved a cent but they have ruined the efficiency and the effectiveness of the Western Australian public service—and that is the whole point. If we are basing what the government is going to do in the upcoming budget on suggestions following the Western Australian model, we are in serious, serious trouble. This is a serious motion about a serious subject. We had the rhetoric and we had the verballing from the Chief Minister in question time about this being the Liberals' legacy, this being Brendan Smyth's legacy.

Let us just go to one area that he always forgets to mention. We were left with an operating loss, a \$344 million operating loss, from the Follett government—the Follett government that set up the same process that Mr Stanhope intends to set up; the Follett government that set up the shared services group; the Follett government that had their own corporate services bureau and left us with a \$344 million operating loss—an operating loss that we removed. What this government inherited was a surplus—hundreds of millions of dollars of unencumbered cash—to get on with the job. The money was there. If the money was not there, how has Mr Stanhope been able to spend it

to make up for all the apparent inadequacies that we left him? He has been able to spend that money because it was there—because we did leave the place in good financial circumstances.

The legacy of the Stanhope years is profligate spending, not looking after the assets of the ACT, not putting aside money for the future, not fixing the leaky roof in the good years but waiting until it was flooding down and he suddenly got wet, and not looking out for the ordinary taxpayer. It was most surprising to listen to the Chief Minister not debate our motion. As is typical when he has got nothing to say, he just launches into a tirade about how he sought access to such documents when he was in opposition. Presumably this means that he recognises that there is no defence to the non-release of the Costello report. So he just avoids the issue, as he does so often. The Chief Minister offered no defence for the dismal economic performance of his government and he offered no defence for his government's financial management, which would put any of the former states of the Soviet Union to shame.

Mr Stanhope: Four successive surpluses.

MR SMYTH: He says, "Four successive surpluses." And now we have got four successive deficits. I do not know any government that has been able to come through a boom like we have had and whose end product is a series of deficits—four in a row. You have ridden on the back of the success of the Howard government, but even they have not been able to keep you afloat, Chief Minister.

Obviously the Chief Minister had no idea that his predecessor Rosemary Follett had tried and failed with this experiment of a centralised shared services bureau—an experiment that cost the ACT rather than generated any savings—which again highlights the inadequacy of the advice he is getting. Let me ask the Chief Minister, and he can speak again if he wants: did the Costello report contain any reference to, let alone any analysis of, the Follett shared services experiment? I think we will be waiting for a long time for that answer.

What Mr Stanhope should do now, rather than hide the Costello report under the cloak of cabinet confidentiality, is release the report, consult on and debate the findings in the report with the community and develop proposals to respond to the report's findings and the views of the community. There is already misinformation about the content of the report—so he claims. There are rumours about the recommendations. There is uncertainty and confusion within the ACT public service about the implications of the report. And we now know that a broadly equivalent shared services experiment in Western Australia has not led to any savings at this point. What we do know from the Western Australian Treasurer is that there have been no savings. The current bill is \$50 million—and look what Western Australia are getting for their investment in the Costello prescription: this enormous dog's breakfast of a structure for their public service.

The point here is that we need to look at what the Chief Minister actually said in opposition. In 2001, Jon Stanhope promised open and transparent government, reinforced by appropriate accountability and responsibility. We would question whether his government at any time from October 2001 through to today has been guided by this sense of being open and transparent. I note that the current ALP platform reaffirms this

apparent commitment to open government. It says, as an objective, that Labor will deliver openness and, as a strategy, that Labor will “make public our plans for the short and long term especially leading up to the annual budget”—not maybe in the budget or possibly after the budget, but up to and leading into the annual budget. Where does the Costello report fit in that context?

Let us read a little bit more from Labor’s platform. As an objective, it says that Labor “aims to provide means for public scrutiny of government operations and challenging decisions of government” and, as a strategy, that Labor will—wait for it—“relax cabinet-in-confidence rules to allow a more open system of government”. It says they will not hide behind them; they will relax them. But it says that submissions—I repeat: submissions—pertaining to budget deliberations should remain secret. So where does the Costello report fit into this context? It is not a cabinet submission; it is a report from an independent group. Well, hypocrisy is alive and well, and the chief hypocrite is sitting over there—say one thing at the ALP branch policy discussion and then do something opposite when you are in government.

I think this episode has shown two unfortunate characteristics of the Chief Minister. Firstly, he is a weak leader, he has hidden the Costello report and he has created confusion and uncertainty. And, secondly, he lacks courage. Jon Stanhope lacks courage. He has been Chief Minister for more than four years, yet he has not got the courage to say to the ACT community: “I have asked for a detailed analysis of the prospects of the ACT budget. I have received that analysis and I want to now invite you to examine that report and provide me with your response. As your Chief Minister, I will then take a range of propositions to cabinet and we will work together to restore the ACT to prosperity.” Jon Stanhope has not displayed any leadership in this issue. He should demonstrate courage as Chief Minister and release the report prepared by Michael Costello. We will all then be in a position to test your courage against the opinions and expectations of the ACT community. The report of the Costello review must be released now. Until that time, Chief Minister, you have failed the ACT community.

Question put:

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

The Assembly voted—

Ayes 7		Noes 8	
Mrs Burke	Mr Seselja	Mr Barr	Mr Gentleman
Mrs Dunne	Mr Smyth	Mr Berry	Ms MacDonald
Dr Foskey	Mr Stefaniak	Mr Corbell	Ms Porter
Mr Pratt		Ms Gallagher	Mr Stanhope

Question so resolved in the negative.

Aged care—nurses

MS PORTER (Ginninderra) (4.37): I move:

That this Assembly:

- (1) recognises the valuable work of nurses in the aged care sector;
- (2) notes:
 - (a) the lack of pay parity between aged care nurses and ACT Government nurses;
and
 - (b) the high turnover of staff in the aged care sector;
- (3) recognises that these factors have negative impacts on health and care outcomes for residents of nursing homes; and
- (4) calls on the Federal Government to immediately inject funding into the aged care sector and specifically address the lack of pay parity for aged care nurses in the ACT.

Today we heard on *AM* on the ABC that the latest research shows that more and more pressure is going to be placed on us as a society in caring for our ageing population. Just because more of us will live longer does not necessarily mean we will all be frail and ill or a burden on society. However, the research shows that those needing care are going to be at the high end of the scale of need. This is already happening in our aged care facilities.

The care of older people should be, and for the most part is, appropriate, sensitive and dignified. But it would be naive in the extreme not to recognise the very significant issues facing the aged care sector today. The work force issue, and in particular ensuring that there are adequate numbers of nursing staff in aged care facilities, is one such issue and, of course, it is significant. The federal government has a major role to play in ensuring that nurses can be recruited and retained in the sector through appropriate remuneration and conditions.

In June 2002 the Senate Community Affairs References Committee noted the shortage of nurses in the aged care sector. The committee pointed to evidence that indicated that delivery of quality care was under threat from the retreat of qualified nurses, both registered and enrolled, from the aged care sector. The New South Wales Nurses Association made a submission to the 2002 inquiry in which it said:

The Association is of the view that the aged care sector is in dire need of increased numbers of enrolled and registered nurses if they are to reach an adequate standard of nursing care. Recipients of that care would have the opportunity to experience health gains and as a consequence, the quality of life of those residents would also improve.

Here, clearly stated, is the evidence that the standard of care and the work that enrolled and registered nurses do in aged care facilities directly affect the health and quality-of-life outcomes for residents. Of course, one would assume this to be the case—it was certainly the case with my parents. This precisely corresponds with evidence I hear from members of our community who tell me about their elderly relatives who are residents of nursing homes here in Canberra.

Unfortunately, I have heard horrific stories of residents who do not receive appropriate, sensitive or dignified care. I heard one story from a relative of a resident of a Canberra nursing home who told me that their loved one suffered a very serious fracture when she fell off the toilet that she had been sitting on for three-quarters of an hour. Because the centre was so understaffed, no-one was available to help her off the toilet. Finally she attempted to get off herself, with disastrous results. That woman is obviously now even less mobile than she was before, placing even greater strain on the staff of the nursing home. If there had been enough staff on duty in the first place the incident perhaps would have never happened, and the strain of this woman's greater care needs could have been avoided. The added strain on the woman's physical and mental health and on her family would also have been avoided.

The 2005 Senate Community Affairs References Committee reported it had heard evidence that indicated there has been little improvement in the situation. Nurses are still leaving the aged care sector in droves. The Australian Institute of Health and Welfare has reported that between 1996 and 2001 there was an 11.1 per cent decline in the number of registered and enrolled nurses working in the aged care sector. Furthermore, evidence heard by both the 2002 Senate committee and the 2005 Senate committee stated that, while levels of enrolled and registered nurses were dropping off, there was a rise in the number of personal carers employed. Of course, I would never in any way devalue the important work that these carers carry out.

It is important to remember that, while nursing levels are dropping off, the Australian Institute of Health and Welfare has reported rising levels of acuity in residents. Residents of nursing homes need more and more intensive care. As I was saying, it appears that there is not enough qualified staff currently employed in the sector to undertake this care. This can only lead to a further increase in acuity and this will put residents back into our hospitals, with obvious pressures on our hospital system.

