



# Debates

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## **Wednesday, 13 February 2008**

**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.

### **Agents Amendment Bill 2008**

**Mr Mulcahy**, pursuant to notice, presented the bill.

Title read by Clerk.

**MR MULCAHY** (Molonglo) (10.31): I move:

That this bill be agreed to in principle.

Mr Speaker, it is with great pleasure that I introduce the Agents Act Amendment Bill 2008. This bill, if supported, will deregulate the employment agency industry in the ACT. It will do this by removing references within the Agents Act to employment agents. At present the Agents Act requires employment agents to be licensed. Despite this requirement, the provisions that this bill seeks to amend achieve little by way of regulation of the industry.

The change I am proposing will allow employment agents in Canberra to continue to operate just as they do now in the highly competitive market without facing attempted government regulation that really does not achieve anything at all. This is not a drastic measure. The current licensing requirements do not provide any useful regulation for the industry but, instead, result in a costly, cumbersome process that is adhered to by some in the industry but ignored by many others.

A bureaucratic layer of licensing is not necessary in the recruitment and employment consultancy industry. I have been informed by industry that it does not alter the way that they operate and, aside from the inconvenience and cost of compliance with bureaucratic red tape, has little impact on businesses.

Employment agents operate in a service industry. This in itself mitigates the need for regulation. If an individual were to operate or conduct themselves in an unsavoury manner they would certainly not last long in this highly competitive industry. Competitors in the industry rely upon attracting clients, both workers and employers, and as such must conduct themselves in a professional manner.

In trend terms, unemployment, as the Chief Minister boasted in his December media release, in the ACT was just 2.4 per cent in December last year. I think it has come down since then. This is hardly the environment in which competitors would seek to operate to the detriment of either employees or employers.

In a town where the unemployment rate is just 2.4 per cent, the employment market is highly competitive. With such low levels of unemployment, employment agencies still compete to attract both employers seeking workers but, even more so, compete for individuals to fill those vacancies. They can scarcely afford to behave in anything

but a professional way or they run a very serious risk of having their business disregarded and inevitably facing failure.

It is, unfortunately, historically typical of the approach of successive ACT governments that it was felt necessary to have oversight over so many aspects of the business community in the ACT. Business—and I extend this comment beyond the recruitment industry—does not need to be micromanaged by government. We have moved light years ahead of the days of the NCDC where the town was treated like an infant child, being managed from sunrise to sunset. We need to move on in terms of our approach to business and regulation and, to this end, it should not be subject to meaningless licensing and regulation procedures that accomplish nothing beyond inconvenience, expense and wasted energy.

Partly, I am sure, this attitude is driven by a traditional mistrust of business. Our business is not trusted to operate independently, and so governments seek to impose themselves over every move the business community makes. In my experience, this approach is really not necessary and hinders rather than helps business and the community.

I am, of course, not so naive as to think that we can rely totally on the market alone to regulate behaviour in the community. And that is why we have developed a comprehensive system of laws to protect individuals, and indeed we pass new laws every time this Assembly sits. It is not only the market that ensures that the recruitment industry conducts itself in a responsible manner or in a reasonable manner; for example, most of the commercial dealings engaged in by recruitment agencies and employment consultancy groups are covered by other heads of law like the Fair Trading (Consumer Affairs) Act.

Mr Speaker, market forces and other heads of law mean that this additional level of bureaucracy is not needed to regulate this industry and serves no useful purpose. The cost of this superfluous regulation is \$560 per licence. The cost is compounded by the fact that many firms require multiple licences. I am informed, for example, that one leading recruitment firm, because it has eight incorporated entities, requires eight separate licences to operate in the territory. I really cannot see any rationale for layer upon layer of licences within a single grouped entity to exist. It is another example of the absurdity of this regulation. The actual cost to a company, when the time spent on compiling the necessary documentation is considered, is much greater of course than the \$560 fee required per licence by the territory government.

Certainly the inconvenience faced by businesses that comply is considerable. I will give an example that highlights the absurdity of the current regulations. I have been informed that, in some cases, the national and even the international hierarchy of local businesses directors and chief executive officers, who do not necessarily even operate in the ACT and are resident overseas, of local companies in Canberra require accreditation for the company to operate in the ACT. This really is an example of regulation gone mad.

The ACT requires police checks, statutory declarations and other materials from individuals who do not work in this city or, in some cases, do not even work within Australia. I would be most interested in hearing the rationale behind this requirement,

and I struggle to see how it could be justified. I understand the need for that level of detail in certain industries, particularly, for example, in the casino industry where one has to be especially careful to ensure that the parentage of entities operating in the gambling industry is legitimate and that those trails that in some states and jurisdictions go back to overseas owners make a lot of sense. But this is not an industry that I believe sits within that appropriate regime, and I think that it is simply caught up in a regulatory arrangement that now needs to be revisited.

The cost and the associated administrative burden of these licences amount to a significant impost on companies that work in the recruiting industry, especially when nothing is received in return; and, sadly, other competitors do not bother to apply for the same accreditation. It is my understanding that a significant number of employment agencies have operated in the past, and may even continue to do so, without bothering with the licences, although I am aware that the minister attempted to intensify efforts in this regard last year. But I suggest that that really is not the solution.

This puts those companies that do comply with the costly licensing requirements at a comparative disadvantage. That individuals and companies are able to operate outside the system is another indication of the present system's complete ineffectiveness. Although the government made some noise about improving the current regulation system last year, I do not believe that it can be fixed or that there is any compelling reason even to do this.

The alternative that I have proposed represents a better outcome for both the industry and the ACT community. I do not believe that there is a need for this layer of bureaucracy. It is, at best, an example of excessive government involvement and, at worst, a rather bizarre attempt at revenue raising.

Last year I met on two occasions with representatives from the Recruitment and Consulting Services Association, the RCSA, and talked about the problems facing this industry in the ACT. The RCSA, whose members in Canberra, I believe, are those that have signed up mostly with the current licensing arrangements, represents something in the order of 80 per cent of the volume of all recruitment work undertaken in the ACT. They are a national body representing recruiters and employment consultants throughout Australia, and I met their national representatives from Melbourne as well as the local ACT representatives. The RCSA shares my view on the value or, more accurately, the lack of value of the ACT's regulation and, indeed, it was their initiative that brought this to my attention.

I can imagine that there will be those that scoff at this. Of course an industry wants to be free of government interference and would advocate and support deregulation. But I do believe that such criticism or scepticism is unwarranted. Members of the RCSA are bound by a code of professional practice. This code is not something that is just a feel-good document. This code is actually authorised by the Australian Competition and Consumer Commission, and its members are legally bound to adhere to that code, and it has legal force.

The document provides greater regulation than the ACT scheme and commits members to the general principles of a high standard of ethics, probity and

professional conduct; ethical behaviour beyond simple compliance with legal requirements, including honesty, equity, integrity and social responsibility in all dealings; and a written commitment to abide by the code and its schedules.

I am informed by the RCSA that the implementation of the code of professional practice has put an onus on employers and, in some cases, resulted in changed practices and a better level of service. If the ACT's regulations were as effective, it is possible that I would not have a problem with them, but this is simply not the case. Whereas the RCSA's trade practices authorised code compels a standard of behaviour, the ACT licensing regulations penalise businesses but achieve nothing.

The fact is that, in addition to the market forces and other heads of legislation that I have already outlined, the vast majority of business that is conducted in the ACT is undertaken by businesses that are bound by an ACCC registered code of professional practice. The code binds these companies to a far greater extent than the ACT legislation does. And this is another reason that I would urge the current government regulation and licensing requirements be repealed as they are completely unnecessary.

The code that I cited regulates the behaviour of the firms and ensures that the actions of the RCSA members are in accordance with a high standard that extends beyond simple legal requirements. The ACT licensing requirements add nothing to this situation.

I will now turn to the situation in other jurisdictions, Mr Speaker. The bill that I am presenting to the Assembly today does not ask the ACT Legislative Assembly to take any extraordinary steps. I have already detailed at length the shortcomings of the legislation as it currently stands. We are better off without it—without the regulation, that is.

Other jurisdictions have also recognised the superfluous nature of regulation of this type and have moved away from licensing requirements. Victoria, the Northern Territory and Tasmania do not have legislation regulating employment agents. New South Wales incorporates an element of regulation into the Fair Trading Act 1987 but does not impose licence requirements on agents.

Tellingly, Queensland, which does have regulation of agents, draws its inspiration from the code of professional practice that I have discussed already. As I have mentioned, this code, which covers much of the industry in the ACT, provides much more stringent regulation control than the ACT's Agents Act.

Of all jurisdictions in Australia, only Western Australia and South Australia still have regulation requiring licensing similar to that used in the ACT. Even with these jurisdictions, I understand that Western Australia's licensing system is not as broad as that existing in the Australian Capital Territory. This bill represents an opportunity for the ACT government to follow other Australian jurisdictions and to encourage rather than hinder the recruitment and employment consulting industry and enhance a business-friendly environment in this territory.

Mr Speaker, this bill gives the Assembly an opportunity to make a change that will make it easier for businesses in the employment sector to operate in the ACT. This deregulation and the removal of these nuisance licensing requirements for

employment agents will not be to the detriment of Canberra residents at large. Recruitment agencies and employment consultants in the ACT will continue to provide a service in a highly competitive market. Their behaviour will be controlled by the market, other heads of law and, in most cases, a code of professional conduct that places more onerous requirements on businesses than does ACT regulation.

It is probably a matter of record that in general I favour minimal government involvement in business. This bill seeks to remove superfluous government interference in an industry that is performing a vital role in the ACT. The current licensing requirements achieve nothing more than the placing of an administrative and financial impost on ACT businesses. I commend this bill to the Assembly and I hope that it will receive the support of both major parties and the Greens.

Mr Speaker, I would also seek leave to table the RCSA code of professional practice that I have referred to, for the information and interest of members of the Assembly.

Leave granted.

**MR MULCAHY:** I present the following paper:

Recruitment and Consulting Services Association (RCSA)—Copy of Code for Professional Conduct.

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

## **Courts (Judicial Appointments) Amendment Bill 2008**

**Mr Seselja**, pursuant to notice, presented the bill.

Title read by Clerk.

**MR SESELJA** (Molonglo—Leader of the Opposition) (10.48): I move:

That this bill be agreed to in principle.

I rise to present this bill today to amend the Magistrates Court Act and the Supreme Court Act. Decisions around the appointment of judges and magistrates are amongst the most important decisions made by governments. The community invests significant trust in judicial officers, and their decisions in turn affect the community in a profound way. It is therefore crucial that we look at ways of making the process for their appointment as open and transparent as possible.

This bill is aimed at improving the mechanism for appointing judges and magistrates by giving a level of public scrutiny which has not occurred before. It finds a middle path between the current method of appointment and a judicial appointments commission, which had been called for by some in the community. This bill introduces a mechanism by which the executive must consult and take advice from the appropriate Legislative Assembly committee before making a decision regarding the appointment of a judge or magistrate. The appropriate committee is either the legal affairs committee or another standing committee nominated by the Speaker.

The purpose of this bill is to ensure that the public have the fullest confidence possible in the appointment of judges and magistrates and that the process is as open and as transparent as possible. By taking on board the advice from the legal affairs committee, it will provide another check and balance in the process and will allow greater public involvement in the procedure. By adding another layer of scrutiny, it provides another avenue of information to be provided to the government so that when it makes its decisions it is in the full knowledge that it has all the relevant information available and that no detail has been overlooked.

The bill also involves the legal affairs committee in the decision-making process in an advisory capacity. Once again, this will improve scrutiny and add to the advice which is provided to the government. The government still has the final decision regarding the appointment but must consider the advice provided to it. The committee process would give the Law Society, the Bar Association and other interested groups the opportunity to make submissions.

While I do not favour a judicial appointments commission, because I believe that elected representatives should make decisions on judicial appointments, it is clear that the process would be enhanced by clearly allowing the profession to make its position known to the executive prior to appointments being made. This bill would allow that to happen. It is a simple change which would improve the process of judicial appointments, and I commend the bill to the Assembly.

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

## **International Year of Languages**

**MS PORTER** (Ginninderra) (10.50): I move:

That this Assembly recognises the important role languages play in maintaining the diverse cultures that enrich our multicultural way of life, in this the International Year of Languages.

I have moved this motion today to recognise the important role languages play in maintaining the diverse cultures that enrich our multicultural way of life in this, the International Year of Languages. Last year, the United Nations General Assembly proclaimed 2008 the International Year of Languages, in recognition of the fact that the capacity for people to be genuinely multilingual promotes unity and diversity in international understanding.

It was a move to ensure the preservation of the diversity of languages and cultures globally, while emphasising the importance of the equality of the UN's six official languages: Arabic, Chinese, English, French, Russian and Spanish. The slogan for the year is "languages matter". In practical terms in respect of these new measures, the UN has undertaken tasks such as ensuring that its documents are available in the six official languages, while also making use of official languages in all activities involving its department of public information.

Throughout history, human beings have found many and varied ways to communicate, from body language and music, to painting, carving and dance, through the flying of

flags and morse code, and now through modern technology. The use of words, though, remains the number one tool in sharing information in the 21st century. We love to talk, and if my inbox on my desktop is any indication, we love to write. And we have found 6,912 ways to express ourselves around the world through the use of languages. That is the current estimation, according to language experts, of the number of living languages in the world today.

Just think about that figure for a moment: 6,912 languages spoken in communities ranging from remote Indigenous communities in Australia to unique dialects developed by locals in fishing villages in South-East Asia. Sadly, the number of Indigenous languages in Australia that are still surviving today in this country—languages that did survive in remote communities for tens of thousands of years—is diminishing. I can remember how important it was to learn the local language of the people living in Arnhem Land when I worked there and lived with those people, and I still use some of those words and phrases that have become incorporated in the way in which I express myself. Don't be surprised, for instance, if I say "Ngaku nghe djal?" instead of "what do you want?" or "Manymuk, Latju, Bilangich" instead of "thank you". It is interesting that the people I lived with have three words for "good" and "thank you" but had no word for "work" until the traders from what we now know as Indonesia arrived in Arnhem Land. Indigenous peoples saw no need to describe in any way what they did to survive. There was no word to describe "work".

Today marks a very significant day in the lives of the Indigenous people of our country. It is a significant day for all of us, may I suggest. I am hopeful that many benefits will flow from the decision that our federal government has made today to say sorry. Preservation of culture and language may well be one of those benefits.

In the ACT, we speak dozens of different languages and dialects. Ours is a diverse city which has embraced the multicultural and multilingual way of life, with a strong focus on encouraging, admiring and, in some instances, even adopting languages across the community. We revel in our differences and our diversity, as much as we recognise our shared values and similarities. We are united in the importance of preserving languages and the unique attributes of the cultures that make up Canberra. It is a universal fact that language is a way that families, friends and work colleagues, neighbours and even strangers can relate to one another, attribute meaning and create connections.

As a member of this government, I am very proud of the work that went into first the creation and now the implementation of the ACT multicultural strategy 2006-2009. An important component of the strategy, which was created, debated and constructed by grassroots members of Canberra's multicultural community, is the focus on language policy. For instance, as a government we recognise the impact that having limited English language skills has on people who utilise government services. Our agencies must provide appropriate services that address these communication issues. Likewise, our government recognises that having the ability to speak more than one language is an asset, and many strive to preserve their language of origin while learning to speak English.

It is not only people who speak a language other than English who may find some difficulty in communicating once they arrive in Australia. I was quite curious, for

instance, to know what a “chook” was when I arrived from England, and what on earth my family were being invited to when invited along to a “barbie”. Language skills contribute to the maintenance of culture and identity, as I have said, and help us make sense of the world around us while fostering diversity and continuing to create a vibrant community.

To encourage further language development and preservation, each year the ACT government, through the Department of Disability, Housing and Community Services, provides funding under the ACT multicultural community languages grants program. In 2006-07, a total of \$50,000 was divided amongst language schools and community organisations. These grants included \$4,400 to the Mon language school, \$4,200 to the Canberra Islamic school, \$3,000 to the Swedish section of the Scandinavian school and \$3,000 to the Tongan language school.

The ACT Ethnic Schools Association, which has 43 member schools with 1,147 students, received \$45,000 from this source to continue its work in ensuring that children whose families would like them to further develop their language skills are able to do so. Also in 2007, the Ethnic Schools Association received \$120,000 from the ACT department of education and a further \$50,000 from the Chief Minister’s cultural grant program.

As we discuss languages today in this place, there is a hive of activity going on in this city and in the suburbs that surround us, as we know. The activity, of course, is the 2008 National Multicultural Festival—our city’s ultimate celebration of cultural and linguistic diversity. As John Hargreaves said when launching the festival, it is an ideal time to demonstrate our city’s celebration of languages and all things multicultural.

Mr Hargreaves gave us an overview of the festival yesterday. The Greek Glendi was held last weekend, and we look forward to the Chinese New Year Festival celebrations in Woolley Street, Dickson. Much of the cultural diversity of our city will continue to be shared in the next few days. Many people across our community have helped to bring this year’s festival to life, including members of our diplomatic corps, with their input into productions, sponsorship of events and advice on cultural issues. I would like to thank them for their involvement in the festival which has helped to make it one of the most successful on record.

On Sunday night, I was fortunate to represent the government in welcoming the Bulgarian dance ensemble, Varna, a troupe which has been in existence for 47 years. However, until now, it has never performed in Australia. They presented a lively and colourful display of their nation’s traditional dances, complemented by a musical trio from Brisbane, Jhiva Voda, which means “life water”. The group sang haunting folk songs in their own language, accompanied by traditional musical instruments. How fortunate are we to experience such things?

Each year, the festival continues to grow in size and to evolve. At the Fyshwick Fresh Food Markets Food and Dance Spectacular on 9 February, tens of thousands of people ate their way through food from across the globe at more than 140 stalls representing dozens of cultures and countries. For many, the experience of savouring paella from Spain, or a spicy sausage sandwich from South Africa, was only heightened by the atmosphere of the day. Intermingled in the music, dancing and laughter were the

sounds of members of our community communicating in dozens of different languages with each other and with customers at their stalls. What a wonderful thing to experience in this, the International Year of Languages.

Let me take this opportunity to thank the hundreds of volunteers who work so hard to make the festival what it is, as well as all our generous sponsors, without whom such a successful festival would not be possible. In today's global community, possessing language skills in a language other than one's language of origin is becoming increasingly important.

Turning to the teaching of language in our ACT public schools, we note that our students need to be internationally engaged in and sensitive to diversity, with the ability to communicate across languages. Research suggests that culture and language are interdependent. Studying other cultures and their languages increases tolerance and understanding. Currently, 36 primary schools and 16 of the 17 public high schools offer languages. The seven most commonly offered languages in the ACT public school system are Chinese, French, German, Indonesian, Italian, Japanese and Spanish. Other languages offered by some schools include Korean and Latin, with Hindi being introduced in one college from 2008.

In recognition of the importance of languages education, in November last year, through the second appropriation bill, the government announced funding of over \$300,000 to support the teaching of language in public schools. This initiative will enable all public primary and high schools to deliver a language program by 2010. Primary schools will offer languages for a minimum of 60 minutes per week in years 3 to 6, and in high schools for 150 minutes per week in years 7 and 8. This is in addition to language programs already offered in the early years and in years 9 and 10. To complement this work, a language support plan is being developed which will include professional learning for teachers. The support plan will also provide staffing strategies to build the capacity of schools to offer high-quality, sustained language education from primary to high school.

Languages education is also supported in public schools through the building of partnerships with embassies. These partnerships enable native language speakers from other countries to share their language skills and cultural knowledge with ACT public school students. Support will be provided to clusters of schools to encourage and ensure continuity of the same language from primary to high school. Students will have the opportunity to continue with the language they have learned at primary school level at their local high school. Clusters will also allow for a more effective use of teaching staff. Additionally, the new ACT curriculum framework, introduced into all schools this year and mentioned by the minister yesterday, includes essential learning content designed to strengthen cross-cultural understanding and the ability of students to communicate effectively in other languages.

As I said, language is important as it is part of our identity and it is part of the way we make sense of our world and our role in it. I would hope that in this International Year of Languages members would join with me in recognising their importance in maintaining the diverse cultures that enrich our multicultural way of life.

**MRS DUNNE** (Ginninderra) (11.02): I am glad to see this sudden interest in the Legislative Assembly in language teaching—we have two motions today, back to back, which relate to language teaching and learning and the impact that that has in the ACT.

I congratulate Ms Porter on bringing forward this motion because the way that we learn languages is partly a reflection of the way we value diversity in our society. Australia, for a very long time, had a very strong history and record in support of language learning. At the turn of the last century, before the First World War, Australia had, per capita, more bilingual schools than probably any other country in the world. There were bilingual German, French and Italian schools. These schools were not just attended by those people affiliated with a particular ethnic group; they were mainstream schools supported by the community through public subscription or through support from the colonial governments of New South Wales, Victoria and South Australia.

At about the time of the First World War, those schools went into decline; some of them because they were German bilingual schools, and German became extraordinarily unfashionable at the time—which was, I suppose, understandable, given the mores of the time. We never again saw the resurrection of bilingual schools, and we have gradually seen, despite our history of migration, the propensity for Australians to become monolingual.

Perhaps it is partly because of the arrogance of the English speaker across the world—and we see this in our travels. English speakers tend to assume that English is what used to be called the lingua franca—but it is not the lingua franca anymore—and that it is the most common language used for business and communications. The attitude is that those people who do not speak English should damn well learn to do so fairly soon.

We see the propensity for English-speaking tourists visiting foreign countries to fail to appreciate the culture and to speak to people very slowly and quite loudly, with the expectation that if they do that for long enough the non-English speaker will understand them. This is a malaise of the Australian society as a whole which has become more so over the years. This has been reflected in a decline in the teaching of language.

It is ironic that, at a time when we have seen, especially in the post World War II period, an influx of people from non-English-speaking countries, we have seen a decline in language teaching in schools, especially since the mid-1960s. Once upon a time, if one wished to enter university in this country, one had to learn Latin, at the very least, and probably one other language, and one could not get into university without those skills. For a variety of public policy reasons, both good and bad, that has been set aside. The result now is that it is quite possible to start school anywhere in Australia and go through without having any exposure to a language other than English. I think this makes us a poorer nation.

Members would not be surprised to hear that language teaching is one of my passions. I did train as a language teacher, although I did not practise in the art for very long. It

is an extraordinarily difficult calling, and one that is underappreciated in the Australian education system even today. In looking at what makes a great education system and what are the elements of education systems that have stood the test of time, one of those elements is language teaching.

As an example, we have seen the emergence since the 1960s, and especially since its entry into the European Union, of what was called the “Celtic Tiger”—Ireland. One of the great elements of the emergence of Ireland as an economic giant in Europe has been its education system. In the 1960s, when Ireland had nothing, when it was a poor nation, one of the things it did was to decide that it would invest in education. It did not see education as a drain on the economy. It went out and borrowed money, built schools and invested in teacher training. One of the things it invested in was language teaching. Every child in Ireland must learn their native language; they must learn Irish Gaelic. In addition to that, other European language teaching is a high priority. It is a great testament to the Irish government that even when it was poor, in and out of seasons, successive Irish governments supported the policy of Jack Lynch in the early 1960s and they supported the education system. One of the reasons that Ireland is the country it is today is because of that investment in education.

About 18 months ago, there was an article in *The Times* about how Amazon Europe had closed down its operations in England and moved to Ireland. It was for one reason: the British population could not provide a source of graduates and staff who had a facility with a range of languages, and it could find that in Ireland—little Ireland. They made a contribution, and one of those contributions linked to education was language learning.

By contrast, let us turn to the ACT. Not every child in the ACT learns a language; not every child in the ACT even gets a snippet of exposure to languages. The government, in the supplementary budget, trumpeted their expenditure on language learning in the ACT. As someone who is very pro language learning, I can't say that they should not have done it, but it is just so little that it is almost ineffective. Officials at the estimates hearings admitted that children in ACT primary schools will get one hour's language teaching and children in high schools will get 1½ hours language teaching every week for the 40 weeks a year that they are at school. That is not enough.

**Mr Barr:** 2½.

**MRS DUNNE:** Did I say 1½?

**Mr Barr:** Yes.

**MRS DUNNE:** I stand corrected; it is 2½. But an hour in primary school is not enough. I will give an example of my own children, who had that experience. They learnt French from someone who was quite committed to teaching it, but they learnt it for an hour a week. My daughter went to high school and re-learnt in half a term what she had learnt for one hour a week for seven years in primary school. It is not enough.

Members will know that the Dunne family voted with their feet and supported the only government bilingual Italian school in this country. We were the first; we had the only government-funded bilingual Italian school in this country. As a mark of my

support for language teaching, and with the concurrence of the children concerned, my son attends that school. It is a sorry situation that, instead of saying, “Here is something unique,” the minister wants to talk about how good the ACT government education system is. He had one of a kind—the only one in the country. It was a little one; there were 60 or 70 children there, but it was growing. It needed assistance. What did this minister do? He said: “No, we don’t like that. We’re going to close it down and turn it into an infants school.” We do not want to talk about that policy; it may be good or it may be bad, but he had something that was one of a kind and he is going to shift it, take those 60 or 70 children and make them part of a larger stream in another school, which will almost certainly, over time, kill that program.

This is being done instead of having something that is one of a kind—a bilingual education program that was really starting to show results. For example, it is actually not quite as hard or as daunting as people think it is. A seven-year-old boy can go into a classroom and then come home and say, “I have to do my maths homework, it’s in Italian.” Of course, it is a good place to start teaching children languages because they have already got the concept of numbers behind them. When I ask my son his times tables, he can’t tell me them in English but he can do so in Italian, because that is how he learnt his times tables. It is not an elitist thing, because the children who go to the Lyons primary school come from all over the place. They come from Indigenous communities, they come from migrant communities. They do not just come from the Italian community; they come from the Sri Lankan community and the Indian community. They come from rich families and poor families.

One of the things that have been said to me by the people who had the foresight to set up this school system was that every child at the Lyons primary Italian immersion bilingual program is extended, and participates in a gifted and talented program, because language teaching brings out the best in all of them. It brings out confidence in people where hitherto they did not have it.

The ACT government—indeed, successive governments; it is not just the Stanhope government—as with all Australian governments, has been very poor in the area of language learning and language teaching. If we decided to have a radical change in policy, it would now be very difficult for us to source appropriate teachers to implement a different policy.

I think it is unfortunate that this motion today is sentimental and mawkish about how wonderful it is to eat paella and spicy sausages as a testament to multiculturalism. Those things are fine, and we all appreciate the activities as part of the multicultural festival, but the fact that we, as a group in this Assembly and as a community as a whole, are substantially monolingual means that we cannot truly appreciate these societies. You cannot truly appreciate the culture of another society until you learn the language and learn the way that people think. The way that people structure their language is a key to how their society and their culture work. We can only rub at the windows and look longingly at that until, as a community, we embrace language teaching.

Ms Porter’s motion contains nice words—that we recognise the important role of languages in this International Year of Languages. But what are we, as people in this ACT Legislative Assembly, as people who are looking after the education of our

children and future generations in Canberra, doing about it? What are we as Australians as a whole doing about it? The answer is very little at all. We are spending some money, but I do not think it will be a good enough investment because it is not a big enough investment. There is much that can be done to improve the educational outcomes of our children by teaching them languages, and there are many ways of doing it. One hour a week for primary school children and 2½ hours a week for high school children is not enough.

The examples that I have seen in other countries show that much more effort must go into this. My experiences from visiting schools in Ireland, Turin and other places around the world, and from discussing these experiences with other people, show that we need to teach not just the language but other subjects in foreign languages. I had the privilege of visiting a school in Turin last year. They teach their students a vast number of languages. They do it not only by teaching languages other than Italian, but by running courses. They teach science in German, they teach maths in French. Get this: the Italian civics course is taught in English. So in addition to the learning of the language as a foreign language, they are actually learning the language organically, through other classes. That is what bilingual education could do. It does not have to be in a stream. It is unfortunate, when we have a system like the one we have, that the minister took the opportunity and threw it away.

**DR FOSKEY** (Molonglo) (11.18): I feel very privileged that I am able to speak on two motions today that refer to the importance of languages in our communities and our culture. Of course, it is a very appropriate time to be talking about it in Canberra, because we are immersed this week in multiculturalism. I want to say that I am totally thankful for the government's putting resources into the multicultural festival. I want to recognise Dominic Mico once again and Jorian Gardner for their work and all the other people who are nameless who create this atmosphere.

