



Debates

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Wednesday, 22 September 2010

MR SPEAKER (Mr Rattenbury) took the chair at 10 am and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Gaming Machine (Problem Gambling Assistance) Amendment Bill 2010

Ms Hunter, pursuant to notice, presented the bill and its explanatory statement.

Title read by Clerk.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (10.01):
I move:

That this bill be agreed to in principle.

The ACT Greens are introducing this bill today to establish a mandatory contributions scheme from gaming revenue to provide funds to be used to alleviate or minimise the harms caused by problem gambling in the ACT. Lifeline Canberra now estimates that there are around 6,000 people in the ACT with a significant gambling problem. This is an increase on the figures provided by the Australian Institute for Gambling Research in 2001, when they estimated that around 1.9 per cent of the ACT's adult population, or 5,300 people, were problem gamblers. This is a significant increase, well beyond population growth, that shows we are not doing enough to address this issue.

The increase in the prevalence of problem gambling is also demonstrated by the number of clients with gambling difficulties seen by Lifeline Canberra. Over the last 10 years, there has been a more than 40 per cent increase in the number of people accessing these services. Gaming machine patrons represent over three-quarters of these clients.

Compared to the Australian average, gambling expenditure in the ACT is predominantly on gaming machines. Australian gaming statistics show that gaming machine expenditure represents 83 per cent of the ACT gaming expenditure. The Australian average is 58 per cent.

But it gets worse. Lifeline estimates that, for each problem gambler, about seven others, usually family members, are affected. This means that approximately 12 per cent of our population, that is, 42,000 people, are negatively affected by problem gambling. That is the equivalent of three times the crowd capacity at Manuka oval. The significant social cost of problem gambling across Australia was identified in the 2010 Productivity Commission report released in June this year as being at least \$4.7 billion per year.

The ACT Council of Social Service, in their submission to the Productivity Commission inquiry into gambling, indicated their research found that ACT gamblers

appeared to be younger than the national average. In the ACT, 25 per cent of what ACTCOSS described as regular gamblers were young people aged 18 to 24 years, compared to 17.8 per cent nationally. Between 26 and 36 per cent of problem gamblers in the ACT were aged less than 25 years. In addition, their average income was low, and approximately 30 per cent were on very low incomes or receiving some form of government benefit. ACTCOSS's view overall was that ACT problem gamblers represent a highly vulnerable group in terms of their age, income and proportion of their income directed to gambling.

Under current arrangements, gambling businesses, mainly not-for-profit clubs, are required to pay seven per cent of their net gaming machine revenue in community contributions. These contributions fall into five broad categories: charitable and social welfare, sport and recreation, not-for-profit activities, community infrastructure and problem gambling support. ACTCOSS reported that, in recent years, the amount of contributions going to community sector organisations, including those to problem gambling, has declined from just over \$2 million in 2004-05 to \$1.5 million in 2008-09.

In 2008-2009, ACT net gaming revenue was \$98,646,938. The proportion of the required seven per cent community contribution allocated by the clubs to the problem gambling support area in 2008-2009 was \$407,516, or just 0.413 per cent of the \$98.6 million. This is to address an issue affecting about 42,000 people, or 12 per cent of Canberra's population, affected by problem gambling, and to tackle the challenge of raising awareness among young people in the territory. Across the 42,000 people, that is \$9.70 per head per annum. If we look at the 6,000 people who are addicted to gaming machines, it is only about \$68 per head per annum.

What is also of considerable concern is that 28 of the 61 clubs, and none of the 12 pubs or taverns, made a contribution to problem gambling. Problem gamblers account for between 22 and 60 per cent of gaming machine revenue, the average being around 42 per cent. There is no evidence to suggest that the ACT is significantly different from the average. It is therefore reasonable to assume that approximately \$41 million of gaming machine revenue last year came from problem gamblers, or about \$6,830 each.

What this bill does is require that 0.75 per cent of gaming machine revenue goes back to help the vulnerable members of the community and their families who, because of their addiction, are responsible for 40 per cent of that revenue. At present, under a heads of agreement arrangement, a number of ACT licensed clubs fund a clubcare program that delivers, through Lifeline Canberra's gambling care program, services for problem gamblers.

Despite their best intentions, it is not reasonable that the club industry itself and, in particular, each board of club directors decide how much money is allocated to problem gambling and to whom that money is allocated. Senator Nick Xenophon, in his submission to the Productivity Commission inquiry on gambling, made the very apt analogy that licensees deciding funding for problem gambling alleviation is "akin to the tobacco industry directly funding lung cancer research and having a role in the scope and direction of the research".

ACTCOSS, in their submission to the same inquiry, said:

Clearly it is not desirable to have a situation where the resources available to address problem gambling are subject to annual decisions by gaming venues. No matter how well-intentioned they may be, there are a number of other causes to which their community contributions may be directed. The support provided by Gambling Care and its counsellors should have greater security of funding.

The current arrangements are simply inadequate. The 40 per cent increase in demand for help associated with problem gambling translates into 42,000 of the ACT population, as I said. And with this, you can only wonder just how many of the 42,000 affected go without the basic necessities of life due to a family member or members losing household income on gambling.

Regular gaming machine players, those playing at least once a week, are estimated to spend on average around \$6,000 to \$8,000 per annum, a sizeable share of household income and a key source of harm to some. As the ACTCOSS submission referred to earlier states, those suffering a gambling addiction, problem gamblers, are predominantly low income earners. So these losses, in proportionate terms, represent a very significant harm.

The Productivity Commission reported in their overview on page 9 in relation to community contributions:

... contributions by clubs are highly valued by many. However, it also needs to be acknowledged that:

these contributions tend to be narrowly focused on sport activities and on subsidised benefits for club members.

We acknowledge that the clubs have competing demands within the community categories under the current legislation. However, with the growing problem of gambling addiction, there is a need for more security of funding for counsellors and those working across a range of organisations to address the problem gambling issue.

To address this issue, the bill provides that a set percentage of gross gaming revenue is allocated to problem gambling services. The fund is to be managed and distributed by the Gambling and Racing Commission to organisations that will provide that assistance. This bill requires licence holders to, as I said, contribute 0.75 per cent of their gross gaming machine revenue to what will be called the Problem Gambling Assistance Fund to be administered by the Gambling and Racing Commission. And this is a separate requirement to the existing seven per cent clubs are required to provide as community contributions in the ACT.

There will be a need to put interim arrangements in place quickly following the end of the clubcare contract on 31 December of this year and then allow for an open tender process to ensure best value for money and the selection of the most effective services for those that need assistance. This new funding of about \$1.3 million, or an increase of close to \$900,000 on what was allocated by the clubs this year to problem

gambling, will ensure extra funding is available under a range of broader measures to tackle the problem.

Given the high proportion of problem gamblers who are young adults, this would include, we expect, raising awareness amongst school students about the risks of gambling. Lifeline Canberra believes it is essential that, before they leave school, young people have an understanding of problem gambling and know how to gamble responsibly. Just as we educate our young people about drug and alcohol abuse, we need to educate them about the dangers of gambling.

Young people are overrepresented in the numbers of people identified in the ACT as having an issue. In addition, research by Lifeline shows that young people are more vulnerable to developing problems. They do gamble and are less likely to seek professional assistance. This is clearly an area in the ACT where more needs to be done.

As I said earlier, many clubs contribute in excess of the present seven per cent required for community contributions. In 2008-09, this contribution across all clubs was 13.97 per cent, or \$13.78 million. However, 70.1 per cent, or \$9.66 million, of this was directed to sport and recreation activities; 15.4 per cent, or \$2.12 million, was directed to non-profit activities; and a mere 2.95 per cent, or \$407,516, of this community contribution was directed to problem gambling—\$407,516 out of \$13.78 million to address a major issue affecting over 42,000 people in our community.

The financial impact of the change we are proposing is not significant. It merely requires that gaming machine licence holders direct a small, set percentage of gaming machine revenue each year to an area where demand is increasing, and this will give a secure funding and administrative basis for those tackling problem gambling.

There are a variety of community benefit levies or schemes in other jurisdictions that all make a contribution from gaming revenue. And some of the community benefit funds are specifically for problem gambling assistance, while others are for community support more generally, for example, sport and charities, as well as, as I said, problem gambling.

In New South Wales, clubs and hotels receive a tax rebate of up to 1.5 per cent, provided they contribute an equivalent amount to community development and support. Two per cent of New South Wales casino gaming revenue is also paid into the responsible gambling fund.

In Queensland, in 2009-10, \$4.9 million from clubs will fund 14 face-to-face gambling help services, a residential treatment program and a gambling helpline. In Victoria, 8.33 per cent of revenue from hotel gaming machines is paid to the community support fund for community and problem gambling services.

In Western Australia, the casino contributes to problem gambling support services. In South Australia, the casino, clubs and hotels contribute. And in the Northern Territory, the hotels and clubs also make community contributions.

Our advice is that overall the 0.75 per cent levy we are proposing is consistent with these jurisdictions and appropriate to provide some of the necessary support services. We are proposing a transition arrangement to this new rate, with a 0.375 per cent levy to apply from 1 January 2011 and the full 0.75 per cent to apply from 1 July 2011. This allows a reasonable transition period for both the Gambling and Racing Commission and licence holders to adjust to the new arrangements.

The issue of problem gambling is not going to go away without significant action to address the problem. Again I refer to the ACTCOSS submission to the productivity inquiry where it said:

Problem gambling is a public health issue.

The current approach to problem gambling funding also raises a broader issue of how problem gambling should be viewed by the community and by governments. The current arrangements assume that problem gambling is an individual malady, which should be responded to on an individual basis once the condition develops.

Such an approach is inadequate. Firstly, gambling is reaching an increasing number of people, with overall ACT expenditure and individual expenditure experiencing significant and steady growth.

Gaming venues and activities are becoming increasingly sophisticated, and a good deal of product development work goes into the design of gaming machines, for example, to maximise their attractiveness to gamblers and hence their financial returns to the host.

These venues and products can be seen to be pre-disposed to maximise gambling. To the extent that some gamblers are potentially vulnerable to gambling addiction, this is not an open and fair situation. Moreover the number of people who are potentially vulnerable to problem gambling is much wider than the actual number who succumb.

The prevention of gambling addiction must be given a high priority, in much the same way that people who are potentially vulnerable to mental illness, for example, can be supported through a variety of preventive measures. Support is also needed for the families of potential or actual problems gamblers, given the seven-fold effect of problem gambling on others.

ACTCOSS is of the view that problem gambling should be designated a public health issue.

It is therefore appropriate that a public officer, the Gambling and Racing Commissioner, be entrusted with the responsibility of distributing, through a transparent and accountable process, funds to run problem gambling services.

We are introducing this bill which, in light of what I have just outlined, is well overdue. In some ways it does not go far enough to address all of the issues identified but it is a start. I note that there has been an indication from the government that it will be tabling amendments to the Gaming Machine Act in the spring sittings, and we

expect that would cover a number of the more complex issues raised in the Productivity Commission inquiry.