The National Institute of Labour Studies reported in 2004 that there were a high number of vacancies for registered nurses in aged care facilities and a high level of turnover of direct care staff. A high level of turnover of staff obviously affects the care that residents receive. It is understandable that, if there is a constantly changing work force, residents are not able to develop relationships with their nurses, and anyone who knows anything about care knows how important it is to develop rapport with those that one is caring for. Good relationships are vital to good health outcomes. As residents get to know their care staff better, they are better able to articulate and communicate with the staff. Conversely, when care staff get to know their residents better, they are better able to read the signs and signals that they give out and are able to offer better care to those residents.

Residents of at least one Canberra aged care facility have reported to me how stressful they find this constant merry-go-round of staff. They also report the difficulties they experience communicating their needs to agency relief staff from other nations who may not have a thorough understanding of the English language or the cultural expectations of Australians. Whilst it is important that we have a healthy migration of skilled workers to Australia—which benefits all of us, I think you would agree—unfortunately, as one ages, one may find it more and more difficult to communicate. Attempting to communicate to carers from culturally and linguistically diverse backgrounds can be very stressful for those who are frail aged or confused.

At this point I clearly state my support for aged care providers. For the most part, providers are highly dedicated organisations committed to the care of our elderly citizens. Most providers recognise that the community demands that the residents of aged care facilities are treated with the dignity and the respect that they deserve.

The Senate Community Affairs References Committee reported in 2002 that remuneration was a major reason for the attrition of nurses in the aged care sector. The 2005 report of that same committee also heard evidence from witnesses that the lack of wage parity is the major barrier to recruitment and retention of aged care nurses. Disparity of pay is a significant issue for nurses in the aged care sector.

In the February edition of the *Australian Nursing Journal* the Australian Nursing Federation stated that the disparity in pay between the aged care nurse, based on the federal award, and the ACT public sector nurse is almost \$300 a week. It is not hard to see why enrolled and registered nurses are leaving the aged care sector in droves—\$300 a week is a lot of money for working families to forgo. We cannot expect our aged care nurses to remain in what can be a very stressful workplace for \$300 a week less than the ACT government nurses, particularly when the ACT government nurses do not necessarily face the same issues nurses face in the aged care sector.

I have written on a number of occasions to the former Minister for Ageing about this matter on behalf of a number of my constituents and I have to say that I am extremely disappointed that the federal government refuses to address this issue and to ensure that aged care nurses are adequately remunerated. I have also written to the current Minister for Ageing in relation to this matter. Whilst I am impressed with his current work to address elder abuse, I am not impressed with his lack of response on this particular issue. Surely anyone with any commonsense can see that these issues can be related. The federal government refuses to raise the award and until they do aged care nurses will not have the pay incentives to work in this area that, as I have said, can be quite stressful.

I am sure that aged care providers want nurses on their staff; I am sure that aged care providers want to pay their nurses appropriately; I am sure that aged care providers want to ensure that nurses have appropriate working conditions; and I am obviously sure that the residents of these aged care facilities want nurses to care for them. But aged care providers will simply not be in a position to pay their nurses appropriately until the federal government raises the award and injects the corresponding amount of funding into the sector to specifically meet the need for higher wages for aged care nurses.

It is time the federal government recognised that ACT residents of nursing homes are suffering because the sector cannot appropriately remunerate nurses. It is time the federal government recognised that ACT residents of nursing homes will have better health outcomes when nurses are recruited and retained in this sector. It is time the federal government recognised that, if they ensure aged care nurses are paid appropriately, this will improve the level of care in nursing homes and decrease the stress on our health systems at state, territory and federal level. One would hope that they would wish to see this. It is time the federal government recognised that ACT residents of nursing homes deserve to have access to the appropriate, sensitive and dignified care that we as a community expect.

DR FOSKEY (Molonglo) (4.48): I believe Mr Smyth was being far too gentlemanly. I was rather keen to hear what he had to say in defending the federal government on this one before I spoke because this is not an area of great expertise for me. From listening to Ms Porter's speech now, I wondered whether only the federal government has a role to play in the provision of aged care. If I were to take her as my Bible, that is what I would think.

Nonetheless, my little bits of research on this matter in the last couple of hours indicate that there is a role for the ACT government to play. First of all, I acknowledge that there is a problem—it has been very clear through our local media—and I know it is not a problem that we experience just in the ACT; it is a problem all around Australia, no doubt elsewhere in the developed world as well. Of course in most developing countries people do not reach an age at which they qualify for aged care or, if they do, they probably do not have the facilities we have here either.

My office consulted the ACT Branch of the Nursing Federation and this is what we were told: in the last few years there has been no attempt made to bridge the wages gap between nurses in aged care and those in public hospitals. I believe that refers to the ACT. Without a doubt aged care is losing nurses, in part at least, because of poor pay rates. There is no doubt that funding for aged care is firmly in the commonwealth's court, and that funding used to be tied to levels of clinical care, but that is no longer the case. Consequently, this makes it difficult to get below the surface of aged care suppliers who, when the question of pay rates is raised, simply argue that they do not have enough money.

At the same time, it is clear that the medical support needed by aged care clientele is increasingly complex and that more generally aged care facilities have a growing proportion of residents with high-care needs. On the one hand, aged care nurses probably need access to increasingly sophisticated medical training. On the other hand, unless wages and conditions improve, would-be nurses would have less and less incentive to take on that training.

A submission from the Royal College of Nursing to the Senate inquiry into aged care in July 2004 noted:

... that the issue of wage disparity between aged care nursing and other nursing specialities has been addressed at least in part by the \$877.8 million allocated to aged care providers to pay more competitive wages. The direct burden of resident care falls upon registered nurses and yet current salaries do not reflect the responsibility that they carry.

This money from the budget could be put to even better use however, if it had been allocated specifically to address the gap between wages for nurses in aged care, and wages in other specialities. There is much fear among our members—

being members of the Royal College of Nursing—

that this money will not be used as intended but instead end up in the consolidated revenue of aged care facilities. This could be addressed by making it a condition of funding that the money be spent on improving wages. There is simply no incentive for nurses to want to work in aged care while the wages continue to be much lower than in other areas of nursing.

To summarise that: federal government funding, which has been in part meant to address this problem of wage disparity between aged care nursing and other nursing specialities, does not go through a clear track so that providers—and more and more there are for-profit providers making money out of aged care—are not necessarily making sure that that money goes towards increasing the quality of nursing but a certain percentage of it is going into profits.

Finally, in April last year, the ABC reported on the fact that aged care nurses in the ACT have been demanding pay parity with their New South Wales counterparts. It was my reading of this that made me wonder about the role of the ACT in this issue of pay parity. The Industrial Relations Commission recently gave aged care nurses in the state health system a 25 per cent pay rise over three years. The Australian Nursing Federation's Paula Goodwin says that nurses will be discouraged from working in Canberra's aged care facilities if they are not given a similar increase. She says:

I'm sure it would discourage people from working in the ACT and it doesn't do much for the morale of those who do choose to work here. Why are their colleagues over the border in Queanbeyan or Yass being paid a different rate than they are?

She says that members are now hoping to begin a new round of enterprise bargaining in the ACT. She also says:

We're planning a strategy now and we intend to meet with our membership to endorse a log of claims within the next two weeks and we intend to go for parity with the New South Wales wage rates.

I hope that Ms Porter will report on the progress of that when she sums up. Perhaps someone else from the government can address this issue of the ACT government's role in trying to seek pay parity for ACT aged care nurses, not only with nurses in other sectors but also with aged care nurses outside our borders.

MS GALLAGHER (Molonglo—Minister for Health, Minister for Disability and Community Services and Minister for Women) (4.55): I rise to speak in support of this motion from Ms Porter. As both the Minister for Health and minister for ageing, I have a keen interest in ensuring our elderly citizens are looked after appropriately and that the wonderful nurses that care for them are suitably paid and supported. All members of the Assembly would agree that we must care for our elderly citizens in a fit and proper way.

The community expects that the care and treatment provided in residential aged care facilities are safe and are of an acceptably high standard. Unfortunately, increasing evidence shows the federal government is not addressing its responsibilities in the aged care sector.

Already in this place today we have discussed the issues of childcare. Again, despite a massive surplus and a booming national economy, we in the Assembly are discussing needs for resources and appropriate care of some of the most disadvantaged members of our society. Evidence shows that insufficient numbers of nursing staff will lead to a likely increase in injuries. In short, cuts in wages and conditions put at risk the care of older members of our community.

I begin by recognising the demographic issues faced by all Australian governments in this area and how vital the work of nurses in the aged care sector is to these issues. The work of aged care nurses is amongst the most challenging in the health sector. Elderly people often suffer from complex, chronic conditions, more complex, chronic conditions than other members of the community, and, as such, consume more healthcare services.

It is clear that one of the most significant issues facing Australia is the ageing population. As our population ages, healthcare and healthcare costs increase. The ACT is no exception, with rapid growth in the oldest age group. Currently, one in eight Australians is over the age of 65. By 2032, four times as many people will be aged over 85 years, nearly three times as many will be aged in their 70s. As such, aged care is critical to the community and a matter that must be addressed immediately.

Nurses are integral to addressing this problem and to the health system overall. They do a wonderful job caring for our community and particularly, in relation to this motion, the elderly members of our community. They ensure that people lead pain-free lives, that they receive medication on time and that, to the extent that they are able, they enjoy those years by receiving the best medical treatment possible if they require medical treatment. This is very challenging work, but it is work that we all acknowledge is performed to the highest standard by nurses, including nurses here in the ACT.