**Mr Hargreaves:** Nic Manikis.

**DR FOSKEY:** Pardon?

**Mr Hargreaves:** Nic Manikis.

**DR FOSKEY:** You may mention him, Mr Hargreaves.

**Mr Hargreaves:** Well, you should too.

**DR FOSKEY:** I am sorry, I cannot recognise everybody. If you want to raise this as an issue, of course I am thankful for Nic Manikis. He is doing it as part of his job, but for you to turn it into something of an issue is not really in the spirit of this conversation, Mr Hargreaves.

The multicultural festival brings together a lot of events, a lot of people, but, for Canberra, it is a festival, and we know that festivals are very much part of some cultures. Just anecdotally hearing people say, "Why can we not have more things like this?" indicates that there is a hunger and a thirst in Canberra for events like this.

Mr Speaker, the United Nations does not choose the theme of its years without a great deal of thought, and the fact that this is the International Year of Languages indicates that, for a start, these things are important and that we are in danger of losing our multilingualism in our societies. Of course, the United Nations had exactly this intention—that parliaments all around the world would be taking this theme up and debating it exactly as we are here today.

Let us extend the conversation. I agree with much of what Ms Porter said, which is in the usual line of self-congratulatory speeches about this government. I acknowledge what the government is doing, I also acknowledge Mrs Dunne's criticisms, because those things are also valid. Let us take it perhaps a little bit further, and then other speakers can take it further as well.

We are a globalised world; people move in it. It has taken our education department and our governments quite a while to realise that. With every successive wave of migration we are usually way, way behind the eight ball. Of course, we, as English speakers, are very privileged in this world. We know that it is taught as a compulsory second language in many Asian and European countries. We are too complacent about that. We travel, and we expect to be able to speak our language. We take our phrasebooks, and we often find we need them more than we thought we would.

We do seem to have a belief that it is up to others to learn our language and not for us to learn theirs. I call this a kind of chauvinism of language—it is also called monolingualism—but chauvinism takes it further. It is this idea of our language having superiority, and it is a kind of colonialism as well. But the thing is that we lose from it; it impoverishes our language and our lives if we deny the importance of other languages and do not recognise that English is made up from the roots of many, many languages. I hope it is continuing to be a developing language.

We know that English lacks the precision of meaning offered by other languages. French, which is my other language learnt through six years of high school—and getting very rusty now—has given us terms and expressions like “sangfroid”, “amour”, “crepe”, “plus ca change” and “merde”. Those words have their equivalents in English, but there is something about them that means just a little bit more than the English translation of them. Going from Mrs Dunne's speech, perhaps English could be the language of politics, I am not sure. We say French is the language of love, and we have not yet identified where other languages fit into this spectrum.

I look forward to the continuing development of English where we use words from the Mandarin, Spanish and Japanese vocabularies routinely so that they just become part of our language. I think the fight to get Esperanto as the universal language is probably dead. There will always be people who advocate for it, but we probably have to work with the multi languages that we have, and that means learning more about them and understanding them.

Imagine living in Bougainville—a very small island probably not much bigger than the ACT—where there are something like 120,000 people and there are over 30 languages. That is pretty extraordinary. Of course, in Australia there were multi languages, all of them indigenous, before we destroyed them. As part of destroying

families of Aboriginal people, we forced them to learn English and not to use their language. I believe it was even prohibited to use their language in schools at a certain time in our history. That is shameful, and I believe we have turned around from that.

Last year we were blessed—I will use these resources more when I speak substantively to my motion—in that we had a Canberra region languages forum here. We had very broad ranging discussions with passionate people, teachers and advocates for language, teaching language and learning. I will talk about schools later, but we need to remember that we have many, many people in our community who come from bicultural families and bilingual families. In Melbourne, for instance, workshops are run for parents who are bringing up their children in more than one language. There is absolute desire for families to partake in these. For instance, last year 250 parents took part in workshops, and many had to be turned away. It just shows that there is a hunger out there. Thank God for the passionate societies, the friendship societies and others, who keep languages alive in our society.

We know that bilingualism is a way of learning literacy. If you are learning another language or learning to write, you are learning to think. It absolutely should be part of the core curriculum because it actually adds to all those other skills. In European countries it is a policy that all children should do two languages other than their first language, and this applies in many Asian countries as well. In Canberra we do have part-time vocational language courses with the CIT; we have the University of Canberra, we have the ANU and we have the U3A. But with 19 per cent of our residents speaking a language other than English at home, we clearly have many resources in our community to extend this as a living, learning experience. It should not be confined to schools. Thanks go to the people who put all that work—voluntary, of course, as usual—into running our 40 ethnic schools where 30 languages are taught. We would like to see some recognition of those learning outcomes perhaps in the more formal record of education. This is one of the things that the forum proposed.

A great number of ideas have been put forward. I am sure that the minister has been talked to by the people who ran the languages forum, but we need to seek strategies to enable multilingual Australians to help monolingual Australians take part in their multilingual Australia. Too often it is the other way. We are looking for people to teach English to newcomers to Australia. Let us turn it around and see how we can all work together to extend our understanding of languages across our primarily monolingual, chauvinistic English community.

**MR HARGREAVES** (Brindabella—Minister for the Territory and Municipal Services, Minister for Housing and Minister for Multicultural Affairs) (11.28): Mr Speaker, I particularly welcome this motion from Ms Porter. I think it is a very important motion. We need, however, to revisit some of the wording of it, because I do not know whether Mrs Dunne actually read it or whether she just decided that it was time to discuss the issue around teaching of languages in our government schools, which is only part of the issue. The motion is:

That this Assembly recognises the important role languages play in maintaining the diverse cultures that enrich our multicultural way of life, in this the International Year of Languages.

On about 23 February, or thereabouts, it is mother language day. For those people really committed to this sort of thing, the Bangladeshi High Commission is worth a visit. They talk about mother languages.

The ACT government has been very keen to promote the notion of a multicultural society, but we need to start sharing a definition. It is a fact that “multiculturalism” is a much-maligned word around the country. It is actually used and abused by people who really have no understanding of what it actually means. What we should be doing in this country is what we do in the ACT very significantly—that is, to promote the notion of dual cultures. We should be saying to people that you are a “something” Australian. For example, Mrs Burke would be an English-Australian. Ms MacDonald, because of her ancestry, could claim to be Scottish-Australian if she wished to, as is the same for Ms Porter if she wished. If she does not, that is fine, too. She could do any number of things. I am not sure what Dr Foskey could claim. Quite frankly, the mind actually boggles at this point.

Mr Speaker, when I spoke to a lot of people at the multicultural festival, that is exactly what happened. When you see the queues of people looking for the sausage that Mrs Dunne denigrates so profusely, you see Greeks, Italians, Asians, people from the Arabian states, everybody, and they are something-Australian. Here comes the definition, Mr Deputy Speaker, and you have heard me say this before: the definition of multiculturalism is the aggregation of those dual cultures. That is the significance. We cannot support that if we do not support the preservation of the original culture, and the most obvious expression of that culture is language. I am sure you, Mr Deputy Speaker, have at your own home another language spoken quite frequently. How golden is that?

**MR DEPUTY SPEAKER:** Some of it blue, minister.

**MR HARGREAVES:** I am talking about the language of your beloved spouse, Mr Deputy Speaker; I know it to be absolutely with melody. Your own language is another conversation we will have at some other stage. I have to say that it is a joy to go into a household where English is not the only language spoken, because that means that a particular culture is being preserved. We are blessed with the kaleidoscope and the mosaic of cultures which make up Australia. That is what this motion is saying: what is the role of languages in this International Year of Languages?

I also wanted to say something about Mrs Dunne’s position. While she may have a modicum of a point—and Mr Barr will address that later—I do note with some disappointment that Mrs Dunne does not acknowledge the role of private schools in the provision of languages, and she should have done so in her speech. She does not acknowledge, or did not acknowledge particularly well, the role that the Ethnic Schools Association plays, remembering that the Ethnic Schools Association—Dr Foskey did refer to them with 43 organisations here—has 1,150 students, give or take a couple, in the system. We teach not only the biggies but, mainly, and this is the interesting part, the smaller languages, for example the Mon language and Finnish. I have been to the mosque and seen a number of Arabian languages being taught, which I think is fantastic. We teach Korean, Polish and Tongan, and the Tongan community needs to be congratulated about this.

That is done largely through the connection with the Ethnic Schools Association, and I need to congratulate Mrs Emiliana Afeaki, who is the current president of the Ethnic Schools Association, and her predecessor, Joseph Yoon, from the Korean Association. They received an enormous amount of assistance from the person about whom we dare not speak his name, Dr Foskey—Nic Manikis, the Director of the Office of Multicultural Affairs. There is nobody, I believe, in a multicultural society that does not have the deepest respect for Nic Manikis, and he has assisted in this process significantly.

The other thing we need to acknowledge in terms of languages and diverse cultures is something which is new in our society in Canberra at the moment—that is, the role of the embassies. When I have been speaking with the ambassadors, I have been speaking about the need to be contemporary in the teaching of languages. It is a pointless exercise to have either the ethnic schools languages or the clubs or associations, such as Alliance Francaise, the Goethe-Institut, the Dante Alighieri Society, to teach languages to people who then visit the country of the language's origin and cannot understand the people over there because the language has evolved. Where the role of the embassies comes in very significantly is that they are able to expose Canberran society to contemporary literature, contemporary film and contemporary music, and therefore our language is contemporary. This is where the connection comes between the schools in the Ethnic Schools Association and the embassies. We need to thank Ms Porter for putting this on the national stage. I have been speaking about this in ministerial council meetings on multicultural affairs and will continue to do so.

Just as a bit of a heads up, Mr Deputy Speaker—I am glad Dr Foskey has come back, because I wanted her to be here when I was able to announce that we are moving forward—there has been a conversation between my office and Minister Barr's office around the provision of language education with respect to the Ethnic Schools Association's groupings and teaching in our schools, whether it be the private school system, the public school system or whatever. We are developing processes where we can have the smaller languages looked after and the bigger languages looked after also. We know that if you want to equip somebody to exist in the corporate world today, they need to have a significant European language and they need to have Chinese. China is Australia's biggest trading partner. If we are going to have accountants running around this country, they need to be skilled in Chinese. But we also need to make sure that we preserve the Columbian language and those sorts of languages and institutions like the Hebrew school.

We will be having a multicultural summit a little later on, towards the middle of this year, and part of that summit, which will be run by the multicultural community, will be addressing languages. Minister Barr has agreed, by invitation, to give a keynote address as one of the elements of that summit. That was put together through conversations with Minister Barr's office, my office and Stefan Romaniw, the national president of Community Languages Australia. I am sure Dr Foskey will be most interested to see when we start doing the planning for that, because I know that, with her interest in this, she would be looking forward to participating perhaps in the summit.

The difference between this multicultural summit and the last one is that the Stanhope Labor government put the agenda together and we drove the reforms that needed to happen in the multicultural community in Canberra. Now is the time to give the authority and powers and responsibilities back to the community. The communities will be running the summit and we will be contributing to it. It is a big step forward. One of the major focuses of this summit will be on community languages. What better year to do it in than the International Year of Languages? What better time to promote what we are talking about—dual cultures—mother languages? We need to celebrate mother languages, because we lose across the world about a thousand languages a year, and we lose a couple of hundred indigenous languages in Australia a year. We must stop this. We must put processes in place to prevent the loss of mother languages around the country and ensure that we can enhance the multicultural community we know and love in Canberra.

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (11.38): I would like to firstly thank Ms Porter for putting this item on the Assembly's agenda today. In responding to some of the comments that have already been made, I found very interesting a little interjection between Dr Foskey, as she walked back into the chamber, and Mrs Burke in relation to Minister Hargreaves's announcement of a collaborative exercise with the Ethnic Schools Association and some of the national bodies later in this year when they said, "More talking." I have to say, Mr Speaker, the contexts of so many debates in this place are that the government allegedly fails to consult and fails to work with communities. So for the cynical nature of that exchange—

**Mr Hargreaves:** It is deplorable.

**MR BARR:** It is deplorable. It is deplorable, Mr Deputy Speaker, but, nonetheless, we will move ahead with engagement with our—

**Mrs Burke:** What have you been doing for the last seven years?

**Mr Hargreaves:** Getting on with it, without you.

**Dr Foskey:** Don't be silly, Mr Hargreaves.

**Mr Hargreaves:** That is one area that you don't go into. Don't go into that area.

**MR BARR:** We are looking forward, Mr Deputy Speaker, to bringing together all the key stakeholders. The opportunity arising out of the ministerial council—

**Mr Hargreaves:** It's like religion: you don't go there.

**MR DEPUTY SPEAKER:** Mr Hargreaves, if you have a point of order, put it through me. Do not fling it across the chamber.

**Mr Hargreaves:** It is not a point of order, Mr Deputy Speaker, with respect. It was an interjection.

**MR DEPUTY SPEAKER:** Mr Hargreaves, I have said what I had to say.

**MR BARR:** We will move ahead with the opportunity to bring to bear resources from the ACT government and, of course, some of the exciting opportunities that are on hand through the federal government involvement, particularly through the fund that the Prime Minister has announced for the study of Asian languages. There is an opportunity throughout this year to work with communities to achieve a very positive outcome. It is disappointing to note the cynical nature of those opposite, but I am used to that, Mr Deputy Speaker.

In response to Mrs Dunne's comments in this debate, I feel the need to outline to the Assembly the situation in relation to the Italian bilingual program. Mr Deputy Speaker, members would be aware that the bilingual Italian program was established at Lyons primary school as a pilot program in 2002 in term 3. The program was increased to a 33 per cent immersion program in semester 1 of 2004, then that increased to a 37 per cent immersion program in semester 2 of that year, and then to 50 per cent in 2005. The 50 per cent immersion model is the current model for the program. The Italian government provides just over \$30,000 in financial assistance towards the program. We welcome that and continue to work in partnership with the Italian government around the delivery of the program.

As part of the consultation through 2007 for an alternative site for the program, a reference group was established, and that identified two school sites for relocation. Having considered Mawson, Farrer, Duffy, North Ainslie, Taylor, Yarralumla and Wanniasa Hills primary schools and Wanniasa and Campbell high schools, the reference group identified Yarralumla and Mawson primary schools as the two most likely sites and undertook further consultations with those schools.

I am very pleased to say that Yarralumla primary school has been selected as the most suitable site for the continuation of that program. I would like to read from letters I have received from both the Lyons primary school P&C association and from the Yarralumla school to outline their views on the transition of the program to Yarralumla. The letter from the Lyons primary school P&C association to me as Minister for Education and Training states:

On 27 November, the P&C Committee of Lyons Primary School held a meeting in which the proposed relocation of the Bilingual Italian Emersion Program ... was discussed. As more than 80% of Lyons students have indicated they will relocate with the program, all members of the school community were invited to attend.

As you know, Mawson and Yarralumla Primary Schools have been nominated as the final choice for the relocation of the program, and many Lyons parents had taken the opportunity offered earlier in the month to visit the schools and form an opinion on their relative merits.

The views expressed at the meeting were unanimously in the support of the program relocating to Yarralumla Primary School for the following reasons:

1. Yarralumla does not currently offer its students a language program, so the relocation of the BIIP would benefit the school;

2. the BIIP would not have to compete for funding or facilities with another language program at Yarralumla;
3. Yarralumla has given considerable thought to the best method of integrating the program, and was able to outline this satisfactorily to Lyons parents;
4. Yarralumla expressed the intention to conduct a LOTE program in Italian for its existing students;
5. this LOTE program would very likely to inspire other families to join the BIIP, allowing it the possibility of growth within the existing Yarralumla student body;
6. Yarralumla is willing to consider offering an intensive language course to any existing students who want to join the BIIP;
7. Yarralumla also expressed a willingness to adopt the Italian culture in a variety of other ways, including bilingual signage, bilingual assemblies, bilingual extra-curricular activities such as choir performances, art and gardening;
8. this willingness to adopt the Italian culture and to encourage the growth of the program is vital to the continuation of funding and support by the Italian government;
9. the school indicated that a survey of the Yarralumla Primary School parents, conducted earlier in the year, has drawn 100% positive response to the question of whether the school should adopt the BIIP;
10. this positive response was demonstrated by the participation of Yarralumla parents in the relocation discussions, their actions in preparing a warm welcome for Lyons parents, and their replies to questions posed by Lyons parents on the day;
11. the school culture at Yarralumla was perceived to be similar in nature to Lyons, which would be likely to result in a smoother transition of the BIIP students and parents into the wider school community; and
12. the Yarralumla school buildings and their surrounds were preferred to those at the Mawson School, in terms of being able to happily accommodate the program.

Mr Deputy Speaker, the Yarralumla primary school, both the P&C and the school board chair, wrote to me on 12 November last year, stating:

I am writing to urge your strongest support for choosing Yarralumla Primary School as the recipient of the Bilingual Italian Emersion Program (BIIP).

The Yarralumla Primary parent community would enthusiastically embrace a bilingual P-6 framework. Results from the school survey indicate overwhelming community support for such a program. Having been without a LOTE for three years, our school community would be thrilled to partake in such a unique program. We consider Yarralumla Primary to be an ideal site for the BIIP as our students and families would benefit for the following reasons.

#### Social and Cultural Benefits

Bilingual education offers a deep understanding of another culture, providing an opportunity for children to bridge the cultural and heritage between Italy and Australia.

Yarralumla Primary is very much a community-oriented school, with a strong and active parent body. We would be proud to establish relations with Canberra's Italian-Australian community, which is one of Canberra's largest ethnic communities ...

We would embrace being able to provide our students with opportunities for travel, education, leisure and cultural sensitivity and exchange.

Early exposure of being immersed in another language carries with it a lifetime of linguistic benefits, such as being able to learn third and fourth languages ...

We understand that bilingualism enhances a child's ability to deal with mathematical concepts.

There are also proven benefits in the ability to focus and minimise outside distractions. This is of particular benefit to children with learning disorders.

Bilingual children possess stronger problem-solving skills.

A Bilingual Italian Immersion Program operating at Yarralumla Primary would be in keeping with the Towards 2020 Proposal whereby increased enrolments are essential to utilize resources. Such a unique program will attract students from across the Territory, enhancing our market position as we continue to grow our school.

Your support in this matter would be greatly appreciated by students and families in the Yarralumla community.

Mr Deputy Speaker, I am very pleased that the government has agreed to the relocation of the program to Yarralumla. It is warmly welcomed by the both the Lyons and Yarralumla school communities. A meeting of staff from the department and the Yarralumla and Lyons primary school principals is planned for early this term to look at the scope of works required to relocate the program and to facilitate a transition program during this year in anticipation of the program's full commencement at Yarralumla in 2009. This is a very good outcome for all concerned. It opens up the program to considerably more students than were engaging with it at Lyons and gives Yarralumla primary school the opportunity to have a LOTE for the first time in a number of years—a great outcome.

**MS PORTER** (Ginninderra) (11.48), in reply: Mr Deputy Speaker, in closing the debate I would like to thank members for their contributions. I would reflect on those who would gainsay positive motions that do arise from the government benches that they might reflect on the oft-mentioned desire by all in this place that we work together in a more positive way. I would hope that they would not see every single initiative and every single motion that this government brings forward in a positive way as some kind of cynical election ploy or some other kind of cynical

demonstration of what we are about in this place. We need to work together, I believe, for the good of the community. I thought that that is what we are about in this place.

I would reflect on other things that members have said in their response to this motion. Mrs Dunne spoke about bilingual education and the decline at the time in our history that she mentioned of the German language when it became so unpopular. It reminded me that both my sons—there is no connection between the two decisions that they have made—have both coincidentally married second-generation German young women who still maintain their language of origin. In fact, one of them actually teaches German in the Brisbane public primary school where she is a teacher. My other son lives in Alice Springs with his wife and family. As I said, that young woman is also German, and they moved there because my son wanted to be closer to the place where he had spent his childhood—remote Arnhem Land.

Sadly, and as Dr Foskey did allude to, when I arrived in Oenpelli at that time before my children were born, the then Anglican mission required all people on that mission to communicate only in English. I used to be quite puzzled by the fact that we stood in the little chapel there, the majority of people in that chapel being Indigenous people, and singing hymns in English. Fortunately some few years later we went to Milingimbi where my son, as I previously mentioned, arrived with me as a baby. He went to preschool there and primary school with Indigenous children, and all people there were encouraged to speak Gupapunu, as I mentioned earlier when I opened this debate. Unfortunately, by the time I arrived at Dhupma college in Gove—a residential college for Indigenous students attending the high school in Gove—the federal government's policy was that we all communicate in English, and students were not allowed to communicate in their language of origin. I think we have come some way from there. As I said earlier, I hope today's motion that is passed in federal Parliament by the commonwealth government will allow us to begin a new journey.

Yes, Mrs Dunne, you can talk about us, certainly in this place, as being, in the main, Anglo in our backgrounds and our approach. However, I would hope that, over time, the nature of our society will change and the backgrounds of the people who stand in this place will be more representative of the diverse community that we live in. I am very sorry, however, that Mrs Dunne sees the mention of the sharing of culture through the sharing of food as somehow unimportant and somehow soggy. That is a shame. However, let us celebrate this International Year of Languages realising that, whilst we have a way to go perhaps in realising the potential that this multicultural city's population offers us, it is a journey that we can share. As Mr Hargreaves said, it is governments, both ACT and federal, and the community that need to work together to continue this journey.

I am looking forward to the multicultural summit and the outcomes of that discussion. I am sure that, again, there will be much benefit gleaned from it, as there was with previous summit. I am looking forward to the work that they are going to be doing and the work that the government can do coming out of that summit. Thank you very much to everyone for their contribution, and thank you, Mr Deputy Speaker.

Motion agreed to.

## Education—school language programs

**DR FOSKEY** (Molonglo) (11.53): I move:

That this Assembly:

(1) acknowledges:

- (a) the significant social and economic benefits of a multilingual and multicultural society;
- (b) the crucial role of high quality school language programs in supporting such a society; and
- (c) the need for all of us to engage with and learn from other cultures; and

(2) calls on the ACT Government to ensure that:

- (a) a key element of the curriculum delivered in ACT schools is an engagement with other cultures through learning an additional language;
- (b) sustained, and meaningful language learning experiences are provided for all students in ACT schools; and
- (c) priority is given, through realistic funding and support, to attracting and retaining qualified and capable language teachers in ACT government schools.

As we have all already acknowledged, this is the International Year of Languages, and that is interesting for Australia because we still have a large number of native languages, although many of them are disappearing. We have a diverse population with myriad first languages from all over Europe, Asia, the Pacific and Africa, and, like Ms Porter, I hope that there will now be resources to assist communities to document the languages and to create dictionaries. I know that work has taken place here in the ACT and there is a project already ripe for the funding.

On the other hand, our population in general is monolingual and our education system, despite many words to the contrary, is less and less committed to language teaching. There are good arguments for greater support for language teaching in the community. There are ways that as a multicultural community we can better support the work of native speakers and the efforts to ensure that their children grow up bilingual. There are important tasks we can take on in supporting and nourishing the extraordinarily diverse native languages that still survive in Australia and are a living part of our national heritage, and some of those issues of course are for another debate.

This motion is really about putting the argument for a greater, more committed and more thoughtful approach to language teaching in our schools. I first need to put the case for teaching and learning languages. A few years ago, Australian education systems cast languages as one of the eight key learning areas, along with maths, science, English, the arts, society, physical education and technology. These key learning areas still underpin our approach to education, and language is up there

because language learning develops the brain, assists with literacy, offers insight into the wider society, opens up education and career opportunities and is a pathway to a whole lot of experiences and possibilities.

We also know that the earlier students are exposed to languages other than their own national language the sooner they learn them, and that is because the child is acquiring language anyway. Acquiring English, acquiring the language of the home, is such a hard task anyway, one that we seem to take for granted with children. But, if they can learn that, they can also learn languages that are not their home language.

There is a value basis to taking languages seriously as well. Our cultures, the way we do things and the way we communicate, are framed by language. In a globally connected and highly mobile world, and in a multicultural society, we need to be able to make positive connections with others. It was just appalling to find out when Australia decided to join the US in the war in Iraq that we had a paucity of speakers of the Iraqi language and of Persian. Of all the important languages, in one of the most security sensitive places in the world we had not bothered. We had developed a military capacity but we had not developed a language capacity.

It is intercultural communication rather than simply multicultural acceptance that is most constructive. If we do not take languages seriously, if we do not at least have the opportunity to make those bridges to people who see themselves and express themselves differently, that intercultural connection is so much harder to achieve. Without a commitment to language learning we run the risk of trivialising culture. Too often it is presented as something that other people do or have and that at most we need to learn about other cultures and about other languages, to help us treat “them” with respect. It is argued that a culture cannot be understood without speaking the language. That is perhaps too extreme or theoretical a position, but it touches on the fundamental importance of language.

Teaching and learning language is difficult in a school environment where that experience is not truly valued. It is worth noting that the Primary Principals Association recently, in trying to focus their curriculum in response to concerns that it was too crowded, have effectively abandoned languages altogether. In my view that was probably just a pragmatic decision, because providing the right support for kids learning languages at school, even with sufficient system and community support, is hard. And if you do not have the passion and you do not have the support, why would you?

On the other hand, there are many people in the community, and many language teachers within and outside our schools, who are absolutely passionate about languages. The University of Canberra and the Canberra Multicultural Community Forum Inc, or CMCF, organised jointly a languages forum towards the end of last year. They identified language teaching resources available in the community and the benefits to Canberra of a more committed approach to language teaching. They developed an action plan to work with the ACT government and community to promote that approach—and I believe, from some of the announcements that Mr Barr has made today, that there is evidence of the government taking up and joining with them on that approach. That is really good, because they are the people that should be part of this discussion.

Elements of that plan as put by the forum included the establishment of a school of languages along the lines of such schools in other states, and I look forward to the government's announcement on that; supporting existing bilingual programs from preschool upwards and their continuation into secondary level; the recruiting and training of language teachers; and greater connections between school and community resources.

I should point out that the recent commitment of some extra money for languages education was welcomed by the forum but it was also acknowledged that the ACT's new curriculum framework would not make language learning one of its essential learning achievements. These are the two core issues: the ambition of the curriculum framework and the level of resources. I need first to congratulate the ACT government and the education systems of the ACT for putting together and publishing *Every chance to learn*, the curriculum framework document that provides a framework for 25 essential learning areas.

However, I believe we have been let down when it comes to languages. The essential learning achievement where we can find languages, if we look, is entitled "the student communicates with intercultural understanding". As I have already argued, language sits at the heart of culture and at the heart of intercultural understanding. It is very disappointing then that at this stage few ACT schools are really committed to meaningful language education. It is true that all children in ACT schools are likely to learn a few words in another language. But by early adolescence they will no longer be expected to speak or read anything in other languages but simply to know about them.

I think I have already said in this place that my daughter was exposed to something like six years of Japanese at Yarralumla primary school and at the end of that I think she might have been able to say hello and goodbye, and she did know a lot more about Japanese culture, which is helpful. But, as Mrs Dunne said, a semester of a concerted program that is part of the curriculum in high school would have given her that in a few weeks. I am not denigrating those efforts that were made, because it was important to children. I just think that, if we are going to put the resources into that, we need to use them in a way that will produce better results.

The markers of progress are more about understanding that people are different and, with a bit of luck, being respectful of others. This is in the curriculum documents. But this is too close to the usual paradigm of being nice to others who are different. There is a real weakness in the thinking here, in my view—that it still reflects a world view of just one slice of Australia. I would be interested to know if this essential learning area would be changed if it were reviewed by a team of educationalists all of whose first language was other than English. That would be a good test.

Looking more closely at the proposed additional investment in languages starting this year, it is very hard to know what will be achieved with the \$300,000. The idea of spreading language teachers across a number of schools will not improve the quality of language experience for those kids, but it will alienate the teachers if they are not adequately resourced and cannot achieve results, and they will be less and less likely to stick with that work. Already a high proportion of our language teachers now teach

something else or do not teach at all. Solving the problem of too little skilled teaching by spreading existing resources more thinly will fail.