In the meantime, this bill seeks to promptly address the significant funding shortfall and enable those providing counselling and educational services to continue to operate on a sounder financial basis. The Gambling and Racing Commissioner is the most appropriate person to administer the scheme. The Gaming and Racing Control Act 1999, section 17, sets out that one of the commissioner's functions is to monitor the social and economic effects of gambling and problem gambling in the ACT, including the need for counselling and other services.

Problem gambling funding is not a community contribution. It is a reparation for a harm caused by the machines. It is not making a contribution to the community. It does not add anything. Rather, it goes some way to make up for the harm done. It is not appropriate that it be categorised as a community contribution. The more appropriate name is a mitigation measure. An analogy to illustrate the point is James Hardie providing funds for those suffering from asbestos-related disease. No-one would consider this a community contribution. Rather, this is a reparation for the damage caused.

Similarly, poker machines cause real harm. People commit suicide because of their addiction. Families and relationships are destroyed because thousands of people in our community are suffering from this issue. Using the money from the machines to address the problem is a reasonable, proportionate action. We need to move away from this and administer the system in a much more open and transparent manner that better reflects the community's view of how things should operate. Placing those who benefit from something in charge of its reduction is fundamentally at odds with the most basic notions of good governance. Real or otherwise, the perception of conflict of interest is very strong.

One argument that has been put by the clubs is that all the providers are accredited and therefore there is no way for the process to be corrupted. It is simply not, I believe, a sufficient safeguard. The fact that they control the quantum and are in a position to control or regulate the type and delivery of any particular service simply is not satisfactory. The most appropriate regulatory arrangement is that the Commissioner for Gambling and Racing administer the fund and provide a structured mechanism for the rollout of problem gambling reduction services. This is exactly what the bill does.

This is a simple and effective, perhaps the most targeted and demonstrably effective, harm minimisation measure. It is consistent with and can operate very well in addition to all other harm minimisation measures and regulatory controls proposed by the commonwealth or the ACT. It is a sensible, reasonable and proportionate response to the seriousness of the harms caused by problem gambling.

The Greens intend to debate the bill in the October sittings and extend an invitation to all stakeholders and members of the community to provide feedback on the bill. I commend the bill to the Assembly.

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

Financial Management (Ethical Investment) Legislation Amendment Bill 2010 Exposure draft

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (10.21), by leave: I present the following papers:

Financial Management (Ethical Investment) Legislation Amendment Bill 2010—
Exposure draft and explanatory statement—Papers.

Back in 1999, Ms Kerrie Tucker first raised this issue during the debate on the Financial Management Act. In 2002, the then Treasurer Mr Quinlan indicated that, indeed, the government would take ethical considerations into investment decisions, albeit solely in the context of risk and return. When the full scope of our investment portfolio was revealed in the *Canberra Times*, the issue gained further attention and some level of action was finally taken.

The ACT signed up to the principles of responsible investment and we do now have a framework for ESG considerations in relation to risk. We have recently had a review of our application of the PRIs in line with the parliamentary agreement. Whilst this has been progressed, it has been very slow and very limited. In fact, it is fair to say that nothing has actually changed as a result of our actions thus far. We are perhaps more aware of what we invest in, but we have not sold a single share as a result of the PRIs and there is no evidence that we are in any way targeting the portfolio towards positive social and environmental outcomes. We have taken the symbolic step. Now it is time to take a tangible step forward and actually implement some minimum standards for our investment practices.

Today I present an exposure draft of legislation that will make real change. A key part of what this legislation does is force us to think about what our money is doing, to question whether we think it is appropriate for us to profit from the listed companies in the bill or the listed practices in the bill. Business as usual is not okay. It is easy not to engage with the issue, to not think about where the money comes from or what it is doing.

We do have a large investment portfolio and it is important that we recognise the practical and symbolic effect that a change in investment decisions can have. A survey by the Business Council of Australia in the lead-up to this year's federal election found that 85 per cent of people surveyed think that we can be more economically successful and more socially responsible. This is exactly the thinking driving the policy behind the bill. The ACT Treasury already operates an internal ethical screen so that it is aware of the types of activities that it is investing in. Unfortunately, it does not act on these issues.

Investing ethically is not new thinking. It has been on the international agenda for decades. All over the world there are billions and billions of dollars managed in an ethical and sustainable way. In fact, since 2007 over \$1.2 trillion has been invested in positive environmental outcomes. It is now commonplace for superannuation

providers to offer ethical options for the superannuation funds they manage. Perhaps the most compelling argument for those not predisposed to support the policy for intellectual or ethical reasons is that on purely financial grounds it is certainly no worse and probably a little better to invest ethically.

Asset consultant Mercer conducted a study reproduced in the *Australian Financial Review* which found that over the past five years the average return of a sustainable fund was 5.6 per cent and the ASX index was only 4.6 per cent. There are in fact six major funds whose ethical portfolios outperformed the ASX average over the past five years. The best performer almost doubled the ASX return. There is now a very large body of research around ethical, sustainable, responsible investment. Perhaps the most notable and comprehensive is the Russell research paper entitled “Sustainable investing, marrying sustainability concerns with the quest for financial return for superannuation trustees”.

Before I move on to explain the operation of the bill, there is one issue that needs to be clarified. That is the claim of fiduciary responsibility. Often those who have been unwilling to engage or take up this issue have said that our fiduciary responsibility means that we must invest for the best return and we cannot take other factors into account. We will put to one side for the moment the fact that ethical funds have actually done slightly better. The ACT does not have a fiduciary responsibility to, or relationship with, any individual’s superannuation. The performance of our fund in no way affects any individual’s superannuation entitlements. There is no fiduciary relationship.

Our liability is to the commonwealth and we are free to meet the liability in any way we choose. Equally, the manner that consolidated revenue in the territory banking account is invested is entirely at the discretion of the territory. On the question of fiduciary relationships, I refer the Assembly to the case *Hospital Products Ltd v United States Surgical Corporation*. This case sets out the nature and conditions for fiduciary relationships and the proper purpose test. The key point is that no individual’s entitlements change because of the performance of a superannuation fund.

That said, of course we do have a responsibility to the community to be prudent in our investments and to get good returns on money. This bill acknowledges that we also have a responsibility to reflect community values. We should be prioritising positive investments and prohibiting the territory from investing in activities that are not in our community’s best interests and that do not reflect community values.

In addition to the general ESG risk criteria, which will continue to be applied to all investment decisions, the draft bill sets out the minimum standards for territory investments and requires that, where prudent, investments must be in positive practices that promote human rights, protect the environment and also have good social outcomes. The investments that we have put in the prohibited list are in alcohol, tobacco, armaments, gambling, uranium, coal and oil, old growth forests, GM crops, animal testing and labour practices that breach international conventions.

These are basic screens which are offered by many of the major fund managers. The requirement set up by the bill is that the ACT cannot invest in a company that derives

more than five per cent of its revenue from these activities or products. This is consistent with the screens established by many of the major funds and should be reasonably easy for Treasury to apply. The five per cent allows a margin for error and recognises the often very complicated company structures and practical realities. The draft bill recognises the realities of what is proportionate and commercially available.

The test set out in the bill allows the minister the flexibility in good faith to rely on contemporary circumstances and respond accordingly to changed behaviours. The test sets out that the territory must be satisfied on reasonable grounds that it is likely that no more than five per cent of companies' revenue for the current financial year is likely to be attributable to the proscribed practices or products. This is a reasonable and proportionate standard that allows a sufficient level of flexibility whilst maintaining the overall integrity of the scheme.

On the question of what should and should not be a prohibited investment, this is obviously the most contentious issue in the bill. No doubt there will be vigorous and robust debate as to what industries we should and should not be investing in. This is entirely as it should be. The list in the draft bill represents the most common exclusions offered by commercial funds—that is, these are the types of practices and activities that many people in the community are already choosing not to invest in. Not only that, most of these issues are already monitored by the ACT Treasury and/or represent the current Assembly position. The intention of the proposed list is to ensure that these very mainstream concerns are considered by the committee, the Assembly and the community. We can then proceed to have the opportunity to debate all the common exclusions and develop a list that is appropriate for the ACT.

As I said, a very important point to make is that these prohibitions reflect Assembly policy. We have in recent years adopted a range of initiatives to reduce the number of people smoking, yet we invest in a way that means we profit from more people smoking. The government's policy is that we should be a zero emissions city and significantly reduce our greenhouse gas emissions in the very near future. Yet we have investments that mean we profit from the sale of coal-fired electricity generation. We have a legislated moratorium on GM crops. It is reasonable to debate whether our investment practices should match our legislative action.

We are a jurisdiction that has legislated to implement human rights. The right to life is among those. Yet we are investing in the production of bombs that we know will kill innocent people. The rights of children and the right to freedom from forced work are recognised. It makes sense that we therefore should not be investing in companies that produce products in ways that breach those rights. The Greens' view is that in a general sense territory investment practices should reflect these types of legislated standards. As I said, the exclusion list will be the subject of much debate and I would really like to encourage everyone in the community to participate in that debate.

As well as providing a list of exclusions, the draft bill also sets out the types of activities that the superannuation provision account, the ACT's largest investment and for which long-term considerations must be taken into account, should be investing in. I am quite confident that no-one in the Assembly disagrees that everything on this list is a positive activity, that it is desirable that the ACT makes a contribution to. The list

includes activities such as renewable energy generation, energy efficiency, the reduction of greenhouse gas emissions, water conservation, recycling and environmental protection, education, social housing and health services, the alleviation of poverty and community support programs as well as disability and social inclusion services.

The draft bill requires that these investments must be prudent in the contemporary financial environment and sets up a reasonable and proportionate mechanism for promoting investment in these activities. The draft bill sends a meaningful message to the community and other investors that the ACT is a jurisdiction that will take active steps to invest in ethical, sustainable and responsible ways. I do not pretend for a second that it is an investment panacea. Returns will not be magical. These investments traditionally are lower risk and there is an investment premium for that. However, as I have said, there is no reason to expect the returns to be any lower. In fact, the reasonable expectation is that they will be slightly better.

It is, however, certain that it is the right thing to do. It sends a clear message as to what the ACT does not want to be involved in and what we do. It recognises that there is an opportunity cost to our investments, that for every dollar we have in an unsustainable industry that is harming people and the environment we could be investing in something positive that encourages innovation in industries that will benefit the community.

The list of prohibition represents some mainstream ethical funds and issues already identified by the ACT Treasury. There is a significant proportion of the community who find it unethical to invest in these industries or practices. I welcome and encourage debate on each of the proposed prohibited investments and the list of proposed positive initiatives.

The evidence is that from a purely economic point of view we will do at least the same, if not better, if we invest ethically. The historical averages are available over a very long period of time, and they all suggest that the proposed changes will not cost the ACT and are in fact likely to improve our financial position. I encourage again everyone in the community and in the Assembly to participate in the debate.