The ACT government is conscious that we must continue to attract and retain a highly skilled and professional work force so that we can deliver the level of care and the quality of care that older Australians and the wider community expect. A lack of pay parity for aged care nurses is significantly undermining these efforts. As the former Minister for Industrial Relations, this is an issue close to my heart.

The care of older Australians, a picture of the residential aged care work force in 2004, was the first comprehensive look at the residential aged care work force. This report showed that one of the main issues for improving and retaining nurses in the aged care sector is the lack of pay parity with their nursing counterparts working in other sectors. Nurses who work in the aged care residential sector are not ACT Health employees. Rather, the aged care residential sector comes under federal government jurisdiction and nurses working in this area are employed by the private sector organisations for which they work.

However, ACT Health employs nurses who work in aged care, for example, at the Canberra Hospital, and, as ACT Health employees, they are subject to the terms and conditions of the public sector nursing staff agreement and are therefore amongst some of the highest paid nurses in Australia.

The disparity in wages in the ACT between a nurse working in the aged care public sector and a nurse working in the aged care private sector is astonishing. A nurse working in federally controlled aged care facilities could earn anything from \$236 to \$312 a week less than a nurse working in a public hospital. This depends on whether the facility has an award or an EBA in place. That is a 23 to 39 per cent difference in wage outcomes compared to the public sector. Some aged care facilities in the ACT, especially the not-for-profit organisations, negotiate individual agreements that bridge the gap with

employees and offer above-award rates and salary packaging in an attempt to attract and retain professional and competent staff.

This wage disparity is making it increasingly difficult to keep aged care nurses in the sector. There is already a high turnover of staff in the sector. There has been a national and international trend for up to 20 per cent of newly graduated nurses to leave the profession within their first year. To overcome the economic challenge of ageing, we need a healthy and productive work force. This requires a skilled and well-coordinated network of healthcare professionals armed with specialist knowledge, skills, resources and supports to deliver aged care services.

At a time when we are faced with the generational challenges of an ageing population, we are seeing younger nurses leaving the profession for which they have been educated. They are discouraged by what they perceive as being non-recognition of their knowledge and skills, which is clearly demonstrated by such a difference in pay compared to their public sector colleagues. This could be addressed if the federal government saw this issue, recognised it and gave it the priority it deserves. As Ms Porter's motion correctly points out, the federal government should immediately inject funding into the aged care sector to specifically address this lack of pay parity.

There are other issues which have been identified in the aged care sector that affect the retention of nurses. These include shortages of staff, declining skill-mix ratios, increasing workloads, low morale and emotional stress, not enough time to give basic care, exhaustion, frustration, burnout, a widely held view that the quality of care has been compromised by cost containment initiatives. So there are a number of areas outside of wage parity. But wage parity could address some of those issues, particularly around low morale and stress, I imagine, if the federal government prioritised this issue and recognised the skills and experience of nurses who are working in the aged care sector.

It is important that as a community we acknowledge that aged care nursing is a rewarding, appreciated and challenging career. Aged care nurses will only feel appreciated and the aged care sector will only be an employer of choice when its wages are competitive with the public sector. If equality of pay were provided, I believe the aged care sector would attract and retain a skilled and sustainable work force. We will continue to advocate for the federal government to support aged care nurses in the private sector and to provide targeted funding to allow the same rates of pay enjoyed by nurses in the public sector to be enjoyed by those in the private sector residential aged care work force.

MR SMYTH (Brindabella—Leader of the Opposition) (5.04): Mr Deputy Speaker, it is an important motion that we have before us, particularly for the ACT, which has the most rapidly ageing population in the country. This issue is something that all jurisdictions, as the minister just pointed out, are going to struggle with in years to come. Some, indeed most, of the responsibility falls to the federal government. I note that over the last couple of years hundreds and hundreds of millions of dollars have been put into the aged care sector by the federal government. Because of their good economic management, they have actually been in a position where they can start to address these problems, but I think we would all acknowledge that more needs to be done.

Recently, I met with providers that run a number of aged care facilities. Their concerns are not just with pay, although pay and the ability to pay their staff seem to be at the top of the list. It is an area that, in the ACT, certainly is within the purview of the federal government. I have asked them to collect details to find out what is really the shortfall for each of their facilities. I have said that I am quite willing to facilitate meetings by them with the new federal minister so that they can go and put their case to him and he can learn first-hand, as I am sure he does in other parts of the country, exactly what the challenges are, especially those particular to the ACT.

We have seen from the federal government with the announcement earlier this week of hundreds of more beds for the ACT a firm indication of the federal government's commitment to helping people age and age in appropriate facilities should they require them. They have also made available more nursing positions so that we can train more nurses to make up for the shortfall that is being experienced, as we are told so often by the government, round the world.

But it has been put to me that there are things that the ACT government can do. If you look at the motion you will see that it does not mention that the ACT government is interested in doing anything at all in this regard. I recall seeing a letter to the editor published recently about an aged care facility which was having to pay a change-of-use charge. The author of the letter called on the government to waive this charge because it was obviously adding to the costs and the burden that are passed on to the residents. A simple thing that the ACT government can do to make nursing home facilities and aged care facilities more viable would be to get rid of that cost.

The second thing that a number of the facilities have said to me is that the inordinate amount of time that has been wasted by this government in getting approvals through for the development of aged care facilities has added dramatically to their costs. The government does not seem to understand the old adage that time is money and for any sort of development, let alone a community-based development for an aged care facility, any more cost that is added to that burden or any delays that are put in place obviously add to the costs that they have to carry. Perhaps that should be looked at.

I know that the government will come back and say that it has a land bank and things will happen in the future. There is no indication that it is happening any faster and I think that we need to make sure that we take every opportunity that we can to remove any burden on any aged care, retirement and nursing facility that we can and make them more cost-effective. We should also look at providing some concessions in regard to the actual cost of the developments when they are being undertaken.

The other thing that I think we need to look at is, of course, the whole area of education and training and the sort of image that we put out about aged care. That is also a role that I think the ACT government can undertake, particularly in ACT government schools. As I say that we are joined by the minister for education. Quite clearly, lots of young people would not even consider entering the field of aged care. The point has been made, and I think the point is correct: why would you bother if there is a wage disparity?

Until we have educated enough people to overcome the skill shortage, which falls fairly and squarely within the bailiwick of the ACT government, this is an area that we will

have to address not only now but also well and truly into the future. Given the level of ageing that the ACT is going to experience in the next 20 years, this problem will only be exacerbated. I think there are issues there in terms of education and training and simply raising the profile of aged care facilities, whether they be public or private.

We have to make sure that people understand that they are not just looking after oldies, that it is not just some sort of sedentary occupation. I am sure that you have often been to nursing homes, Mr Deputy Speaker. It is important that we understand that the people there are in the main active, vibrant people. We have a role to keep them in that way and the best way to do that is to make sure that the staff are trained.

The Australian government has substantially increased funding for residential aged care since coming to office. Australian government expenditure on residential aged care subsidies has grown from \$2.5 billion in 1995-96 to a budgeted \$5.5 billion for this financial year. That is an increase of 120 per cent, so I am not sure how people can point a finger at the federal government and say that they are not doing their bit. I think we all understand that there are still things to be done, but it can be seen from that that there has been a \$3 billion increase over 10 years. Of course, in the context of much that has been discussed in this place over yesterday and today, you can only do that if you get the economics and the budget right. If you have your budget in surplus, you can increase such services.

I suspect that the federal government will say that it does not set wages for staff in the aged care sector. That is primarily a matter of negotiation between employers and employees in their workplace arrangements. One of the principal objects of the Workplace Relations Act is to ensure that the primary responsibility for determining matters affecting the employment relationship rests with the employer and the employees at a workplace. Perhaps we need to be talking with the employers as well to make sure that they understand their responsibilities. Of course, that is easy to say when they are having difficulty raising funds, and that is the issue that we really need to address.

The Australian government have a responsibility to ensure that aged care providers are funded at a level that enables them to deliver the quality of care required under the Aged Care Act 1997. As I have said, that is the reason that they have actually increased their funding by some \$3 billion over the last 10 years. If it is not enough, let us go to the evidence and the detail and go back to the government and say that there is potentially more that needs to be done. I am sure that they understand that, but let us make the case and do that as well.

Before we go haring off and writing letters to the federal government asking for injections of funding, I think that it behoves members of the ACT government, of whom Ms Porter is one, to put to their government ideas as to how to fix the aged care crisis. I wonder whether Ms Porter has made suggestions about improving our approvals procedures, dropping the change-of-use charge, reducing charges and negotiating on the value of land that is given to the not-for-profit sector in particular.

The Australian government have worked particularly hard at the federal level through supporting the aged care work force strategy. There is a strategy in place. They have appreciated that the time has come to do more. They have increased funding so that aged care providers can pay higher wages and continue to provide high-quality care. So get

back to that issue, which is clearly under the control of the federal government, about what the employers are doing. The Australian government have invested some \$150 million since 2002 in practical work force initiatives designed to improve access to education and training opportunities for the aged care work force.

Some comments were made earlier about the increasing level of acuity amongst our aged. The federal government have acknowledged that as well and they have gone out and made sure that there is money available to assist the sector in meeting those needs. The sector and its work force need to be responsive to the needs for change.