A few online projects with kids linked up across schools is a more creative idea, but it is no substitute for teaching; it can only ever be an add-on. We have all had that passionate teacher; I certainly had a passionate French teacher when I was in year 7 and that is what made me love French. Unfortunately, she went and joined a convent at the end of my year 7, and mine was not a Catholic school, so I lost her. I am just indicating that the passion of a teacher is what really counts.

I do not want to deride this extra expenditure. It could very well be used to deliver professional development across the ACT government school system, and I support such investment, but it needs to be informed by some vision and a plan to achieve it. Languages could be the ACT's competitive advantage. We are an international city with diverse multilingual resources, including embassies, government agencies, the campuses of four universities, strong ethnic community organisations with out-of-hours language schools, and extraordinary communication infrastructure and resources.

If we truly want languages to be taught in all our schools, let us put the evidence together as to how best to do it. Let us see how to draw on the extra resources available to us and let us give ourselves a time line for delivery. Community scrutiny of the second appropriation bill last year led me to believe that we do not have the evidence on how best to teach languages or, rather, if we have it, we are not using that evidence to inform our decisions. One hour a week—maybe it is 2½; I think there is debate around that—is most unlikely to provide the support for anyone to learn another language, and, without a school-wide commitment to building the link between that language and other school experiences, it will be even less useful.

Lots of kids end up hating language classes—as a teacher I know that—and that is usually because it is not connected to anything else they do. It becomes a time out from mainstream classes, because the language being taught and any cultures that speak it have little or no other relevance to their school or community. We can draw on these resources in Canberra to better support languages in schools. There is scope to build community connections, as the Mawson Chinese language preschool did, to draw on international connections and national resources, as we can see at Telopea, and more economically at Lyons primary school. I will speak more about that later. Of course, these three examples of language programs are bilingual or immersion programs and I am disappointed that the education minister appears to have rejected the notion of immersion, though I have now heard his announcement and I will speak about that later.

In the context of language programs around Australia, it is worth looking at the different jurisdictions, because different states do it differently, as the languages forum pointed out last year. The Tasmanian government, for instance, chose to pursue only four languages to better focus resources, and that appears to work. Some states have language schools that give language teaching a better status and support. New South Wales, on the other hand, has never taken languages particularly seriously and it looks as though we could be following in those footsteps rather than in better ones.

I am not going to advocate a particular model but I believe that we need to provide students with some continuity through their school days. I think we can look at innovations such as language camps and intensives that would provide a deeper and more engaging experience of languages for kids. Schools need to embrace their languages and build connections with cultural communities so that the schools themselves can be enriched by that experience. We need to provide better support for language teachers. We should take advantage of the federal government's renewed interest in language, especially Asian languages, and see if we cannot get overseas qualified language teachers retrained for the ACT.

I am disappointed with the curriculum frame for suggesting that intercultural communication is an "us and them" thing and I think we should revisit it. I would also like to see the government take up the challenges and develop a plan for language teaching that will give kids a meaningful experience, to underpin their view of the world and open up opportunities for many of them. I do not think the ACT can turn around and deliver a comprehensive, best practice, system-wide languages program for all our kids tomorrow, but I do think that we can start doing things to achieve that now.

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (12.08): I thank Dr Foskey for bringing forward this motion. I foreshadow now that I will be moving an amendment later in the debate that will better reflect the strategies the government has already put in place to improve intercultural understanding and language education offered in ACT public schools. But, with Canberra as the seat of the federal government and the residence of the diplomatic corps, the concentration of people in the ACT who have travelled and have been exposed to languages other than English is well above the national average.

As my colleague Mr Hargreaves outlined yesterday in question time and again this morning during the debate on Ms Porter's motion, this city celebrates our multicultural background, most visibly during these two weeks during the multicultural festival. Our schools are microcosms of this multicultural society, and our student population draws from over 70 nationalities. Currently in ACT public schools over 17,000 students are enrolled in various levels and types of language classes. The seven most commonly offered languages in ACT public schools are Chinese, French, German, Indonesian, Italian, Japanese and Spanish. However, other languages are offered by a range of other schools: Korean and Latin, and Hindi has just been introduced at one college in 2008.

This is a unique situation that carries with it the responsibility for the ACT to take the lead in intercultural understanding and language education. Although the number of students studying foreign languages in Australia has steadily fallen over the last 11 years, the ACT government, along with a number of other state and territory governments, have recognised that the study of languages other than English is an educational requirement for students living in the 21st century. As recently as September last year, all states and territories reiterated the relevance, significance and importance to young people in Australia today of the need to possess intercultural understanding and exposure to learning a second language. This was outlined in the Council for the Australian Federation's paper, *The future of schooling in Australia*.

The ACT government has backed this commitment with financial investment, and in November last year I announced additional funding of \$300,000; on top of the money that we already provide, we are providing an additional \$300,000 to support the teaching of languages in public schools over the next three years, and this initiative will expand the learning of languages in ACT schools. The goal we have set, beginning this year, is that by 2010 all public schools will be required to offer a languages program to all students from year 3 to year 8, and this will be in addition to the language programs schools already offer in the early and senior years of schooling.

In the coming years, primary schools will be required to offer languages for a minimum of 60 minutes a week for all students in years 3 to 6, so 40 hours per year. High schools will be required to offer languages for a minimum of 150 minutes per week, or the equivalent of one timetable line, for students in years 7 and 8. Language programs in ACT schools will focus on the following eight priority languages: French, German, Italian, Spanish, Indonesian, Japanese, Chinese and Korean. To support this initiative—

**Mrs Dunne:** Mandarin or Cantonese? Which one is it, Mr Barr?

**MR BARR:** Mandarin. To support this initiative, a languages support plan—

**Mrs Dunne:** That's culturally insensitive for a start.

**MR BARR:** Come on, Mrs Dunne!

**Mrs Dunne:** How many Chinese languages are there? Which one is it?

**MR SPEAKER:** Order!

**MR BARR:** To support this initiative, a languages support plan is being developed to strengthen the provision of languages education in ACT public schools. This languages support plan will improve the quality of language delivery by providing targeted programs of professional development and web-based teaching support resources for language teachers. The languages support plan will offer a range of staffing and resourcing models whereby students who begin the study of a language in the primary years will be able to continue the study of the same language into high school.

The Department of Education and Training will also liaise with local universities to offer courses to up-skill teachers delivering language programs in primary schools. In schools that currently do not offer languages programs, we will provide additional resources and support to assist them to introduce languages into their school. Language teachers in the ACT will in the future have access to high-quality interactive software, learning objects, multimedia software materials and other teaching support resources to ensure that students in Canberra achieve the best possible outcomes in language learning. These additional funds will allow my department to offer quality professional learning to school leaders and language teachers, and already this year a range of professional learning programs is planned for language teachers.

Next week I will open a conference for over 100 principals and language teachers called Language Matters, where national and international language experts will work with our teachers on ways to strengthen languages education in our schools. In 2008 and in the years to come, the department of education will also explore a range of innovative staffing models. Amongst these, concepts of clustering the delivery of languages in particular schools will be trialled. The purpose of such an approach is to ensure that the student who learns a language in one primary school is able to pursue the study of that language in high school and college as a linear or continuous undertaking. Schools will also have the opportunity to apply for grants of up to \$5,000 to assist them to purchase quality teaching resources for languages, and schools establishing a new languages program will also receive a one-off resources grant.

The importance of intercultural understanding is reflected in the new ACT curriculum framework *Every chance to learn* and this places our curriculum at the forefront of contemporary educational practice. The core content about intercultural understanding in the new framework has three focus areas. The first is about understanding how individual and group identity is shaped by culture and that this happens in all cultures. It also involves making the transition from seeing one's own cultural values as the only possible ones to understanding that all thinking and behaviours exist within a cultural framework.

The second focus is on developing the mental preparation needed for meaningful intercultural communication. Such mental preparation involves both knowledge about the culture and the disposition to engage with it. As students engage with other cultures, they are more likely to develop an empathetic willingness to step outside their own cultural framework into another's. They also gain understanding of how specific cultural practices, such as forms of address and use of non-verbal cues, influence communication.

The third focus is on understanding intercultural communication itself, in which at least some participants are operating in their second or subsequent language. Students learn about language and language variance and how speakers using a second or third language are influenced in some ways by their first language.

I propose to move as an amendment to Dr Foskey's motion to omit paragraph (2) and to substitute a new paragraph (2) stating "notes that the ACT government (a) has ensured a key element of the curriculum delivered in ACT schools is an engagement with other cultures through learning an additional language—

**MR SPEAKER:** Mr Barr, we will need a copy of the amendment.

**MR BARR:** I will read it and then do that, Mr Speaker. It continues with "(b) is providing sustained and meaningful language learning experiences for students in ACT schools, (c) has increased funding for languages in ACT schools and for professional development for teachers, and (d) has mandated that languages are taught in all ACT public schools by 2010".

I table that amendment. So Dr Foskey's motion, as amended, would show that this Assembly and the government remain firmly committed, with spirit and action, to

ensure that the future learning needs of young Canberrans lead to rewarding and fulfilling lives in the 21st century and that these goals are met at all key stages of schooling in the ACT. I move:

Omit paragraph (2), substitute:

“(2) and notes that the ACT Government:

- (a) has ensured a key element of the curriculum delivered in ACT schools is an engagement with other cultures through learning an additional language;
- (b) is providing sustained and meaningful language learning experiences for students in ACT schools;
- (c) has increased funding for languages in ACT schools and for professional development for teachers; and
- (d) has mandated that languages are taught in all ACT public schools by 2010.”.

**MR SESELJA** (Molonglo—Leader of the Opposition) (12.18): I am pleased to be speaking to this motion. It is disappointing that we always see these motions completely amended or changed by the majority Labor government in this place, because I think it is a good motion; it is an important one and it is good that we have a debate about it. I do not think we should be afraid of some of it.

I want to go through the various parts of it. The first part, acknowledging the significant social and economic benefits of a multilingual and a multicultural society, I wholeheartedly endorse. My own experience was growing up in a bilingual household; I wish I were as bilingual now as I was when I was a child. Some of my Croatian language skills are not quite what they were 10 or 15 years ago, but I can still converse reasonably with fellow Croatian Australians, and indeed relatives overseas, which is a very valuable thing. It has been an important part of my upbringing and I think it does add to us as a community; it adds to the diversity that people coming are able to hold on to the important parts of their culture as well as holding on to their language. It is so important and such an important bridge between generations, particularly for migrants who have come to Australia to make a new life; to have that intergenerational communication is very important.

So I absolutely endorse the first part of the motion. I think it is on the money. We as a nation have benefited greatly from the diversity of cultures that we have. On Sunday, speaking to the Greek community as part of their Glendi, I made the point that for my family and for many immigrant families Australia presented a great opportunity to come and escape oppression or have economic opportunities that were not there in their native lands, and the flipside of that has been that those who have come here and had wonderful opportunities have given so much back to the community. We as a nation and we as a city are so much richer for the contributions we have had from our various ethnic communities. It cannot be overstated how much richer we are as a nation and as a community because of the contribution of our various ethnic communities.

We in the Liberal Party here in the ACT value this completely. We absolutely value the contribution of our ethnic communities that have come here and part of that, which this motion is broadly about, is in relation to their language. We endorse the ability of various ethnic groups to hold on to their language. It is an important thing and we absolutely endorse that part of the motion.

While I am on the importance of the contribution of various ethnic groups, I note what the minister has said about meeting with ethnic schools. I guess I will just say that there is a lot of division in the Labor Party on ethnic schools; there is no doubt about it. We know that four out of nine Labor members voted in support of a motion at their conference, which narrowly failed but included the following: the growth of private education is facilitating the fragmentation of Australia's children along ethnic, cultural and particularly religious lines.

Obviously that is not a strong endorsement of the ability of ethnic schools to exist. It is unfortunate that there is that division in the Labor Party. I do not think the minister was one of those who voted for that, but there must be mixed feelings within the Labor Party, as there clearly is within the caucus, about the ability of these schools to exist. We support their right to exist. We support the right of religious schools to exist. We believe they form an important part of our community and make a great contribution to our educational system.

In relation to other aspects of the motion, it does need to be said that the ability to speak a language other than English is an important skill that should not be underestimated. I think sometimes in Australia we do forget just how useful the ability to speak another language can be, not just from a personal development point but also from an educational and indeed professional viewpoint. Studies show that exposure to another language early on in the lives of children greatly enhances their ability to learn not just that language but other languages. It also helps children better understand and comprehend their own language and that can only reflect on their overall educational standards.

We should be encouraging more and more students to learn another language, and Dr Foskey touched on this. We do have great opportunities here in the ACT, not just because of our very diverse city but also because we have access to embassies and high commissions in Canberra that other places simply do not have. I think there is an opportunity to build on language studies here. I know that in Victoria the Liberal Party took a very strong policy to the election in relation to compulsory language training in schools. At this stage we need to take a closer look.

I think it is fair to say that we would like to see language studies more available in our schools, at both a government and a non-government level. My experience of learning languages at school was very patchy and this was in the non-government sector. I think it was a semester of Italian, a semester of German and that was about it, and that is not enough. We should be looking to enhance that. We should be looking to find ways of making it a more accepted part of the mainstream curriculum. Exactly how that is done is a discussion that we need to have.

When you go to Europe you find that not only do people learn their own language and normally English but they tend to learn at least one or two other languages, whether it

be French, German, Spanish or an Asian language. We in Australia are slipping behind that a bit and I think we all agree here that it is an important part of our culture, that it would be better if we had more people in Australia who were bilingual and more people in Canberra who were bilingual.

So we broadly support the sentiment behind much of what Dr Foskey had to say. In terms of committing to the exact detail of what is being called for, we will look at that more closely, but certainly our position is that languages and language studies play an important role in our community; they are a positive and should be encouraged. We would like to see more of it. We would like to see it done in a more comprehensive way than it currently is and, as I said, I am sure that is true of both the government sector and the non-government sector in terms of language studies.

So we broadly support the sentiment behind Dr Foskey's motion. The amendment has just been put in front of me and it is the usual government amendment, congratulating itself. If we could occasionally allow a motion to just be debated on its merits, that might be a positive. I note that the government have circulated amendments to my motion coming up, but I will leave it there.

I would just say that the Labor Party is obviously a very divided party on this issue of ethnic education. We support the broad principles behind this motion and we support broadly the need for better language studies in our schools.

**MR SPEAKER:** I remind members that it is a requirement of the standing orders to circulate copies of amendments immediately so that members can be well informed about what they are speaking on when I put the question in relation to amendments. For minor amendments it might not seem to be much of a problem, but as the amendments become more complex it becomes a little unfair on the following speakers, especially if they are getting towards the end of the list.

*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 12.27 to 2.30 pm.**

## **Questions without notice**

### **Schools—closures**

**MR SESELJA:** My question is to the Chief Minister. I refer to your answer to my question yesterday and the document which you tabled in relation to it, which was the *Hansard* of 26 August 2004. The *Hansard* records the then Minister for Education, Ms Gallagher, saying a number of things about school closures, most notably that “the government has no plans to close any schools” and that “future assemblies would have to have a conversation at some point with the community about potential school closures”.

Chief Minister, would you point me to the part of this statement, or any other public statement of Ms Gallagher prior to the 2004 election, where the specific promise not to close any schools in the next term of government was repudiated?

**MR STANHOPE:** I thank the Leader of the Opposition for the question. We can quibble over the language used by the Minister for Education or the government, just as we can quibble over the language and authority of a government spokesperson who made a comment and who was reported on this particular issue.

The *Hansard* extract I tabled yesterday is quite explicit in that it leaves open—this is the point that I made yesterday—the prospect that the government would consider the possibility of closing schools. The minister foreshadowed quite clearly the need for discussions, just as she did in the *Canberra Times* on 14 August, when she foreshadowed quite clearly that this was an issue in relation to which there should be continuing discussion.

When somebody presents the position in words such as—when somebody says clearly, in good English, grammatically—”at some stage in the future the community will have to have a conversation about this: about old schools, small schools and what we want from schools in the future”, it is clear. I know that members of the opposition are seriously challenged in a range of areas. But that English and that language are quite clear.

We know of your difficulties; they are patent to everybody in this place and the community. But the language is clear; the language is explicit; the language is grammatical. This was just two months before the election. This community needs to come to grips with the issue of schools and their efficiency. Our position is quite clear. You can bang on for as long as you like about what was or was not said. The words are clear, in English, grammatical. This is a conversation which the community must have. And we did.

**MR SPEAKER:** Is there a supplementary question?

**MR SESELJA:** Thank you, Mr Speaker. Chief Minister, given that you are unable to find a repudiation of the previous promise not to close schools in the next term of government, will you now acknowledge that your government misled the people of Canberra in relation to school closures prior to the 2004 election?

**MR STANHOPE:** The community was not confused or misled, just as the Liberal Party was not confused or misled. As Mr Pratt, the then spokesperson, said on behalf of the Liberal Party—and if Mr Pratt got it, I am not quite sure what it says about other members of the Liberal Party—in his press release of 11 August 2004, in response to the comments made by the then minister for education, Ms Gallagher, “The Liberal opposition has today agreed with the government”—

**Mr Seselja:** You ruled it out the next day, on the 12th.

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

**MR STANHOPE:** This was issued on 11 August by Steve Pratt, on behalf of the Liberal Party. The words that Mr Pratt used in response to the statements by the minister for education at the time, Ms Gallagher, were: “The Liberal opposition has agreed with the government that some Canberra schools may have to merge due to

declining enrolments.” Mr Pratt understood the clear language which the minister for education used. Mr Pratt understands clearly, stands by what he says and has the graciousness to express agreement with government policies. It beggars belief that Mr Pratt is now the only member of the seven-member Liberal team that came into this place who has not been trialled in the leadership. Why is it that Mr Pratt, the only member of the Liberal Party who gets it, is the only member of the Liberal Party who has not been given a go in the top job?

### **Parking—outstanding fines**

**MR MULCAHY:** My question is to the Treasurer. The Auditor-General’s report into the collection of fees and fines reveals that for the period 1 July 2006 to 12 March 2007 some \$987,075 in traffic infringement penalties was owed to the ACT by interstate drivers, of which 60 per cent was unlikely to be recovered. In addition, almost half of the \$2.2 million in outstanding parking fines relates to unidentifiable interstate drivers. This is apparently compounded by the absence of cross-border agreements to compel interstate motorists to pay such fines.

Treasurer, how long have you been aware of this issue? Why has your government failed to secure cross-border arrangements to stop interstate motorists escaping paying fees for traffic and parking offences?

**MR STANHOPE:** Thank you, Mr Speaker. I thank the member for Molonglo for the question. I cannot be exactly precise about when I first became aware of this particular issue and the nature of this problem, but I would say it was probably early in 1998, when I entered this place and became shadow Attorney-General. I became shadow Attorney-General in 1998 and endured four years of Liberal government. Through those four years of Liberal government the difficulties that jurisdictions face in relation to unpaid fines, particularly by interstate drivers, was an issue that was raised every year.

I cannot be precisely sure when I first became aware that it is a major issue, Mr Mulcahy, but I would say it was almost certainly in 1998 in my first year in opposition. In that time, of course, I was also shadow Attorney-General and I paid close attention to these particular issues. Mr Humphries, now Senator Humphries, was the Attorney-General at the time. Perhaps if one went back to the *Hansard*, one would be able to confirm when this issue was first raised.

Through four years of Liberal government I have no doubt that as we pursued our responsibilities as an opposition we raised with the government of the day what we could do about the fact that interstate drivers coming into the ACT would park illegally, get the ticket on the window, whip off back to Sydney or Melbourne and you would never see them again. And vice versa, of course. Heaven forbid that any ACT driver visiting Sydney or Melbourne would act in such a crass, unlawful and unsocial way as not to pay their dues in relation to their illegal or other activities interstate.

It is a problem that bedevils every jurisdiction in Australia. It is a major issue. Perhaps the suggestion that you make, Mr Mulcahy, in relation to the possibility of interstate or cross-border agreements on this is something that might be more vigorously pursued. It is often suggested, “Why don’t you sool the police onto them? Why, when

there is an unpaid fee or fine, don't you sool the coppers off to Brisbane or to Perth to pick up a parking fine defaulter?" Well, the answer is quite simple.

**Mr Mulcahy:** There is a cheaper way than that.

**MR STANHOPE:** The answer is quite simple, and it is the answer, of course, that your previous party gave when in government. It is an issue of resources and priorities and expenditure. The amount of money required to recover a million dollars in interstate, non-paid fines is far more than the million dollars that you are trying to pursue. It is difficult always in government, in relation to law and order issues or the responsibilities of each of us under the law to obey the law and for the law to be applied vigorously, to say that every now and again police forces and governments take a decision that is simply not cost effective to pursue a million dollars in unpaid parking fines at the risk of taking serving police officers off other duties. The inherent costs simply do not justify the action.

That is the answer which your previous party gave in government. It is an answer that remains valid today.

**MR SPEAKER:** A supplementary question, Mr Mulcahy?

**MR MULCAHY:** Thank you, Mr Speaker. Thank you, Treasurer. Treasurer, has your government considered, however, the impact of interstate motorists being able to operate with virtual impunity in terms of ACT road safety? What is the state of discussions with other jurisdictions on this problem?

**MR STANHOPE:** As I said, we expect as a jurisdiction and as a community that those that visit this place from elsewhere will obey the laws that apply in the ACT. To the extent that they transgress and the law is brought to bear—for instance, through an on-the-spot fine, a parking ticket or some other traffic infringement notice issued by ACT Policing—we expect those people to meet their obligations under the law. To the extent that they do not meet their obligations under the law, we, of course, pursue the matter within a reasonable framework.

To the extent that they come back to this jurisdiction and are detected again or come to the notice of the law, we would expect the full force of the law to apply. But some reasonableness, some practicality and some pragmatism must be brought even to issues around the enforcement of the law. That is the position that we have adopted as a jurisdiction and it is consistent with the position adopted by all other jurisdictions and all other police forces around Australia. Certainly it is disappointing and certainly it is frustrating, but it is reasonable.

You have asked a more specific question, the answer to which I do not know. I am more than happy to take that aspect of your question on notice, Mr Mulcahy, and provide you with the detail of other jurisdictions' responses to these issues and the potentiality for the ACT perhaps to take a different and more productive approach. I will have to take that part of your question on notice.

**ACT Policing—numbers**

**MR SMYTH:** My question is to the Minister for Police and Emergency Services. Minister, on ABC radio on 28 January this year the acting minister for police said in relation to police numbers in the ACT:

Over the last three years, we've employed an additional 120 police within the ACT ... These are extra police, Ross ... this is 120 extra police.

Three days later, the same acting minister said in a media release that the government had "122 new police recruits since the ACT Labor government took office".

Minister, was the Chief Minister correct when he said that there were an additional 120 police officers, that is 120 extra police officers, in Canberra over the last three years, or is the figure of 122 new police recruits since the Stanhope government came into office in 2001 correct?

**MR CORBELL:** I thank Mr Smyth for the question. I am not familiar with the details of the question the Chief Minister was asked in relation to police numbers and so it is really not appropriate for me to comment on exactly the context of the answer. But I can advise members that we have around 120 new recruits through the police college over the past 12 months, and that may be the figure that you refer to, Mr Smyth.

In relation to additional funded positions since 2004, the figure is 107 and I think the government has made that very clear repeatedly over the last 12 to 18 months, and, of course, the reason we have done that is that it is far more police than the Liberal Party ever put on the street when they were in government. This has been a very serious attempt by the Labor government to improve the resourcing for ACT Policing and make sure they have the capacity to deliver responsive policing services to the community. I know those additional 107 police have been welcomed by the Chief Police Officer, and what it will mean is that in the coming month or so ACT Policing will be putting in place an entirely new staffing roster for their teams across the ACT, which will mean more police available at the peak times to respond to category 1 and category 2 incidents in particular, and that, I think, will see a significant improvement in ACT Policing's performance against its benchmarks and targets as set out in the policing arrangements and the policing agreement between me, on behalf of the territory, and the Chief Police Officer.

Those are the measures that this government has put in place. It is a very proud record of improving investment for ACT Policing and I think the numbers speak for themselves.

**MR SPEAKER:** Supplementary question, Mr Smyth?

**MR SMYTH:** Yes, thank you, Mr Speaker. Minister, what is the net increase in sworn police officers in Canberra—that is taking into account recruitment, minus the loss of police officers because of actions such as retirement, resignation, attachment or transfer—since the Stanhope government came to office in October 2001?

**MR CORBELL:** I cannot give Mr Smyth the answer from 2001—I will need to take that question on notice—but since 2004 the net increase is 107 extra police.

## **Employment—labour market**

**MR GENTLEMAN:** My question is to the Chief Minister in his capacity as Treasurer. Can the Chief Minister advise the Assembly of the current situation of the ACT labour market?

**MR STANHOPE:** I thank Mr Gentleman for the question. Mr Speaker, the ACT labour market has exhibited remarkable strength in recent years. The territory's unemployment rate is currently just 2.4 per cent—the lowest since records began in 1978. There are also fewer unemployed people in the ACT than ever before—now just 4,500. In fact, year-on-year unemployment has been falling since May 2002.

Mr Speaker, the strength of the labour market is due to the high demand for labour in the territory. High levels of demand continue to be reflected in the large number of job advertisements we see regularly in the local press. The average year-on-year growth rate of the ANZ job advertisement series in 2007 was 9.4 per cent. In fact, the demand for labour in the ACT is so high that it is likely the labour market would be even stronger were there more people to fill all the vacant positions.

A further trend in ACT employment has been the movement from part-time towards full-time work. The proportion of employed people working full time has increased from 73.8 per cent to 76.4 per cent over the last two years. Over the same period, the Australian share of full time to total employment has increased by only 0.4 per cent.

The remarkable performance of the ACT labour market contrasts strongly with the performance of other jurisdictions. The ACT's low unemployment rate of 2.4 per cent is well below the national rate of 4.4 per cent. The next lowest jurisdiction is Western Australia, with an unemployment rate of 3.3 per cent. It is also well below the New South Wales rate of 4.7 per cent and the Victorian rate of 4.6 per cent.

Another feature of the ACT labour market is its high participation rate. The ACT labour market participation rate is consistently above the Australian rate. Currently, the ACT participation rate is 71.8 per cent, compared to the national rate of 65.2 per cent. The high level of participation reflects the good job prospects in the ACT and the high level of demand for labour. This, of course, also reflects a highly skilled workforce suited to the needs of the local economy.

The benefits of a well-educated and highly skilled workforce are also reflected in higher wages. The average weekly earnings in the ACT are \$1,287, well above the Australian average of \$1,103. ACT earnings have been growing as well. These are excellent results for the ACT and our labour market. The government, of course, has recognised that there is a continuing unmet demand for labour and has taken steps to address this.

The government has already taken a number of steps, and the ACT Skills Commission, which I established, has recently released its interim report for public and industry consultation. I met with the chairman of the commission just last week to discuss the response to the consultation and the commission's proposals for a final report, which it is anticipated will be delivered by the commission within the next six months. Once

the final report has been received by government, the government will, of course, be announcing additional measures to address this important issue.

**MR GENTLEMAN:** Mr Speaker, I have a supplementary question. Treasurer, what does the performance of the labour market suggest about the general strength of the ACT economy?

**MR STANHOPE:** The current strong demand for labour is a testament to the continuing strength of the territory's economy, but the strength of the economy is not just reflected in the labour market. The strength of the ACT economy is also illustrated by the high level of investment activity occurring in the territory. The value of new, non-dwelling construction undertaken in 2006-07 was \$1.19 billion, the highest ever recorded—higher even than the level achieved during the construction of the new Parliament House 20 years ago.

State final demand, a measure of the total expenditure in the economy, grew by 4.5 per cent for the year ended September 2007. This growth rate is exceeded only by the mining boom states of Western Australia and Queensland.

Gross state product, a measure of total production, is also performing well, growing by five per cent, to be worth \$21.6 billion, in 2006-07. The national equivalent, gross domestic product, by comparison, grew by 3.2 per cent. The ACT recorded the third highest rate of growth of GSP in 2006-07, again below only Western Australia and the Northern Territory—higher than Queensland—amongst Australian jurisdictions. The ACT also recorded a relatively strong growth rate in per capita GSP, equal second with the Northern Territory, behind only Western Australia.