Reference to Standing Committee on Public Accounts

MS GALLAGHER (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (10.34), by leave: I move:

That the exposure draft of the Financial Management (Ethical Investment) Legislation Amendment Bill 2010 be referred to the Standing Committee on Public Accounts for inquiry and report.

I will speak to the motion briefly. I do apologise for not speaking to members of the committee earlier, but I have had a brief discussion with them. I understand that they have a very busy business plan ahead of them in that standing committee, but I do think that the issues covered in the exposure draft of this legislation are complex ones. I do believe that the Assembly, when it comes to debate the legislation brought before

it, would benefit from a thorough analysis that can be provided through a public inquiry and the expertise of the Standing Committee on Public Accounts.

I understand that the committee might not be able to get to this in the next week, but I do believe this is the appropriate place for this issue to be referred to in the short term prior to returning to the Assembly for more thorough debate in the future.

MR SMYTH (Brindabella) (10.35): Yes, I was quite surprised to hear yesterday morning that it was going to PAC. Nobody had consulted with me. As a member of the committee that is going to be discussing this, I was quite surprised that we were receiving it and that we were doing the inquiry. I think it is appropriate that people speak at least to the chair and that the chair consult with members of the committee before such announcements are made publicly on the radio.

That notwithstanding, as I said in the estimates these are interesting issues that need to be addressed. The whole issue of what is ethical certainly needs to be addressed. Given the heavy workload that PAC has, and I will not pre-empt the chair on this if the chair wants to say something, it will be interesting to see where we fit this in. PAC has a number of inquiries on foot and more to come. But, yes, it is an issue that I am sure most members—certainly I will—will enjoy looking at.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (10.35): We will be supporting this motion to send the exposure draft off to the committee for inquiry. There was a discussion with the chair of the public accounts committee. I believe there was a discussion that was raised with the committee itself. Certainly, my office did have a discussion because we were aware that we needed to check out the schedule and the inquiries that PAC were involved in.

We certainly took the time out to do that. We understood that there was a possibility that this could be taken on. That is why I believe this is the right way to go. It is a complex area. I believe that it is important we do have this inquiry, wide-ranging debate and conversations. Therefore, we will be supporting this motion.

MS LE COUTEUR (Molonglo) (10.36): Just very briefly, yes, it was discussed with PAC. One of the pieces of advice I gave was that PAC's timetable is fairly tight at present; so I understand that the referral is without a reporting date. I think I can speak on behalf of all PAC members when I say that we appreciate this because we do have quite a bit on our plate at present. We will obviously accept the will of the Assembly.

Question resolved in the affirmative.

Information and communications technology

MS LE COUTEUR (Molonglo) (10.37): I move:

That this Assembly:

(1) notes that information and communications technology (ICT) is:

(a) a major enabler of government function;

- (b) a major employer in the ACT;
 - (c) a significant user of power; and
 - (d) a significant generator of waste;
- (2) also notes that the ACT Government:
- (a) does not know the whole of government ICT energy use for the ACT;
 - (b) has not yet developed an ICT sustainability plan;
 - (c) does not make supporting information available on the web as soon as the relevant consultation is notified in the newspaper, retaining it in a publicly available form, or making it available in the most useful format; and
 - (d) has not committed to making information available in a timely and effective manner using current ICT infrastructure; and
- (3) calls on the ACT Government to:
- (a) commit to measuring its ICT environmental impact;
 - (b) expedite the ICT sustainability plan, including consideration of life cycle impacts of ICT;
 - (c) commit to considering all the actions in the Australian Government's ICT Quick Wins paper;
 - (d) commit to making data available on relevant government websites as soon as it is advertised in the media and to ensuring that information is in all appropriate formats and retained while useful to the community;
 - (e) develop a policy to encourage appropriate telecommuting and teleconferencing; and
 - (f) report back to the Assembly on these issues by 30 March 2011.

I am very pleased to rise today to speak on this subject, because I guess one of the major points I am going to be making is that the Assembly, and the government behind it, does not, in fact, pay enough attention to the very important issues involved in information and communications technology, which I will, for convenience, in my speech usually refer to as "ICT". Occasionally I will forget and just say "IT", because when I first started my IT career—I will admit to being an IT manager before coming to the Assembly—we talked about "IT", and it is only more recently that we have always talked about "ICT", as communications have become part of information technology.

I would just like to say that in the debate today I am not attempting to deal with all the very major and relevant issues connected with ICT, in particular, the issues around

Web 2.0 or Gov 2.0. I think we should have a debate at a later time about those issues, because I think that these are areas where the ACT can lift its game and should lift its game. But I am not trying to cover the whole gamut of that in this motion. Where I am talking about information provision in this motion, I am just talking about the basic things which I think that all the residents of the ACT who are connected with the various bits of information that interest them would think the government should do.

Also, I would like to say that I am very pleased that Ms Porter has the national broadband motion later today. That was something else that I had originally put in my motion, but I decided to take it out because there is a limit to how much you can put in one motion, or so I thought. So it is very good that we will be able to talk about the broadband issue in a little while.

I guess one of the things I would like to say is that, if we do have a positive solution to the various problems besetting the world at present, ICT will be involved in it. It is ICT which has enabled us, to some extent, to know of all our problems. Without that, I am sure we would not have the understanding we do have, for instance, of the greenhouse effect and what that is doing with climate change. It is ICT which is helping to create the problems, but it will also be ICT which helps solve the problems. ICT is not inherently green, but it is something which is going to be very, very important to having a positive green future, and that is the spirit in which I move this motion today.

This motion is very much one about better housekeeping and better management of ICT. ICT is important to the ACT, and we can look after it better. It is worth paying attention to. Canberra's economy is a knowledge-based economy, and the green economy which we will move into will be one which is based on skills.

I will start going through the motion, as I only have another 11 minutes. ICT is a major enabler of government functions. You just need to look at Ms Porter's subsequent motion about the NBN and a number of the things she mentions in that to know that. Secondly, ICT is a major employer in the ACT. The ACT employs four per cent of the ICT sector, which is twice its share of the total employment in Australia. Some 76 per cent of the public service ICT staff are, in fact, located in the ACT, so this is really important to the ACT.

The ACT is also a leader in green ICT education. At ANU, the first globally available and accredited green ICT course has been established. That was established at the beginning of last year sponsored by the Australian Computer Society.

ICT is a significant user of power. This is very important in light of the commitment that the ACT is shortly going to make, I believe, to reduce our greenhouse gas emissions by 40 per cent. ICT worldwide accounts for about two per cent of global emissions, and the Australia Computer Society found that it is up to about 2.7 per cent of CO₂ emissions in Australia. But a study by Deloitte found that ICT and office equipment typically contributes about 30 or 40 per cent of the total carbon footprint of service-based organisations, organisations such as most of the ACT public service. I think that it could be a very significant figure as far as we are concerned.

I would like to note, though, that 75 per cent of ICT energy use has already happened before the computer is first switched on by the user. The manufacture of computers uses a lot of energy and a lot of materials, which brings me to the last point in the first section of the motion—that ICT is a significant generator of waste. In Australia, each year we generate around 1,400 tonnes of e-waste, and only about four per cent of that is recycled unfortunately. The manufacture of a single PC requires about 1.7 tonnes of materials, which is appalling when you think of the size of the PC versus the size of the materials that go into making it. It includes the consumption of more than 10 times its own weight in fossil fuels.

One of the problems with computer and other electronic waste is that computers are made from a wide range of different materials. When they eventually come to be disposed of, they are basically useless unless considerable effort is put into dismantling them and taking the different parts out so that they can be reused. Some of the parts are inherently valuable—for example, the significant amounts of gold and platinum in computers—but most of the things that go into computers are non-renewable. If they can be extracted and reused, they become secondary raw materials and they become useful again.

There are also some seriously nasty things in e-waste—lead, cadmium, mercury and arsenic. If this is not disposed of properly, if it is just put into landfill, it could easily leach into the watertable. Brominated flame retardant is used in computer equipment, and that is a nasty. It is an occupational and environmental health risk. Printer inks also often contain toxic materials such as cadmium.

Given that the major physical impacts of computer use and ICT use are in the manufacture, it is very important that we buy products that last, and there are two things to that: firstly, that they are well-made in the first place. The ICT industry has very much moved ahead in the last few years, and most computers are capable of lasting a long time. But the other thing is to ensure that they actually will be used as long as they last.

This is an area where the ACT has actually moved in the last few years—it has moved from leasing to purchasing computers. I understand from estimates questions that it has decided to add an extra year to the life of its computers. I think that is probably the most environmentally responsible thing that the ACT government has done from an ICT point of view in the past while.

Moving right along to my second point—and I am going to run out of time—unfortunately, the government does not know its ICT use. I asked questions about that in estimates earlier this year, and the answer from Mr Kegel was:

We certainly have not done any scoping as to the power implication of that ...

I was talking about computers.

There are so many variables in that that we have not looked at.

Then he went on to say:

Sorry, I do not believe we have done that.

They have not looked at the power use of ICT in the ACT or the ACT government. They have not looked at the issues as far as thin clients would be concerned, and they have not done any specific work to look at the power savings which could be possible with PCs in IT. I got that specifically in writing, because I asked a question on notice after that hearing. I must say that I was very disappointed that that was the case.

Another area which I know we have not looked at is our data centres. We are just about to spend some considerable sums of money on putting additional air-conditioning in our current data centres, but I think what we need to do is actually look again at our data centre strategy. I have received representations—I assume the government and the opposition have also—from data centre vendors who are of the belief that they could do a much greener job than the ACT government is currently doing.

I hope that this does not get caught up with the ongoing issue about the one government office and whether we are we going to have one or not. It is too important. We actually need to get a good green data centre solution for the ACT. In this, I would commend the ACT to look at cooperation with the commonwealth, which is considerably advanced on this.

Moving on to my next point, the government has not developed an ICT sustainability plan. In fact, I should have also included in my motion the fact that InTACT does not have an IT strategy at all. I found that out from a question on notice earlier this year. We asked in estimates about when the ICT sustainability plan will be developed, and Ms Divorcy said:

We would like to finish it within 2010-11 but that would depend on agency priorities. As you know, there are some very large ICT programs going on with agencies.

We actually have to make this a priority. This is why I have moved this motion—the energy use and sustainability of ICT needs to become a priority.

Moving on to what we are doing with ICT—making the information available—my next point is that the government has not committed to making supporting information available on the web as soon as the consultations are notified in the newspaper. I continually get phone calls and emails from people where consultation or DAs have been in the paper but they are not on the government's website. This is actually something that the government can solve very easily, because I know the government uses MySource for its websites. MySource has something in it where you can get a page together and set a date and time when it will be published in the future. This one is really, really easy to solve, and it is just incomprehensible that it has not been.

The next one is that the government has not committed to making information available in a timely and effective manner. There are quite a few instances here, but I am running out of time, so I will just talk about a few, including ACTION and

producing information specifically for Google transit. Members may be aware that there are already two RiotACT threads on this subject, one from 2008 and one from 2009, and I have asked a number of questions on this.