If Ms Porter is serious about this whole issue, I am sure that when she gets up to close the debate she will tell us what her government has been doing. I am sure that she will tell us that they have been doing a good job, but the reality is that at the local level there is still much the ACT government can do. They have been dragged kicking and screaming to the position where they have now established their land bank, which is a reasonable thing, but let us look at other initiatives and other things that we can do to make sure that we look after ageing ACT residents in place for as long as possible—a lot of that would therefore be through community care, for which the minister is responsible—so that we have adequate programs there and that they are adequately staffed and funded, and at the same time that we have a much more effective, efficient and delivery-focused program of land delivery and approvals for aged care facilities of all types.

That is something that has not been successful, given the process at Calvary, which took almost five years. It took St Andrew 2½ years to get approval on its block of land. It took Goodwin Village in our electorate of Monash, Mr Deputy Speaker, more than two years to get access to its land. I think that there is a little bit more that the ACT government should be doing to make sure that aged care facilities come on line quicker and at as cheap a cost as possible so that they actually do spend the money on the staff, which I think we all acknowledge is a problem.

I certainly will do my bit. I will continue to talk to aged care facility providers. I talk a lot to the staff and the staff are to be congratulated. They are motivated and they do a fantastic job. I think we have all got to work together at all levels of government to ensure that we put in place wages and processes that keep them there.

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs and Minister for the Arts) (5.14): I wish to respond to just one of the issues raised by the Leader of the Opposition in his presentation, that is, the issue of the preparations by this government to ensure the seamless provision of land for aged care facilities.

I start my response to those remarks by the Leader of the Opposition by reminding members of the Assembly that in the seven long years of Liberal government 14 aged care beds were delivered. You did not mishear me. In seven years of Liberal government, there were delivered to the people of the ACT 14—10 plus four—aged care beds.

Mr Hargreaves: Two a year.

MR STANHOPE: Two a year. There are currently under construction or in the pipeline in the ACT 900 beds and 900 independent living units; 600 have just been approved by the government. The Leader of the Opposition at least did have the good grace, one might call it, to acknowledge that these are essentially issues for the commonwealth in the context that the provision of beds and payment for beds is entirely the responsibility of the commonwealth. The biggest issue that the ACT has faced, in fact, has been a lack of provision of appropriate beds to meet the ageing of the ACT population. Never forget, and it is often distorted in relation to the provision of aged care beds, that that is wholly and solely the responsibility of the commonwealth.

The ACT government now has in place a regime and a scheme that ensure that there is a significant development-ready land band for aged care facilities. We currently have in place arrangements for the construction of 900 beds and 900 independent living units. We now have the capacity to work, on the basis of the announcements made, on 200 beds a year on average over the next three years, an absolutely fantastic result for the ACT. I think that it is, essentially, belatedly acknowledged by the commonwealth that it has been very tardy in the provision of beds for the ACT.

In the context of that and the griping acknowledgment or lack of acknowledgment of the fact that we have seamless arrangements in place in the ACT through both the planning process and the provision of land, ensuring development-ready land is available for aged care facilities, the Liberal government, the Brendan Smyth government, delivered, as my colleague just cleverly determined—

Mr Smyth: Weren't you quick enough to work it out?

MR STANHOPE: I must say that it had not occurred to me. It had not occurred to me to look at it in the context of two beds a year. I have previously made the point that the Liberal government, over seven years of government, delivered 14 beds, a nice round figure. To break that down, to bore down to exactly and precisely what that means, two beds a year were delivered by Brendan Smyth as the then minister. Two beds a year. I do not know how the Leader of the Opposition actually has the temerity to stand up in this place, with that sort of history, and labour the point on this government's performance in relation to the provision of aged care beds.

Two beds a year is the Liberal Party's record in relation to aged care bed provision. Two beds a year! Can you imagine that? Two beds a year in the most rapidly ageing population in Australia. And what do we have now? We have 900 beds in the pipeline, a land band development-ready, streamlined processes and close work with ACTPLA. The difference in the commitment and the record of this government as opposed to the rest is incredibly stark and there for the world to see.

MS PORTER (Ginninderra) (5.18), in reply: I thank members for their contribution to this debate. As Ms Gallagher and other speakers have outlined, there is growing pressure on our community because of the rapid ageing of our population, which is in turn placing added strain on ACT families and individuals, especially when family members become frail and aged and in need of care.

I thank Ms Gallagher for the information about wage parity for ACT-employed nurses and nurses in the federal-funded programs that she gave in response to Dr Foskey, who has left the chamber. I was hoping that she would be still here as I wanted to remind her that if she does not know much about this subject, as she has admitted to us all, she had better find out a bit more about it because, like all of us, she is getting older and the alternative to that is not very pleasant. Let us wish that she does continue to get older, but she might well need to know a bit more about this subject in the future.

Mr Smyth was saying that he visits these places all the time. I do not know whether he actually talks to the residents, but he certainly talks to the staff. Residents have said to me time and time again that they greatly admire their nurses and greatly appreciate their carers and that they want to have more nurses and they want to have better paid nurses. Of course they do. That is obvious. They say that they believe that the low wages are at the root of many of the other problems that no doubt exist and that Ms Gallagher has outlined. Low morale is one of those, as is tiredness. If you are understaffed, you are continually tired. I believe that training is provided to nurses in an adequate way, giving us qualified and holistic care when we do have those nurses in place.

As Mr Smyth and I have pointed out, we are not all going to become frail and all the residents of the aged care facilities are not necessarily frail people, but there is a growing level of care needed and a growing number of people needing high care. When I visit these aged care facilities, and I do visit a number of them in my electorate and I do speak to the residents frequently, I am aware, as I have seen for myself, of the growing numbers of very frail people needing high level care.

Mr Smyth makes much of the ACT's planning system. As a member of the Standing Committee on Planning and Environment, I know that the reforms that this government has introduced are working, and getting approval is certainly much less of a problem now than it has been in the past. As Mr Stanhope has very clearly pointed out, when the opposition were in power there was a much lower rate of approval. In fact, it was so low that you would hardly describe them as registering on the radar screen.

Mr Smyth: How many did they open in their first term, if you know all this?

MS PORTER: I am just pointing out to you the comparison between the number of approvals.

Mr Smyth: Let's see the comparison.

MS PORTER: I do not have the numbers here in front of me, Mr Smyth, but I do know that there have been—

Mr Seselja: Zero. That is not many.

MS PORTER: Mr Seselja could probably fill you in if you want to have a little chat between you now. Is that what you want to do?

MR DEPUTY SPEAKER: Ms Porter, address your comments through the chair.

Perhaps the interjections will cease, too, and we will be able to proceed with the debate on this motion.

MS PORTER: I apologise for that. I do think that this government is doing better by a country mile as far as that is concerned, but I would place on the record here my great respect for those aged care facilities and for the staff that work in them for the work that they do. As I said, I visit them regularly and have conversations with the staff and the residents and also with the relatives of the people living within those facilities. I am well aware of the hard work that those staff are doing and of the appreciation of both the residents and the relatives. The fact is that we all want to work towards the same end. We all want more nurses and better paid nurses in the system here, both the ACT system and, importantly, the federally-funded system. I would appreciate the support of members for this motion.

Motion agreed to.

Education Amendment Bill 2005

Debate resumed from 24 August 2005, on motion by **Mrs Dunne:**

That this bill be agreed to in principle.

Debate (on motion by **Mr Barr**) adjourned to the next sitting.

Cardiovascular disease

MS MacDONALD (Brindabella) (5.25): I move:

That this Assembly acknowledges that:

- (1) cardiovascular disease is the leading cause of death in Australia, responsible for more than 1 in 3 deaths;
- (2) the effects and treatment of cardiovascular disease cost the community millions of dollars every year;
- (3) poor nutrition, lack of exercise and smoking all increase the risk of cardiovascular disease;
- (4) the important role events, such as Heart Week, play in raising awareness about cardiovascular disease and promoting healthy living;
- (5) the valuable work the ACT Division of the Heart Foundation does to raise awareness and reduce incidences of cardiovascular disease in the ACT community;
- (6) initiatives such as Promoting Healthy Students, college health coordinators and the Kids at Play program will lead to a healthier ACT adult community in the future;
- (7) the number of programs already implemented by the ACT Government and the importance of such programs in encouraging a healthy and active ACT community.

Mr Speaker, at the moment if an Australian is to die there will be a one in three chance that the person will die of cardiovascular disease. There is also a strong likelihood that this person will not have reached their average life expectancy, was probably overweight, smoked and was inactive. Heart disease probably affected their quality of life for many years before their death and possibly caused great expense to the public health system, their employer and their family.

Studies conducted last year by the Australian Institute of Health and Welfare found that roughly 80 per cent of the adult population in Australia presented at least one sign pointing to an increased risk of developing cardiovascular disease. This included adults that smoked, were inactive, had high blood pressure or were overweight. More specifically, this study found that over the past decade 3.6 million Australians aged 25 and over had high blood pressure or were on medication for that condition. An estimated 7.5 million Australians aged 25 and over were overweight or obese, 3.1 million adult Australians aged 14 and over smoked regularly, and more than 5.8 million adult Australians did not undertake physical activity at the levels recommended to achieve a health benefit. The same report also found that people who were physically inactive were almost twice as likely to have a fatal or non-fatal coronary event. Similarly, for those who smoked there was a 70 per cent greater risk of death from a coronary event than for those who did not smoke.