The growth in the property market is also evident in the housing market. Housing finance for owner occupiers grew by 17.4 per cent year on year to November 2007, the highest rate of all jurisdictions and above the national growth rate of 2.6 per cent. Members will be aware that there are stresses in the current housing market. As I outlined yesterday, the ACT government, through its affordable housing action plan, is undertaking a number of measures, including significantly increasing land supply, to address this issue. In addition, the construction pipeline remains strong, with a number of large projects yet to commence. Business and investor confidence in the ACT remain very strong, with record auction prices achieved for commercial land.

These are good results. They reflect confidence and strength in our economy. This confidence and strength are a reflection of the government's prudent financial and economic management.

Finally, there has been some commentary in the media about the prospects for our economy, particularly in view of job cuts foreshadowed by the federal government. The ACT government understands the federal government's objective in undertaking their fiscal measures, which is to curtail inflationary pressures in the national economy allowed to grow by Howard, Costello and Humphries—in other words, the Liberal Party. The ACT government will monitor the impact of federal government decisions, as any government would do in relation to any labour force changes in its jurisdiction's largest employer. However, I conclude by noting that, with virtually full employment and continuing demand for labour, the ACT economy is well positioned

to absorb possible cuts in federal government expenditure—much as we hope that no such cuts occur.

### **Schools—sustainability initiatives**

**DR FOSKEY:** My question is to the Minister for Education and Training and is in regard to the sustainable schools program. Given that the government's Weathering the Change strategy intends to ensure that our schools are carbon neutral by 2017, are staff members who are involved in implementing the sustainable schools program given leave to attend training for the program and leave, such as a line off or equivalent, to implement it in their schools?

**MR BARR:** I thank Dr Foskey for the question. Across the education system, schools have their own school-based management funds which provide the opportunity for individual schools to purchase additional staffing points or relief staffing allocations in order to enable staff to go off-line to undertake particular projects. From time to time as well, the education department will fund a broad initiative. I refer to what we have been debating earlier today in relation to languages, whereby the government will make additional funds available that will provide for professional development opportunities for existing staff, and backfilling of positions at the individual school level, to ensure that there are teachers teaching classes whilst other staff are off receiving additional professional development support.

I have received a piece of correspondence from a teacher in a particular school who has expressed some concern that, although she has a very strong desire to implement a range of these initiatives within the school, she is having some difficulty getting the time away from face-to-face teaching that she believes she needs. I am happy to look at those issues and discuss them with the department to see if it is possible to provide some departmental resources. We do, as part of a whole department, whole-of-government initiative, seek to support individual schools to achieve these outcomes.

It is important to note, with all of these issues, that we have a system of school-based management. Schools are given the resources up front. They have a global budget, and they then make decisions around priorities at an individual school level. It may well be that there are some schools that are not embracing some of the sustainability initiatives as much as we would like. Certainly, it is the government's position that we are strongly encouraging schools to be involved in these programs. I think that, given the very strong level of take-up in the ACT of both the ACT and commonwealth initiatives, ACT schools by and large lead the nation in terms of taking up these programs and having both staff and student engagement. So I think I know where this question has come from, Dr Foskey.

**Dr Foskey:** No; actually you're wrong.

**MR BARR:** I may well be wrong, but I am happy to look at what the government can do. Of course, we have provided a massive injection of funds into the school system to improve environmental efficiency and to make our schools more sustainable, both through the Weathering the Change initiative that the Chief Minister announced and through the \$350 million worth of capital upgrades that this government has invested in public education. None of this would be possible unless this government had invested so significantly in improving the infrastructure of our schools.

It is worth noting again that, although the opposition's spokesperson on education has changed, we are still to hear from the new opposition spokesperson about whether he believes that the government's investment in public education is throwing good money after bad. The previous education spokesperson was at pains, throughout 2006 and 2007, to say that the government's investment in improving the infrastructure of our schools, improving the environmental performance of our schools, building new schools, raising the standards and the environmental performance, and reducing the carbon footprints that our schools have, was throwing good money after bad. So the challenge for the new opposition leader is to do better than to borrow from Savage Garden lyrics for his inaugural speech, to do better than to give an affirmation, and to demonstrate a change of position from a Liberal opposition in relation to investment in public education—an investment that will improve the environmental sustainability of our schools.

**MR SPEAKER:** Is there a supplementary question?

**DR FOSKEY:** Thanks, Mr Speaker. How is the government intending to bring in the remaining 56 ACT schools, out of 144, which are not already involved in the sustainable schools initiative?

**MR BARR:** I thank Dr Foskey. She may be aware that we held a major launch of the initiative and provided kits for each school. They are available for those schools that have not already taken up the program. The government is providing significant funding, so my expectation is that schools will be eager to access that funding. There is a clear incentive for schools to become involved in the program.

**Mr Pratt:** They'll grab whatever they can before you close them down.

**MR BARR:** There is money available at both the commonwealth and territory level for initiatives to improve the sustainability of schools.

**Mr Pratt:** Isn't it blood money—taking it from the ruins of closed schools?

**MR BARR:** It would be incumbent upon individual schools to take advantage of this.

**Mr Pratt:** It's blood money.

**MR BARR:** I remind the Assembly that we have within the ACT—

**Mr Pratt:** You've got blood on your hands.

**MR SPEAKER:** Order, Mr Pratt! Cease interjecting.

**MR BARR:** We have within the ACT a system of school-based management, and decisions around involvement in these sorts of programs are made at a school board level. Catholic systemic schools will make a systemic decision, but all of the independent schools will make their own decisions. We encourage all schools to participate. There is money available; schools would be crazy not to take advantage of it. In responding to Dr Foskey, we did make available an individual kit for schools.

We had a major media launch last year, and we will continue to encourage schools to be involved in the program.

### **Griffin legacy**

**MR STEFANIAK:** My question is to the Chief Minister. I refer to your recent comments reported on ABC radio on 6 February about the federal government's decision to slash the budget for Griffin legacy infrastructure. I quote:

... those of us who can imagine the future of Canberra and ... the continuance of the Griffin legacy ... are of course devastated ...

It's additionally frustrating that the money ... was appropriated in the last budget and it's been dragged back out and it's dreadfully disappointing.

In fact, I recall you at the Boat House praising the then federal government for putting that money in and saying it was a good idea. And yet, Chief Minister, it was your colleague Senator Lundy who led the charge for the federal government funding cuts to the NCA—the organisation she described as “bloated”. What discussions did the federal government or federal Labor figures have with you or your ministers about the cuts to the Griffin legacy before the decision was made?

**MR STANHOPE:** I thank Mr Stefaniak for the question. Indeed, I do not resile for one minute from the comments I made—an expression of my very deep regret and frustration at the cuts to the Griffin legacy, particularly the funding to Constitution Avenue and the implications for achieving that part of the vision. It has to be said Mr Stefaniak—and you invite this response—that the cuts are a direct response to the failures of the Liberal federal government to deal with the economy appropriately and prudently, and that has led to—

**Mr Pratt:** What are you going to do about it?

**MR STANHOPE:** How many interest rate rises are we up to in a row now?

**Mrs Dunne:** You didn't think that in May; you thought it was wonderful.

**Mr Pratt:** You supported it in May. Everything was great in May.

**MR SPEAKER:** Order! Members of the opposition.

**MR STANHOPE:** There have been 11 successive interest rate rises. The Liberal Party scoff, laugh and chortle behind their hands at the implications of 11 straight interest rate rises for Canberra families.

**Mr Pratt:** A long way from your 17 per cent mate.

**MR STANHOPE:** Why did the Liberal Party in this place laugh, scoff and dismiss the efforts by the current federal government to rein in inflation? Because they could not give two hoots about the mortgage stress that 11 straight interest rate rises mean to the people of Canberra. Eleven straight interest rate rises under the Liberal Party—this was the legacy. This is the great Howard-Costello-Humphries legacy: enormous mortgage stress for young Canberra families.

**Mr Smyth:** On a point of order Mr Speaker: under standing order 118 (a) the minister must be relevant; under 118 (b) he must not debate the subject. The question was: what discussions did he have with federal Labor colleagues? It is not about the legacy of a previous government.

**MR SPEAKER:** It was about the Griffin legacy and cuts to the funding. You asked the question about discussions.

**Mr Smyth:** The question was: what discussions did the minister have?

**MR SPEAKER:** The Chief Minister will come to the subject matter of the question.

**MR STANHOPE:** Since the federal election I think I have had three separate meetings, not counting telephone discussions, with the Minister for Home Affairs, Mr Bob Debus. In my last discussion, during which we discussed the Griffin legacy, I discussed with Mr Debus the basis or rationale of the cuts to the NCA. He said, "Of course, the basis and the rationale is the outrageous lack of prudent financial management by the previous Prime Minister, John Howard, and the previous Treasurer, Peter Costello, and members of the federal parliament such as Senator Gary Humphries, who have a total disregard."

The last discussion I had with the Minister for Home Affairs about Constitution Avenue and the Griffin legacy involved an explanation. I put it to Mr Debus: Mr Debus, why have you done this? "We are doing this because of the absolutely outrageous disregard by the previous government of the implications of interest rate rise after interest rate rise after interest rate rise on young Canberra families, and indeed on everybody around Australia with a mortgage."

**Mr Pratt:** How much is it, Jon, in the federal budget? It's nothing.

**Mrs Dunne:** How big is the commonwealth deficit?

**MR STANHOPE:** That was the discussion we had. In terms of the discussions I have had with the federal government—

**Mr Pratt:** I hope your minder's racing upstairs to ring Debus—

**MR SPEAKER:** Order! Mrs Dunne, cease interjecting. Mr Stanhope, resume your seat. I warn you, Mr Pratt.

**MR STANHOPE:** The discussion I had with Mr Debus, as I raised with him my concerns about the implications for Canberra and for the Griffin legacy, involved an explanation of the reasons that led to some of the decisions which the federal government has made and has foreshadowed that it will make in order to rein in what threatens to be rampaging inflation. It is approaching 3.5 per cent and is heading for four. The federal Treasurer has indicated on a number of occasions that the Treasury advice to him is that inflation will exceed four per cent during this year. Eleven straight—

**Mr Stefaniak:** It was 17 under Whitlam.

**MR STANHOPE:** We now go back to the past: the refrain is “What about 1990?” I find it so cynical and so amazing that the level of concern that Mr Seselja expresses for young Canberra families is: “Oh, it’s not as bad as it was 20 years ago.” It is a repeat: “They’ve never had it so good.” The sympathy that young Canberra families—in significant mortgage stress already—receive from the Liberal Party in this place is: “Oh, it’s not that bad.” Mr Seselja now says, “They’ve never had it so good.” He does not care about young families. He does not care about inflation. He does not care about interest rates. (*Time expired.*)

**MR SPEAKER:** Mr Stefaniak, a supplementary question?

**MR STEFANIAK:** Chief Minister, did you argue against the plans to make cuts to the NCA, and why did you fail to persuade your federal colleagues about the importance of this project to the future of Canberra?

**MR STANHOPE:** I did argue, and I continue to argue. I continue to make representations. I have met on a number of occasions with a number of officials. I have met with the chairman of the NCA, Michael Ball. My officials are continuing to meet with the NCA. The NCA and the ACT government are involved in a joint project of review of planning arrangements within the territory, work that was agreed between Mr Debus and me at our last meeting. Our officials are meeting; our officials are in discussion. NCA and ACT government ACTPLA authority officials are meeting. Indeed, Mr Neil Savery and Ms Annabelle Pegrum are leading a group that is looking at the extent to which the NCA, representing the commonwealth, and ACTPLA can agree on a new regime that might be reflected in legislative change for the planning of the ACT.

In relation to Constitution Avenue and the Griffin legacy cuts, I regret them enormously, particularly insofar as they do represent a reneging of an arrangement that was entered into by the previous government with my government in relation to the upgrade and maintenance of Constitution Avenue and other roads. That is a matter of deep regret to me. I have made and continue to make representations. I am in correspondence with the commonwealth in relation to Constitution Avenue, and I will, of course, seek to negotiate a way through and perhaps a return to a commitment to upgrade Constitution Avenue. There are a range of issues—

**Mrs Dunne:** You just rolled over.

**MR SPEAKER:** I warn you, Mrs Dunne.

**MR STANHOPE:** There are a range of issues that we are currently discussing, but the cut to the Griffin legacy is a matter of enormous regret. I do not use this as an excuse, but one of the differences between the Griffin legacy cuts and other cuts announced in the package of \$650 million or thereabouts is that the moneys for the Griffin legacy were actually appropriated. It set them apart from some of the other initiatives, such as the fishing hall of fame et cetera—

**Mr Stefaniak:** We’re talking about the Griffin legacy.

**Mrs Dunne:** On a point of order, Mr Speaker: this is a question about the cuts to Constitution Avenue, not the fishing hall of fame. Can you bring the Chief Minister back to the subject matter of the question?

**MR SPEAKER:** The Chief Minister has touched on the reasons why the funding was cut back. I think that is reasonable.

**Mrs Dunne:** Mr Speaker, on the point of order: there was nothing in the question that gives the Chief Minister licence to wander into speculating on what he thinks are the reasons for the cutbacks. The questions were very specific about his lobbying the relevant minister about Constitution Avenue.

**MR SPEAKER:** Mrs Dunne, as you well know, questions without notice are politically charged, as are the answers. It is something we all have to bear.

**MR STANHOPE:** Thank you, Mr Speaker. I have met the minister; I am in communication with the minister. I have met with the chair of the NCA, and I continue to meet with him. Indeed, I am hoping that, through the representations that we make, we will be able to achieve an appropriate and satisfactory outcome. However, in the event that we do not, it needs to be borne in mind and always remembered that this cut was part of a package of \$650 million of cuts around Australia—

**Mr Seselja:** The cuts we had to have.

**MR STANHOPE:** Well, it is only the start.

**Mr Pratt:** A drop in the bucket.

**MR STANHOPE:** It is interesting—

**Mr Stefaniak:** It's minimal.

**MR STANHOPE:** It is minimal! A 0.25 per cent increase in interest rates, I suppose to this mob was minimal to those young Canberra families out there that are now contemplating whether or not they will have to sell their homes.

**Mr Stefaniak:** It's a minor cut in the federal budget which has a big effect on your city.

**MR STANHOPE:** It's a minimal cut—\$650 million; it doesn't really count!

**Mr Stefaniak:** You're very happy to bash Howard; why don't you go and bash Rudd when he does something wrong?

**MR SPEAKER:** Mr Stefaniak, control yourself.

**MR STANHOPE:** A 0.25 per cent increase in interest rates does not count either, because you do not care. You do not care about young families; you do not care about

working families; you do not care about the people in mortgage stress; you do not care about lower income earners. We know you do not. We know it is not your constituency. We know you do not care about them.

**Mr Stefaniak:** Stop your grizzling.

**MR STANHOPE:** Your derision is now in the face of an attempt to reduce inflation, a necessary attempt to rein in what threatens to be a rampaging burst of inflation and further interest rate rises. I just can't believe the derision with which the Liberal Party is treating the implications and effects of the increase in interest rates. The Reserve Bank has forecast a further rate rise within the next four weeks, and you do not care. It is remarkable. (*Time expired.*)

### **Hospitals—pay parking**

**MRS DUNNE:** My question is to the Minister for Health. Minister, during question time yesterday, the Chief Minister said that we—the opposition and the community—could “take the word of the minister ... publicly expressed, on the public record, as expressing the government's position”.

Minister, on 13 December 2006, when discussing the government's position on pay parking at the hospital, you publicly expressed, on the public record, that there was no way you were walking away from pay parking. Barely six months later, the Chief Minister stated the government's position on hospital pay parking—publicly expressed, on the public record—as follows:

... the current pay parking arrangements will cease operation at the Canberra ... and Calvary hospital today with effect from 9.00 pm ...

That was on 25 May 2007. Minister, how do you reconcile the conflict between your statement of the government's position and the Chief Minister's statement of the government's position, both publicly expressed, both on the public record?

**MS GALLAGHER:** Both statements are correct, because the government changed its position on pay parking.

**Mr Seselja:** You said you wouldn't. You are projecting into the future again, Katy.

**MS GALLAGHER:** At the time that statement was made—I did not hear the date that you read from, but I presume it is correct—the government's policy was to introduce pay parking at the Canberra and Calvary hospitals.

**Mr Smyth:** So you are only as good as your word.

**MS GALLAGHER:** We did that. Then we had a whole range of feedback and we had a whole range of complaints.

*Opposition members interjecting—*

**MS GALLAGHER:** We looked at how we could ameliorate those complaints. The majority of those complaints were not about pay parking; they were about the method of pay parking.

**Mr Seselja:** It was a debacle.

**MS GALLAGHER:** When we could not address the method of pay parking, we changed our decision. And yes, we cop it. These are hard things for governments to do. Would it have been better to ignore the feedback and maintain my position in December—

*Mrs Burke interjecting—*

**MS GALLAGHER:** which was to implement pay parking, the decision of the government at the time—

*Mr Smyth interjecting—*

**Mr Seselja:** Simon was right.

**Mr Smyth:** Why didn't you leave it to Simon? He didn't want it.

**MS GALLAGHER:** or would it have been better to listen to what the community were saying and refine our proposal? We withdrew—

*Mr Seselja interjecting—*

**MR SPEAKER:** Order! Minister, resume your seat, please. Mr Seselja, assist me. Tell me of a way I can get you and your colleagues to cease interjecting without naming you and having you discharged from the chamber.

**Mr Smyth:** It's easy, Mr Speaker. You get them to answer the questions.

**Mrs Burke:** That's it—frustration, Mr Speaker.

**MS GALLAGHER:** I do not know what they do not understand about the answer to the question. It is quite simple: we had a position; that position was expressed in the words, I presume, that you are quoting from; the government changed its mind. Both statements are correct. It is quite an easy concept for you to understand. I am sure there will be another question about this, and it will be answered in the same way. The government changed its position on pay parking. We are building a multistorey car park; that may or may not be pay parking in the future.

**MRS DUNNE:** Mr Speaker, I have a supplementary question. Minister, can the community be concerned about the lack of consistency between your expressed position and the Chief Minister's expressed position? And when will there be consistency on the approach to pay parking at the hospitals?

**MS GALLAGHER:** There is consistency. There is no pay parking at Canberra hospitals. The government's original proposal has been withdrawn. In response to

community feedback, we are building a multistorey car park at a cost of around \$29 million. The decision about whether or not there will be pay parking at the Canberra Hospital in the future is one that I presume the next government—and I presume it will be this one, when we are re-elected—will make at the time the multistorey car park is finished.

**Mr Smyth:** You're very cocky.

**MS GALLAGHER:** It won't be you guys if you keep up this question time strategy.

### **Emergency services—FireLink**

**MR PRATT:** My question is to the Minister for Police and Emergency Services, Mr Corbell. Minister, yesterday during question time the Chief Minister said we could take the word of the minister “publicly expressed, on the public record, as expressing the government’s position”. Minister, on 12 December 2006 in this place you publicly expressed on the public record the government’s position in relation to FireLink:

FireLink does work. It is operational currently in RFS and SES.

**Mr Stanhope:** Who's the political genius that dreamt those questions up?

**Ms Gallagher:** The mastermind?

**Mr Stanhope:** Yes; who's the political mastermind who dreamt this up?

**MR SPEAKER:** Chief Minister, order!

**MR PRATT:** Just listen, Chief Minister; you might get a lesson here about consistency. I will just repeat that:

FireLink does work. It is operational currently in RFS and SES. It does work and it is an excellent piece of technology.

Your government, minister, dumped this “excellent piece of technology” not seven months later. Minister, how do you reconcile your statement of your government’s position expressed, on the record, with your government’s subsequent decision to dump FireLink?

**MR CORBELL:** It is quite an amazing revelation that we have from those opposite that they seem to fail to understand that there is the capacity in most human minds to absorb new information and respond to it. In most human minds, when you are presented with a range of facts you make a decision based on that range of facts, and then if you are presented with further facts you revisit that decision and decide whether or not it is still an appropriate decision. Mr Speaker, that is what ministers do. I hate to break it to Mr Pratt, but once you say something it does not mean it is always true for ever and a day. If new facts come to light, you have to revisit things, you have to reassess, and that is the sign, I would have thought, of an individual who is prepared to think, to assess, to analyse and to be critical in their decision making.

That is what the government did with FireLink. That is what the government did in relation to the other issues that the opposition have asked about. Whether it is pay parking at the hospital, schools or other issues, it is about having regard to the facts before you and responding to those based on those facts—not asserting for ever and a day that what you said at X period in time will remain the absolute truth for ever and ever. If the opposition cannot grasp that, it is little wonder they are a long way away from ever forming government here in the ACT.

**MR SPEAKER:** A supplementary question, Mr Pratt.

**MR PRATT:** Thank you, Mr Speaker. Minister, when you made this statement were you misleading the Assembly or were you misled by someone else—

**MR SPEAKER:** Withdraw that imputation.

**Mrs Dunne:** No. You can ask whether he was misleading the Assembly.

**MR SPEAKER:** There is an imputation there that somebody has misled the Assembly.

**Mr Seselja:** I raise a point of order, Mr Speaker. Where in the standing orders does it say that he is not allowed to ask the question? There are only two possible outcomes here. He is asking the question whether he was misled or whether he was misleading. Now, he is not saying he is misleading. It is up to the minister to answer that. I do not see the unreasonable imputation in such a question.

**MR SPEAKER:** I have to judge the atmospherics here, Mr Seselja, and the imputation is that somebody has misled the Assembly. I will not permit those imputations. The most serious charge that you can lay upon a member is to impute that they in some way misled the Assembly. I ask you to withdraw that.

**MR PRATT:** Mr Speaker, I do withdraw that.

**MR SPEAKER:** Thank you.

**MR PRATT:** My question is: minister, when you misled the community about the veracity of the FireLink issue, do you claim that you were misled yourself? If so, by whom?

**MR CORBELL:** I claim none of those things; nor do I accept the assertion by Mr Pratt that I misled the community. The information I provided to the Assembly was based on the advice I received from my department. As I said in my answer to Mr Pratt's previous question, when the circumstances and facts change and when new information is put before you about the adequacy or otherwise of a government program service or piece of infrastructure, you make decisions based on that. That is what I did in relation to FireLink.

When the consultants came to me and said, "There are major problems," what am I meant to do? Am I meant to say, "No, no. I have said in the Assembly that there is no

problem so we are going to keep using it.” What an absurd suggestion! The capacity to be able to adapt to changing circumstances I think has been most recently demonstrated by the colleagues of those on the other side of this place in the federal parliament who, after 11 years of refusing to accept that there was any need for an apology to the stolen generation, have now taken the decision that is an appropriate course of action. If they had adopted the logic of Mr Pratt and Mr Seselja and others over there—

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

**MR CORBELL:** they would never have changed their minds

**MR SPEAKER:** There is a point of order. Minister, resume your seat.

**Mrs Dunne:** This is about relevance, Mr Speaker. It is a question about FireLink. It is a fairly long bow to draw to move the question from a question about FireLink to motions in the federal parliament today in relation to indigenous affairs.

**MR SPEAKER:** The question went to whether Mr Corbell had misled the community or whether he had been misled. He will come to the subject matter.

**MR CORBELL:** I have answered the question, Mr Speaker.

### **Prisoners—support**

**MS MacDONALD:** My question is also to Mr Corbell, in his capacity as Attorney-General. Can the minister advise the Assembly of the government’s progress in developing better facilities, support and programs for prisoners in the ACT?

**MR CORBELL:** I thank Ms MacDonald for the question. I am delighted to advise the Assembly of progress in developing better programs for those who are some of the most vulnerable in our community—people who are incarcerated for a term of imprisonment. Of course, this strikes very much at the heart of any government’s social justice agenda, recognising that those who rely most intimately on government services deserve the best level of support. I was very pleased to see that this sentiment was shared by Mr Seselja in his speech yesterday, when he said:

Vulnerable children, the homeless, the mentally ill, refugees, recently arrived immigrants, our Indigenous community, those on low incomes, prisoners, the aged and the chronically ill often have a disproportionate reliance on the actions of government.

We absolutely agree, and we welcome those comments by Mr Seselja. But unlike the government, which is committed to investing in the physical infrastructure and in delivering better programs to prisoners so that we can enhance their chances for rehabilitation in order for them to become more worthwhile citizens in our community, it seems to me that Mr Seselja speaks with a forked tongue, because in that same speech he criticised—

**MR SPEAKER:** Mr Corbell, withdraw that.

**MR CORBELL:** I withdraw that, Mr Speaker. I think Mr Seselja was somewhat hypocritical in his approach, because in the same speech he indicated that he did not believe the prison was needed.

**Mrs Dunne:** On a point of order, Mr Speaker: no sooner had he withdrawn the imputation that Mr Seselja had told lies, he then went on to accuse him of hypocrisy, which is something which is not allowed, and you have ruled against it in this place on a number of occasions.

**MR SPEAKER:** I will not permit people to call each other hypocrites in this place. I have allowed in the past, and will continue to allow, accusations about a state of mind.

**MR CORBELL:** Thank you, Mr Speaker. It is indeed a hypocritical position from those opposite, on the one hand, to express an interest in and sentiment about helping those who are vulnerable in our community, such as prisoners, and on the other hand to assert that it is a waste of money to build a humane facility in which to house those prisoners. That is the hypocritical approach that we have from the new Leader of the Opposition. Where is his interest? He has been to the Belconnen Remand Centre. He has seen it at first hand, and he seeks to offer some seeming level of commitment to helping those who are most vulnerable and who are most reliant on government services, such as prisoners. But then, in the same speech, he seeks to denigrate the need to provide a humane facility in which to house those prisoners.

What is he saying—that he thinks BRC is all right? Does he think that it is better for those people to be accommodated in 19th century facilities such as Goulburn? Is that really the new, caring opposition leader? Is that the warm and cuddly, socially just conservative we have in the new Leader of the Opposition? It is hypocritical and it is disappointing that on only his second sitting day as Leader of the Opposition in this place he is exposed as an individual who is prepared to say one thing and then assert another. Unlike those opposite, this government will invest in improving services for prisoners in the ACT. Unlike those opposite, those hypocrites opposite—

**MR SPEAKER:** Withdraw that.

**MR CORBELL:** I withdraw that, Mr Speaker. Unlike the hypocritical approach adopted by those opposite, this government will invest in a humane facility, it will invest in education programs for prisoners, it will invest in medical services for prisoners, and it will invest in a corrections system that gives them the best opportunity to be rehabilitated, in order to come back as positive and contributing members of our society. We will continue our commitment to these measures and we will not succumb to the sort of hypocritical approach we see from those opposite.

### **Health—patient care**

**MRS BURKE:** My question, through you, Mr Speaker, is to the Minister for Health, and relates to visiting medical officers' services for public patients in the ACT. Minister, visiting medical officers, or VMOs, are under contract to provide services to public patients. I have received representations from a patient referred to a VMO by his GP as a public patient for a consultation. The patient was refused a consultation on

the ground he had missed two appointments nearly three years prior, and I have, for the interest of members, written to the minister on this matter. But, minister, do you sanction this method of operation, given the VMO in question is contracted to provide services on behalf of ACT Health?

**MS GALLAGHER:** I am surprised, actually, to get this question because of the embarrassment that should have been caused by the media release that went out about this matter and the public spectacle that Mrs Burke tried to make about this poor person who was in desperate need of medical attention. In fact, I am now going to have to walk through the embarrassment step by step from the beginning.

A patient referred by a private GP to a private specialist is a private matter. The private specialist, based on the facts that I have been given—which is a letter from Mrs Burke—said he would not see this patient. That is the story. You are not a public patient until you enter a public hospital. GPs cannot refer a public patient. There is no such thing as a public patient unless you are in a public hospital.

**Mrs Burke:** Are you sure?

**MS GALLAGHER:** Am I sure? Am I sure? Yes, I am sure. It is quite simple: public patients are seen at public hospitals where public moneys fund public services. In the media release put out by Mrs Burke, she even admits some understanding of this by saying the patient was referred by a GP, which is a private practitioner, to a doctor with rooms in Deakin. We do not have rooms in Deakin. The public system does not have rooms in Deakin. We have rooms in Garran. They are big—they are called the Canberra Hospital. That is where your public entitlement to public services exists.

I was rather hoping that this matter would not come to the Assembly because of the level of embarrassment it should cause the opposition spokesperson, who put out a media release trying to blame the Chief Minister and me for a situation where a private patient is not seen by a private doctor. Because I felt there was an obvious need for this patient to be seen, I have undertaken a number of inquiries. This patient will be seen by the public system as a public patient by a public specialist. But let us understand here that the public system—the government—had nothing to do with this person's refusal for treatment.