A number of cities in Australia already have their information up on Google. I go to Melbourne occasionally. It has a brilliant system where you can work out how to get to somewhere using the trams and the buses. In the ACT we only have buses, but we have a website which is incredibly hard to use.

Looking at planning, members may or may not be aware that there is a service called planning alerts run by the charity Open Australia, which actually sends out to people planning information relevant to their particular locations. That is well above what ACTPLA does. ACTPLA's other problem is, of course, that many of their documents are so long as to be incomprehensible.

I am going to have to talk very quickly now, because I am now getting on to what I am calling on the government to do: firstly, start measuring its ICT environmental impacts. Without measuring, you cannot do very much. Secondly, expedite the ICT's sustainability plan, including the life-cycle impacts. I am running out of time, and the government is clearly running out of time. Possibly what the government needs to do is just say—

Mr Smyth: Caroline, you get to speak to the amendment so there is—

MS LE COUTEUR: I will. But I wanted to get to the end. Sorry, you are taking up my time here, Brendan, by distracting me. The commonwealth government has just put out an ICT sustainability plan, which is basically good. I suggest that, if we do not have the resources, the ACT government should just adopt that plan and look at the implementation issues of that. There are things in that around moving to standards in terms of purchasing.

I will leave out comments on energy efficiencies given that I am running out of time. The “quick wins” would be a very quick one to commit to, although I actually suspect the government may already be doing a fair bit of that.

I will come back and talk about telecommuting and teleconferencing in my summing-up or when talking on the amendment that is to be moved. In summary, I would just commend to the Assembly and to the government a much greater consideration of ICT in the ACT.

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for the Arts and Heritage) (10.53): I am more than pleased to discuss the motion that Ms Le Couteur has moved. It acknowledges in the Assembly this morning the importance of the information and communications technology sector—the ICT sector—and the issues around ICT sustainability.

I do admit that the motion is to me somewhat confused, combining, as it does, a heavy focus on the important issue of clean ICT—that is, issues of efficiency, technical

innovation, energy and waste—with a much lighter treatment of issues of community engagement and e-government through ICT. While both of these aspects of ICT are important, this motion squarely puts the cart before the horse, puts the technology well ahead of the use to which it is put. Today I am more than pleased to have this opportunity of discussing, informing or advising members of the government's proactive use of ICT as part of its community engagement activities and its work in e-government in the future.

As technology becomes increasingly pervasive in today's world, the ACT government does recognise the importance of ICT as a key enabler for government. The ACT government has a tremendous track record in investing in ICT capability. For example, the ACT government owns and operates a state-of-the-art optic fibre network which has the capacity to run greater than one gigabyte per second to our desktop computers. This is the envy of every other state and territory in Australia. The government has invested in a shared capability across government for its ICT function. This enables a greater level of technology re-use as well as economies of scale. Not only has this initiative saved the government millions of dollars, I can say—and I say it proudly—but we have very credible capability in InTACT as the provider of ICT across government.

There is no doubt that ICT is becoming an increasingly significant component of the world's energy consumption, carbon emissions and waste streams. The government recognises this and, through InTACT, has undertaken a number of initiatives to improve efficiency and reduce the environmental impact of the government's ICT infrastructure. Some examples of those achievements include replacing most of the older, power-hungry, server-based systems with new systems that deliver sound performance, energy and space efficiency and a high level of performance per watt; the introduction of server virtualisation technology, which has dramatically reduced the number of servers required, reducing electricity usage and heat generation from physical servers; and the introduction of aggressive power management on desktop computers, which has contributed to the reduction of InTACT's carbon footprint.

Another initiative is utilising appropriate technologies to centralise paper consumption information across government to provide an opportunity to better track and manage printer consumption holistically across government. InTACT will be able to provide detailed consumption reports to each agency, and we will also have greater visibility of usage of individual devices, with a view to consolidating equipment where possible.

Another initiative is the implementation of an ICT asset disposal process which complies with international standards. With the ACT government owning approximately 55,000 active ICT assets, and each year transitioning out approximately 10 per cent of those in compliance with the 14001 standard, we are demonstrating a strong commitment to reducing the environmental impact of government ICT. InTACT is also responsible for implementing what is known as the Chief Minister's computer re-use scheme. The scheme allows for end-of-life computers to be made available for not-for-profit purposes each year. A small example that has made a big difference in 2009-10, for instance, was the transfer of used computers to Canberra Friends of Dili, who then arranged for the equipment to be delivered to Timor.

ICT sustainability is a key consideration in the government's draft ICT strategic plan. Managing and using ICT to promote environmental responsibility is one of the five key objectives of the plan, which includes a range of measures that will build on the current initiatives to reduce the carbon footprint of government ICT. This will include the further use of energy efficient hardware at the desktop and server levels, virtualisation and thin-client technology. Planning is also well underway for the move to more energy efficient data management within government.

The ACT government is an ICT innovator and we are currently developing new ways to accurately measure our ICT carbon footprint. This will allow us to set measurable reduction targets which contribute to the overall government reduction commitments. As important as the carbon reduction of the government's ICT itself is the contribution that ICT can make in providing and linking the environmental information that enables us to manage our energy usage overall. Whether it is gathering real-time meteorological information with watering rosters or using smart meters to optimise power usage, government ICT will play an important part.

The government has already developed a 10-year data management strategy to consider the future of data centre and storage needs and to underpin our forward planning. The key to this strategy is investigating opportunities to use clean technologies as part of our future data storage strategies to deliver both cost-effective and environmentally responsible data management. In the immediate future the government is continuing to investigate the use of "free air" cooling for data centres utilising a strategy of filtering outside air to cool data centres during Canberra's winter months rather than powering air-conditioning units.

Energy consumption of ICT equipment is an important consideration for the ACT government. Energy consumption was a key consideration in the evaluation process to select the current provider of desktops and monitors to the government. The current standard desktop and monitor being deployed have lower energy consumption ratings than any previous models used. As I have noted, the government has implemented a process to transition out its ICT assets base which meets ISO 14001, the internationally accepted standard for environmental management systems.

A number of the initiatives identified in the Australian government's ICT quick wins paper are already in operation in the ACT government, and we continue to actively explore further initiatives that form part of this paper—for example, the use of virtualisation technology where suitable and ensuring that ICT tenders for government work address relevant sustainability, waste reduction and greenhouse policies. The quick wins recommendations do, of course, need to be considered on their merits, in the life cycle of existing ICT resources and the practical operational requirements of ICT usage.

Automatic shutdown of certain PCs in a hospital setting would not, of course, be ideal. While it is now standard that government PCs are included in a default power management strategy that systematically reduces power consumption after a period of inactivity, there are exclusions for high-dependency computers. This power management strategy aims to reduce the energy consumption of computers by

progressively switching through the energy reduction stages of “switch off monitor”, “turn off hard disks” and “system stand-by”, dependent upon the time that the computer sits idle.

In November 2008, the government implemented a more proactive power management capability across government computers. Under the proactive strategy, the energy reduction stages are activated after a shorter period of inactivity. Implementing the power management strategy can reduce the energy consumption for both the computer and screen combined to less than 10 watts when idle. The average power consumption of a computer when running is 150 watts.

The student computers at the CIT are already subject to an even more proactive strategy whereby computers are shut down completely after hours. There are approximately 10,000 computers that have been converted to the proactive power management strategy. There are currently 248 high-dependency computers required to be excluded from the power management policy, based on business requirement.

InTACT is in the process of working to centralise consumption information across government, utilising appropriate technologies. This will soon provide an opportunity to better track and manage printer consumption holistically across government. InTACT will be able to provide detailed consumption reports to each agency and will also have greater visibility of usage of individual devices with a view to consolidating equipment where possible.

It is possible for printers to be set to default to double-sided printing, which InTACT does at the request of individual agencies. A range of agencies across government have already opted for this to be the default setting.

Before concluding, I will mention that the government is investing in the broader use of other technologies like teleconferencing and telecommuting. Teleconferencing has been at the forefront of a number of ACT government departments, and initiatives such as videoconferencing and CCTV are being investigated for applicability across government.

As a government we are proactive in regard to information available on government websites and the provision of information to the community, and we will continue to be so in the future. I make that point in relation to those parts of Ms Le Couteur’s motion which go to issues around consultation. Members will be aware that I have circulated an amendment to adjust Ms Le Couteur’s motion. I move:

Omit paragraph (2), substitute:

“(2) and also notes that the ACT Government:

- (a) does not know the whole of government ICT energy use for the ACT;
- (b) is currently developing an accurate method of measuring government ICT energy use for the ACT; and
- (c) has identified sustainability and environmental responsibility as a key element of its draft ICT Strategy;”.

Without in any sense in fact derogating from the essential nature of the motion, the motion proposes amendments just to paragraph (2) of the motion, to clarify that the motion really is about ICT. It clarifies that the government is in the process of developing a draft ICT strategy, which will be available in coming months—within the next few months. It is work that we have been doing.

I have outlined, too, all the other significant work which the government have done in relation to ICT as a major provider and the seriousness with which we take issues around the use of power and sustainability and reduction of waste—the steps we have taken, that we have in place. We are working incrementally but we have made very significant gains in each of these areas. I hope that members do acknowledge the very significant work that InTACT has done. But we cannot do everything at once; we need to do these things incrementally as resources permit.

The amendment essentially removes a couple of subparagraphs which I believe to some extent complicate or confuse. I must say that I was not quite sure what the subparagraphs were intended to do or to say. I believe that the motion now, as it stands, with the amendment, if members support it, acknowledges in paragraph (1) some simple facts in relation to information and communications technology as applied in the ACT.

Paragraph (2) will note that at this stage we do not know the whole-of-government ICT energy use for the ACT. We are putting in place the capacity to determine that in the future; we are doing that work. We do not have an ACT sustainability plan, but I think it would be appropriate for the Assembly to acknowledge that we are working on it—that we have a draft, a draft that has not yet been submitted to cabinet and approved as a draft, a draft on which we would consult. We have done the work; there is a preliminary draft. I think it would be appropriate, whilst acknowledging that we do not have it developed, to acknowledge that at least we are on the path to getting one and we accept the importance of it.

Paragraph (3), which we are prepared to accept, calls on the government to commit to measuring ICT involvement impact, and we are seeking to do that. It also calls on the government to expedite the sustainability plan. We are doing that as resources permit. Certainly it is an important piece of work, and I am advised that it is something we will have in coming months.

Then it calls on the government to commit to a number of other things, including the Australian government's quick wins paper. It also includes making data available, and of course we will do that. It includes developing a policy that will encourage appropriate telecommuting and teleconferencing, which we are doing. We are working on it actively; it is something that all departments are conscious of. And it includes reporting back by March next year on all these issues. I do hope that by then we will indeed have a policy.

So the government is more than happy to acknowledge, as Ms Le Couteur seeks to do through her motion, that this is indeed an important matter with important issues around the use of power and sustainability and important issues in relation to

governance and management and the need for a strategic plan. The government does not disagree with any of the sentiment of Ms Le Couteur's motion, but I do appreciate having the opportunity to update members on where we are up to. We do take it seriously, and we are more than happy to report back to the Assembly in March next year on progress on all of the issues that Ms Le Couteur has identified.