The problem with heart disease is that these factors, while alarming in isolation, become even more threatening when in combination with other risks. For instance, the Heart Foundation publicised in March 2005 that smoking roughly doubles the likelihood of heart attack. However, this risk doubles again if you have high blood pressure or high cholesterol, increases 10 times in women using the contraceptive pill, doubles the risk of stroke and increases the risk of gangrene by more than five times. Herein lies the danger of cardiovascular disease. Its propensity rises progressively as the intensity of risk factors increases.

This is particularly concerning when we consider that 80 per cent of the Australian population presented at least one sign pointing to an increased risk of heart disease. This becomes even more alarming when, realistically, it would be unlikely that these people would present only a single risk factor. What we then have is a vast proportion of the Australian population who are at a significant risk of suffering or dying from cardiovascular disease.

What this means is that cardiovascular disease is a massive public health problem and a significant cost for the health system each year. In 2004 the total financial cost of cardiovascular disease was estimated at \$14.2 billion, the equivalent of 11 per cent of total federal health spending, or 1.7 per cent of Australia's total GDP. More specifically, the costs associated with the direct medical treatment of cardiovascular disease cost \$7.6 billion last year, or just over half of the total annual costs associated with the disease. Alarming, if current trends continue, these costs are likely to blow out to \$11.5 billion by 2011.

While these figures are significant, they are difficult to compare with the indirect costs that have been associated with cardiovascular disease. These costs include those associated with living or suffering with cardiovascular disease and caring for those with

the disease, as well as costs associated with premature death. In 2004 the Heart Foundation estimated these costs at a massive annual bill of \$94 billion. One calculation they included in this figure was the cost resulting from the expected loss in work productivity, a cost that is easily overlooked and that illustrates just how diverse, varied and capillary-like the indirect costs of cardiovascular disease can be.

On this issue the Heart Foundation estimated that there are an expected 55,000 Australians unable to work due to cardiovascular disease or illnesses related to it. This figure was adjusted to include both those who could not work at all and those who were unable to find employment. In this finding it was found that, if these 55,000 people had the same employability as those not suffering from cardiovascular disease, they could be earning an average wage of \$747 per week and be generating an extra \$2.18 billion in production and income in the Australian economy.

From these statistics it could be mistaken that the picture of cardiovascular disease in Australia was all gloom. While the state of the disease is certainly not rosy, it is clear that significant inroads have been made into treating the disease and continue to be made in this direction, particularly through the commitment of organisations such as the National Heart Foundation of Australia, along with its state and territory divisions.

This organisation was established 43 years ago and since this time, through its commitment to research, awareness and fundraising, it has contributed to reducing death rates from cardiovascular disease by more than 60 per cent. More recently, the continuation of this trend can be seen in figures that illustrate that between 1990 and 2000 death rates have fallen a further 4.2 per cent for males and four per cent for females.

It is certainly a great feat that our ability to treat those suffering with cardiovascular disease has improved greatly and that we are now keeping many sufferers alive who would otherwise have died. However, the real challenge for our community is prevention, a role that the Heart Foundation again contributes to greatly, particularly through its annual Heart Week, which is being held this week from 30 April to 6 May.

This year's theme is healthy weight, healthy life, and with the latest figures showing that in Australia six out of 10 adults and one out of five children are overweight it is a timely theme indeed. Given the strong link between excess weight and an increased risk of heart disease, the Heart Foundation is using Heart Week 2006 to highlight practical steps Australians can take to achieve and maintain healthy weight. The first Heart Week was held in 1968, the year before I was born, but I am sure you remember it well, Mr Speaker—

MR SPEAKER: It was a good year.

MS MacDONALD: and was established as an initiative to highlight awareness about heart disease and the importance of maintaining an active and healthy lifestyle, and to raise much-needed funds for the National Heart Foundation of Australia. Today, Heart Week continues to be an important event in the community calendar for the prevention and treatment of this disease, and the monetary investment into cardiovascular research generated by events such as Heart Week is both quantitatively and qualitatively substantial.

On this point, Access Economics reported in 2003 that every dollar invested in cardiovascular research produced an eightfold return in both direct and indirect health savings and improved wellbeing. This is a considerable contribution when factoring that since 1959 the Heart Foundation has contributed more than \$100 million towards research into the treatment and prevention of cardiovascular disease. I will again be holding my annual heart day healthy red breakfast on Friday, and I would urge everybody, if they can, to come along. If we raise just \$200, this would contribute a \$1,800 saving in direct and indirect health costs and improved wellbeing—an amazing statistic and an amount that, hopefully, we will well and truly exceed.

Heart Week promotes good health by contributing to the development of a community understanding that highlights the need for an active and healthy lifestyle. Research into cardiovascular disease is essential. However, nothing can substitute the value of a healthy lifestyle. Sometimes seeing a red garment or having a healthy heart breakfast can be the best promoters for a healthy heart. They are small visual signs that contribute to a discourse of healthiness that runs throughout the community, hopefully exacting small changes that can make a big difference not just to our health but to the health of our community as well.

The ACT division of the Heart Foundation performs an invaluable role in contributing to both the treatment and prevention of cardiovascular disease. However, we are facing a public health crisis in the coming years unless a greater commitment is invested now. What is required is a strategic response that draws from the support of the entire community and, in particular, the support of government from all levels. In this respect, the ACT government is playing a pivotal role in promoting a healthy lifestyle to Canberrans and as such is playing a crucial preventative role against the prevalence of cardiovascular disease in our community.

In early December 2004 the ACT government launched the Health Promoting Schools web site, which was developed to support ACT schools, teachers, parents, community members and community agencies in improving students' health and education. This is a targeted approach to identify early lifestyle choices and behaviours in children that may increase the risk of developing cardiovascular disease in the future. This is also an approach to highlight the dangers of cardiovascular disease to those who might already be at risk or have developed signs of it. It also ties nicely in with other government initiatives such as Kids at Play and Eat Well ACT.

Targeted initiatives such as these are important, particularly where the costs of identifying, screening and modifying behaviour are low compared with the relatively high costs associated with the intervention and treatment of cardiovascular disease in later years. This is why it is so important for government to promote ways that both individuals and communities can modify their behaviour to live a healthier lifestyle. Here, governments are in a gate-keeping position to influence the knowledge and behaviour of a population, and this is particularly important when we realise that the cost of addressing many of the risks associated with cardiovascular disease can be small, inexpensive lifestyle persuasions.

The Stanhope government's kids at play program is a good example of this—a simple, inexpensive yet effective program to target childhood obesity and, therefore,

cardiovascular disease. This program encourages young children to play outdoors, to get fresh air and to exercise and have fun. As part of this initiative, the kids at play program uses a mobile play van and therefore is also able to strategically target areas or communities most in need. This program also builds on the support of community partnerships with the ACT division of the Heart Foundation, with the University of Canberra and with the ACT Playgroups Association.

The promising thing about this program is that it encompasses all the requirements needed to effect real change within our children. It is simple, fun, proactive and draws on the support of other community organisations to develop a lifestyle response to a lifestyle problem. It is encouraging that these same elements can be seen in many other health programs and agencies in the ACT. Tying in with this week's Heart Week theme of healthy weight, healthy heart, the ACT government has a clear commitment to the implementation of programs that encourage a healthy and active ACT community and it has put in place a package of initiatives to promote good health in children, young people and adults throughout our community.

The Canberra social plan emphasises the importance of focusing on prevention and early intervention across the lifespan in order to improve the likelihood of positive health and social outcomes for everyone. The plan addresses the more hidden environmental factors associated with obesity. In particular, it has a focus on strengthening community ties and family structures, improving and supporting the emotional and social development of children, as well as providing improved support programs when things go wrong.

The government is also putting in place initiatives to combat childhood obesity, including advice and support for children to improve nutrition, increasing opportunities for children to participate in physical activity, and programs to improve eating and physical activity patterns for obese children.

Cardiovascular disease is a major threat to the health of our community. Apart from being the number one cause of death in Australia, this disease also disables sufferers by reducing their quality of life and thereby also reducing the quality of life of the community. While we are certainly going to have to live with the presence of cardiovascular disease for many years to come and watch its effects continue to touch those around us, it is encouraging to see that inroads have been made, and continue to be made, into both treating and preventing the symptoms and attitudes that contribute to the development of cardiovascular disease.

Mr Speaker, I urge the Assembly to recognise the importance of national Heart Week in promoting a healthy and active lifestyle and its vital contribution to research into the treatment of cardiovascular disease. I finish by reminding everybody of the healthy red breakfast for heart day in the Speaker's hospitality room, from 8.00 to 9.30 am, and encourage you all to come along and show your support for the Heart Foundation. I commend this motion to the Assembly.

MS GALLAGHER (Molonglo—Minister for Health, Minister for Disability and Community Services and Minister for Women) (5.40): I rise to support the motion brought to the Assembly today by Ms MacDonald. This motion correctly identifies cardiovascular disease as a major issue for our community. It is the leading cause of death and a significant cause of illness and disability in Australia and the ACT,

accounting for an estimated 21.9 per cent of the total burden of disease and injury in Australia in 1996.

In the ACT, cardiovascular disease accounts for more than one in three deaths in the community. Almost half of all cardiovascular disease deaths in the ACT are due to heart attack and about a quarter are due to stroke each year. The 2004-05 national health survey estimated that one in every five ACT residents was affected by cardiovascular disease.

We know that smoking, physical inactivity, poor nutrition, excessive alcohol consumption, high blood pressure, a high concentration of certain fats in the blood, obesity and diabetes all increase the risk of developing cardiovascular disease. If these risks are left unchecked, as the population ages we are likely to see a significant increase in cardiovascular disease in the ACT and significant increases in the demand for associated acute care services.