I am not even sure—in fact, I am waiting for this to be confirmed—that this specialist is a VMO and whether he offers any public services. My initial advice is that he does not. Whether or not this private specialist wanted to see this patient is a matter for him, and he declined. But to then put out a media statement saying this is because of the inflexibility of the public system and that it shows that the government is out of touch and unable to deal with situations like this is simply not true.

The moment I chased up this patient's information, he got an appointment. This patient has an appointment within the next two weeks. Mrs Burke has made allegations around the unavailability of MRI technology. We do not even have a waiting list. In fact, I think there is only a five-day wait for MRI screens at the Canberra Hospital because of the investment this government has made by doubling the resources in the MRI area within the hospital. Precisely because of the investment we have made, this person will be seen and will be seen very quickly.

The allegations contained in the media release—“Patient refused treatment due to two missed appointments”—almost came close to the media release issued the next day or the day after—“Where’s the health spaceship, minister?” I am still working through the enjoyable reading contained in that release. When I was reading this media release, I am going, “Refused treatment? How could a public patient be refused treatment?” It is a commitment under the Australian health care agreement that wherever you turn up at any public hospital, you must be seen. You cannot be refused treatment, and I am reading and I am thinking, “How can this possibly be the case?” and then I think, “It’s a patient referred from a GP to someone who has rooms in Deakin.” I felt this little part of me going, “Well, I don’t think this is anything to do with the public system,” and it was not. But, do not worry, because the public system will provide the treatment and services that this patient needs.

**Mrs Burke:** He was told he was a public patient.

**MS GALLAGHER:** You need to tell him that he was not. (*Time expired.*)

### **Health—capital works funding**

**MS PORTER:** Mr Speaker, my question, through you, is also to the Minister for Health. Minister, can you update the Assembly on the progress of new capital works funded in recent budgets across the ACT health system?

**MS GALLAGHER:** Thank you, Mr Speaker. It is important to provide an update to the Assembly. Not only has this government provided record investment in capital infrastructure in education—I think around \$350 million in capital investment in education—we also provided significant investments across the health portfolio. There are a number on which I can now update the Assembly.

The second appropriation bill included capital upgrades to the Canberra hospital emergency department waiting room, particularly around how we support parents with children who are waiting to be seen there. We have funded the nuclear medicine equipment at the Canberra hospital to deal with a projected 60 per cent increase in demand for services. The second appropriation also included funding for the superficial X-ray radiotherapy treatment unit at Canberra hospital with modern technology.

We are moving forward with our new \$29 million multistorey car park at the Canberra hospital. The car park will provide an additional 1,400 spaces on the campus. Tenders for this project closed on 13 December 2007 and a preferred tenderer is in the process of being identified. Construction is currently scheduled for completion by June 2009.

The design of the refurbishment and expansion of the neonatal intensive care unit is underway. The forward design budget of just under \$800,000 has been awarded and completion of the design work is expected in the first part of this year. Design work for the adult mental health acute inpatient unit and the high secure mental health inpatient unit for forensic patients has also been funded. This work is drawing to a completion and, subject to the next budget process, construction could commence in late 2008.

The \$18.7 million linear accelerator project is underway. Again, this will significantly increase our capacity to provide radiation oncology services. The construction of the bunker began in 2007 and all building works are on target and within budget. The handover of the bunker took place on 20 January 2008 and the new Linac was delivered on 21 January 2008. It is scheduled for commissioning on 2 July 2008. There will be some small disruption to normal operations while we move staff to a temporary relocation. We hope to minimise the disruption to clinical operations as much as possible.

Last year we opened the medical assessment and planning unit at the hospital with a \$1.25 million capital investment. This has added 16 beds to the system and we will be opening another ward of beds, most likely for surgical patients, later this year.

We also have the second MRI at a cost of \$2 million over four years. It has provided a significant increase in capacity, with an extra 10 to 15 scans being performed a day or up to 3,000 scans per year. This has dramatically reduced waiting periods for MRI screens.

As part of our capital investment at the hospital we are having to reclaim ward space which had previously been converted into admin space, and I would like to put on the record that this government has not converted any ward space to admin space. The previous government did and we are reopening those spaces and putting beds in. We are swapping the admin space for beds. We are having a look at a whole range of areas, particularly across Canberra hospital as we look to resume space within the hospital and reallocation of space for other services at the hospital.

Those projects that I have listed total \$56.5 million. They cover mental health and new and emergent technologies. They are looking at car parks, at children and at improvements in our emergency department. They are all on track and all on budget and should be delivered within this year.

**MR SPEAKER:** Supplementary question, Ms Porter?

**MS PORTER:** Thank you, Mr Speaker. Minister, has this investment reached beyond the acute services to the wider health system?

**MS GALLAGHER:** Yes, whilst the acute hospital services always take a fair slice of the health pie, we have also invested quite considerably in services outside of the acute system. The obvious area, of course, has been the SNAS, the sub and non-acute facility, which opened up in February 2007. That has provided an additional 60 beds but it has provided an enormous capacity now for more appropriate accommodation for those people needing particular services including rehabilitation. Also having the older persons mental health unit, which cost just under \$10 million to build, has provided extra capacity.

We also have invested in capital that will support our needs in terms of workforce and educating our own workforce, and that has been delivered through the UC allied health building. I think we are already snapping up all the graduates coming out of that area of the University of Canberra, including the nutrition, pharmacy and

physiotherapy program. The ANU medical school is something that has been an understated success of our community. We are now seeing doctors who are choosing to come and work in the Canberra Hospital because we are getting a reputation of having such a strong medical school attached to our hospital campus.

The investments, not just the capital but the ongoing investments in terms of our staff teaching at the ANU medical school, will continue to reap benefits for the Canberra community because doctors and specialists are starting and are coming here from other countries and bringing with them their skills, their expertise. They are getting established here and then they are bringing their friends here, and we are seeing improvements in terms of attracting, in relation to the ANU medical school, doctors where we have had difficulties in the past.

This week we have started a conversation about the future of health for the next 20-odd years. It will require increases in capital and technology but it will also look at areas of workforce shortage and how we meet those needs. This discussion has already received widespread support from health stakeholder groups, including the Health Care Consumers Association and the AMA. I understand the ANF are supportive of the direction we are heading in. The salaried medical officers have also supported the conversation and the preparing of this discussion.

The only criticism to come so far has been from those opposite who have likened the plan to a spaceship and have really wedged themselves in a corner for the discussion now. They have opposed the plan for the future health needs of the ACT community, and I think they will live to regret that in the months to come.

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

## **Personal explanation**

**DR FOSKEY (Molonglo):** I want to use standing order 46 again to make a personal explanation.

**MR SPEAKER:** Have you been misrepresented, Dr Foskey?

**DR FOSKEY:** I think that there needs to be some explanation. Mr Barr indicated in his answer that he felt that I had received a letter which elicited my question. I wish that it be on the record, in *Hansard*, that I received no such letter. So let us remove that misapprehension. Secondly, I was just doing what I have been doing ever since the state of the schools program was announced, which is asking questions and wanting to find out more about it and whether it is working well.

## **Questions without notice**

### **Ruling by Speaker**

**MRS DUNNE:** Mr Speaker, I would like to seek your guidance on a matter. You ruled Mr Pratt's question out of order because he asked the minister whether or not he had misled the Assembly. It is my distinct recollection that, in the past, those questions have not been ruled out of order, when you ask a minister a direct question about whether or not he had misled the Assembly. It is certainly the case, in Erskine

May and *House of Representatives Practice*, that all of those things will point to an accusation that someone has misled the Assembly, which is of a different order and must be accompanied by a substantive motion. So could I ask you to reflect upon that ruling and see whether it is consistent with rulings in the past.

**MR SPEAKER:** As I said to Mr Seselja, I have to judge the atmospherics of these things from time to time. I guess it is my view that that counts when it comes to a judgement about a standing order. In my view there was an accusation bound up in what he said. That is a matter of judgement for me. I think there was an imputation and that is why I ordered it withdrawn.

For example, though, if Mr Pratt had said, “Isn’t it misleading to say such things,” that would be a different matter. But my judgement was that there was an accusation bound up in the way the question was put, and it was a judgement of the atmospherics. And that is the way I will continue to judge these matters. I must make a judgement about whether it leads to further disorder as well, and those are the reasonings behind my decision in that case.

## **Education—school language programs**

Debate resumed.

**Dr Foskey:** I believe I am rising both to speak to the amendment and to close the debate.

**MR SPEAKER:** You are speaking to the amendment.

**Dr Foskey:** I am speaking to the amendment then.

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

I am not sure whether there are other members who wish to speak on the matter. Are there other members that wish to speak on this?

**Mr Barr:** I will be speaking to the amendment, yes.

**Mr Seselja:** You have already spoken.

**Mr Barr:** To the motion, not to the amendment.

**Mr Seselja:** No, you can’t speak again, Andrew.

**MR SPEAKER:** No. You cannot speak to it. If there are no speakers after Dr Foskey speaks on the amendment—

*Members interjecting—*

**MR SPEAKER:** Order, members! The question before the house is that the amendment be agreed to. If there are no other speakers, Dr Foskey may close the debate as well.

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (3.46): I seek leave to speak again. I will speak for five minutes only. I guarantee to be brief.

Leave granted.

**MR BARR:** I reiterate the points that I made this morning. The government has given a commitment to high-quality language education programs, Mr Speaker. We do invest significant funds. Looking very quickly at the detail, there are 125 fully funded teaching positions within the ACT public education system dedicated to language teaching. So a quick rule of thumb is that at least \$12.5 million is provided in direct funding to teaching of languages, including salaries and on costs. We are also providing the additional \$300,000.

There are a couple of other initiatives, Mr Speaker, that I would like to highlight, relating to the new curriculum framework and our engagement with a number of embassies to bring additional resources to the public education system. We are reaching agreement with a number of foreign governments and embassies to assist us in supporting language acquisition and intercultural understanding in schools.

I can advise the Assembly that one such imminent agreement is with the Peoples Republic of China, and it is anticipated that this year we will have a fully qualified language assistant who will come to Canberra and work in high schools, colleges and primary schools as a linguistic and cultural assistant.

The department of education is also about to conclude a second memorandum of understanding with the Republic of Indonesia, and this agreement will allow Indonesian postgraduates who are already living in Canberra to be language assistants in primary schools, high schools and colleges. This is another ground-breaking initiative that will only be available to students here in Canberra.

We have a range of other current, no-less significant arrangements with the embassies of Spain, France and Italy. And in the history of these bilateral understandings, many schools in Canberra have benefited from the international context of our city. Obvious examples are the Telopea Park school, Mawson primary, the Mandarin immersion classes and of course the support of the Italian Embassy for the bilingual program that is currently in line and that will move to Yarralumla in 2009.

Of course, one of the many benefits of our sister-city relationship with Nara, Japan, is that our schools have, for many years, received Japanese language interns who have lived in home-stay situations and who have provided insight into the teaching of Japanese within our school systems.

So in wrapping up, I can say that the research indicates that students who receive second-language instruction are more creative and are better at solving complex problems than those who do not have that opportunity and that learning another language can help reinforce students' knowledge of the English language and improve their literacy outcomes. The government has recognised the importance of language education, and I am very pleased to support Dr Foskey's motion with the amendment that I have moved.

**DR FOSKEY** (Molonglo) (3.50): Thank you very much to the government for the support of the first part of my motion. I thought, in wrapping up and in refuting the government's amendment to my motion, I might run through my original motion. First of all, the part that is clearly non-controversial is that the Assembly acknowledges "(a) the significant social and economic benefits of a multi-lingual and multicultural society". No more needs to be said about that.

The second part is "(b) the crucial role of high quality school language programs in supporting such a society". While we all agree with that, perhaps there is going to be some difference between the various people here about what they believe constitutes a high-quality school language program. And clearly there is some difference between Mr Barr and me on that.

Thirdly, "(c) the need for all of us to engage with and learn from other cultures". I believe that that is a very strong basis of the multicultural strategy and, again, I believe it is uncontroversial, although unfortunately we do know that there are people in our community who do not support that.

The second part of my motion is the one where clearly there is strong difference between the government and me. And this is an interesting matter. People will not have noticed because, of course, they are not as interested in what Mr Barr and I say as we are, but we had a little discussion because Mr Barr did not like the fact that I said that the government always changes our motions, that they agree with half of our motion then change the action part of the motion to what I see is a self-congratulatory form of words.

That is why I think it is interesting to have a look at what it is about the second part of the motion that the government does not like. First of all, "(a) a key element of the curriculum delivered in ACT schools is an engagement with other cultures through learning an additional language". Given that the government has rephrased that very similarly, clearly that is not where we disagree.

Part No 2 is "(b) sustained, and meaningful language learning experiences are provided for all students in ACT schools". Again, really, the government's amendment just changes the tense. This is where I think we come to the heart of the disagreement and why it is that the government changed my motion, and that is they perceive a sense that my motion is saying that something that should be done is not being done.

When we get to (c) we probably get to the crux of it because my (c) says, "priority is given, through realistic funding and support, to attracting and retaining qualified and

capable language teachers in ACT government schools”. I guess the word “realistic” is the problem because my idea of realistic may be different to the government’s idea of realistic. In fact, every single person in this room and, indeed, in this city could have a different idea of what is realistic.

Nonetheless, we know this is our wonderful language. This is our English language, folks. It is a language that is the language of politics and it is a language that provides lots and lots and lots of lovely weasel words for politicians to use. “Realistic” is probably one of those. After our discussion, from what I can understand of the political reasons why the government might oppose the second part of my motion, I still do not see any practical reasons. I think, from everything that Mr Barr said today, he is in support of excellent language teaching in schools.

While of course I am very disappointed that the motion will be amended, I am really pleased we have had this debate today because I have heard now probably everything that the government is doing in relation to language. There could be a whole lot more, and I look forward to hearing about that later. But we have gained information in the International Year of Languages, in the week of the multicultural festival.

I want to go back to two things before I finish. First of all, there is the movement of the Lyons Italian immersion program to the Yarralumla primary school. There is a certain irony here because I used to be the president of the P and C at Yarralumla primary school and when I was not the president I was highly involved, as many of us single mums are in our children’s education. And right then the Yarralumla primary school was having conversations with the Italian Embassy about setting up such a program.

I have no idea what has happened in the meantime. I know that at that time Yarralumla primary school was not interested in the closing down of the Lyons program. It believed that there was a potential to have one in its school and it is, I think, most unfortunate Lyons primary school had to lose theirs for Yarralumla to gain theirs.

To finish with what I think is really the crux of today, because it goes on: the government can introduce more non-English speaking language classes in schools, but what we have here is this curriculum document. And people will remember it is part of my motion and I spent quite a bit of my speech talking about it. I want to reiterate what this curriculum document expects children to achieve in our schools through language education.

In early childhood, children should be able to use greetings and common phrases and simple interactions in different languages, for example, in languages spoken by class members or their families, languages taught in the school. I think that is probably fair enough. Unfortunately, though, what we often find is that kids come out of grade six with simply that knowledge, with no advance on that knowledge. But I applaud all early childhood teachers who use the languages in their classes as a way of learning, because using peers is the best way of learning.

In early adolescence, however, there is no language learning explicitly outlined in the curriculum documents. No 15 is that the student communicates with intercultural

understanding. There is nothing there about language learning. I think that is an oversight, and I hope that these documents can be revised because everything I have heard today indicates a greater commitment to excellence in language teaching and learning than is outlined in these documents. Because these documents can be used as a framework—and they are a framework—it would be very disappointing if they actually limit the amount of language teaching that goes on in the ACT.

It is time to close this debate. I thank members for their participation and I also thank all the teachers in our schools who are working at this coalface of language. I know it is not an easy job at all. Teaching is not an easy job, but language teaching can be harder than, say, teaching woodwork and, unfortunately, not every student is motivated to learn.

I think what we need to be doing while we are increasing the resources in the schools is that we need to be increasing the community attitudes that make learning languages a more valuable thing. At the moment it is all about computers, economics—I am not sure quite what the fashionable things are—but languages are really important and we can help build that awareness.

Amendment agreed to.

Motion, as amended, agreed to.

## **Violence at Canberra nightspots**

**MR SESELJA** (Molonglo—Leader of the Opposition) (4.00): I move:

That this Assembly:

(1) notes:

- (a) the serious concerns raised in recent weeks over violence at Canberra nightspots;
- (b) the need to respond to the issue with lasting and sensible solutions; and
- (c) the positive input of community representatives in contributing to the Opposition's community roundtable on Friday, 1 February; and

(2) calls on the ACT Government to:

- (a) take note of the outcomes of the community roundtable; and
- (b) work with the Opposition in coming up with the positive solutions to problems at Canberra nightclubs.

Mr Temporary Deputy Speaker, this issue in relation to concerns that have been raised in recent weeks over violence at our nightspots is an issue that is of real community concern; it is an issue that will not go away; and it is an issue that the opposition has sought to respond to in a constructive and positive way. And my motion goes to some of the discussions we have been having in recent times on this issue, in particular at

the community roundtable which was held on 1 February. I want to update the Assembly a little on the genesis of it, some of the discussions at the roundtable, some of the outcomes and the ways forward.

The concerns over violent incidents in the community have been well publicised. Obviously the bashing of taxi drivers in Civic and the violence in Manuka subsequently are a real concern in the community. I have had a lot of community feedback about it, talkback, and we have seen it discussed in various community forums. It is fair to say that there is not hysteria about it but there is certainly a level of community angst and a level of community concern about the levels of safety in the community.

So that was the genesis of our roundtable. We looked at this issue and we thought we could just criticise the government for their failings or we could look to constructively engage with the community and the government and look for ways to solve some of these issues.

As I have said—I said it yesterday—alcohol and drug-fuelled violence or the binge drinking culture is an issue that we are not going to solve any time soon in our community, no matter what the government response is. This is a deep-seated cultural problem. We do have pockets of binge-drinking culture in our community and drug-taking culture as well which lead to poor outcomes for the community often, and we need to address that as a community. But that is a much deeper and more complex discussion and I am not going to pretend that I have any easy answers to that.

But what I would say is that there are ways we can make Civic safer, Manuka safer and our nightspots safer. There are things that can be done, and that was very much the idea behind the roundtable. And the roundtable brought together a number of different representatives from the community. There was, obviously, I and three relevant shadow ministers in Brendan Smyth, Steve Pratt and Bill Stefaniak. But there were also a number of other community representatives in Peter Barclay from King O'Malley's and I think an AHA board member, Steven Fanner from the AHA, John McKeough representing the taxi drivers, Manny Notaras from Caphs, Dennis Gately from the AFPA, Tony Bryce from the Taxi Association, a representative of the Chamber of Commerce and Emmanuel Notaras from City Heart. It brought together a number of the key stakeholders. The TWU were invited but did not come along. The Chief Minister was also invited and was a late no show.

We sought to engage with the community and the government, and I felt that the mix of people we had at the roundtable was a good mix. They had a lot of on-the-ground experience, whether that be in policing or from the perspective of hoteliers, business owners or taxi drivers. They are on the front line on Friday and Saturday nights. They were able to give us feedback as to what they see as the real issues and some of the prospective solutions.

I think it is fair to say that there were, amongst the attendees, mixed feelings at the level of the problem. There was certainly a feeling amongst some that there is no problem or the problem is minimal. I think it is fair to say that things have got better over the last 15 or so years, and that was put to us. Also, to the contrary, there were others who said it has got worse.

Feedback from the taxi drivers was that, whereas it used to be very sought after to have a Friday or a Saturday night shift because it paid the most, now that was no longer the case and that there were a lot of taxi drivers who avoided those shifts because of fears over violence. You have got to take that seriously. You cannot dismiss the fact that taxi drivers are feeling less safe than they were and are choosing not to take the higher paying shifts because of that concern.

It is fair to say that we took into account all of those views. Some were saying that things were getting worse; some were saying that things were better than they have been in the last few years; and others were somewhere in the middle.

What we did agree on, though, is that there are issues of concern. No-one denied that some of the issues around violence are real and that it is unacceptable to us as a community to have these kinds of incidents that we have seen publicised in recent times. And to round that out, I think those who did not see it as a massive problem did feel that there was a bit of a media beat-up in some of it. And that was their view, expressed as part of the roundtable.

I think that brings together a bit of the diversity of views that were put there, but what we did seek to do and what we had in relation to the discussion at the roundtable was try to find some areas of common ground and try to find some sensible solutions for moving forward. We were aware, obviously, of what the government has proposed. Broadly, that was endorsed, although that was not a major focus of the discussion because we know that government has its processes in train in relation to the review of the Liquor Act and looking at issues around Nightlink. Those things were broadly endorsed, I think it is fair to say, but we did not focus on them; we focused on what else could be done in a holistic way to deal with some of these issues.

A number of things came together where there was a level of consensus. There were probably five main things. One related to further transport options over and above the Nightlink service, and that related to potentially expanding the Nightrider service. That is something that the opposition is looking very closely at. Also there were discussions generally about the environment, better lighting and the like, to make it safer on our streets. The perception of it being safer as well was seen as important.

On-the-spot fines were endorsed really by every person at the meeting, I think it is fair to say, in particular what the opposition has put forward in relation to on-the-spot fines to give the police the better tools that they need to deal with some of these troublemakers. And that was very strongly endorsed, in fact. I think that was seen as a very important part of what is on offer.

A more formalised, coordinated approach between pubs and clubs and between pubs and clubs and the police was another matter. And that is about better communication, formalised communication, where there are identified troublemakers, a bunch of young men, perhaps, causing trouble at a particular licensed venue and where they are ejected from that. The police and other pub and club owners are informed of that and are able to be aware so that we do not see them going into other pubs and clubs and causing trouble and so that we also do not see them walking the streets and causing dramas outside the pubs and clubs as well. They were some of the key bits. I think

that one is a very important recommendation, something we are looking at—further and further discussions with some of the stakeholders.

The other thing was general statements about police presence. We did have a representative of the AFP there, and we had a discussion about the changed rosters that have been put in place. That was seen certainly by the police representative as a positive, and we will wait to see what kind of impact that has. But I think it is fair to say that there was a general feeling amongst the stakeholders that a better police presence after hours on Friday and Saturday nights around our licensed venues is an important part of it. They need to be seen and they need to be able to respond quickly to incidents of trouble.

I think those five things were the consensus of the afternoon discussion. I think, coming from that, there was some discussion of some of the other things on the table. The government's proposal of random breath testing outside licensed venues was dismissed, I think, by everyone as unworkable and a poor use of police resources. I share that sentiment. I am not sure who came up with that idea, but I do not see that that is a good use of police resources. I do not think that having police with voluntary random breath testing and ascertaining that there are lots of drunk people in Civic or Manuka on a Friday and Saturday night really advances us anywhere. Particularly I would be concerned about the use of police resources to do that when they could actually be patrolling and taking care of troublemakers.

Mr Temporary Deputy Speaker, I think it was a really positive outcome. What we have undertaken out of that is to actually put forward some of those. There are some other things that we are working through. We as an opposition are now looking at the results of that, doing some analysis. We are going to look to put together a discussion paper which will be published and which will put forward some of the ideas, and some of those we may adopt as formal policies where that has not been done to date.

I think it has been a good approach. I think it is successful. I think engaging with the community, getting the answers from the community and working with them, meant we took some ideas there. Some of the ideas came from the floor. But I think that is the approach that will actually see progress.

I note the other work that has been done, and we are supportive of looking at liquor licensing issues, of trialling Nightlink. I think that will be part of it. I think there are a whole range of responses. I think what the real success of this roundtable was and why the community responded as well as it did was because it was a constructive process. There was not partisan point-scoring. We are happy for the government to take up some of these recommendations now because we want to see these issues addressed.

These issues are important for the people of Canberra, not just for our young people who are out regularly on a Friday and Saturday night. It is important that they are safe. Parents want to know that their kids are safe. Those of us who have been around Canberra for a while will remember certain nightspots. I remember the Private Bin and other establishments when I was regularly going out to nightspots, and some of them were quite violent places.

It is hard for us to judge whether or not it is less violent now, the same or more violent, but I think what is true and what came out of this process very strongly and very clearly is that there are things that can be done. There are simple things that can improve things.

The other thing that I neglected to mention was the issue of CCTV cameras—expanding them and making sure that they work well as a deterrent. That is part of the answer. There was a feeling that to date CCTV cameras have improved the situation somewhat.

Mr Temporary Deputy Speaker, I would call on the government—and this motion calls on the government—to really take note of the outcomes of the roundtable, to work with the opposition and the community in a constructive way to get positive outcomes.

But to finish what I was saying in terms of importance, it is not just important for the young people and for parents to feel their kids are safe, although that is of crucial importance, I think it is also important that the community has confidence that our nightspots are safe. I think, for our tourism sector and for businesses, it is important that that message gets out there that where there are problems we look to address them and address them quickly and address them in a constructive and holistic way, not just in a knee-jerk fashion. If there is a problem at a taxi rank, we fix the problem at the taxi rank. That needs to be done, but we also need to look more broadly.

As I said earlier, I think it is a broader discussion we need to have as a community about drug and alcohol-fuelled violence, about the culture of binge drinking, something that has been with us for a long, long time. But we do need to think of how we as a community limit that in some ways and work with our young people in particular to avoid some of the negative excesses that sometimes go with that kind of behaviour.

I commend the motion to the Assembly. I commend the outcomes of the roundtable. It was a positive discussion. I thank those members of the community who attended, who gave up their time and constructively engaged with the opposition. And I now call on the government to engage with those stakeholders and the opposition in coming up with positive solutions.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services) (4.14): I thank Mr Seselja for bringing this motion on for debate today. This has been an issue of ongoing political debate in this place ever since self-government; indeed, it has been an issue in the broader community for much longer. Issues related to violence and alcohol consumption—particularly at night, after dark, in the city and in our other nightclub districts of Manuka and Kingston in particular but not exclusively—have been ongoing issues in our community. As Mr Seselja rightly notes, much of this is driven by cultural issues around the use or abuse of alcohol and what that means in terms of people's personal behaviour.

I would like to reiterate that the government meets regularly on, and is not a newcomer to, this discussion. The government—I in particular—have met regularly

with the AHA, police and the police union as well as with retailers and other groups with an interest in the nightclub scene and, in particular, safety in Civic, Kingston and Manuka after dark. For that reason, before the most recent series of incidents which sparked some concern in the public debate in Canberra, the government already had in place and in train a range of measures to address some of these issues. I foreshadow that I will move an amendment which deals with the issues that the government has been putting into place.

I think it is fair to say that the incidents that occurred at Kingston and in the city that were reported over the Christmas and January period were not perhaps as significant as reported. Nevertheless, they were significant enough to warrant some further looking into this area. The government's approach is one which is very much a multitiered approach. It includes providing for a more visible law enforcement presence, reviewing liquor licensing legislation and approaches, trialling a new taxi program in Civic and investigating the extension of the public place CCTV system. I would like to talk in detail about each of these new initiatives.

Firstly, I would like to talk about the issue of compliance. ACT Policing and Office of Regulatory Services personnel regularly meet to discuss the implementation of and the follow-up from joint liquor licensing operations. Since I became minister, I have asked ORS to work more work more closely with Policing, because all police are licensed liquor inspectors. That work is bearing some fruit already. I am advised that recently a number of successful compliance actions have been taken in the Liquor Licensing Board against nightclubs and other licensed premises found to be in breach of their conditions. Most recently, the nightclub at the centre of the debate at Kingston was fined \$5,000 for a range of breaches of its licence conditions. That shows that we are taking action to address these issues. Responsibility rests not only with the government but also with liquor licensees and people who consume alcohol and perhaps consume too much.

ACT Policing conduct proactive patrols of Manuka, Kingston and Civic. As members would be aware, the government has significantly increased the number of police available to ACT Policing. An additional 107 police are now available to ACT Policing. As Mr Seselja highlighted, in the coming months that will result in a major change to rosters that will provide police with greater capacity to respond at surge periods when things get busy, including at night on Fridays and Saturdays.

It is worth highlighting that the government does not support the approach endorsed by Mr Smyth as the new shadow minister for police. Whilst I was not here at the time, it has been reliably reported to me, and I think it is on the public record, that Mr Smyth proposed that police dogs and mounted units should be used to deal with crowd behaviour problems in Civic, Kingston and Manuka. These were not solutions raised at Mr Seselja's round table, nor were they mentioned by Mr Seselja in his speech. Mr Seselja is taking a much wiser approach on this issue than is his deputy.