MR SMYTH (Brindabella) (11.06): I join with the Chief Minister in thanking Ms Le Couteur for bringing this issue on. One of the aspects of Canberra that I think people acknowledge is that we are an IT city. For many years we led the development and implementation of the use of IT in this country. It was pleasing to hear the Chief Minister praising InTACT, an initiative of the previous Liberal government—and to that you can add things like TransACT and Canberra Connect, which really did enable the ACT to move forward in leaps and bounds in front of the rest of the country. I am not sure that the progress has been as strong over the last nine years, but I look forward to seeing the strategy and we will look at the strategy when it is put in place. It is important that we keep abreast of this. It is important that we provide, particularly through government, the example of how to use ICT and limit its impact on the environment.

So in regard to the first point that Ms Le Couteur makes, yes, ICT is a major enabler of government functions. That is certainly acknowledged. It was certainly acknowledged by the Liberal Party through our formation of InTACT, TransACT and Canberra Connect. ICT is a major employer in the ACT. I remember a *St George Trends* magazine article from about 2002 that acknowledged that Canberra had, under the previous government, become the ICT capital of Australia. That is something we should be proud of. It is certainly an achievement that this side of the Assembly is very proud of.

The motion then goes to subparagraphs (1)(c) and (1)(d). It says that ICT is a significant user of power, and I think we all acknowledge that. And it says that ICT is a significant generator of waste. That is why the previous government put in place the no waste by 2010 strategy. If you look at no waste by 2010, you will see that it says as a principle to look at industries that are creating waste. From that there are opportunities to create new industries to deal with it. What you cannot reduce and what you cannot reuse you must find a way to recycle. That was one of the objectives of no waste by 2010. Particularly in an industry like ICT, as technology grew, as technology changed and as new technology became available, the whole issue of waste needed to be addressed.

Paragraph (2) of the motion talks about some information about the government. It says that the government does not know the whole-of-government ACT energy use. I hear what the Chief Minister says, and we certainly look forward to the development of the strategy. Through discussions with the Chief Minister's office, we are now aware that they do have a draft ICT plan in place, or will soon. As noted in subparagraph (3)(f), I am told, that plan should be available by 30 March 2011.

From discussions with Ms Le Couteur and the Chief Minister's office, let me say that when you get to subparagraphs (2)(c) and (2)(d) of the motion, the Chief Minister has said that he is intrigued as to how that fits into the motion. From speaking with

Ms Le Couteur, let me say that there are so many parts of the whole ICT industry, its implementation and its use that you could have a motion that might run to several volumes. The Chief Minister's amendment deletes subparagraphs (2)(c) and (2)(d) and replaces them with new subparagraphs (2)(a), (2)(b) and (2)(c). The opposition is comfortable with that approach. We would certainly hope that all of this is delivered by 30 March 2011, which is the commitment.

Mr Stanhope: I am advised that it will be, Mr Smyth.

MR SMYTH: The Chief Minister reiterates that he is advised that it will be, as he said previously. And that is not an unreasonable time frame in this case.

As to paragraph (3) of the motion, again the government has committed to address all of those issues. I am very pleased to hear the Chief Minister say that computers in the hospital will not go into sleeper mode, particularly out of standard work hours. I am sure all of the patients are very reassured by that. That goes to some of the complexity of delivering ICT inside a government. Government is not a business hours operation; it does run 24/7. I am sure that all the staff and, particularly, the patients at government medical facilities will be pleased that we are not going to implement that part of the quick wins action paper.

For those who are not aware of quick wins, let me say that the Australian Government Information Management Office inside the Department of Finance and Deregulation have put together a reasonable document about things that can be done quite quickly. If you read some of the examples on the web, you will simply find, as I did, that, for instance, they say at one point:

Defence has realised savings of over \$5 million per annum in power usage.

This is just from putting in place the shutdown of desktop workstations overnight. There are substantial savings to be had here. We have now got another review of the public service and what it is doing, and we have got a budget that is still in deficit, but of course we should be looking at every occasion to make savings that we can. If it is a quick win for the ACT budget, that would be good; if it is a quick win for the environment at the same time, that is a good thing. But if it is good practice and a good example for all of us, that would be a quick win for the entire community. The opposition will be supporting the amendment as moved, and we will support the motion.

MS LE COUTEUR (Molonglo) (11.12): I thank all members for their contribution to this debate. I am very pleased that it has given us the time to actually reflect on the importance of ICT. I am even more pleased to find that, as a result of this, we are now going to have a draft ICT plan by the end of March. As I said, when I asked questions at estimates they said that if we were really lucky we might get it done this financial year but it would almost certainly be next financial year. I am very pleased that we are going to get a little bit more emphasis on good housekeeping, good management and proper management of ICT.

I will speak a bit more about some of the things which I touched on before I ran out of time, unfortunately, in my earlier speech. The Chief Minister talked about

virtualisation. This is a good idea. It is something which the Greens strongly support, but we would like to see efforts happening with the desktop as well as at the back end. I am sure someone in the government is aware of thin clients. They may be aware—or they should be aware, because this was one of the recommendations of the estimates committee—that the department of environment have trialled thin clients, or desktop virtualisation. In the trial, which covered 22 staff over five weeks, they identified energy savings of 83 per cent compared to the traditional PC model, even after the requirement for additional service was taken into account. That comes from the ANAO, the audit office.

I would like us to look at that as an option. The other plus with thin clients is that, because the major grunt is provided by the service, the thin client should be able to stay in use for a lot longer than a PC which may become outdated. The thin client will not become outdated. It is merely a matter of updating the software in the servers.

Another thing that I would like to see InTACT do is not continue to discourage the use of laptops. As members who have looked at getting laptops would be aware, InTACT charges more for laptops than it does for desktops. While five or six years ago that might have reflected accurately the fact that laptops did not last as long, laptops these days are lasting longer. They certainly use less energy and fewer resources. I would like to see InTACT look at its pricing and stop discouraging the use of laptops.

I hope that the draft ICT sustainability plan will commit to common procurement standards with the commonwealth government. The commonwealth government has already committed to compliance with ISO 14024 or ISO 14021, and it has also committed to the EPEAT silver level or energy star as the minimum energy standard for the relevant ICT equipment. I would like to see us being consistent with the good work of the commonwealth.

We have all talked about the quick wins paper. I am very pleased that many of the suggestions have been looked at. One thing that has not been looked at in the quick wins paper is around telecommuting and teleconferencing. In fact, the quick wins paper talks about introducing a carbon calculator for meeting scheduling. I have been told that a six-hour video conference between Canberra and somewhere else in Australia produces about five kilograms of CO₂ emissions per person. That is actually more than I expected. The equivalent of taking that person to Sydney or Melbourne is in the hundreds of kilograms. It is a lot more. As a government and as a community we should start looking at doing more videoconferencing and having more video attendance at Pacific conferences as well.

Two weeks ago I attended a conference in Melbourne from my computer here in Canberra. It was on the screen and there was a chat space where the interstate participants could ask questions at the end. It was quite good because it was on a Friday and a Saturday and on the Saturday I was able to attend it from home and have my morning tea when I felt like having my morning tea. It is something that really can work. It is an area in which IT can expedite real green alternatives. We can reduce some of our carbon footprint by using IT.

Part of the motion talks about telecommuting. There are a lot of positives in telecommuting and potentially, of course, some negatives. I will briefly go through some of the positives. One of the biggest is saving time for workers. If you do not have to spend half an hour each way going to work, or potentially even longer than that, that is more time you have got to do almost anything, which will be more fun. It will reduce transport requirements, and that will be greenhouse gas positive. It may reduce heating and cooling requirements, depending on the circumstances of your house versus the office. It may reduce the requirement for office space, and that could be a potential significant saving for the ACT government. It can often produce a lot more flexibility for workers, particularly those who have caring responsibilities as well as work responsibilities—not that I am trying to say that flexible working is a substitute for proper carers leave, but occasionally it can be very useful. I acknowledge, though, that it is not going to solve every problem. There are also some social issues.

In the time available to me, I would like to talk a little bit more about the non-hardware aspects of this. As I said, I have decided that there really was not enough time to talk about Gov 2.0 as part of this motion, but I think there are areas that the government is working on at present that could be made better without any major changes of technology or mindset. The first one, as I said, is committing to having things available on the government websites as soon as the consultation is in the public arena. The second one, of course, is committing to having the information retained as long as people are interested in it.

As the planning spokesperson, I often get inquiries from people about DAs which are no longer on ACTPLA's website. I understand that ACTPLA are one of the biggest users of storage in the ACT government and I can appreciate why they have decided that they do not want to keep every DA on their website, but the DAs are still of interest to people. Could they not keep a database online and let people request access to the DA? It could be emailed to them in a couple of days after it has been retrieved from lower level storage. These are the sorts of things that the government need to start looking at to better use the information technology that they have available to them, because we all know those DAs are still electronically available.

While I am talking about DAs, the other obvious comment is that many DAs are huge and incomprehensible to the average person. The one in Griffith which I was recently asked to look at has over 100 individual files in it and the possibility of anyone comprehending that is very low. So in terms of information being made available, I would urge ACTPLA to look at providing some simple overviews of what is available. I would urge them to look at, as I mentioned very briefly, PlanningAlerts.org.au, which is run by OpenAustralia. They actually managed to produce a simple two-line summary of what the DA was about by scraping information from ACTPLA's website. They are much easier to use than ACTPLA's website itself. It can be done.

We talked earlier about the bus system. As I said, Melbourne has a much more complicated bus and tram system. If you go to Melbourne, you can put two addresses into the system and it will tell you how to get from one to the other. It gives you times. It tells you where you are going to have to walk to go from one to the other. Without

going into about half a dozen pages on ACTION's website, you cannot even work out how to get to the parliament or a place in the parliamentary triangle. It is just not working. It is something that we can easily do a lot better. It is just a matter of the government deciding that information technology is a major way that the people of Canberra get information. We need to do it quickly, we need to do it accurately and we need to do it in a way that people can understand and use less energy.

Question resolved in the affirmative.

Amendment agreed to.

Motion, as amended, agreed to.

Schools—truancy

MR DOSZPOT (Brindabella) (11.22): I move:

That this Assembly:

(1) notes:

- (a) the policy adopted by the Councils of Australian Government in April 2009 that all people aged under 17 should be working, training or in school;
- (b) that if not managed properly, truancy becomes a significant social problem; and
- (c) that truancy is an important issue that needs to be collectively addressed by the ACT government, schools, parents and local communities;

(2) endorses the recently publicised efforts of the principal of Lanyon High School in seeking to address truancy problems at his school by engaging local shop owners at the Lanyon Marketplace; and

(3) calls on the Minister for Education and Training to express his support for the Principal of Lanyon High School, and all ACT principals and teachers, in addressing truancy problems.