This increase in demand will see a direct increase in costs to the community. In 2000-01 the Australian expenditure on stroke was \$896 million, while nearly \$7 billion was spent on other cardiovascular diseases. Heart, stroke and vascular drugs sold through the pharmaceutical benefits scheme cost \$1.5 billion in 2000. This is 34 per cent of government and patient costs for all prescription drugs dispensed through pharmacies.

The ACT government is taking steps to prevent cardiovascular disease and therefore these costs to the community. Ms MacDonal mentioned a number of programs that will lead to a healthier adult community and I would like to mention just a few more. The health action plan sets out a number of prevention strategies aimed at reducing the prevalence of modifiable risk factors in the territory. These priority areas include the prevention of smoking, prevention of obesity, improving nutrition and increasing physical activity levels in the ACT. ACT Health provides leadership in this area, working with other ACT government agencies, non-government organisations and community groups to meet the challenge posed by these health risks.

The ACT government's health promotion unit has developed and implemented its vitality approach to campaigns with the integrated message of "Eat well, be active, feel good about yourself—that's vitality". This approach incorporates activities and messages that encourage territorians to eat more fruit and vegetables, to increase their level of physical activity and to focus on their general wellbeing.

Other programs include young people in the ACT receiving alcohol and other drug education through the national school drug education strategy, and planning is under way for the introduction of peer education and mentoring programs in schools. Healthpact, the ACT Health Promotion Board, funds a variety of health-promoting activities in schools and in the community, focusing on smoking prevention, good nutrition and the promotion of physical activity. The heart fare campaign provides group nutrition education for people with one or more risk factors for cardiovascular disease and aims to reduce modifiable risk factors for heart disease

Maternal and childcare health nurses provide best practice nutrition advice to new parents—and I can say that they certainly do; they have just provided it to me. The ACT Diabetes Service is a multidisciplinary nursing and allied health team, situated across

seven sites in the ACT, providing community and hospital-based ambulatory care services and care to inpatients. ACT Health is supporting the Australian government's get moving campaign, which encourages children and young people to be active for at least one hour a day—something we again are trying to implement in our house. To date, over 20,000 resources have been distributed to a wide range of ACT residents through schools, health clinics, community organisations and workplaces.

ACT Health is also coordinating the national Go for 2&5 fruit and vegetable campaign in the ACT. The campaign includes development and distribution of resources for adults and children, radio and print advertising and food demonstrations. The walking school bus program, supported by government and managed by the YWCA, aims to increase the number of children who walk to school with parent volunteers.

There is an Aboriginal and Torres Strait Islander nutrition project, family fun at meal times program, with the young mothers group at Gugan Gulwan, and healthy eating guidelines for ACT schools are being developed in a collaborative project between ACT Health and the Department of Education and Training.

However, these government initiatives are only part of the solution. A broad approach is necessary in the effort to reduce the incidence of heart disease in the community. In addition to ongoing campaigns and programs, special events such as Heart Week are an opportunity for groups and workplaces to promote the value of a healthy lifestyle. It is an opportunity to raise awareness in the community and highlight the positive steps that we can all take in our lives to reduce risk factors associated with cardiovascular disease. It can also be a week where we encourage people to at least begin to adopt lasting healthy habits.

Similarly, the ACT division of the Heart Foundation makes a valuable contribution through its programs, which include just walk it, a free walking group program led by volunteers which aims to increase participation in regular physical activity. The Canberra community walks project aims to create a supportive environment to encourage Canberra residents to participate in regular physical activity. The project began in 2001 and has seen the establishment of 12 signposted walks across the ACT.

The ACT Health Promoting Schools canteen project, a fabulous project that Minister Andrew Barr will know about soon, assists all ACT schools in an accreditation and staff training program. The eat smart play smart project aims to improve the nutritional quality of food provided to children and to improve levels of physical activity in out-of-school-hours settings.

From all of this it is clear that there is a great level of activity across government, but also importantly across our community groups. We are taking steps to deal with cardiovascular disease on a number of fronts. Clearly, we cannot afford to become complacent. We must maintain our efforts to promote the importance of good nutrition and regular physical activity as protective factors and as a vital part of a healthy lifestyle. I therefore welcome and strongly support today's motion from Ms MacDonald to maintain community awareness of this issue.

MR SMYTH (Brindabella—Leader of the Opposition) (5.47): Mr Speaker, it is good that we have this motion because I think it is a timely reminder that the week is an

important week. The whole concept of healthy weight, healthy heart is something that has recently been proven by, I think, Queensland doctors who have found and can prove the link between obesity and poor heart health. For a nation that many would say is second only to the Americans in terms of obesity, we have certainly got a huge problem in front of us.

Although the minister and Ms MacDonald claim that the ACT government is doing much, the ACT government has languished on many of these issues for the last five years through a succession of health ministers, the Chief Minister and Minister Corbell, who actually abandoned this field for such a long time. I am pleased to hear the new Minister for Health has an interest in this area and we will judge her in the coming years.

The first thing the incoming education minister, Mr Corbell, did in 2001 was to cancel a program that would have monitored kids' weights and kids' fitness in our schools—the very first thing he did. He shut down the tender—did not like it, did not like the concept—that Mr Stefaniak had come up with, and indeed that a local sporting luminary, and indeed the first chair of the Healthpact board, Robert de Castella, was strongly promoting. Five years ago he was saying that what we have to do is monitor the health of kids so that we know where they are going and what trends are there. They missed it.

Sport in school, which again Mr Stefaniak has been a strong supporter of, has had only lukewarm support from the Labor Party for as long as I have been in this place. Ms MacDonald mentioned the kids at play program—she had the gall to put it in the motion—the program that apparently is ending at the end of the year. Ms MacDonald talked about how wonderful it is that people go off with little vans and talk to kids. They actually had another two vans ready to come on line—double the impact of the program, from two to four. But they have not put those vans on the road and they have not recruited any staff, because of uncertainty, indeed again coming out of the Costello functional review, over their future. Excuses were made.

Three months ago we had the then sport and recreation minister Mr Quinlan saying what a wonderful program it was, what it had achieved, how fantastic and great it was. Then there is all this uncertainty because the deliverers of the program are blamed, apparently, for overspending. Sport and recreation are blamed for not managing their budget. But the reality is that the people who now deliver the kids at play program are uncertain about their future. Perhaps the minister can get up in the two minutes that will be left when I finish to simply say that the program will survive—because that is what we want to hear.

This government has been shutting down ovals. Mr Pratt has been talking for a long time about ovals having been shut down and the loss of that community facility. The most basic thing you need—

Mr Barr: There was a drought.

MR SMYTH: to enjoy sport is a place to play. Mr Barr chips in that it is called a drought. Well, what have you done to drought proof the ACT? Our concept is to put a dam up so we can keep our ovals fresh and green. You are just sitting back and saying, "It's all too hard; it is a drought."

Mr Barr: Dams don't make it rain, Mr Smyth.

MR SMYTH: Blame the weather, blame the environment. Blame the environment, Mr Barr—that is it. It is a drought; it is just too hard.

Ms Gallagher spoke about Healthpact and about funding and Ms MacDonald spoke about the issue of smoking. And what happened in last year's Healthpact funding round? The government cut \$30,000 of money that was being used by the ACT's premier female sporting team to promote a healthy body, healthy image program to young ACT women, and in particular to stop them smoking. Thirty thousand dollars were taken from the Capitals—\$30,000! It was dirt cheap. They are such good examples for young women in the ACT.

Look at the statistics. Who is taking up smoking in this country? Young women. What is the ACT government's answer to that? Do not fund the Capitals; do not have our premier sporting female team out there sending out the message; do not help stop young women taking up smoking—cut the funding. That is the problem: the inconsistency in all of this from the government and the nature of these sorts of motions.

The motion probably should have stopped at paragraph 5. Let us give credit to the Heart Foundation. Let us give credit to Eileen Jerga and her staff. They do a fabulous job on a very tight budget, and without them most of this would not be delivered and most of this awareness would not be out there. Let us put the credit where the credit is due, and it is due to people like Eileen Jerga and the Heart Foundation, and well done to them.

Ms MacDonald talked about Health Promoting Schools and said that the ACT government had opened a web site recently. Well, who set up Health Promoting Schools? The former Liberal government did. Mr Stefaniak, Mr Moore and I used to go out every year and hold a barbecue, where we cooked and served up fat-free sausages to the young kids, with a fruit box and a bit of fruit to follow up, to promote healthy eating. We got money out of the urban services budget, out of the education budget and out of the health budget to say that Health Promoting Schools was essential to back up the good work that should be done at home, and in the majority of cases is done at home. We had a role to play there, and we expanded that program and indeed included preschools and put up substantial money for the first prize for the various categories, to make sure that schools had the opportunity to do what they were doing.

I notice the minister spoke about the walking trails, and I am very pleased that she did that because I initiated the walking trails. We set up a number of parks in Campbell—Victoria Cross Park, George Cross Park and Legacy Park—to honour the commitment of Australian service men and women and their families and those that survived them. We linked them with a park. We said, “Let us make an attraction, let us get a health benefit out of this, let us educate people about their heritage, but at the same time educate and urge them to get out and do something about their health, to keep fit, and make it attractive for people, give them an incentive, to go out.”