It is well recognised that police dogs are not friendly ambassadors of law enforcement. Police dogs are specially trained for a range of duties, including controlling high-risk offenders in threatening circumstances. We do not support the use of police dogs as a regular patrol tool in the city; nor do we support the use of police mounted capacity. Again, it is not the sort of image that is what we want in the city centre. Having police walking around on the beat talking to people is the best way to manage those issues.

I turn to the current liquor licensing regime. I would like to highlight that the government is committed to ensuring that there is an improvement in the regulation of liquor licences. Our liquor licensing act is now aged; it is time for a refresh. Last year the government committed to the AHA and other parties to conduct that work this year. That work has been in train for some time.

It is worth reflecting on the number of on-licences per head of population in the ACT. The ratio of on-licences per head of population has remained fairly static over the past 10 years. There are currently 311 licensed premises, which equates to an average of about 1,087 people per premise. In 2000 there were 292 registered premises, which equated to an average of 1,079 people—only eight fewer per average than in this current year. That highlights on-licences. That is on-licences, where people can consume alcohol on the premises. Clubs and pubs are all on-licences. Over the past 10 or so years we have not seen any significant change in the number of on-licences. That highlights the fact that, I believe, some claims made by the industry that there is a need to control the number of licences do not really stack up when you look at the total number of licences around.

In 2007 the liquor board completed disciplinary matters against 13 licensees in respect of 47 breaches of the act. The enforcement action and outcomes demonstrate that ORS, the liquor board and the police take these matters very seriously.

There are a number of issues that I would like to see further explored in our review of the Liquor Act. They include the provision of a responsible service of alcohol clause for all licensees, to require all licensees to train their staff in the responsible service of alcohol. This is not currently mandatory for all staff in all premises. Licensees themselves need to have that responsibility and training, but their staff do not. I am pleased to say that almost all of Canberra's licensed clubs have taken this issue seriously and have trained their staff in the responsible service of alcohol. Regrettably, other licensees have not, so the mandatory implementation of this sort of training is one issue to consider.

Another issue is around clarifying why some establishments are open late. The law currently provides for licensed premises to operate up to 21 hours per day. In practice this means, for example, that premises could trade from 7.00 am to 4.00 am the following day or from 8.00 am to 5.00 am, but not for the full day. We need to clarify those provisions in the act.

I turn to the issues around improving safety in the city centre. Following the incident at the Alinga Street taxi rank on Saturday, 12 January, the government responded immediately by engaging a private security company to provide additional security services at the rank. This service commenced on 18 January and operates between midnight and 6.00 am on Saturday and Sunday mornings. The security company is working in close cooperation with ACT police.

A longer-term response to taxi rank security is the Nightlink taxi service which was announced by the government in the second appropriation last year. We are working closely with the taxi industry to make this pilot program a reality. I think it has been announced that agreement has been reached. We provided significant funding in the second appropriation to support the service.

Nightlink is based on a successful model in Brisbane using larger-capacity vehicles such as passenger vans to take multiple passengers from the rank to certain destinations. A set fee will apply per passenger depending on the destination and the fares will be collected by a marshal prior to the journey commencing. That deals with the concerns taxi drivers have about people jumping the cab and not paying the fare. It is expected that the fares will be reduced compared to those applying to a smaller passenger taxi. It is hoped that this will be a more popular method of transport and will allow our taxi company to carry multiple parties of passengers quickly out of the city. And the fewer people you have sitting at the rank, the less chance you have of problems occurring.

The government is also committed to improving CCTV coverage. In Civic, the existing Civic safety camera system is subject to a review which I commissioned in October last year. The report is due by the end of February and will make recommendations on current coverage and possible expansion to other parts of Civic. Whilst that work has been ongoing, the government has upgraded the capacity of a number of the cameras in the system to provide digital coverage and recording and greater camera manoeuvrability.

Work on the CCTV camera installations at the Jolimont bus interchange has commenced and is expected to be complete by the end of February. Camera installation at the Canberra Stadium is scheduled to commence in two weeks and is expected to be completed by mid-March. Altogether, we have already invested \$1.4 million to enhance our current CCTV network.

The government has already announced reforms to improve on-the-spot fine regimes for police when it comes to drinking alcohol in a certain public place, when it comes to defacing premises, when it comes to urinating in public and in relation to noise abatement notices. All these measures are designed to give police the appropriate tools to deal with certain types of minor street offences. I will not elaborate on those issues in detail today; they are subject to a bill in this place and we will have that debate at that time.

I conclude by reflecting on the issues around safety and security in Civic. I have had the opportunity to go out with ACT Policing on some of their night beats; I have had the opportunity to speak with officers on the ground about the issues they are facing and also to look at some of the behaviours that they have to address first hand.

First of all, I would like to say that I am very impressed with the capability, quality and professionalism of our night beat teams: they are very skilled and experienced police officers. They also take a very sensible and commonsense approach to managing the issues that they face. Alcohol consumption causes all sorts of potential problems; in almost all circumstances, our police adopt a moderated and reasonable approach.

The second thing I would say is that issues around community safety in the city will remain an issue of some public debate. For as long as we permit alcohol sales late at night and for as long as people see that as an avenue to let off a bit of steam or to enjoy themselves, we will face the issues that we do around potentially unruly or

unseemly behaviour. The issue is to make sure that it remains overwhelmingly a safe environment, with people out to have a good time and enjoy themselves but without threatening or posing a risk to themselves or others or breaking the law.

The measures I have outlined today highlight that we have a multifaceted approach. There is improved surveillance; there are the improved powers of police; there are improved police resources. We are looking at improved mechanisms for regulating the use and sale of alcohol and at improvements in the design of the city centre—something I have not mentioned, but which the previous government started and this government has continued. Designing out crime in the city centre, reducing black spots, reducing blind corners and so on are all part of the response.

On both sides of this chamber there is commitment to see this issue continue to progress in a positive way, hopefully without resort to sensationalism as often happens. The government remains committed to that task. I move:

Omit all words after “and” (second occurring), substitute:

“(c) the range of measures already being implemented by the ACT Government to address these concerns, including:

- (i) implementation of the Nightlink taxi service;
- (ii) amendments to the Crimes Act to provide for on the spot infringement notices for a range of minor street offences;
- (iii) further upgrades and proposed expansion of the CCTV network in Civic to improve surveillance;
- (iv) increased police resources through the recruitment of an additional 107 officers for ACT Policing;
- (v) ongoing compliance action by ACT Policing and liquor licensing inspectors to ensure licence conditions are complied with; and
- (vi) the Government’s announcement to review the Liquor Act, in consultation with industry and the wider community, to provide for further improvements to the legislative framework for the sale of alcohol in the ACT.”.

**DR FOSKEY** (Molonglo) (4.29): I thank Mr Seselja for bringing this motion before the Assembly and picking up a hot topic of community debate. The safety of Canberra’s nightspots is not a new issue. Despite continuing debate and attention in the Assembly in the years since self-government, and no doubt even before that time, the issue is still prominent and is growing. The problems are varied and cut across portfolios; as such, they require a holistic and multifaceted approach. Previous debates have talked about, and even led to, the implementation of a variety of possible solutions, including changing liquor licence laws, security cameras, public and commercial education, a greater security presence and increased public transport.

I commend Mr Seselja for liaising with the business, security and transport communities at his round table in order to find solutions to the safety issues occurring

in Canberra's nightspots, and I note the solutions proposed. They include a more formalised system of communication between police and licensed establishments and between individual hotels and nightclubs, targeting violent or unruly patrons who have been ejected from an establishment. That seems like a reasonable measure though I would need somebody to explain to me how it would work logistically.

Secondly, there was a suggestion of an improved and expanded night rider service operating beyond the busy December period. I am hoping to hear from someone how the existing night rider service works. Did it work? Do taxi drivers and patrons feel safer? That is the measure of whether it has worked or not.

Thirdly, there was a suggestion of better lighting outside hotels and nightclubs and a greater number of CCTVs and more strategically placed CCTVs. But we have to be careful that we do not just force crime to relocate. If we light up areas, people will look for the nearest darker areas. We should be aware that we do not prevent these activities by lighting up areas and putting in more CCTVs; we just relocate them.

Fourthly, there was a suggestion of on-the-spot fines for people who are drunk in a public place and causing damage or engaging in violent behaviour.

I got that from the Canberra Liberals website.

For many of us in our community these issues have a *deja vu* factor.

*Members interjecting—*

**DR FOSKEY:** What did I say wrong?

**Mr Mulcahy:** No, no, I was just taking—

**DR FOSKEY:** It was just off the website; we can all get hold of that one. However, like many in our community there is a *deja vu* factor; there is another French term that I forgot to mention earlier on. We had to go back to 1997 when a legal affairs committee conducted an inquiry into the voluntary codes of practice for liquor licences, which of course is quite a major part of this whole issue. The committee heard evidence from a variety of groups from the ACT, including government agencies, bar and nightclub proprietors, community safety committees and other relevant associations. The committee's recommendations included, amongst other measures, training in responsible service of alcohol requirements for the liquor industry; education for the public, both adults and children, about the responsible consumption of alcohol; and the establishment of a liquor industry advisory council.

We have a very strong, and probably quite expensive, public campaign against smoking. I know that it is not possible to prohibit drinking in establishments that are created primarily for that purpose. I note that the autumn legislation indicates that there is going to be further strengthening of measures to make these venues smoke free, but another legal drug that we know to be very damaging, alcohol, does not get the same concerted effort in our public advertising and so on. We have some bans on alcohol advertising, but I would have to say that with alcohol we are probably where we were 20 years ago with smoking.

There is no doubt that alcohol is the major drug involved in disorderly behaviour in Civic, simply because that is the drug that the premises sell, and legally so. Alcohol has a particular kind of effect on some people that unfortunately removes restraints from what we—or some of us—see as civilised behaviour.

Some of the recommendations made by the 1997 legal affairs committee were implemented by the government of the time and some were not, but the fact that these issues are recurring serves to highlight that we need a consistent and ongoing mechanism to deal with safety concerns in Canberra's nightspots.

The current government is attempting to address some of these problems. The trial of the Nightlink taxi services—and I do await a report on that—which has been developed with those in the taxi industry who are willing is one effort to improve safety and accessibility to public transport in Civic at night. As I say, I would really like to see the results of the trial, but I hope that as soon as we know, if it is successful, it will be extended to other nightspots such as Manuka and Kingston.

There was a very bad series of incidents in Manuka quite recently. Remember that we hear about those incidents only when they are quite bad; there are probably small incidents happening every Friday and Saturday. We have all heard the horror stories of behaviour in Civic and Manuka. Constituents contact my office—and no doubt other MLAs as well—about the behaviour of beggars and their fears of being out in Civic at night. Not all fears are soundly based, and I want to acknowledge that, but to me it is just as bad if there is a perception of danger which keeps people out.

How do we deal with it though? The measures that have been suggested are of varying degrees of usefulness but we need to take a much broader approach. I am not reassured when I hear that we are going to spend millions more dollars on CCTV. We know that there have been a number of incidents where there were CCTVs but they were not working. I believe that people are either too drunk to care or go on the assumption that no-one is watching—and unfortunately that assumption is too often true.

Nothing is going to beat having police on the spot. We have to remember that some of the security people are part of the problem as well—some of the bouncers outside the clubs. All those years ago, the legal affairs committee proposed that there be a training and a licensing or accreditation scheme for security staff employed in the liquor industry. I do not know if that is the right way to do it, but I believe that we need to realise that they can be part of the problem.

There are urban planning policies that diversify uses. At the moment, the perception of Civic is such that pretty well the only people who are going to be there late at night are the people going to nightclubs. We need to make sure that we have a mix of uses so there are all kinds of people in Civic: people who live there and people who are coming out of meetings—perhaps teetotal meetings or meetings for the abolition of the sale of alcohol: all kinds of meetings. But we are losing those venues in Civic rather than adding to them. We do not have a town hall. We do not have a place where there is a lot of civic activity, with people coming in and out at night. We need to look at that.

I do not like the suggestion—I think it was made in a letter in the *Canberra Times*—of moving nightclubs out of Civic altogether. All that is doing is moving the problem somewhere else; we are just going to have to deal with it there. We need to realise that Civic comes to life only because there are those night places. The complaint of our young people is that Civic is dead. From speaking to my own daughter and her friends, I know they have a good time in nightclubs. They are a good thing for young people. But we need to make Civic feel safe for everybody.

**MR SMYTH** (Brindabella) (4.39): Given the excellent approach Mr Corbell took after the failure of Mr Hargreaves on the issue of people throwing rocks at buses, I had expected that today he might have taken a different approach to the one he has. I am absolutely appalled that the government is going to move an amendment that will remove any acknowledgement that the community played a role in the community round table that the Leader of the Opposition organised last week. It is dreadful to think that an amendment from a minister will take out the words—these are the words they find so offensive, Mr Speaker—“the positive input of community representatives in contributing to the Opposition’s community roundtable on Friday, 1 February”. How dare the community have a positive input to a community round table! Shame on the government for saying that those people should not be acknowledged in this place today and that what they said is of no interest to this government.

Why cut the community out of this motion? If you want to amend it, go for your life. That is what we do in this place; we do it all the time. But why not listen to what the community said? It goes to show the arrogance of this government that grows and grows by the day. The only answer that matters is what the government is doing. If the government has not done it, if the government has not proposed it, if the government has not funded it and if the government is not talking about it, it just does not matter. What Mr Corbell does here today is slap the business community, the Chamber of Commerce, publicans, the taxi industry and police officers for having the temerity to speak to the opposition and, worse than that, having good ideas.

We have listened to the community. As the Leader of the Opposition has outlined very appropriately and accurately, all those groups had something to say on the day. The consensus of the day was this. All of the parties there agreed that all arms of the community had a role to play in the solutions to the problems that plague this city periodically in relation to the abuse of alcohol.

I note that Dr Foskey has got more information than the rest of us. She said that the major contributor to the problem is alcohol. I would like to see the data that says that. A number of groups—people who own pubs and restaurants—say that they have unruly customers who drink water all night. Police officers tackle people who have not consumed an ounce of alcohol—a millilitre of alcohol—in the previous couple of hours: people who apparently get very excited from the consumption of water.

Unless you are willing to address the problems of drug abuse as well, these problems are not going to go away. The modern drugs that people are taking—things like ice and ecstasy—are causing the police enormous amounts of grief. Heroin use tends to make people go sleepy; amphetamines get people worked up. If Dr Foskey has some information, I would like to see that information.

I go back to the government's turning its back on the community. Mr Corbell should stand up and amend his amendment. He should leave section (c) as it is. The positive input of the community is the only way we will effectively change these problems in the long term. Whether the events are periodic—and sometimes they are—or whether there seems to be a string of events, the community is at the heart of this. That is why we are listening and that is why we are talking with the community.

It is interesting to look at the government's approach to the problem. When the drama happened in Civic, initially the government said that it was not caught on CCTV because the CCTVs were under construction and had been removed. Of course, that was not Alinga Street; that was Bunda Street. Then the Chief Minister said that he had not been briefed on it—that he had been only partially briefed on it, so he knew only some of the stories. I do not know how you have a partial brief. Do you pick the bits you remember or just forget the rest? I am not sure on that. When they finally worked out that the CCTVs were on Alinga Street, there was this beautiful picture in the *Canberra Times* with two CCTVs. There they were in the picture. Ross Solly picked it up. He quizzed the minister on the radio about it: they were not operational that day because they were being upgraded.

That is the approach from this government all the time. Do not listen to the community; blame everything else but let us not accept the fact that something went wrong. The only way we can fix it is to work with the community.

On the day there were, as the Leader of the Opposition pointed out, a number of constructive solutions. When everybody plays their part, you can have an answer to the problems that we have. Through the office of the Leader of the Opposition—and it was a great suggestion on his part—we as the opposition put forward the suggestion that we look at this concept of a community accord—a community liquor accord, “community” being the key word. In effect, that is what we achieved on Friday, 1 February—a community accord, one we all have a role to play in.

The things that people suggested, as outlined by Mr Seselja, were these: “Let's have Nightlink and other options. Let's have more CCTV coverage and better coverage. Let's make sure that we have more patrols.” Given that Mr Seselja was not there, let me say that mention was made of the dog squad and the proactive use of it up front. You have only to look at some of the cities around the world where they use their dog squads and their horse squads effectively to stop the pressure building. That is the problem. The AFP representative spoke about the need to put more patrols on. And well done the police for coming up with a new roster.

It is about lighting. I acknowledge the minister and the design guidelines that the previous government put in place to make sure that we minimise the area where crime can occur.

It was a very positive day. It was very positive because people spoke clearly and frankly. They said, “This is what we think we need and this is what we want.” The degrees to which they saw the problem varied.

But I go to Manuka: talking down what happened is not going to change the reality of what happened, minister. The reality of what happened at Manuka, which followed

the Civic event, is this. The fight started that night at about 11.30. I have gone down there; I have talked to the owners there. They said, "They started at 11.30." As some of the restaurants were locking up, they were saying, "It's going to be a long night for Manuka."

One restaurant tells me that they get a window or a couple of windows smashed every month or so. But when you get four or five businesses with six or seven broken windows and varying degrees of fights that rage for about 5½ hours and culminate in shopping trolleys being thrown through windows, you cannot diminish that and say, "Oh, it's been over-reported." The numbers might vary, but it did occur. These windows did not break themselves.

The next day you have the new pastor at St Paul's saying, "We've been here three weeks; the car's been vandalised and the bins have been burnt. Acid has been thrown on my car." Representatives of the Catholic church have spoken to members of the opposition and said, "We have the same problem down at St Christopher's. People urinate in the grounds of the cathedral. There are needles; there are broken bottles; there are damaged cars."

Having a head-in-the-sand approach is not going to fix it, but talking to the community—having agreement, putting together a broad plan that covers the entire spectrum of what is required—will. That is why we will reject the police minister's amendment to Mr Seselja's motion. It is just inappropriate to say, "We have done a few things; it's okay, Jack." It is that approach that gets you into trouble. If you want to write the community out of this motion, as the minister for police has proposed, then you are truly arrogant, you are truly out of touch and you will learn about it in October this year.

The government's approach to these incidents when they occur is interesting. The first thing was to say, "It's okay because we're doing a review of the Liquor Act." "Let's blame the publicans." "We're going to have more fines in the pubs." Two things are wrong with that. Firstly, it downgrades the severity of the offence of a publican to incorrectly serve alcohol. Everybody at the round table more or less agreed with that. These are serious offences. When people charged with selling, and having been licensed to sell, alcohol are doing it incorrectly, they should not be slapped with a fine; they should take it seriously, because the majority of publicans, restaurant owners and clubs do the right thing in this city.

So first and foremost, the government's approach was wrong. Then the government came up with the ludicrous idea of "Well, let's have RBTs. We'll have random breath testing on the street." What is the fine for being in possession of a pair of speeding sneakers? I am not sure what it will be. But there is a duty of care. If an officer gets somebody to blow in the machine and they are over the limit, perhaps dangerously so, there is a duty of care to either take those people into custody and sober them up at the watch-house or at the drying-out shelter or to charge them if their behaviour warrants it.

To say that we are simply going to sample the level of drunkenness in Civic on a voluntary basis is ludicrous. The statistical accuracy in that is nil; it is absolutely zero. We are going to line 100 people up at Civic at a point in time, and only the volunteers

will form the sample set that will tell us how drunk the rest of them were. If you do not volunteer, we do not know. Therefore we have no accuracy whatsoever.

Again it is the silliness of the government's approach. Firstly, they said, "It is okay; it was just the Liquor Act." Then there was the RBT. Then the Chief Minister was very graciously invited by the Leader of the Opposition to attend. He accepted. Then he declined because, on the morning of 1 February, he decided to have his own round table.

The shame of today is that Mr Corbell set himself a high bar with the issue of throwing rocks at buses. He has not been able to achieve the bar on this issue. He is writing the community out this motion and he should be ashamed. (*Time expired.*)

**MR MULCAHY** (Molonglo) (4.50): I welcome Mr Seselja's motion. This is an issue that has received considerable attention lately, primarily because of the reporting of two incidents that have raised concern in the Canberra community. Violence at nightspots, be it in Civic, Manuka or anywhere else in the ACT, is clearly not acceptable to our community. But I want to make it clear that I do not believe there is a crisis. I do urge that there be a calm and rational response. We are not dealing with an epidemic of violence; rather, it seems that, in recent times, we have been responding to two somewhat over-reported incidents.

I was quite interested to hear the chief of police on radio this morning politely but clearly identifying that reporting of the incidents in Manuka and Civic had been greatly exaggerated. The Manuka incident, for example, involved two individuals having a fight. I am confused about what Mr Smyth has just said, in that there were no complaints to police about property damage, according to the chief of police this morning. He said he had no reports suggesting that a broken window was linked to what was a minor incident.

I happened to be in Civic having dinner with my wife at 11.30 that night. We had been at the installation of the new rector at St Paul's. My wife and I observed that there were an incredible number of police in Manuka that night. At 11.30, there were four on foot patrol and there were two police vans. It actually caught our attention because there seemed to be a lot more than usual. So I remain somewhat confused about the extent of this event. Having heard the chief of police outline the circumstances today, I would give some weight to what he says, notwithstanding the fact that property damage in Manuka has been an issue. I have commented publicly on it in the past, along with Mr Pratt. But in this case, to classify what happened as a riot or a major incident seems to be something of an exaggeration.

I would suggest that, as the chief of police alluded to this morning, the sensationalist reporting of this incident served the purposes of sections of the media and parts of the political process. This is unfortunate and does not achieve anything for the people of Canberra. It is inevitable that there will always be a measure of alcohol-fuelled incidents at nightspots and, indeed, in a number of licensed premises. It is a fact of life that the combination of alcohol and, for the most part, young people, can lead to disagreements and violence, and I accept the view that illicit drugs are playing an increasing role in this arrangement. But it has been happening, I would suggest, around the world since the advent of alcohol. It is disruptive and dangerous to people in the vicinity and to businesses and should not be tolerated.

I also want to stress today that people should have responsibility for their own actions. There is a significant amount of regulation imposed on licensed venues. This is appropriate, but we must also recognise that individuals are ultimately responsible for the way they behave when they are in public. The wording of the last point of Mr Seselja's motion somewhat misses the point. It refers to "problems at Canberra nightclubs". I would contend that the issue that we are dealing with is the behaviour of individuals after they have consumed alcohol, or misused alcohol, and sometimes drugs, in public situations. This discussion should be about minimising violent incidents that do occur and ensuring that they are isolated and dealt with quickly and efficiently.

It is worth noting that the level of violence, assaults and arrests in Civic, Manuka and Kingston are in fact trending downwards. Again, we are not dealing with a crisis and, as such, off-the-cuff responses are not helpful at all. Something that I believe would assist in reducing the amount of violent incidents even further is identifying whether there is a small group of people engaging in violent behaviour repeatedly or whether the problem is more widespread and common. I suspect that the former is the case. The vast majority of people are able to enjoy a night out, including consuming alcohol, without seeking to start fights. If my suspicion is correct—and others in the hospitality section tell me this—then we need to consider how to handle repeat offenders.

Isolated incidents of violence may be inevitable but people who constantly go out on the town with a view to fighting and causing others harm should not be tolerated. There need to be stiff penalties. Whilst I am not preoccupied with law and order issues, there seems to be strong evidence that we need deterrent sentencing for people who are repeat offenders. I reiterate my earlier point: people must take responsibility for the way they behave in public and alcohol is not an excuse for antisocial behaviour.

There has been a lot of discussion recently about on-the-spot fines. I was pleased to see the minister introduce the Crimes Amendment Bill 2008 yesterday. I will be reviewing this bill closely but support the idea in principle. I also welcome the comments by the Chief Police Officer yesterday and I believe that the Assembly should consider extending yesterday's proposal to a broader range of offences.

For example, I am aware that, in New South Wales, police have the power to issue on-the-spot fines to individuals when they refuse to leave premises after they have been requested to do so. This could strengthen the ACT police "move on" powers and avoid having people milling around the doors of venues when they are not welcome. The issuing of on-the-spot fines will not prevent all incidents of violence from occurring but they would put the onus on individuals, act as a deterrent to antisocial behaviour and assist authorities in getting a better record of those who are repeat offenders.

In light of the wording of Mr Seselja's motion, I will take some time to consider other outcomes of his roundtable discussions. Of course, one of the less sensible suggestions to come from the opposition is for mounted police and dog squads to patrol nightspot areas. This response is, unfortunately, typical of the overreaction that I have referred to and that we are dealing with. You would then wonder whether, in addition, we need a riot squad on standby, just in case. Some of the other suggestions

are, thankfully, more reasonable. For example, I have already indicated my broad support for the government's on-the-spot fines proposal, a position that has also been championed by the opposition.

I believe that the Liberals' suggestion of a "more formalised system of communication between both police and licensed establishments and between individual hotels and nightclubs, targeting violent or unruly patrons who have been ejected" is something that, in theory, sounds very good. However, I do have some serious doubts—and I know that these are echoed by the industry—about whether such a system could work in practice.

I see little sense in pursuing proposals that sound good on paper but that in fact will not work in practice. The suggestion for an improved Nightrider service is sensible and, if it was utilised by enough people, I would have no problem with supporting an expanded service. I have heard from my own children when they have been out in Civic that one of the biggest frustrations is getting cabs home, which we have talked about here ad nauseam.

The point about CCTV is an interesting one. CCTV cameras should be operational and monitored, and should focus on known hotspots. I am aware that some venues in Canberra invest significantly in onsite CCTV facilities, with some having as many as 40 or 50 cameras in some venues. It is not unreasonable to expect, therefore, public spaces to be similarly monitored with effective CCTV cameras, and this is an area that should be improved. Whatever you think about the "big brother" tenor of this, the effectiveness of this, particularly in the UK, has assisted law enforcement agencies enormously in apprehending people who have broken the law and who have been involved in violence.

I also take the opportunity to comment on the Chief Minister's proposal to introduce voluntary random breath testing of patrons to provide data on the level of intoxication in nightspots. This is an ill-considered plan and will produce skewed and flawed data that is of little use to anyone. Most reasonable people—and, as I stated earlier, these represent the vast majority of people who frequent Canberra's nightspots, as Dr Foskey said—would object to an RBT when they are sitting and enjoying a drink with friends. As a result, the data produced will be skewed to the intoxicated few who consent to the test—and who knows where they became intoxicated. It is a worldwide trend that many young people now drink in private surrounds and then go out to venues quite late in the evening. Unfortunately, this is often how problems start. It is cheaper to drink at a mate's place and then go to Civic at midnight or one in the morning. If people are denied entry, that often causes the problem, and the venue itself may not have been responsible for the state these people are in.

As I have already said, we are not dealing with a crisis or uncontrolled violence running rampant through Civic, Manuka and Kingston, unless somebody tells me that the statistics are flawed. I am certainly keen to see us have serious discussions about ways to reduce the amount of violence that does occur and to consider genuine solutions to the problem. But we cannot support ill-considered responses to a perceived crisis that may not in fact exist. I understand that the government is seeking to amend this motion. I will be supporting the new wording because I believe the way it was originally crafted makes it unduly exclusive to the opposition.

Finally, very late the other night, I was watching television from the UK. I heard one of the senior British police talk about an identical issue. This is not an issue that just happens in Canberra; it is a major problem in the UK. It was interesting that the senior police officer said that, at the end of the day, there is only so much that the police can do, and that the responsibility has to go back to individuals. Changing trading hours is not the answer. I have lived in and been to countries where pubs close at 11 and 12 and the streets are still war zones. It depends on the culture of the place you live in. I do not think those solutions are the way to go.

**MR GENTLEMAN** (Brindabella) (5.00): I foreshadow that I will be supporting Mr Corbell's amendment. The government has already commenced work on a number of positive initiatives relating to Canberra's nightlife and the related law and order issues. It has engaged in wide consultation with a number of stakeholders to discuss the best way forward on these important issues.

The Attorney-General yesterday introduced the Crimes Amendment Bill 2008 in response to concerns raised with him by the Chief Police Officer late last year. The bill lays the groundwork for an infringement notice scheme and for a suite of street offences. This will allow for the issue of infringement notices for the offences of urinating in a public place, failing to comply with a noise abatement direction, defacing premises and consuming liquor in certain public places.