It is a sad indictment of the government that we should be debating a motion like this to defend a principal in his proactive stance to address truancy at his school by engaging the school's surrounding community—in this case, the businesses at the Lanyon shops. In return for Mr Bill Thompson's valiant efforts, the government unreasonably says that he is committing an unlawful act. A written statement by the government stated:

The ACT Discrimination Act 1991 makes it unlawful for a provider of goods and services to refuse service based on a number of attributes, such as age, and any retailer considering refusing service should be mindful of these obligations.

This was prefaced by the following statement:

We support the action of Kingsley's Chicken in resisting calls to refuse service to children during school hours, as to not serve school students raises issues of discrimination and human rights, and, as the retailer correctly identified, may actually be unlawful.

As a quick recap, Madam Deputy Speaker, let us look at this. Principal Thompson lobbies to work with the school's community—in this case local businesses—not to serve truant students. The government ends up defending these truant students' right to eat fried chicken. During the last sittings, the minister for education qualified his experimentations on our education system as being in tune with the many powerful reform currents in the contemporary Australian education debate.

The government's defence of students' right to wag school so that they can eat fried chicken is beyond rich and goes straight to the heart of what education should not be about. Have the powers in this city become so cynical that education is no longer thought of as a right? Or is the government taking some twisted epicurean stance, believing that eating junk food is more vital than having a proper education?

Condoning the inmates who run the asylum is ugly populism, narrow-sighted and irresponsible. Legal esoterica might seem smart and witty at the dinner table, Mr Barr, but there is no place for this when children's education and futures are at stake. Furthermore, with local equivocations like this, why not argue that it is also unlawful to withhold sales to minors wanting to buy alcohol and tobacco? Turn the government human rights argument around and what we get is that abetting, or getting another to abet, student truancy is depriving that student of their right to a proper education.

If the government truly has the best interests of minors in mind, abetting or getting another to abet in truancy must be unlawful under any human rights regime. It probably is, except for the ACT, or so it seems. Just as much as a child needs a parent's or guardian's consent, a school's paternalism towards its students is warranted, justified and necessary. As such, when addressing this matter, I do hope that the minister shows some leadership, maturity and logic on this increasingly bizarre situation.

This is a discussion that sorely needs to go back to fundamentals. We all know that truancy is a problem, but the government's record in addressing this problem is iffy. For example, to quote the government over the last three years ending in 2009, only 11 cases of non-attendance have been reported by principals to the Department of Education and Training to contact parents to re-engage their child in schools. There were no instances where the chief executive had cause to take further action for non-attendance under section 12 of the Education Act 2004.

In fact, it was only in 2009 that the ACT had its first case, whereby a mother was charged for failing to ensure that her children were attending school. The government's truancy numbers seem to hide a more sinister reality. Whether you agree with the principal of Lanyon high school or not, the proactive measures that he has taken hit home on a fundamental tenet of teaching. No matter how challenging your students are, you never give up on them. I see this in the teachers I meet during

my many school visits in my capacity as shadow minister for education. I see this in the teachers within my family, and it is a source of great inspiration to me.

It is surprising, or perhaps not, that here in Canberra the truancy measures put in place by Principal Thompson received such an activist reaction from this government. After all, such measures have been in place in parts of Western Australia and the Northern Territory. Equally, it has been reported that the Westpoint shopping centre in Blacktown maintained a practice of ushering students out of their establishment when they should be in school. In Canberra I can recall in the late 1990s seeing a sign while walking past a games arcade in Woden Plaza refusing entry to students during school hours. At the time, I remember thinking to myself that this was a civic thing to do.

Truth is, these measures will not eradicate truancy. However, it is a positive step in getting schools, parents and local communities to work together in order to constructively address the truancy problem. Simply put, it is a step in the right direction. You can be cynical and criticise such initiatives or try to do something constructive in addressing truancy. To quote the shadow attorney-general, Mrs Dunne, the recent accusations of human rights violations just “throw common sense out the window and highlight the unwieldy approach towards administering this legislation. The ACT government and its ministers should be supporting their school principals, not allowing another arm of government to tear them down”.

Section 35 of the ACT Education Act provides that the principal of a government school must set up procedures to encourage students to attend school regularly and to help parents encourage their children to attend school regularly.

Lanyon high school’s attendance policy, published as early as 2007, abides by the provisions of the Education Act and qualifies that where possible it should be negotiated with the school’s community. The government found no issue with Lanyon high’s school-based attendance policies when they were published in 2007 and there should not be any issues with them now.

This is in line with section 9.1 of the Department of Education and Training’s policy on attendance at government schools. As such, Principal Thompson was merely exercising care for his students by engaging with the school community in order to ensure that his students have a disincentive to leave the school precinct when they should be in class.

In the 2009 school board annual report it was reported that between year 7 and year 10 there was a decrease in attendance rates from 91 per cent to 85 per cent. This is a significant decline. Even if this is a general trend experienced by all schools in the ACT, there should not be an acceptable casualty rate when it comes to education.

It is reassuring that Lanyon high has an SMS and email facility to inform parents and carers of possible non-attendance and truancy. In a 2005 government report it was proposed that such an SMS facility would increase attendance by 30 per cent. Still, this is only one of the many effective options, and Principal Thompson’s efforts to work with businesses at the Lanyon shops is a positive initiative. After all, the minister’s powerful currents of education reform, with his virtual this and virtual that,

miss proper articulation of the key players in education—students, schools, parents and communities. It is about people, Mr Barr. This is a wake-up call. This is about people.

The truth is that there can be no proverbial education revolution if students do not attend class. The government must provide greater support to their principals in keeping students at school. Perhaps then measures like Principal Thompson tried to initiate would not be necessary. It is unnerving that the government's response, through a four-minute radio interview and a 174-word editorial, can get the ball rolling in demolishing a school principal of what is a vibrant school community. It is reassuring that the public sentiment is primarily in support of Principal Thompson.

Yet it begs to be asked: is this ACT Labor's vision of school-based management where principals are given autonomy but are publicly reprimanded for being human rights offenders when trying to enforce discipline in their schools? Less far-fetched, are they to be autonomously accountable for enforcing discipline yet be expected to do this without proper financial, organisational and legal support?

Seen in this context, Principal Thompson did not go out on a limb with what he did. Instead, he was put out on a limb by the minister. As such, this motion calls on the minister to express his support for Principal Thompson of Lanyon high school and all ACT principals and teachers in addressing truancy problems. Again, it is with the hope that this minister for education shows some leadership and maturity on this issue. I commend this motion to the Assembly.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (11.35): I thank Mr Doszpot for bringing forward this motion today. Addressing the issue of truancy and the need for all students to attend school is of course vital in ensuring all students in the ACT obtain the best possible educational outcomes. Truancy affects the educational outcomes of students. Truancy and absenteeism are difficult issues that require to be addressed by significant efforts from students, parents, teachers and the community.

In part (a) of Mr Doszpot's motion he refers to the policy adopted by the Council of Australian Governments in April 2009 and passed in the Legislative Assembly of the ACT in November 2009. This change to the ACT Education Act requires that all young people until the age of 17 years are involved in education, training or employment.

In supporting these changes to the ACT Education Act in November 2009, I indicated that it was clear from the concerns raised by those dealing with young people in this age bracket that the broader implications of this change needed to be considered. In briefings we were given at the time by the ACT Department of Education and Training, the officers indicated that there were significant challenges with those who do not comply with the requirement in the act around learning or earning. A significant number of students—between 100 and 400 students—were missing from school on a daily basis. It was anticipated that this number may increase for those older students remaining in school under the new arrangements.

The COAG “earn or learn” changes to the ACT Education Act took effect at the start of the current school year and at this stage we have not had an update on these figures to see if truancy rates have risen since the change. That is something which the minister may be able to inform us on in due course.

The problem of absenteeism is very complex and there are a range of reasons for this. It is important that schools investigate patterns and causes for non-attendance and that strategies to address specific problems be implemented. Truancy or student absenteeism can be a significant social problem. This was one of the issues the ACT Greens raised in the Assembly earlier this year when opposing longer suspensions for ACT students. While we indicated at the time that it is wrong to expect education to be the fix for everything, the more we work to keep students engaged in the education system the better the opportunity we have of avoiding many of the social problems that arise.

We welcome the attempt in this case by the principal of Lanyon high school to try to address truancy. The approach of seeking to have shopkeepers refuse service to truant students does appear to be in breach of the antidiscrimination act and therefore is not one the ACT Greens can endorse. We recognise that there is a balancing act here and that, like all of us, the Lanyon principal wants students to attend school, but we cannot break the law in doing this.

The human rights commissioner, in a letter to the editor of the *Canberra Times* dated 10 September 2010, pointed out:

The *ACT Discrimination Act 1991* makes it unlawful for a provider of goods and services to refuse service based on a number of attributes, including age, and any retailer considering refusing service should be mindful of these obligations. Additionally, it is unlawful to aid and abet someone else to undertake discriminatory action, and it is also unlawful to advertise an intention to undertake discriminatory action. That is, to put a sign in a shop saying that school students will not be served may be unlawful, and to ask someone to display such a sign may also be unlawful.

ACT Government agencies also have obligations under the *ACT Human Rights Act 2004*, including the right to equality, and special protection to children.

Any proposed action to ban children and young people from a public space also appears inconsistent with the recently released ACT Government *ACT Young People's Plan 2009-2014*. One of the guiding principles of this Plan is that ‘young people’s rights are respected, protected and advanced, and that young people are valued members of the community’. Similarly, a cornerstone of the recently released *ACT Children's Plan 2010-2014* is for Canberra to become a Child Friendly City—a city which is ‘liveable, inclusive and accessible, and where children are provided the opportunities needed to participate fully in family, community and social life’. Encouraging shops to actively identify and refuse service to children and young people, even for such well-meaning intentions, does not appear to be in line with either of these plans.

My office spoke with the Children and Young People Commissioner yesterday about the approach adopted in this case by the principal of Lanyon high school. Like all of

us, the commissioner welcomes and supports the intention of the principal to do whatever he can to keep students in school. The commissioner is concerned, like us, that what the principal is proposing may be potentially unlawful. The commissioner, however, has met with the principal recently and is working with him on trying to address—

Opposition members interjecting—

MS HUNTER: I will just say that again: the commissioner, however, has met with the principal recently and is working with him on trying to address the truancy issue by other methods. This seems to me to be a good way forward. There is no simple solution to the issue of truancy, nor a one-size-fits-all approach to address absenteeism. Partnerships, or at least regular communication between the government, schools, parents and the local communities, as Mr Doszpot suggests in his motion, are vital in seeking not only to address truancy but also absenteeism and the failure of students to engage in their education.

These partnerships are vital because a range of factors will influence students in relation to their decisions around attendance at school. Family factors such as low socioeconomic status, negative attitudes to school, custody battles, marital problems and care of siblings or parents may influence a student's choices. In addition, there are school factors such as conflicting teaching styles, bullying, harassment and poor language skills.