I am pleased that that program is all over Canberra now; it is in Tuggeranong and in all sorts of places. It is really important that we help people get fit. The purpose of the community walking tracks was to show whether, say, a three-kilometre walk was tough and therefore some people would know not to do it, or easy so that they could go ahead and do it if they were not that well or fit. People could overcome some of the fear that

they have about getting out and doing things. They were assisted to upgrade from the easy to the hard tracks. We did things like that.

One of the great things that we did, and I am pleased the current government has continued it, was to establish RecLink, using sport as a link to kids who were not so interested in their community, and particularly were not so interested in their schooling, to try and get them back in. The van goes out with the gear on board and people talk to the kids initially about kicking a footy or playing some sort of sport, but in the hope of getting these kids engaged so that they get, firstly, better health options and, secondly, through that, better educational and social outcomes too.

There is a lot that one can do with fitness and that is why this week is very important. It is not just about healthy weight and a healthy heart. I think it really should be healthy weight, healthy heart and perhaps healthy lifestyle, because there are opportunities here that go well beyond the heart in improving the general fitness and health of ordinary Canberrans. So there is much to do.

In the context of the Costello functional review and health funding, I hope the government are not going to be short-sighted and cut programs like Healthpact and health promotion if they are serious about keeping people out of the health care system, in particular out of acute care, where it costs about \$1,000 to spend a day in hospital; it is expensive. What we have to do is start with the new generations coming after us. Mr Barr spoke yesterday about generations X and Y. Some of those generations may not live as long as the baby boomers because they are more sedentary and they are less interested in sport. That is a huge problem for us because we in the ACT already know about the huge health bill we have got coming. But, if we are short-sighted, if we cut those programs, if we waste another day—let alone the five years that have been wasted over the program that Mr Stefaniak wanted to put in place in 2001—we are making a rod for our own backs, for the health system and for the ACT budget. But, more importantly and worse than that, we are limiting these people's lives, and the danger for us is to have generations that come after us that will have shorter lives than ours. I think that is a really disturbing trend.

So well done to the Heart Foundation. I wish them the best with healthy weight, healthy heart. Indeed, well done to Ms MacDonald for running the breakfast on Friday. I intend to drop in at some stage, depending on babies and waking times early in the morning. But it is important that we all get this message out and it is something that we really have to do together. I do not believe that we should be complacent about it. I certainly do not believe that we can take the risk of cutting any of the funding that promotes good health and good lifestyle, and I certainly do not believe that we should be limiting people's ability to access any sort of fitness that is currently run by the ACT government by cuts that may be imposed to sport and rec, to health, to ageing and to education through the effects of the Costello report and the economic mismanagement of the Stanhope Labor government.

I hope the government understand that this is a real investment in the future. It is an area about which you can honestly say that a little bit more now will save them an enormous amount of money into the future, and they really should consider very, very wisely what they will do with the funding to health promotion programs between now and the budget.

MS MacDONALD (Brindabella) (5.57), in reply: I thank members for their contribution. I will be less than five minutes.

MR SPEAKER: It is almost 6 o'clock.

MS MacDONALD: I will be less than three minutes.

MR SPEAKER: You will indeed.

MS MacDONALD: Yes, I will indeed. I thank the minister and Mr Smyth for their comments. It is a pity that the crossbench did not want to come down and speak on this matter because it is an important one.

I note the comments made by Mr Smyth. There were some glaring errors in the things he said and a little bit of leaving out of important facts in some of the things he said.

Mr Smyth: Name one.

MS MacDONALD: Mr Smyth, you need to keep in mind that the program that was cut when Mr Corbell became minister for education would have lined the pockets of a very prominent person. I do not deny that the person who runs that program is very prominent, and I like the man quite a lot. It was questionable as to what would be delivered by that program. You glided over that a bit. I do not think that you touched on it at all. I thank members for getting up and supporting the spirit of the motion.

Motion agreed to.

At 6.00 pm, in accordance with standing order 34, the motion for the adjournment of the Assembly was put.

Adjournment

Private Jake Kovco Tasmanian mine disaster Overseas peacekeeping forces

MR PRATT (Brindabella) (6.00): I rise to commemorate the passing of Private Jake Kovco. I do not know whether this has been done—I was absent yesterday—but if it was I apologise. Personally, I put on the record my commemoration of his life and his passing. Private Jake Kovco was a member of the 3rd Battalion, parachute, of the Royal Australian Regiment. At least we know the general circumstances in which he died. Clearly he died in the line of duty.

I pass on my condolences to his wife and his little children—they are small—his parents and his family and the commanding officer and the soldiers of 3RAR. This man's death and the circumstances illustrate the dangers of service. We have men and women from this country serving in the line of danger.

One of the more concerning aspects of this issue lately has been the rather crass media speculation on the supposed circumstances surrounding his death. It illustrates the unseemly rush that the Australian media seems to have now to want to get hold of the so-called facts of the story and not be patient enough to allow authorities to properly investigate the circumstances so that his loved ones can be told quietly and quickly what really happened. It is always important that governments inquire into these things quickly so that they can transparently talk to the community about what may have happened. Notwithstanding that, you do not have to go into the personal and private aspects of a man's life when these things become newsworthy. That, unfortunately, is a problem we have now.

The same applies to the Tasmanian mine disaster. With that in mind, I, too, pass on my condolences to the family of Larry Knight who tragically died in that Beaconsfield mine collapse. We have admiration, and our fingers are crossed, for Todd Russell and Brant Webb who are still trapped under a kilometre of rock. Our hearts go out to their families as well, because you can imagine what they are going through. We have admiration too for the brave workers. It is very, very much a workers exercise to recover Mr Russell and Mr Webb.

I caution, though, the media about being too overly optimistic on this. It has worried me that people have started celebrating so quickly. There is a lot of danger for both those two men and the people who are trying to rescue them. Again, the media ought to be a bit more cautious about how they report on this as well.

Finally, when we talk about the miners in Tasmania, our servicemen and police, we have to remember that these are people who are usually fairly low key, they are very quiet, they are not celebrated in society, but they often work in dangerous circumstances both here and abroad. Let us remember our defence force personnel working in Iraq and Afghanistan particularly and, finally, our ADF and Australian Federal Police personnel serving in the Solomons, PNG and Timor. For the record, let us wish them all the best in the duties that they are performing for this country and their communities.

Tourism

Qantas—Canberra-Sydney flights

MR BARR (Molonglo—Minister for Education and Training, Minister for Tourism, Sport and Recreation and Minister for Industrial Relations) (6.03): In question time today Mrs Dunne asked me a question about tourism figures. From the many, many briefings that I have received in the past three weeks—and I am pleased to advise the Assembly that my generation X memory was accurate—I can report to the Assembly that the ACT in fact bucked the national tourism trends in 2005 and that national figures showed that there was an increase in the number of domestic overnight visitors by 6 per cent and that the national figure, in fact, was a reduction of 6 per cent. In fact, we were the only jurisdiction in the country to record an increase on an annual basis. I would note, of course, that quarter-by-quarter comparisons regularly show fluctuations and are generally considered to be a less reliable indicator than whole-year figures. I am pleased that, overall, in 2005 we saw that increase in overnight visitors.

Whilst on my feet, I also take the opportunity to welcome the announcement from Qantas today that they are going to be increasing capacity on the Canberra-Sydney route by more than 12 per cent. We are going to see some new 72-seat aircraft that are, I am told, larger and faster than the existing 50-seat Dash 8 planes, which is a good thing because those of you who have travelled on the Dash 8s know they can be a bit hairy at times, particularly if you are not a good flyer. I understand that, in total, there will be 140,000 additional seats on the Canberra-Sydney route every year, which is fantastic because Sydney is one of our large tourism markets. All in all, it has been a good day for tourism in the ACT.

Environment—greenhouse gas emissions

DR FOSKEY (Molonglo) (6.05): I rise to refute the oft-said opinion that reducing greenhouse gas emissions is too expensive. The World Wildlife Fund has produced a report, along with AGL and Frontier Economics, which found that Australians could pay as little as \$250 in their whole lifetime to achieve a 40 per cent reduction in greenhouse gas emissions from the country's electricity generation industry by 2030. The study modelled the cost to Australian society of using low and zero greenhouse gas emission electricity-generating technology to achieve a realistic target by 2030 consistent with the greenhouse gas reductions advocated by climate scientists.

The study, for those who want to look it up, is called "Options for moving to a lower emission future". It found the electricity-generating sector's greenhouse gas emissions could be reduced from current levels of nearly 200 million tonnes to 120 million tonnes by 2030 while still meeting—and this is the key point—growing electricity demand from industries and households. It stated:

"We have found that solutions to help mitigate dangerous climate change are affordable and achievable in Australia—so what is stopping us from starting immediately to reduce CO₂ pollution in this country?" WWF-Australia CEO Greg Bourne said.

"The myth of mitigating climate change as being 'too expensive' is discredited—we must move swiftly towards a clean energy future. We already know the consequences if we do nothing are frequent and expensive extreme weather events like droughts and cyclones and the potential loss of up to a million species," Mr Bourne said.

The study utilises the sophisticated Frontier Economics model of the National Electricity Market—

which is cutely titled WHIRLYGIG—

By simulating investment decisions by electricity market participants, the WHIRLYGIG models act to minimise the cost to society of meeting electricity demand while reducing greenhouse gas emissions. ...