Police officers and inspectors of licensed premises under the Liquor Act will be able to issue infringement notices for the offence of consuming liquor in certain public places. This offence occurs where a person consumes liquor within 50 metres of a bus interchange, a shop, licensed premises or a place prescribed by regulation. The infringement notice will carry a penalty of \$100.

The bill addresses the difficulty currently faced by police in prosecuting this type of offence by removing the requirement that police must prove that a beverage is in fact liquor, even if it is being drunk from a liquor bottle, which currently requires that the police must undertake forensic analysis of the beverage in order to prosecute the offence. There was evidence of this just last weekend at the Canberra Connect festival, where I had my stall on the solar premium. Two individuals were each consuming a case of beer in a public place directly outside my stall. They were not offensive, but the fact is that it does not bring the appropriate—

**MR DEPUTY SPEAKER:** They were happy, were they, Mr Gentleman?

**MR GENTLEMAN:** They certainly were. As I was saying, the bill addresses the difficulty currently faced by police in prosecuting this type of offence. The introduction of these infringement notices will add to the existing number of options available to police to deal with offensive and disruptive behaviour in Canberra's nightspots. The Office of Regulatory Services is already well advanced in implementing the operation of recommendations made by the Auditor-General in relation to better regulation of ACT liquor licences. The Office of Regulatory Services is currently implementing the development of regulatory risk management plans and compliance programs, improved assessment and scrutiny of liquor licensing documentation and liquor licensing procedures, and better training for liquor licensing staff.

This is part of the government's holistic approach to the regulation of liquor in the ACT—a comprehensive, carefully planned package of reforms targeting an array of issues, including on-the-spot fines, public transport, CCTV and additional police resources. I am pleased to see that the new police are already on the job. I had a conversation this morning with a sergeant down in Tuggeranong who advised me that each sergeant has direct control over particular shopping centres in our electorate, Mr Deputy Speaker, and that is on top of the regular patrols provided by the constables under their charge.

In addition to the government initiatives already outlined by the Attorney-General, the government is committed to reviewing the ACT Liquor Act during this term of government. The review will focus on the extent to which the Liquor Act continues to provide an effective framework for the responsible sale and consumption of alcohol in the territory, in line with ACT community expectations. The Department of Justice and Community Safety is currently preparing a scoping paper setting out the terms of reference for that review. Once the scoping paper has been completed and signed off by the Attorney-General, a discussion paper will be prepared and released in the coming weeks. The discussion paper will examine in detail liquor-related issues, it will canvass options for reform and invite public submissions and comment from interested parties and the general public over a three-month exposure period.

The Liquor Act review will closely examine the following issues to determine whether the current law is adequate in satisfying community expectations about the responsible sale and consumption of alcohol in the territory. With respect to the classification of licences, the review will examine the outcome of recent reviews of liquor licensing laws in other jurisdictions with a view to informing the ACT review of the appropriateness of existing liquor licence categories in the ACT.

The review will examine the existing level of scrutiny of applicants for ACT liquor licences and the merits of requiring applicants for a liquor licence to demonstrate prior liquor industry experience. The review will examine the merits of the adoption of on-the-spot fines for liquor licensees for offences under the Liquor Act, including fines for serving alcohol to intoxicated people, overcrowding of premises, under-age drinking and failure to complete registers and security sign-in books.

The review will examine the merits of introducing voluntary breath testing of people out late in Canberra's nightlife. Voluntary breath testing could assist people to assess their own level of intoxication and capacity for safe driving and would also provide an opportunity to distribute health information on the safe consumption of alcohol and where help can be sought. The review will examine the impact of clusters of licensed clubs and pubs in the central business district and semi-residential areas and the merits of introducing mandatory staff training in the responsible service of alcohol.

The review will examine the merits of introducing lock-outs or curfews to prevent patrons entering licensed premises after a certain time and the introduction of prescribed alcohol-free areas in the central business district, as well as at family events, such as the Australia Day Live Concert and Skyfire. The review will examine the merits of allowing stand-up drinking in outdoor al fresco areas and the development of a code of conduct for the liquor and licensed hospitality industries to

promote a level of self-regulation within the industry. The review will also examine the current definition of “liquor” and “intoxication” and a time frame for the assessment of occupancy loadings, which is critical to the maintenance of a safe drinking environment.

The review will examine the merits of introducing Plimsoll lines on glasses, which would increase consumer awareness of how many standard drinks patrons are actually consuming. The review will examine the role and training of crowd controllers at licensed premises and the maintenance of incident registers by all liquor licensees, not just those who hold a security master licence.

The review will examine the adequacy of existing liquor law regulatory and operational resources in the territory to deliver a safe and effective liquor licensing environment for the ACT community to enjoy. The review will also consider any other anomalies in the legislation. The Liquor Act review, together with other previously mentioned reforms, will ensure that the ACT’s regulatory regime continues to meet community expectations around the reasonable sale, service and consumption of alcohol in the territory.

**MR STEFANIAK** (Ginninderra) (5.07): Firstly, I commend the Leader of the Opposition for moving this motion. As a participant in the roundtable, I thought it was a very worthwhile exercise. It is a shame that the government wants to take out any reference to the community.

Mr Gentleman talked about the review. Most of the government’s activity and suggested solutions seem to involve coming down hard on licensees, on the people who run these establishments, rather than on the individuals who frequent them. I think there does need to be a holistic approach. The government’s attitude is to kick business in the head. At the end of the day, people should be responsible for their own actions. People are not forced to go out and make absolute gooses of themselves by drinking themselves into insensibility; they do that themselves. The government needs to have a raft of solutions to the problem. Ninety per cent of its solutions involve putting the blame on people who, in many respects, are probably the least blameworthy of all the relevant participants. It never fails to amaze me how the Labor Party constantly tries to put the blame on business rather than on where it should be.

There are some serious problems with voluntary breath testing. Is it proposed to do that to people who are drunk? If they get uppity, you will end up with more serious problems, such as assaulting police. Is it going to be—

**Mr Seselja:** I think the attorney has quietly disowned that one.

**MR STEFANIAK:** I hope so. Is it just going to be a novelty for people who want to have a go? When breath testing came in, some people would go around the block so they could ensure that they got breath tested. They had not had anything to drink but it was a bit of a novelty. I really cannot see that working. I hope the Attorney does ditch that proposal because I do not think it will work. No-one at the roundtable—there were police there, as well as licensees, people involved in business and people from the taxi industry—thought that was a good idea. So I would consign that one to the dustbin of history, if I were you, minister, because it is simply not going to work.

Mr Corbell, and probably to a larger extent Mr Gentleman, went through some of the more recent initiatives that the government is proposing. I think they need to revise their ideal outcomes in relation to the Liquor Act and liquor licensing laws. As I said earlier, it is very much anti-business and it does not really address what is probably the most significant problem—why people go out and get absolutely legless—and therein lies some of the problem. That needs to be addressed.

I think the minister was forced, kicking and screaming, to accept something that the police have been saying for a number of years—that is, they need on-the-spot fines. At our roundtable there was unanimous support from all the relevant participants—Aerial Taxis, people from CAFS, AFPA, the Taxi Association, the chamber of commerce, City Heart, King O’Malley’s, the AHA, and several individuals—for on-the-spot fines as being a very sensible way of defusing a lot of the problems. And that on-the-spot fines proposal went to a much greater extent than what Mr Corbell is proposing.

The opposition has put forward this motion in a serious attempt to come up with a holistic solution to the problems in our nightspots. It genuinely wants the whole Assembly to look at this problem. It has always been a problem; it will never go away completely but we certainly can defuse it to a great extent and make our nightspots a much more pleasant place for people to visit, regardless of the hour of the day. The opposition is very keen to see everyone work together on this matter. As I indicated to Mr Corbell yesterday, I am very happy to work with him further in relation to on-the-spot fines.

Our bill has been before the Assembly since 29 August. That bill contains exactly what the police, in every police station I visited last year, wanted in there: on-the-spot fines. In a couple of instances some new offences have been proposed. The bill provides for on-the-spot fines of either \$200 or \$100 for disorderly or offensive behaviour in or near a public place or, indeed, a school. It broadens the definition a bit but I think that is important.

Offensive language in or near a public place or a school is also included. One of the most offensive things that can occur when normal people are walking down the street is to have some loud, abusive drunk swearing and carrying on in an incredibly loud and aggressive way. That is when the police would be able to use that particular offence. By any objective or even subjective test, for any normal person that is quite offensive. The language aspect certainly is offensive, but it probably relates more to the way the language is being used. That is a fresh offence. It was an old offence in the Summary Offences Act; it is something that all the police I spoke to, from superintendents down to very junior constables, wanted to see introduced.

With respect to defacing premises, I am pleased to see that the minister has included something in that regard. Misbehaving in public meetings is also something the police were keen to see. With respect to fighting in a public place, the minister seems to think that is something the courts could judge. The courts sit over there—

**Mr Corbell:** On a point of order, Mr Temporary Deputy Speaker: Mr Stefaniak is going into some detail on the issues around his crimes amendment bill, and also my

Crimes Amendment Bill. These matters are on the notice paper. Indeed, one of them is listed for debate today, should we get to it. I think it is appropriate that you draw Mr Stefaniak's attention to the fact that he cannot go into the detail of that debate in advance and pre-empt that debate, especially when the bill is listed on the daily program for today. Both bills are on the notice paper. It is pre-empting the debate.

**Mr TEMPORARY DEPUTY SPEAKER** (Mr Gentleman): Mr Stefaniak, could you refrain from debating bills that are on the notice paper.

**MR STEFANIAK:** I will, Mr Temporary Deputy Speaker, although I note that you went into it at some length yourself. I will simply say that there are several other offences, such as fighting in a public place and offensive behaviour which I would very strongly urge the Assembly to consider in any proposal in relation to such things as on-the-spot fines. That is something I have urged the minister to consider. I hardly think that mentioning that anticipates debate. With respect to those two areas, everyone on the police force to whom I spoke saw the need for things like on-the-spot fines for those types of matters. I think the Attorney now realises that on-the-spot fines enable the police to deal with something on the spot. They do not have to make an arrest and go back to the station; they do not have to take defendants back to the station, put them through the trauma of an arrest and then appear before a court.

There is a lot of time involved in that process. What is ultimately a minor matter can often be stopped or nipped in the bud by the issue of an infringement notice. That is the beauty of on-the-spot fines, which I think even the Attorney has gone some of the way towards accepting in his bill. I will not refer to the bill in any greater detail than that.

On-the-spot fines save court time; they save a lot of police time. Also, it is very effective, as has been shown by trials in Sydney, where the level of street offences was reduced by 50 per cent in areas where they have on-the-spot fines. It ensures that when the person wakes up in the morning, probably with a sore head, and probably realising what a goose they are, they pay the fine and it is a salient lesson to them. As with a speeding fine, it does not appear on their record, but it is there as an infringement notice. It does bring home to them the consequences of their misbehaviour and makes it highly unlikely, in many instances, that they will do it again, or at least they will be more careful next time they are out on the grog in public places. So it is very much a commonsense measure and it is no wonder that everyone who attended the roundtable was so strongly supportive of it.

In winding up some of the issues from that roundtable, the street offences bill is a good start, according to the police, because it decriminalises stupid behaviour by taking it out of the courtroom. The police felt they needed a better range of tools to deal with law enforcement. The AFPA would like to see an increase in police numbers. They say we are still not at the national average. They also stated that some of the processes to secure charges needed to be streamlined and courts needed to back up enforcement by police. A number of other issues were raised in relation to taxis, which the Deputy Speaker will speak about.

It was strongly felt that people should be responsible for their own behaviour. Other comments by people around the table who ran businesses were that street offences

needed to be stomped on. As well as having on-the-spot fines, there also needs to be a public awareness campaign; perhaps signs need to be put up to make it quite plain to members of the public that antisocial behaviour simply will not be tolerated and that people will be subject to punishment. I commend the motion.

**MR PRATT** (Brindabella) (5.18): As the Leader of the Opposition said in opening this debate, there are serious concerns around the subject of violence in Civic, Manuka and a couple of other places. But, as he also said, there is a strong perception about violence in those areas, and that perception is debatable. Certainly at the roundtable sponsored by the opposition, there was a school of thought in the room that perhaps the perception of violence is somewhat overdone. There were even a couple of people who talked about the media perhaps playing on the matter and talking it up a little too loudly. However, it was also very noticeable at that roundtable that a significant majority of people at the meeting felt there was a concern. Regardless of whether or not the trend lines are seriously up, the view expressed by a significant number of the people participating in the roundtable was that the problem exists. There may be some improvements in policing and behaviour, but the feeling is that there are still issues which have to be addressed.

From my perspective, my main role here in this debate is to talk about the transport aspects—taxis and buses—as they relate to this issue around violence in Civic and the need to make Civic a really comfortable place on Friday and Saturday nights. I am going to talk a bit about that. There is no doubt that we have to respond to the concerns. The government is clearly responding in some way to some of those concerns. We think there is a lot more which must be done, which is why Mr Seselja has put this motion on the table today.

Before I get into the issues regarding Nightrider and Nightlink which I want to speak about, I will just make a quick comment about the CCTV system. I am pleased to hear the minister saying that work has commenced at the Jolimont Centre on the CCTV coverage. I do not know what he means. Does he mean that physically they are starting to put the hardware in or that there is a scoping study? Regardless, I am pleased to hear that.

We know that, of the 15 CCTV cameras sitting in and around the bus interchange and Alinga Street area of Civic and back around to the other side, there have been problems with at least two, and perhaps even as many as four for quite some time. Certainly ACTION staff are concerned that those cameras have not been consistently working for a long time. I hope when the minister gives us this message that they are now moving on the Jolimont Centre that he also means that the network in and around Alinga Street and down to the eastern edges of Civic are also being examined as we speak. Bus drivers have been expressing the view that the CCTV system has been inadequate in and around the bus interchange by day and by night for a very, very long time. Will that CCTV system now include 24/7 monitoring of those cameras to give ACTION bus drivers, taxi drivers and the police who man the City police beat that additional bit of security backup.

The government has this Nightrider program in place. I must confess, I do not know exactly how it is working at the moment. I have put questions on notice about this particular matter, and I certainly will write to the minister and ask for a more detailed

brief. As I understand it though, the program is working for about a month or maybe up to six weeks in the summer period. The feedback I am getting is that bus drivers are not particularly confident about the Nightrider system. Nightrider, as I understand, provides a couple of bus services out of Civic between midnight and 4 am on Fridays and Saturdays, but I am led to believe that it is not well patronised and that bus drivers are not confident about the system as it currently works.

Even though the bus fare is about a \$5 fare average, as I have been briefed on, the feeling is that the service is not well patronised because it is simply not secure. The interchange bus pickup areas are not secure, and bus drivers feel uncomfortable about those areas. Also there have been problems on the bus trips out to the town centres and beyond, and they clearly need to be addressed. We do not want our bus drivers to be left carrying the can on their own on a 3.30 or 4 o'clock trip in the morning if they have got a couple of unruly passengers. Those passengers are always in the minority, but they can disrupt a complete busload of passengers and make life hell for a driver, and that needs to be addressed.

If we are going to attract patrons to that bus service, then, clearly, people need to know that the bus service is comfortable and safe, and we do need to see those bus services patronised. The police want to see that bus service patronised, because the police do want to see the city late at night emptied of revellers who are milling around, sometimes frustrated because they cannot get a taxi.

On the question of Nightlink, I have seen the government's press release on this, and I understand that the trial of Nightlink is due to commence on 29 February. I respect the fact that the Minister for Police and Emergency Services was perhaps speaking on behalf of the minister responsible for transport, but I have been informed in the last 36 hours—and if this has changed this morning I will stand corrected in this place—that the negotiations between Aerial cabs and the government in the formulation of the Nightlink trial have still got a long way to go. I was advised on Monday morning that there are still unresolved matters around security and marshalling particularly.

We understand that there are agreements on prepaid fares and on changing the regulations to allow up to six passengers to be carried in these slightly larger taxis. That is fine, but the opposition is not confident that the government is really moving quickly on the Nightlink service, and we want to see this trial launched on 29 February and we want it to be successful. At the moment, there are still a lot of questions being asked. As I say, I will stand corrected if the taxi industry and the minister have, as at yesterday afternoon or this morning, finally signed the dotted line on this particular matter.

We have talked today about police patrols. Like Mr Corbell, I have been out with the City beat patrol. It does a good job. I would question, as I have for about four years now, whether they are sufficiently resourced, but they certainly know what they are doing. They are very competent, but they do face a lot of challenges. I must say, I have seen with my own eyes on many occasions—with the police patrols on two occasions and privately on other occasions—too many people drinking to excess. Yes, it is a minority, and it is only a minority of people we ever talk about, but it is not good when police have to pick up some poor young lass turning herself inside out having drunk to vomiting stage. Unfortunately, there is a little bit too much of that,

and we were advised at the roundtable that that is not an odd-occasion thing. These are the challenges being faced by police, by the taxi industry, by bus drivers and by business owners. There are a range of issues that need to be addressed, and that is why the opposition has run this motion today.

I am personally concerned that Nightrider and Nightlink are seen to work properly, and perhaps they need more resources. They certainly need to be made a lot more secure. The other issues which my colleagues have addressed here today are all part of the overall mosaic of what needs to be done. Mr Temporary Deputy Speaker, I commend the motion, and I hope that the government will, in bipartisan spirit, take on board some of the issues which are raised.

**MR SESELJA** (Molonglo—Leader of the Opposition) (5.28): I will not say too much further. I thank members for their contributions. I am particularly disappointed that the government has rejected the words that refer to the positive contribution of the community stakeholders who attended the roundtable. I think that will be a great disappointment to each and every one of those stakeholders individually—that the government does not value their contribution to this debate. I think it is important that we deal directly with the community, and I think simply because the government does not organise a discussion does not mean that the contribution from it is not valuable; it does not mean that it is not worth taking into account; it does not mean that it should be rejected out of hand, as the government is doing by moving this amendment to my motion.

I certainly will not be supporting this amendment. I think it is a poor amendment. The motion is something I would have thought everyone would have agreed with, and I am very surprised that the minister cannot quite bring himself to agree to it. Perhaps it is because he did not have the idea, and I think that is unfortunately what it comes down to.

I can say from the opposition's perspective that we will continue to work with the community; we will continue to offer solutions to these issues and others that come up. We will not be deterred, and we will continue to offer our solutions to the government if they can be of assistance. The government needs to change its attitude. It needs to accept sometimes that good ideas do not always come from government; they do come directly from the community; they do come from the opposition. When they do, they should be embraced as good ideas and not rejected because of who has brought the ideas forward.

I thank all of the other members for their contributions. I believe it is a good motion. I believe it has been a very positive process, and I think it is incumbent upon us as elected representatives to continue to work with the community to find solutions to problems faced by Canberrans to try and improve the lives of Canberrans. That is what this roundtable process was designed to do. This motion was a discussion of that. It is an unfortunate amendment that the government has moved, and we certainly will not be supporting it.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 10

Noes 7

Mr Barr	Mr Hargreaves	Mrs Burke	Mr Smyth
Mr Berry	Ms MacDonald	Mrs Dunne	Mr Stefaniak
Mr Corbell	Mr Mulcahy	Dr Foskey	
Ms Gallagher	Ms Porter	Mr Pratt	
Mr Gentleman	Mr Stanhope	Mr Seselja	

Question so resolved in the affirmative.

Amendment agreed to.

Motion, as amended, agreed to.

## Environment—climate change

Debate resumed from 22 November 2006, on motion by **Mr Gentleman**:

That this Assembly notes:

- (1) the importance of recognising climate change;
- (2) that there is policy developed to reduce greenhouse gas emissions; and
- (3) that the Canberra public is educated about climate change and what they can do on a grass roots level to contribute to a cleaner world—

and on the amendment moved by Mr Mulcahy: Add the following paragraph:

“(4) that the most effective policy to reduce greenhouse gas emissions is to embrace a ‘no regrets’ environment policy.”

**MR GENTLEMAN** (Brindabella) (5.34): I would just like to respond firstly to Mr Mulcahy’s amendment, and it is clear that Mr Mulcahy just does not understand the people of the ACT.

**MR SPEAKER**: Mr Gentleman, are you speaking to the amendment?

**MR GENTLEMAN**: Speaking to the amendment, Mr Speaker, yes. Over a year ago when he was a member of the Liberal Party, Mr Mulcahy moved his amendment and gave the Assembly a clear insight into his clouded way of thinking. I would be interested to hear what Mr Mulcahy does have to say 12 months on and one election on from his ill-informed speech about a no-regrets policy being the most effective for reducing greenhouse gas emissions. I did have a chat with him earlier on, and he does stick by that policy. But a no-regrets policy is certainly not the most effective form of reducing greenhouse gas emissions for the ACT, and for the rest of Australia for that matter.

Mr Speaker, it is clear that Mr Mulcahy and his former colleagues have their heads stuck in the sand on climate change. When Mr Mulcahy moved this amendment, he said that he believed the ACT community to be selfish and somewhat indulgent. It is interesting to see how he thinks so highly of the people he represents! It could be said Mr Speaker, that by embracing Mr Mulcahy's suggested no-regrets policy, the ACT government would be fostering that selfish, indulgent behaviour that Mr Mulcahy so readily casts on the people of the ACT. We would be fostering behaviour at the expense of the environment and the future generations that will inhabit it.

I do not know about you, Mr Mulcahy, but I want a world for my children and my children's children that will reflect the forward thinking of this generation, the forward thinking of a government that has put together a policy to address climate change that calls for action. There will be no economy to look after if we do not make the tough decisions now. A no-regrets environmental policy is as good as a no-action policy. Action, Mr Mulcahy, is what the people of Canberra and Australia are calling for, and action is what the Stanhope Labor government is providing.

As a responsible government there are often times when tough decisions need to be made. This is one of those times. We are not talking about increasing or decreasing taxes; we are not talking about opening or closing down arts facilities; we are talking about our planet and its future.

Mr Mulcahy mentioned that he knew of many eminent organisations that are very comfortable with a no-regrets policy. Perhaps, Mr Speaker, those companies and Mr Mulcahy and his former colleagues would be interested to read the transcript of the public lecture that I attended on "Must climate change end the platinum age?", delivered by Professor Ross Garnaut at the ANU last year. Clearly they were not moved by Sir Nicholas Stern's review the year prior to that.

Professor Ross Garnaut has been commissioned by Australia's state and territory governments to conduct the Garnaut climate change review with an invitation extended to the commonwealth government to join the review, an invitation that I am sure will be accepted as a result of the change of government to one that cares about climate change. The review will examine the impacts of climate change on the Australian economy and recommend medium to long-term policies to improve the prospects of sustainable prosperity.

Professor Garnaut has been Professor of Economics at the Research School of Pacific and Asian Studies since 1989. Professor Garnaut is, without question, well qualified for this task, and if the Sir Nicholas Stern report has not served as a wake up call for any Australian government, the Garnaut review certainly will. The public lecture that Professor Garnaut delivered summed up the situation very well. We need to take action. It is going to cost money; it is going to take hard work, tough decisions and discipline from not just Australians but the rest of the world. We are not going to solve this crisis without affecting our hip pocket. It is a harsh reality, but a reality nonetheless.

If Mr Mulcahy and the Liberal Party for that matter continue to preach that a no-regrets or no-action policy, is the most effective policy, then, come October this

year, you will find yourselves sitting in the same chairs you occupy now—well, perhaps not Mr Mulcahy—but with some regret.

The people of Australia have now spoken. The people of Australia wanted the Kyoto protocol ratified, and that is what a federal Labor government has done. The people of Australia want a government, be it local, state or federal, to take some initiative and make the tough decisions. The people of Australia want solutions, not just a policy that shouts no action. It just does not work that way, and the people of Australia, and Mr Mulcahy, should know it.

**MR STANHOPE** (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts) (5.40): Climate change was very much on the minds of the ACT government when Mr Gentleman first raised this motion in November 2006. A lot has happened since debate was adjourned the year before last, and I note that there are a number of amendments to the original motion to reflect the evolving nature of the issue.

The ACT government accepts the overwhelming scientific evidence that the use of our planet and its resources has already changed and will continue to change our climate. This government acknowledges that fact and accepts that unless action is taken now climate change will have significant effects on our economy, on our capital lifestyle and on the health and wellbeing of Canberrans.

The most recent emissions and climate forecasts of the CSIRO in October 2007 and the addendum to report No 4 of the United Nations International Panel on Climate Change released in November 2007 reinforced the ACT government's view that early action is more vital than ever. The role of the IPCC is to comprehensively assess the scientific, technical and socioeconomic information relevant to understanding the scientific basis of risk of human-induced climate change, its potential impacts and options for adaptation and mitigation.

Some 800 researchers and scientists from 130 countries contributed to the IPCC fourth assessment report. This most recent synthesis report is based on the assessment carried out by three working groups of the IPCC. It provides for an integrated view of climate change as the final part of the fourth assessment report.

The IPCC has acknowledged that the rate of global climate change is proceeding at a rate greater than previously modelled, and that the time has come for immediate and critical action, stating in the synthesis report that:

Warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice, and rising global average sea level.

The observations which are made demonstrate that these changes have been occurring for the last 50 years and are now a global priority. At the United Nations Framework Convention on Climate Change Conference in Bali in December, approximately 190 countries were represented and focused on progressing the Kyoto protocol. The Rudd Labor government was finally a formal part of these discussions and made the

decision immediately after assuming government to immediately begin the process of ratifying Kyoto. This follows years, indeed 11 years, of climate change denial by the Howard government, despite all the evidence.

We must remember that this important step is but the first step in the greater challenges which will face our communities. We must work with all levels of government, across political divides, with our neighbours, and with our developed-nation allies. We must also move quickly to develop partnerships with developing nations to avoid inequitable consequences of actions taken by the developed world to address climate change.

This issue featured in the 2007-08 UN development program's human development report "Fighting climate change: human solidarity in a divided world". While the report stresses the central medium-term role of mitigation, it warns against neglecting the adaptation challenge. It points out that, even with stringent mitigation, the world is now committed to continued warming for the first half of the 21st century. The report warns that adaptation is needed to prevent climate change leading to major setbacks in human development and to guard against the very real danger of insufficient mitigation.

The report draws attention to extreme inequalities in adaptation capacity. Desmond Tutu, Archbishop Emeritus of Cape Town, notes in the report that rich countries are investing heavily in climate-change defence systems, with governments playing a leading role. By contrast, in developing countries people are being left to sink or swim with their own resources, creating a world of adaptation apartheid.

The ACT government is committed to assisting Canberrans respond to the challenge of climate change, both through setting an example itself, and by delivering innovative educational infrastructure and ensuring that we do so through socially equitable programs. The response to climate change must be and is a shared responsibility. While there is a high level of awareness in the community that the climate is changing, there is also frustration and confusion about what individuals as part of the local, national and global community can do.

In July last year I launched "Weathering the change", the ACT climate change strategy 2007-25. The strategy sets an emission reduction target of reducing emissions by 60 per cent from 2000 levels. by 2050. This target is consistent with that adopted by most international and Australian jurisdictions. We will also aim for a milestone of reducing emissions back to 2000 levels by 2025. Both of these targets will be reviewed and amended as necessary in light of future scientific advice and any new policy position to be adopted by the Australian government arising from their recent decision to ratify the Kyoto protocol.

The ACT strategy focuses on reducing greenhouse gas emissions, adapting to inevitable climate change, raising awareness in the community and facilitating joint action within the community and within the region. The strategy has four objectives: to be smarter in how we use resources; to design and plan our city to be more sustainable; to build our capacity to adapt to and manage the changes to climate that we are now beginning to face and possible future changes; to improve our understanding of climate change, its causes and effects; and how we need to respond.

The strategy is supported by action plan 2007-11. As the climate change issue will be with us into the foreseeable future, a strong emphasis of this action plan is increasing awareness both in the wider community and through educating children through schools and community activities and events.

The action plan sets out 43 initiatives that the government will implement from now until 2011. These initiatives touch on all aspects of the ACT—economy, society and environment—and includes improving the energy efficiency of government and commercial buildings, showcasing and promoting renewable energy technologies, increasing community and business awareness, supporting our specialist research facilities and ensuring easy market access to green power.