Truancy and absenteeism have both long-term and short-term impacts on students, their families and the community. For students, it may mean early dropout, few marketable skills, little prospect of a job, depression, lack of motivation, anxiety, ongoing behavioural problems, low self-esteem, the potential for crime, drug abuse and violence, and social isolation or homelessness. For families, it may mean a continuation of the cycle of poverty and unemployment, dealing with a difficult or distressed teenager, family discord, additional stress, encounters with the juvenile justice system, and physical or mental illness.

For the community, it may mean contact with the police because of drug abuse or violence. There may be jail time or the use of a range of already stretched services to do with unemployment, illness or homelessness. Students who are frequently absent and eventually drop out of school feel disconnected and may be reluctant to accept help, wandering aimlessly until they reach a crisis that makes their problems public.

The ACT Greens are proposing an amendment to Mr Doszpot's motion which has been circulated in my name. The amendment removes paragraphs (2) and (3) of the motion and inserts an additional paragraph (1)(d), which recognises that the Assembly supports the efforts of the principal and that there are a range of other lawful mechanisms to address the problem.

The amendment also inserts a paragraph (2) that calls on the minister to work with the Department of Education and Training, the principal of Lanyon and the ACT Human Rights Commission to develop appropriate strategies to address the issue. In our view, this is the most productive way forward that allows the effective and robust

consideration of the range of competing interests that hopefully produces the best outcomes. Of course, that will be responses to truancy that we are experiencing across ACT schools. I move the amendment circulated in my name:

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

“(1) (d) that the intention and objectives of the Principal of Lanyon High School are supported, but there are a range of appropriate alternative strategies that can be utilised by the school to address these issues; and

(2) calls on the Minister for Education and Training to continue to work with the Department of Education and Training, Principal of Lanyon High School and the ACT Human Rights Commission to develop appropriate strategies in relation to truancy.”.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (11.44): I thank Mr Doszpot for bringing this motion forward today, and Ms Hunter for her contribution. Indeed, empowering principals with the right tools to fight truancy is fundamental. Supporting all principals to fulfil their legal obligation to ensure the safety of students and their attendance at school is a key part of the government’s approach to school autonomy.

But I must say that I am disappointed that such an important issue is being treated so frivolously by the Liberal opposition. Yesterday in question time, I lamented the paucity of policy development on the opposition benches, and I am afraid to say that today’s motion is further evidence that the Canberra Liberals are bereft of any ideas. This juvenile politicisation of an important issue is further evidence of this.

Let me make it clear that I support all principals, teachers and school communities in addressing truancy problems.

Mr Doszpot: Except when it does not suit you, Mr Barr. And this does not suit you.

Mrs Dunne: Except when it does not suit you.

MR BARR: Under the Education Act, attendance at school is compulsory.

Mr Doszpot: And this does not suit you.

MR ASSISTANT SPEAKER (Mr Hargreaves): Mr Doszpot, you will have an opportunity to return to this in your closing speech. Please do not interject across the chamber. Do not try my patience today. Mrs Dunne, you are included in that warning.

MR BARR: It is also a key part of the national “learn or earn” reforms. And these are reforms which were, disappointingly, mocked in question time yesterday by the shadow education minister. He was out there mocking laws that are doing more to help young people get the skills that they need to get a job and lead a productive life. We see again why it is always opposition for opposition’s sake with the Canberra Liberals, because they are out of touch and out of ideas.

I think it is important to put on the record now that there are consequences—

Mr Doszpot: You are out of ideas, my friend.

Mrs Dunne: For someone who is in touch with people and the development—

MR ASSISTANT SPEAKER: Minister, please resume your seat. Stop the clock. Members of the opposition will come to order. Mrs Dunne, if you wish to engage in the debate, do so in your allotted time. Mr Doszpot, you can make your comments in your closing speech. Any further comment from either of you and I shall warn you. Thank you.

Mr Seselja: A point of order, Mr Assistant Speaker, on your ruling.

MR ASSISTANT SPEAKER: Feel free, Mr Seselja.

Mr Seselja: Thank you, Mr Assistant Speaker. It does seem to be a particularly harsh reading of both the standing orders and the practices of this house. There have not been, to me, any over-the-top interjections. There have been a few mild interjections, which are pretty par for the course. I seek your explanation perhaps as to what has led you to be already looking down the path of warnings, given that it has not been particularly loud and it has not been particularly robust yet.

MR ASSISTANT SPEAKER: Mr Seselja, there are processes for debate. Just because there have been practices in this place which are unacceptable does not mean they can go forward. The Speaker was particularly strong in his comments yesterday, and I shall follow his lead. If you wish to become an Assistant Speaker, there are avenues open to you. If you want to do a better job than I do, you can do one of two things: you can challenge my ruling or you can resign your position to become an Assistant Speaker. It is your choice.

MR BARR: Thank you, Mr Assistant Speaker. As I was saying, there are consequences for non-attendance at school, and I think it is important to spend some time in this debate outlining these. Last year, our “learn or earn” laws created the requirement for all children and young people to participate in education until they attain year 10 or equivalent qualification. The law now requires full-time participation in education, training or employment, or a combination of these activities until young people turn 17 or complete year 12. We have broadened the definition of education and made the options more flexible—options like our achievement centres, connect 10 program, apprenticeship and training opportunities and the CC cares program.

As I said at that time, there would be no excuses. Everyone would participate and everyone would be responsible. And that is why there are a range of powers in place to enable school principals to fight truancy and there are a number of tools that are used, some of which the Canberra Liberals may not be aware of.

First, the ACT government introduced an enhanced attendance monitoring and SMS message servicing system for parents.

Mr Smyth: Yes, but are you backing up the principals?

MR ASSISTANT SPEAKER: Mr Smyth, please!

MR BARR: In 2009, 79,400 messages about student attendance were sent to parents and carers across the ACT. This service is in addition—

Mr Seselja: This is exactly the point, is it not?

Mr Smyth: Yes, it is the point. Are you backing up the principals?

MR ASSISTANT SPEAKER: Mr Smyth, do you want to join the ranks? You can feel free. Mr Barr, please hold the phone. I suggest that all four members of the opposition re-acquaint themselves with the standing orders, particularly those relating to interrupting members while they are speaking.

Mrs Dunne: I wish to take a point of order, Mr Assistant Speaker. There was exchange between Mr Smyth and Mr Seselja that was not an attempt to interrupt anyone. I think you need to be very mindful of what is going on in this place.

MR ASSISTANT SPEAKER: Mrs Dunne, resume your seat. Mr Smyth was directing his remarks to Mr Barr.

Mrs Dunne: Mr Assistant Speaker—

MR ASSISTANT SPEAKER: Sit down, Mrs Dunne, or I shall warn you.

MR BARR: Thank you, Mr Assistant Speaker. As I was indicating, this SMS service is in addition to the usual methods used by schools to notify parents if their child is absent from school.

Secondly, under section 16B of the Education Act, a compliance notice may be given to a child's parents if that child is not attending school or participating in alternative education settings. This notice must clearly contain the actions that a child's parents must take to comply. That is essentially to get their child to attend school or to get their child participating in training or in an alternative education setting.

Failure to take action and comply with the notice is an offence, and it becomes a matter for ACT Policing and the Director of Public Prosecutions. The maximum penalty is not insignificant, 10 penalty units. There have been prosecutions under this act in the past, indeed in the recent past, and there will continue to be prosecutions in the future if these particular matters are not responded to by parents. But I reiterate what I said yesterday: overall, there are not particularly alarming, high levels of truancy in the ACT.

If the Canberra Liberals believe they have found a major new policy problem which the government has not turned its mind to yet, I think they will find they are sadly mistaken. And it is a shame to see how out of touch they are on this issue. Rather than

targeting individual schools, I will work with all schools and all principals to develop appropriate strategies in relation to truancy, tools which all principals can use so that all students have the opportunity to access a quality education.

Since the “earn or learn” laws were part of a national reform, and the youth attainment and transitions national partnership, there are other consequences for not going to school. And as part of these reforms, the Australian government have made changes to Centrelink payments. They have made it very clear at a commonwealth level that there are no excuses. Everyone will learn. Everyone will participate.

A new eligibility rule has been introduced for family tax benefit part A. Young people aged 16 to 20 now need to be in full-time study in an approved course of education or training in order for a family to continue to receive family tax benefit part A for that child. The young person’s study must assist or allow them to complete a year 12 certificate or an equivalent qualification. An equivalent qualification in this instance is considered to be a certificate level II. Furthermore, eligibility to receive youth allowance if a young person is above the mandatory school leaving age is dependent on the young person studying full time in an approved course at an approved institution. This is an example of governments working together to fight truancy.

In conclusion, I welcome this motion, because truancy is an important issue, but I am disappointed at the juvenile politicisation of it by the Canberra Liberals. They single out schools. They seek to mock important national laws. They do their research from the front page of the newspaper. Let me say, I will never scoff at important policy goals such as skills or jobs for young people.

I would like to thank Ms Hunter and her office for such reasonable discussions on this important matter. It is refreshing to work with colleagues on new ideas. There is quite a contrast between the Liberals and the Greens on this matter. The Liberals are out of touch and out of ideas. It is, again, another episode of opposition for opposition’s sake.

MR SESELJA (Molonglo—Leader of the Opposition) (11.54): What we just heard were the words of an education minister who is too gutless to actually back up one of his principals. That is what we got from the education minister today. He has been rolled by Simon Corbell again. He has been rolled again, and he has refused to stand up for this principal. He has effectively hung this principal out to dry in taking action to stop truancy.

That is what we have got from this minister. What a disgraceful effort from an education minister who has so little regard for his responsibilities that he is prepared to say to this principal: “You are on your own. You will not be supported by the education minister. You will not be supported by this government.” They will undermine the efforts of this principal to simply try to do all that this school can in order to get a better outcome for the school community in Lanyon and to work with the community to get that outcome.

That is what we have got. We have got a very clear and stark difference here. The education minister has not done his job. We just heard him tell us about all the

wonderful measures that are in place to stop truancy, and all of these measures work so well that the principal of Lanyon high school has felt the need to go to the local shop owners and say, “Will you work with me?”

What part of that do the Greens and the Labor Party not agree with? What is it that they object to about a principal saying, “We are not actually stopping truancy; we know that a lot of them go and hang out at the shops. I am going to work with the community, I am going to say to these shop owners, ‘You can voluntarily help, you can assist, you can, as a community, work with me to try to make my school work better, to try to keep kids in school, to try to get better outcomes for these children’”? Clearly, the Labor Party and the Greens do object, because what they are voting against today is endorsing the actions of this principal.

Mr Doszpot has put a very simple motion, in many ways. I would have thought it was a very unobjectionable motion. It is a motion which states a couple of things. It talks about the importance of working against truancy, and then it says: “We will back the principal. We will back the principal in this case.”

We have had debates in this place in recent times where we knew that the Greens did not trust principals. We have had the debate before about suspension powers, and seen that the Greens do not believe that principals will act reasonably with suspension powers—what they believe is that principals will just go nuts and start suspending kids willy-nilly.