The study shows that reducing greenhouse gas emissions from the electricity sector could be limited to between \$5.19 billion net present value (NPV) and \$24.16 billion NPV, depending upon the reduction pathway chosen. ...

“It is important that policy makers establish long term emission reduction targets and the course for meeting those targets. This will allow businesses to invest in new technological solutions to minimise the cost of reducing emissions,” AGL’s General Manager ... added.

Of course then AGL spruiks itself up. I read this because we are too often hearing the other view, including from our Chief Minister, and to express my disappointment that the ACT government quietly put off the introduction of energy efficiency measures in new housing and commercial buildings, which was supposed to come in on 1 May, to 1 July. Each time we do that, we make it a little bit harder for ourselves to ensure that we tackle the issue of climate change, something that otherwise our children and their children are going to be grappling with.

Multiculturalism—Sikh community

MR SMYTH (Brindabella—Leader of the Opposition) (6.09): Mr Speaker, thank you for the opportunity to speak about Canberra’s Sikh community. Last weekend the Sikh community put on a presentation at the Tuggeranong Community Centre to alert Canberra residents, and indeed all Australians, through the use of a new website, that the Sikh community is a valued part of our community; that they love being Australian, even though most were probably not born in Australia; and that they have suffered because people think someone wearing a turban might be related to or interested in terrorist activity.

The effect has been somewhat significant in America where, following September 11, a number of Sikh men wearing turbans were shot, I guess in a case of mistaken identity. But as the community was at pains to emphasise on the weekend, they are not involved; they are law-abiding citizens; they love their country, Australia; but they also love their Sikh heritage and their religion. Ms MacDonald, on behalf of the Chief Minister, opened an exhibition of some art. Senator Humphries also attended. I was lucky to attend.

One of the things that the Sikhs emphasised was that the Sikh community has a long relationship with Australia, particularly in military terms. They made the point that some 1,700 Sikh soldiers died on the Gallipoli peninsular, something sacred to all Australians, and indeed something very, very special to the Sikh community as well. It is interesting that, in just about every major conflict Australians have been involved in, they have served alongside soldiers of the Indian army, which includes many Sikh regiments.

The Sikhs served in the Boer War, where Australians served, in Gallipoli, in the desert and on the western front in World War I, and in Malaya in World War II. The Indian army also served in the Korean War, alongside the Australians. I would assume, although I have got no knowledge of which regiments, certain Sikh soldiers would have stood there.

They then went on to highlight what their religion was about and what they believe. They explained the use of the turban, why they carry a knife, why they have a comb, what their sacred texts are all about and how the 10 gurus over time have helped develop the code that they live by. It truly is a code of peace, although they are willing to go to any end to defend that peace. But it is also a code based very much on family and family values and respect for the family. They have established a network of young Sikh

Australians. They have established a website where people can inquire about what it is to follow Sikhism and to highlight the fact that they want to be very much a part of Australian society, very much a part of Canberra society, and that they have much to offer, much that they have offered and much that they will offer in contributing in the future.

I say well done to them. It is fabulous. The shame, for my part, is that there were not a particularly great number of people there. Those that were there were very interested and intrigued by it. The presentation was good. There was a short film, followed by the opening of the exhibition. Then there was some afternoon tea provided. On behalf of the Liberal Party, we say thank you to the Sikh community in the ACT for putting on the presentation.

Mr Zed Seselja Women

MR GENTLEMAN (Brindabella) (6.13): I rise tonight to let you know that I was flicking through the *Canberra Times* this morning when I came across a story about one of the Assembly members being nominated for an award. Just in case it has not made it around the building, I formally congratulate Mr Seselja for his third place in this year's Greg awards held by the Women's Electoral Lobby of the ACT.

The annual Greg award seeks to recognise, and I quote from today's *Canberra Times*, "the most appallingly poor comment about women in the past year". Mr Seselja was awarded a place for his comment in his inaugural speech in which he stated:

... it is now time that a minister for men was appointed in the ACT.

He will not be receiving the trophy, however. The honour goes to his Liberal comrade Alan Cadman, whose delightful comment on willy-nilly pregnancies earned him the title of winner. A close second for his comments on "shooting pregnant women" was Barnaby Joyce. Zed will not be making the wall of shame this year, but congratulations just the same for mocking the work done by this government and previous governments in seeking gender equality in the ACT. It always amazes me that there are not more awards out there that seek to acknowledge the comments of the ill-informed and the ignorant. So a big thanks to the Women's Electoral Lobby of the ACT for their fine work in coordinating this award.

For Mr Seselja's benefit, and just in case he wishes to avoid the honours of the Greg award, I provide this Assembly with some sobering statistics. If you are a woman currently employed in the ACT you earn, on average, 70.3 per cent of the wage that men receive. You are more likely to be employed on a casual or insecure basis. As we heard yesterday, a woman's position within the work force is placed at an even further disadvantage with the increased use of individual contracts. Women on AWAs earn 20 per cent less than men on AWAs. Only 11 per cent of AWAs include maternity leave, paid or unpaid.

Then there is the glass ceiling on women's employment. The glass ceiling is in fact a concrete block, with the EOWA census showing that women make up only 10.2 per

cent of all executive managers in ASX-listed companies and that the number of women board directors is only 8.6 per cent.

It is not just discrimination, systematic or blatant in the work force, that prohibits women's equality in our society, the most serious issue facing women of course is violence. Violence against women is one of the most crucial social mechanisms that deny women and girls the opportunity to live fulfilling lives. Living in fear is debilitating. The most recent statistical estimate of the annual total number of Australian victims of domestic violence was in the order of 408,100, of which 87 per cent were women. In 98 per cent of total cases, the perpetrators were male.

We know that these figures do not paint a full picture. The Australian Bureau of Statistics has estimated that less than 20 per cent of the violence against women is reported to the police. Research has established that one million women have experienced violence during a relationship, that is, 23 per cent of all women. Of this 23 per cent, 20 per cent of all women were pregnant when violence first occurred. The elimination of violence against women is a social issue, with multilayered approaches to both victim and perpetrator; it is not just a women's issue.

However, Mr Seselja's comments, hinting that women-specific programs and resources are at the expense of men, lack any understanding of women's issues. He fails to recognise the systematic disadvantage faced by women. He fails to recognise that, despite decades of advancement in wages and employment conditions, women still earn significantly less than men.

Unlike Mr Seselja, the ACT government is committed to creating a community where women are acknowledged and recognised for their valuable contributions. This commitment has been formalised in the ACT women's plan. The recent promotion of Minister Katy Gallagher to the position of Deputy Chief Minister in this government is just one example in reiterating that commitment.

National Australia Bank volunteer awards

MS PORTER (Ginninderra) (6.17): I inform members about a different kind of award, the wonderful award program that was launched nationally in April of this year, the National Australia Bank volunteer awards. These awards recognise and reward organisations for their coordination and management of volunteers.

You are all aware of the enormous success of the NRMA-Volunteering ACT volunteer of the year awards which recognise individual volunteers, but the NAB awards have a different focus as they are targeted at the organisational level. These are national awards and are supported by Volunteering Australia, the national peak body. Not-for-profit organisations, regardless of their size, are encouraged to nominate now. Nominations will close on Wednesday, 28 June 2006.

To show best practice in their management of volunteers, organisations need to be able to demonstrate their organisation's approach to working with their volunteer work force. They also need to be able to showcase a project or activity that happened in Australia in the past 12 months. There are seven award categories. I read these from the nomination form that I have here. These are: arts and culture, community services and development,

education and youth development, emergency and safety, environment and wildlife, health and wellbeing, and tourism/sport and recreation.

Awards are available at both state and national level. The ACT has a proud history of success in these awards, with awardees at both state and national level over a number of years. There are too many past ACT winners to name all here, but organisations include the Apex Club in Tuggeranong, the Belwest Foxes soccer club, the Red Hill Regenerators, the Australian Federal Police volunteers in policing program, the CSIRO entomology program, Mental Illness Education ACT, Heart Support Australia—ACT Branch and of course the Rivers Volunteer Bushfire and Emergency Services Brigade who won the national award in 2003.

Last year's Canberra winners included the RSCPA, Pegasus Riding for the Disabled, which won for the second time, Indigenous Community Volunteers and the National Folk Festival. Yesterday in the adjournment debate Dr Foskey mentioned the wonderful success of that particular program. I join her in recognising the wonderful program because I know that that program was developed in consultation with Volunteering ACT some numbers of years ago, as was the volunteers in policing program which was developed from the ground up in partnership with Volunteering ACT. It is held up as a fine example of such a program across Australia.

This year NAB is introducing merit awards for the top 10 nominations received in each category, allowing more of these wonderful organisations to be recognised. We did the preliminary judging of our particular states and territories and sometimes one other state. For many years I sat on those judging panels. I must say that it was very hard for me to make a decision about who should be the first four in a category that I should refer to the final independent judging panel.

Organisations, which are awarded in categories, will receive a cash prize and may use the money for a particular, identified project. They will be given an opportunity to celebrate during local ceremonies held in their honour. As you can imagine, both the opportunity to celebrate their programs and to receive a cash prize are extremely beneficial to these organisations. I encourage all members to think about organisations that they know about that would possibly meet the criteria listed in this nomination form, obtain the form and encourage organisations to start working on their applications now as this will enable many worthy organisations to meet the 28 June deadline.

Question resolved in the affirmative.

The Assembly adjourned at 6.22 pm.