Government agencies have already been working hard to implement many of the initiatives in the action plan. For example, my department is well on track to deliver the \$1 million energy efficiency fund for ACT government agencies. This loan fund, launched in early November, enables government agencies to access additional funds, interest free, to improve their energy efficiency and reduce their emissions. This might be through measures such as replacing hot water services, installing awnings, upgrading lighting, and many more measures that will specifically reduce the energy consumption of that agency.

Work on identifying and planning renewable technology showcases on public facilities around the city is well progressed, and I have already announced that solar and wind technologies will be installed on the Canberra Stadium. I will announce the details of that additional proposed installation shortly.

Another program that is up and running is a generous rebate for solar hot water systems installed on residential properties. Incorporated into the successful ACT energy wise program, householders who install solar hot water systems which replace existing electric or gas hot water systems receive a \$500 rebate from the government, if the replacement comes as a result of the program recommendation.

Both ACT Housing and the Department of Education are progressing plans to increase the energy efficiency and emissions profiles of their buildings. Both agencies received \$20 million each over 10 years to support this work. It is anticipated that initial improvements will commence in 2008.

An important action in the action plan is the government's commitment to implement a renewable energy target. The ACT government is cooperating with New South Wales in developing legislation to establish renewable energy targets that will require, as a minimum, that all electricity retailers source 10 per cent renewable energy by 2010 and 15 per cent by 2020.

The establishment of a renewable energy target will help provide policy certainty for the renewable energy industry and complement the successful greenhouse gas abatement scheme already in place. Another important action is the government's commitment to lead by example by heading towards carbon neutrality. Reducing emissions arising from energy use, water, waste and travel by staff will require agencies to undertake projects to offset their remaining emissions. The initiative will be introduced in stages to allow for training and learning. Guidelines are currently being developed to assist agencies with this task.

In November 2007 the government's second budget appropriation bill earmarked an additional \$17 million for climate change initiatives, including a further \$10 million to implement specific elements of its climate change action plan. Actions to receive funding in the second appropriation were: action 8, \$2 million a year over four years to improve the energy efficiency of public housing—the first instalment of the government's \$20 million 10-year commitment; action 14, free bus travel for bicycle riders using ACTION on-bus bike racks—\$164,000 over four years and an additional 50 bike racks at a cost of \$70,000; action 15, doubling the new home owner's entitlement to trees and shrubs to \$220 at a cost of \$438,000; action 25, making a start on the 25-year wholesale renewal of our urban forest; action 27, establishment of a grants program to help community and not-for-profit groups assess and improve the energy performance of buildings they occupy at a cost of \$1 million over two years; and action 43, a carbon sequestration audit costing \$50,000.

The government will review current and potential natural sequestration levels and opportunities. This additional funding takes the government's initial investment in the implementation of climate change initiatives to \$63 million over the next four years. The government is also undertaking several projects to improve the design and planning of our city to be more sustainable. This includes the new Eastlake development and investing in public transport improvements. (*Time expired.*)

Amendment negatived.

**MRS DUNNE** (Ginninderra) (5.50): Mr Speaker I seek leave to move the amendment circulated in my name.

Leave granted.

**MRS DUNNE**: I move:

Omit paragraphs (2) and (3), substitute:

- “(2) the ACT was the first Australian jurisdiction to recognise the importance of climate change and that it adopted Kyoto targets in its 1997 greenhouse strategy; and
- (3) that the Stanhope Government abandoned the 1997 greenhouse strategy in 2005, leaving the ACT without policy in this area for two years.”.

Mr Speaker, the motion put forward by Mr Gentleman some time ago back in November 2006 is an interesting one for what it does not say. It is light on words and it is light on action. It is so light on words that I see Mr Gentleman playing catch up and trying to actually fix up the paucity of content in his motion. While some of that which is proposed to be amended by Mr Gentleman is unexceptionable, I think that we need to put in context why we are where we are and why we have the weathering the change action plan that came out last year.

Up until the emergence of the Stanhope government, the ACT had a very strong reputation and strong commitment to addressing greenhouse issues, even at a time when there was not the amount of evidence and the amount of research that would

hurry us along. I would have to admit that at the time when Gary Humphries was the Minister for the Environment, Land and Planning and went to Japan and was the first Australian jurisdiction to sign up to Kyoto-type targets back in 1997, I was somewhat sceptical about this as someone who worked in his office and who principally advised him on the environment. But, as someone who has the capacity and the willingness to look at the evidence and to come to a different conclusion on the basis of all the evidence that has come before us, I think that I now have a somewhat different position from that which I had in 1996 and 1997.

It is clear, Mr Speaker, that something is going on in relation to our climate, and it is clear that as a community we must take those steps that we can to address the issue of climate change and to address the issue of CO<sub>2</sub> and other greenhouse gas emissions. This is not to say that we can actually sit back and say that if we do a certain raft of things everything will be okay in 50 or 100 or 200 years, because while I am prepared to sign up to the notion that we may be experiencing climate change brought about by increased gas emissions, I am yet to be convinced that the mere actions of human beings will be able to turn that around.

As I said, that does not mean to say that we should sit back and do nothing. This was the position taken with a considerable amount of foresight by Gary Humphries as the Minister for the Environment, Land and Planning in the Carnell government back in 1997, which is why they signed up to Kyoto-like targets, contrary to the erroneous assertions made by the Chief Minister. In fact, Mr Speaker, they are probably disorderly in the fact that they are so wrong and that he persistently continues to make wrong assertions about what were, in fact, budget initiatives. At the outset they were quite modest, but by 2001 there were substantial amounts of money in the budget for greenhouse gas emissions. At the time they were considered quite substantial.

Mr Stanhope was the Leader of the Opposition at the time, and the people in opposition who were looking at environment issues at the time were quite in favour of that expenditure. We know now that we needed to do more, but at the time when we were coming to the realisation that we needed to do more, what was the Stanhope government doing? In its first term it sat on its hands and did nothing. It did nothing, despite the constant warnings from the Commissioner for the Environment that something had to happen.

The Commissioner for the Environment was constantly on Jon Stanhope's case saying, "You must do something about the greenhouse strategy." He eventually did something—he came into the Assembly one day in 2004 and he behaved in a way which is entirely inappropriate for the leader of the government. He consistently named a public servant who had written him a document. He named that public servant because that public servant had previously been an advisor to the Greens, and he thought that he could be really smart and score points by naming public servants and attempting to shame members of this place into retracting their position on the greenhouse strategy. I take it as a general rule that members of this place should not name public servants, and that goes for all of us.

**Mr Stanhope:** That's a direct attack on your deputy leader.

**MRS DUNNE:** That goes for all of us. What actually happened was, as a result of that debate and Mr Stanhope's walking away from the greenhouse strategy, he said all the way in the run up to the 2004 election, "We haven't abandoned the greenhouse strategy; we are just not going to fund it." I remember just before the federal election or the ACT election being approached by a prominent academic who deals in the area of greenhouse matters. He came to me and said, "You know, Mrs Dunne, the Chief Minister has made a complete and utter fool of himself. It is an embarrassment to hear things that he has said about the greenhouse strategy." This is one of Canberra's foremost academics in the area of greenhouse strategy. The academic community and the community as a whole who knew anything about greenhouse matters thought that the approach taken by the Chief Minister before the 2004 election, the duplicitous approach taken, was shameful and risible and that he had no status and no standing in the community because of that approach.

Of course, what happened was that the Chief Minister who said, "I have not walked away from the greenhouse strategy," came in here in 2005 within months of the 2004 election when he said he had not reneged on the greenhouse strategy and then reneged on that greenhouse strategy. As a result of that, Mr Speaker, the ACT had no public policy on approaches to climate change, to greenhouse gas emissions and all of the things that were going on. While Nicholas Stern and Al Gore and various other people were out having their say, where was Jon Stanhope? Jon Stanhope had recanted on the only piece of policy that this territory had ever had. He could have said, "We want to do better" or "We want to do more," but no, he did not. He did not leave it in place and work with that one and improve it as time went by.

This was a man who had no policy, no idea. He had recanted on all existing policy, and he put nothing in its place for two years or more. What we have today in the weathering the change strategy is a cobbled together piece of work that no-one will be able to hold Jon Stanhope accountable to, because Jon Stanhope will not be here in 2060 or 2050—none of us here will be here in 2050. No-one will be able to hold Jon Stanhope accountable for it. His commitments are on the never-never. The first commitments are 2011. It will be unlikely that he is the Chief Minister in 2011, and there will be no-one to hold Jon Stanhope accountable for what he has failed to do.

It is interesting that the things that the Chief Minister did talk about today are, in fact, direct links from the environment policy that the ACT Liberals took to the last election. The Chief Minister at the last election had no policy, not one iota of policy in relation to greenhouse. There was lots of policy in relation to nature conservation, and a lot of it was to be commended.

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

## **Adjournment**

### **National Multicultural Festival**

**MR PRATT** (Brindabella) (6.00): I want to speak today about the annual National Multicultural Festival and to congratulate the organisers of the festival for the weekend fair activity. I should say up front that I was not there myself. I was laid up for the entire weekend, apart from one quick trip to a pharmacy.

However, I have been advised by my wife, who was there all day Saturday manning the United Arab Emirates strong point and by my colleagues who were there in numbers on Saturday and Sunday that the fair was a terrific affair. I congratulate the Office of Multicultural Affairs, I congratulate Dominic Mico and I congratulate the committees and the sponsors who really did the work. Certainly the contractors, from about five days out from Saturday morning, were placing tents around the town in preparation. It looks like it was well done. I want to give the minister a pat on the back and say that the government have done okay with the weekend fair.

The festival, of course, continues and tonight many of us are going to the Multicultural Ball. I will be walking wounded, but at least I will be getting to an activity for the first time. It looks as if the festival overall is going quite okay. Let us see how it looks in the wash-up.

The fair is incredibly important to the ACT. It is becoming more and more a showcase activity nationally. I am advised by my wife, my colleagues and others that there were a lot of interstate visitors for this event, which is a showcase national event on the national calendar. That is very pleasing. So I give credit where credit is due. Well done to the authorities, the LMA and the minister for the way the fair over the weekend has gone and the festival overall, which we now celebrate for another 10 days.

It is important for the multicultural community and for multiculturalism in the ACT that the festival and the weekend fair are successful. It is a very important and colourful expression of the strengths of the ACT's multicultural community. The festival is winding down at the moment. So well done, and I thank you for the opportunity to talk about it, Mr Speaker.

### **Canberra International Airport**

**DR FOSKEY** (Molonglo) (6.03): I want to report on the public meeting that I hosted last week in the Legislative Assembly reception room. You were all invited to that meeting, but there were specific invitations given to two people in this place. Let me go back a little bit.

The aim of the meeting was for community members to give their views to politicians and for politicians to indicate to the community their particular thinking about the expansion that is predicated in the airport's master plan. We started with a list of stars that we wanted to attend our meeting and we sent invitations to Mr Stanhope, Mr Seselja, Senator Humphries, Senator Lundy, Bob McMullan, Annette Ellis, Mike Kelly and Mayor Pangallo. As things progressed, of course, and as various people could not come, we asked other people. It is quite difficult to organise a public meeting in that way and, of course, it is not particularly good to get your invitation a week before the meeting because someone has just let me know they cannot come.

In the line-up that we ended up with was a person we always meant to have. That is Andrew McIntosh, who was at the Australia Institute and is a co-author of the paper: *Aviation Greenhouse Gas Emissions in the ACT*. We had Frank Pangallo, of course. We had Mick Gentleman representing the ACT government and Geoff Willans from

the Curfew 4 Canberra group. He has spent many, many years being a pilot and is, I think, quite well credentialed to comment for the community. He is a spokesperson for Curfew 4 Canberra.

I thank all those speakers that did come. I felt that Mr Gentleman was put in the hot seat. Most of his speech was derived from the master plan so, erroneously or not, I think some people in the meeting gained the impression that he was speaking for the airport. There is also, of course, a need to put up-front the fact that it was decided not to invite representatives of the airport. I have communicated with Mr Tom Snow about this issue because this was a meeting that we specifically decided not to invite the airport to. I attended the airport's public meeting—poorly publicised, I might say—held in its own premises and chaired by the proponent where they had plenty of chances to give their views.

Their views are of a particular kind which I believe narrow the debate. I believe the debate needs to be widened because there are big issues now in the airport expansion. Aviation's contribution to greenhouse gas is well known. We have difficult decisions to make about that. I believe that the ACT government has a role in trying to attract some attention to this issue from the federal minister for transport, who, let us face it, really is the only person with any clout.

The airports were privatised under a Howard government, but that process was started under a Keating government. There are issues here, not just greenhouse gases and not just 24-hour aeroplane movements. There is one every two minutes in the master plan. We also have planning issues. There is no map of the airport in the master plan. A map would be indicative, I believe, because then it would be all laid out in front of us. If you have a look at the precincts that are planned to be developed, we are talking about something bigger than Civic here, folks. It is not something that we have any control over as a planning issue. We can already see how it has distorted transport movements and how the ACT government has to run along behind and fix up the roads.

As Mr Gentleman himself said, if we are going to get serious about greenhouse gas emissions, there are going to be difficult economic decisions to make. Here is one. We need a sustainable transport plan. Aeroplanes will have a very big role in that, but they should not dictate the way we manage our transport.

## **Cycling National Multicultural Festival**

**MR MULCAHY** (Molonglo) (6.08): I recently had a meeting with representatives from Pedal Power and I would like to use my adjournment speech tonight to place on the record my support of that organisation and the work that they do.

It is a certainly a common misconception which I have heard in this place before that Pedal Power only represent the most committed and hardcore members of the cycling fraternity in Canberra. I was impressed by the organisation's professionalism and the presentation that they made to me. I will be supporting their efforts to secure funding in this year's budget for a variety of improvements and programs. Pedal Power represents the 80,000 ACT residents who cycle at least once a year, and many, of

course, much more. These cyclists range from those who cycle for recreation through to people who rely on or choose to commute by bike right up to competitive sporting cyclists.

The issues that Pedal Power lobby on seek to provide improvements in infrastructure and facilities that benefit all of these groups. I was not surprised to learn in my meeting with Pedal Power that cycling is becoming more and more popular and that the typical demographic of a recreational cyclist is changing. During the January period I spent some time with my family down in Tasmania and I was staggered there also to see the massive growth in cycling. I think it is an Australia-wide development that we are certainly at the forefront of in the ACT.

It is, I was told, becoming more and more popular amongst older residents, even to the stage where it has been called the new golf. The popularity of cycling makes it important that the Assembly supports the community and provides the infrastructure to enable all these people to cycle in safety. I was briefed by representatives from Pedal Power on their submissions for the 2008-09 budget. I will not go into the detail of these projects, as I understand that many members are already aware of them. These projects are not particularly costly and will provide considerable benefit to the Canberra community. As I have said, I will be supporting them.

I have been informed by Pedal Power that the initial response from the government has been positive at a departmental level and I hope that this translates into support for the three projects in the budget. It is certainly an area where I believe a considerable benefit is achieved from a relatively small investment. It is worth considering that with the changing demographic of cyclists that I have referred to there is a potential for Canberra to really market itself as a cyclist friendly city and to attract visitors on cycling holidays. Growth in this area would be enormously beneficial to business in the ACT, particularly given the fact that cycling tourists spend, on average, \$258 a day.

Other benefits of cycling speak for themselves. In an age when we regularly hear of an obesity crisis and people not exercising enough, cycling offers an easy way for people to remain active, and this is as true for adults as it is for children. The World Health Organisation said in 2000 that a 30-minute cycle trip a day provides all the exercise you need to halve the chance of becoming obese or diabetic. Similarly, given the state of petrol prices and the impact on family budgets and the shortage of parking that we are experiencing, particularly in the central area of Canberra, cycling offers many people a reliable and cheaper transport option. These are just a couple of examples of the benefits of cycling. Pedal Power is to be commended for its work representing the people of Canberra on these issues. I reiterate that I will be supporting their endeavours.

Let me also take the remaining time just to echo the sentiments of Mr Pratt in relation to the multicultural festival. From his remarks I understood that he was not able to be there due to his being indisposed. On Saturday night I ran into the minister, Mr Hargreaves, in Civic. I was there with members of my family and I took the opportunity to commend him. I said that he certainly would be reasonably entitled to claim some praise and credit for the large numbers. It seemed to me that the numbers were dramatically up on last year. We will hear the statistics in due course, but it was

extraordinary, the number of people who were in Civic. Great credit is due to the organisers, well supported by our local community.

My only regret is that more people out of Canberra are not aware of what a spectacular event it is. I was there on Saturday night, as I imagine a number of members were, and I saw the incredible enthusiasm for the stalls and the entertainment on each of the different corners of the Civic area. If that message and representation was seen in Sydney and Melbourne, I am quite sure that larger numbers would come from interstate and we would see the introduction of fresh investment into our economy from tourists enjoying the delights of our city.

**Dr Jose Ramos-Horta**  
**Mr Xanana Gusmao**

**MS MacDONALD** (Brindabella) (6.13): Mr Speaker, on Monday you, Dr Foskey, Mr Mulcahy and I had the opportunity to host participants in the La Trobe University-World Bank Institute course on public accounts committees and transparency within government. There were a number of participants. At lunchtime I asked about the numbers of participants in that course. I was told at that point that there had been 33 in the morning, but that the East Timorese had had to pull out, given what had happened in East Timor. That was the point at which I became aware of the attempted assassination of President Jose Ramos-Horta and Prime Minister Xanana Gusmao. As we are now all aware—I was not at that point—President Ramos-Horta was shot by rebels on early Monday morning and remains in a serious but stable condition in the Royal Darwin Hospital. Prime Minister Gusmao escaped a later attack uninjured.

East Timor became independent in 2002 after more than two decades of Indonesian rule and since that time, Mr Speaker, the East Timorese have been faced with violence and instability. Security in the country remains volatile with rebel attacks and major conflicts with armed forces a regular occurrence. When Dr Ramos-Horta won a landslide victory in the presidential elections in May last year, he stated that it was no time for celebrations because it was going to be five years of very hard work. However, with the election of the new government in Dr Ramos-Horta and Mr Gusmao, there was renewed confidence that the country would become more stable and secure and move away from the violent clashes. It might be fair to say that there was confidence and, as well, hope.

Monday's attacks are in contrast to this and with the shooting death of the rebel leader Alfredo Reinado during the attack on Dr Ramos-Horta, some fear that there will be reprisal attacks which will result in more violence and bloodshed. However, there is also hope that the death of the rebel leader will simplify the task of unifying the country. I am sure that all in this place would agree that it is sad to be looking forward with hope after a violent death.

I ask members to note how fortunate we are here in the ACT and Australia. As elected representatives we have no fear of being ambushed during morning walks or while travelling to and from the Assembly. In fact, when I go on my morning walks, the only thing that I have to worry about is the occasional magpie. If we are elected we do not have to consider the possibility of being killed by those who oppose our beliefs;

nor do we fear for the lives of our family and friends. It is easy to take for granted the conditions we experience as elected representatives and, more generally, as Australian citizens. When we look at the danger and conditions faced by our neighbours, it becomes clear just how fortunate we are.

Our responsibility also becomes clear. East Timor is a fragile democracy and our continued assistance and that of the international community is needed to strengthen that democracy. Immediately following Monday's attack reinforcements to the Australian-led International Stabilisation Force, the ISF, were deployed to East Timor. Sent at the East Timor government's invitation, the troops will allow the ISF to extend its efforts to ensure a stable environment following the attacks. The troops will further assist the Timorese security forces and the UN police who are working together to bring peace to the young democratic country. Independence was a triumph for the East Timorese and this fledgling democracy needs the support of the Australian government and the international community to progress its democratic standing.

Monday's attack showed that there is still much that needs to be done to unify East Timor. However, I am hopeful, as I am sure we all are, that peace can, and will, be achieved and the country will have the opportunity to grow into a strong democratic nation. I wish Dr Ramos-Horta a speedy recovery, and I note that Dr Foskey did so yesterday. We need his strong leadership to assist East Timor to continue to grow as a democracy.

### **Australian National University School of Music**

**MR STEFANIAK** (Ginninderra) (6.18): I would like to speak tonight about the Canberra Symphony Orchestra and the School of Music. Firstly, I congratulate the Chief Minister on calling for a round table on the future of the ANU School of Music. I think he should be applauded for that. In fact, I wrote to the Chief Minister when he announced the initiative and offered my support for that round table. I think that an issue as important as this deserves a bipartisan approach. I would certainly be happy to attend to assist in any way.

The ACT government contributes about \$500,000 a year to the School of Music. That is not an insignificant amount. It might be a reasonably small amount in terms of how much the school costs, but it is a significant contribution. The school, of course, is a vital element in the cultural life of Canberra. It is an iconic institution in Canberra, an institution that has spawned many graduate musicians who are now internationally renowned. It has put Canberra on the world stage. It is right up there on the list of institutions of excellence.

It has an international reputation to be envied, and I think we need to make sure that every single stepping stone is turned over and every base covered to protect that reputation and allow the school to grow. Rather than simply accepting that School of Music enrolments are steadily falling, I think we need to see what can be done to enhance promotion of the school using its reputation, its past successes and future innovations as hooks for future student interest and enrolments.

For example, back in 1988 the school hosted the XVIII International Society for Music Education world conference. That attracted some 1,500 educators and

performers and 1,500 delegates from across Australia and around the world. That conference was lauded as one of the most successful ever held by the International Society for Music Education, with many international educators commenting on the excellence of the School of Music and its facilities. Outcomes like this can be achieved with a bit of creative lateral thinking and I think the Chief Minister's round table could be a start of that process. I certainly wish him well with it, as does the opposition.

The Canberra Symphony Orchestra had a magnificent function over the long weekend, too, at Government House. You were there, Mr Speaker, and Mrs Dunne. I think Mr Gentleman might have been there. Certainly Ms MacDonald and Ms Porter were there. It was an excellent event which kept the crowd entertained with incredibly high performance acts. I must say that whilst possibly not quite as professional as all the high performance acts, the guest conductor for Bizet's *Carmen: March of the Toreadors*, none other than Tony Luchetti, formerly of Canberra Milk and the Canberra Labor Club, got into it with real gusto.

I know Tony more through his involvement with various sporting groups and hockey. For an amateur he was actually quite brilliant. Indeed, he even managed to slow down the tempo with his hands at one stage. Perhaps the orchestra was playing without regard to what Tony was doing, but he certainly conducted in a very spectacular way and the crowd loved every minute of it. When I see him I must pass that on to him. All in all, it was an excellent event at Government House and I think it just shows how important music is for the cultural scene in Canberra. It was a packed event, an absolutely packed event.

I wish the School of Music round table well. By looking at some of the things that have happened in the past and some of the things we could perhaps draw on, with a bit of lateral thinking we could really ensure that that school survives. It is a crucial part of our society here in Canberra and certainly a crucial part of our cultural scene.

### **Health—patient care**

**MRS BURKE** (Molonglo) (6.22): I wish to address comments made by the health minister today in question time with regard to a constituent who approached my office two weeks ago in an attempt to secure a consultation with a Canberra specialist. The minister asserted a number of things which were quite incorrect, complicit and completely arrogant and represent another pathetic attempt by the government to turn a serious issue into a piece of trivia.

My office has since contacted the constituent—James Macleod—and relayed the health minister's comments to him. As a result, a number of issues need to be addressed with regard to the provision of specialist services to public patients and, therefore, access to our public hospital system, if required.

For the benefit of the health minister and for members, let me again respectfully address the following issues. An Indigenous Canberran called my office in serious distress two weeks ago with a very genuine concern. James is a well educated individual, a victim of the stolen generation and holds a senior position in the federal Office of Indigenous Policy Coordination. Unfortunately James has received a preliminary diagnosis of multiple sclerosis from his GP.

**Mr Stanhope:** Has he agreed to you breaching his privacy like this?

**MRS BURKE:** As a result he was provided with a referral from his GP to secure an urgent appointment with a Canberra based neurologist as a public patient because he does not have private health insurance. Yes, he has given me full permission to use his name and he is very, very angry. James needed an urgent consultation with a neurosurgeon simply because his condition is worsening. This point was evidenced last week when the *Canberra Times* interviewed him here at the Assembly. James's condition is so bad that the *Canberra Times* photographer walked James back to his car just in case his legs failed him.

I want to go to the specifics. Some weeks ago James followed up on his referral and called Dr Tuck's rooms. He was politely told he would have to wait up to eight months for an appointment. So James went back to his GP, who suggested he call one Dr Andrews's rooms. He did so and was told by the secretary that he was in luck because of two cancellations. James made it very clear that he did not have private health insurance. That was all good.

At this stage the surgeon's secretary asked James for his full name. As soon as he provided his full name for the appointment, the secretary said the surgeon could now not see him because James had apparently missed two appointments at the surgery almost three years ago. Apparently missing an appointment results in no consultation! James was completely dismayed and rang his GP, who also rang the surgeon's rooms on his behalf requesting an appointment and was told exactly the same thing—he would not be seen.

The issue is very concerning, very distressing and very upsetting for all. I did write to the minister about the issue last week and, as a result, find her response today at question time to be very insensitive; hence my asking her whether she was sure. At the time I did not want to highlight that James is Indigenous or that he is a part of the stolen generation. Both James and I felt that this was irrelevant because the fact remained that he was refused a specialist consultation on the basis that he had allegedly missed two appointments some years ago.

Now, to place this in further context for the minister, I need to add the following. James was provided with only one telephone number with which to contact the specialist. Whether the VMO has rooms at the public hospital is irrelevant. James's doctor, James himself and I are still at this moment of the understanding that the specialist's secretary organises both private and public consultations on that number. James was a public patient because he did not have private insurance. And since when did we ever have private GPs? James does not remember booking the appointments two years ago. In fact, at the time he was being treated and in and out of hospital. It is a shame that the Chief Minister smirks and scoffs at this.

**Mr Stanhope:** This is absolutely outrageous, Mrs Burke.

**MRS BURKE:** The minister can get caught up in semantics all she likes and turn this very serious issue into a joke, but it is not. Moreover, the minister said today that, after her enquiries, James will have an appointment within the next two weeks. Well, I

can tell you that, as at 4.30 pm today, this is news to everyone involved. No one has contacted James to confirm the appointment, so-called, booked by the minister.

The minister disagrees, but this does go to the heart of our public hospital system. The ability of those without private insurance to access VMOs who are contracted to ACT Health is about access to the public system. James is extremely sick and in anyone's views has been denied basic human rights. He is Indigenous, a stolen generation Indigenous Australian and an ACT taxpayer who today, of all days, deserves much better.

### **Health—patient care**

**MR STANHOPE** (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts) (6.26): I was not going to detain the Assembly any further, but in the light of that completely and absolutely outrageous performance by the most deficient shadow spokesperson for health that this place has ever had to endure, I have no option but to respond.

Today Mrs Burke asked the Minister for Health a question in the context of an outrageous press release which Mrs Burke put out attacking the minister and me for a major failing in the public health system which, on investigation, was revealed to be an entirely private matter between a patient visiting a GP and being referred by a GP to a specialist.

**Mrs Burke:** Not at all. You have not got your facts right. I have just given you the facts. When are you going to learn?

**MR STANHOPE:** Mrs Burke says, “When are you going to learn?” When is Mrs Burke going to learn the basic aspects and operations of health within the ACT and within Australia? A person who attends a GP attends as a private patient in a private capacity, certainly as a member of our community and certainly deserving the highest quality care, concern, respect and attention. For Mrs Burke to launch an attack on this government and to mislead the media and the Canberra community that this was a failing of the government or a failing of the public health system when it was entirely and solely a matter between a private medical practitioner and a patient is appalling.

For Mrs Burke not to understand the simple message and response provided today by the Minister for Health and in an appalling way to seek to dramatise the particular case is absolutely unacceptable behaviour by a completely deficient and unacceptable shadow health minister. Mrs Burke launched an attack on me personally, on the Minister for Health personally and on the public health system in the ACT erroneously and with a total lack of understanding that this was a matter between a Canberra citizen and his GP and a specialist that that GP referred his patient to.

This is about the operation of private health within the community. The relationship between a GP and a patient is not a matter that involves the ACT government. To attack me, to attack the minister, to attack the Department of Health and to attack and denigrate public health for a matter that has been conducted in a private way between

a private citizen and a GP completely misunderstands the nature or the operations of health within the territory.

**MR SPEAKER:** Order! The time for this debate has expired.

Question resolved in the affirmative.

**The Assembly adjourned at 6.30 pm.**