That is their view of principals. We have taken a view that we thought was a view that was shared by the Labor Party. We thought our view was shared by the Labor Party—the view that we can trust principals. We actually do believe that they are best placed to manage their schools, and, in this case, we have got a principal going over and above the call of duty.

This principal has done something they were not required to do by law. What they have said is: “How can we work with the community?” And what the Assembly will today be saying, through the Labor Party and the Greens party, is: “We do not support your efforts.” The Labor Party and the Greens are voting against endorsing this principal in their efforts to work with the community to stop truancy. So we have to ask why. We have to ask why it is that the Labor Party and the Greens have come to this conclusion.

We can speculate. The Greens’ view is not a surprise, because they have made it clear before what their views are about principal autonomy. Regarding the Labor Party, it is somewhat of a surprise. We can speculate whether or not Andrew was again rolled in cabinet on this and whether he was rolled by Simon Corbell. Did Simon Corbell say, “Come what may, we are going to back the human rights commissioner over the principal on this”?

If so, the education minister had two options: either to fight this or to roll over—and what he has done is to roll over. He has chosen the latter path: he has rolled over. And this principal has been hung out to dry as a result. And there is no doubt that, due to the intervention of the human rights commissioner, whether or not the reading of the

Discrimination Act is correct, that puts these shop owners in an extraordinarily difficult position.

It puts them in an extraordinarily difficult position, because the human rights commissioner is effectively telling them that they will be breaching the law. They will be breaching the law by working with this principal. It is effectively a licence to wag, and it is saying: “We will, as a community, not back the principal, not back the schools, not back the parents and not support them. We will make it as difficult as possible.”

Ms Hunter smirks as I say that, but we have seen a principal who has gone out on a limb, and the government has said, “Sorry; you are on your own.” The Labor Party has said that and the Greens have said that. This Labor-Greens alliance has said that. And I think there is a real concern in the community about that.

Let us go back a few years. When we had the debate about the Human Rights Act, one of the real key arguments—one of the real key concerns—about it was the potential for unintended consequences: the unintended consequences that, when you put in place legislation such as that, mean that what will actually happen is that the rights of ordinary people will be affected adversely and ordinary actions such as we have seen from this principal will be made unlawful. And that is what we have got with the intervention of the human rights commissioner.

I think this is a very open question. I think it is highly questionable that any of those actions that were proposed for shop owners to take would be in breach of the law. I think it is highly questionable. But, because of this intervention, now endorsed by this government—endorsed by this Labor-Greens alliance—it is virtually impossible for these businesses and for this principal to act in this way.

And what we are saying more broadly to the community is: “Do not bother trying, because we are going to find a way to undermine you. We are not going to find a way to support you. We are not going to find a way to make it happen. We are going to find a way to stop it happening.”

The education minister, in his hanging out to dry of this principal, in his abandoning of this principal, is showing that he either has no principles himself, or he has no guts—no guts to stand up to the Attorney-General and no guts to stand up to the human rights commissioner.

I object to that intervention by the commissioner, and I will put it on the record that I object. We as elected representatives should be able to question these things. It appears—in fact, it is crystal clear—today, that there is only one party who is prepared to actually stand with the principal for common sense and for community action in actually dealing with this issue.

The education minister can say, “We have got all these measures.” Well, if the other measures are working so well, why did the principal feel the need to go to the shop owners? If it was really as good as the education minister says it is, why did the principal go to the shop owners? Was the principal just off on a flight of fancy? I doubt it. I very highly doubt it.

I think this is a principal who is acting in good faith and who is acting with the community. Seeing this as a community issue, these shop owners acted in good faith. They said they would do something, and they have now been undermined. They have been undermined by the human rights commissioner, they have been undermined by the Attorney-General, they have been undermined by this government and today they have been undermined by the education minister and by the Greens. We endorse the principal. We will stand with the principal, whether the Labor Party or the Greens do or not. We will back him.

MRS DUNNE (Ginninderra) (12.04): I congratulate Mr Doszpot on bringing forward this important motion today. There is nothing frivolous about truancy in our community, and there is nothing frivolous about members of this Assembly being called to support a principal when he takes a firm stand and tries to work with his community to uphold education standards and reinforce the prospects of young people in his community to get on in the world.

The problem of truancy is one that we need to be constantly vigilant about, and when a principal takes a stand and goes to his community and says, "Can we work together as a community," we should take notice. We know of shopkeepers who complain to us about children who are truant—who come to shops in shopping centres during the day. They would prefer that that did not happen. But what we have seen today and what we have seen in the last couple of weeks as a result of this action is that every one of those shopkeepers—not just the shopkeepers in Lanyon, but the shopkeepers in my electorate as well—who might want to do something about this has been undermined by the people who are supposed to be supporting them.

What we have here today is a discussion about whether we stand by our school principals. School principals are people who, according to the minister, are capable people. We pay them substantial amounts of money. They have incredible responsibility. They run budgets. They run complex staffing structures. They run timetables. They run and look after the welfare of hundreds of children in their care. And, when they are confronted with really difficult problems, they go to their communities.

For years and years, we have been talking about programs that try to integrate our schools more into our communities. We have "schools as community" programs, but that rings pretty hollow for the people of Lanyon. That rings pretty hollow for the principal of Lanyon high school, when both his minister and the convenor of the Greens essentially undermine him here, publicly, today, in the same way as he was undermined publicly in the pages of the *Canberra Times* and on the airwaves by the human rights commissioner.

The intervention of the human rights commissioner, as I have said before, basically challenges common sense. It makes us question the priorities of this government if it is possible for the human rights commissioner to undermine a principal who is working for the benefit of his students in such a way. And I do question the intervention—not just the issues raised but the manner in which they were raised. If the human rights commissioner thought this was an important issue, why did she not raise these issues with the principal and say, "Perhaps we need to talk about this"?

Why did she first go public, in a way that effectively undermined the stance taken by the school principal, when he was seeking to uphold the rights of children by ensuring that they go to school and by ensuring that he does everything he possibly can to see that they get an education? He is looking after the rights of those children much more than the human rights commissioner is when she says that they have a right to buy Kingsley's Chicken when they should be at school.

That is what it boils down to, and, if the human rights commissioner had really thought about this issue, she would not have been out there giving kids free rein. The intervention of the human rights commissioner in this way is essentially telling every child in Canberra who wants to wag school and go down to the shop—any shop or any amusement arcade—that, if anyone challenges them, they are now emboldened to say: “You cannot challenge me. I will take you to the human rights commissioner.”

That is an appalling state of affairs. It defies common sense, and it defies the common man test. You ask any man or woman on any 300 bus going to and from Tuggeranong whether they agree with the human rights commissioner's intervention and I will lay you pennies to pounds, London to a brick, that they are not in favour of the intervention of the human rights commissioner on this occasion. They are collectively scratching their heads, asking themselves, “What is the world coming to when a principal cannot go out and engage with his community on this issue without being undermined by some other bureaucrat?”

If the human rights commissioner had a problem and was seriously concerned with addressing that problem, rather than self-aggrandising, she would have gone to the principal and to the shopkeepers and worked this out in a less public way. What has happened now is that her intervention has told every shopkeeper, “Be very afraid, if you challenge any kid who you think should be at school and is not at school.” The human rights commissioner has given those kids carte blanche to take that matter up with the Human Rights Commission and to drag some hapless newsagent or takeaway proprietor in some shopping centre through the human rights processes, which would be unfortunate, and it would be difficult for them to say, “I think I was acting in the best interest of the child.”

We have a situation here where the minister today has been given the challenge to support the principal in what he did. As Mr Doszpot has rightly said, this is not unusual. Only last week, at about the time that this started to be a live issue here, we saw on the TV, over and over again, the principal of Hermannsburg primary school in the Northern Territory being lauded for the actions that he has taken to address absenteeism in his school. One of the things that he has done is exactly what the Lanyon high school principal has attempted to do. He went to the shopkeepers and said, “If the kids are in your shop, please do not serve them.”

It happens in Western Australia. It happens in New South Wales. All of these places have a discrimination act. All of these places have an act which says that it is not lawful to discriminate against people for a variety of reasons, including age. But I would actually submit—and this is the message that I send to those schoolchildren who think they can get away with this and those shopkeepers who would like to

support the principal—that, if they refuse service, that is equally open to the interpretation that they are not refusing service on the basis of their age but on the basis that they know that these kids should be in school and, if they do serve them, they are aiding and abetting in people transgressing the Education Act. If they refuse, they do so on the basis that they have a higher responsibility as members of their community to ensure that the best interests of the child are served and those interests are not served by them buying milkshakes, buying Kingsley's or buying magazines and chewing gum. It is about going to school when they are supposed to be there—attending school and participating in school programs.

It is a shameful day when the minister for education and the convenor of the Greens, and, presumably, all of the Greens, think that it is all right to undermine a school principal—and on such tenuous grounds. Ms Hunter was very interesting. She gave us, as she does, long, rather learned, bookish sorts of legal sounding approaches in her speech. And she made it perfectly clear, saying that the Greens cannot endorse this action, because we cannot encourage people to break the law. She said that what the principal was asking the shopkeepers to do was unlawful.

But it was interesting that, when she reported on her conversation with the Children and Young People Commissioner, she reported him as saying, "It may be unlawful." So what we actually have here is some flip-flopping from Ms Hunter: "It is definitely unlawful and we could not possibly endorse that," becomes "Well, it may be unlawful." Instead of undermining the principal and the shopkeepers, as they have done today, they should be seeking ways of ensuring that, if a principal asks for this to happen or a shopkeeper agrees for this to happen, they will not be taken through the Human Rights Commission process because they are looking after the people of the ACT.

MR DOSZPOT (Brindabella) (12.15): Mr Speaker, I will speak to the amendment. I think if one thing has been highlighted here this morning—or this afternoon, as the case is now—it is just how out of touch our colleagues on the Labor side and the Greens are regarding this matter of serious importance to the community.

I have been out to Lanyon high a few months ago when this problem first became known. I have been out to the Lanyon shops just last week to have a look at what the community thinks about these issues. You, Mr Barr and Ms Hunter, are totally out of touch with what the community expects us as legislators to do. It is to make laws clearer to our constituency. It is to express what we would like to see in education, not to confound and confuse and obfuscate on all these matters. That is the way that we are heading with these various arguments coming into play.

Our motion, as Mr Seselja pointed out, is a very simple one. We are simply calling on the Assembly to endorse the recent and publicised efforts of the principal of Lanyon high in seeking to address the truancy problems at his school. We also call on the Minister for Education and Training to express his support for the principal of Lanyon high school and all ACT principals and teachers in addressing truancy problems.

As I said, Mr Barr and Ms Hunter are out of touch with this situation. I would just like to draw to the attention of the minister for education, the Attorney-General and the

convenor of the Greens the very strong words of caution from a contributor to the *Canberra Times*—so this is not from us, but from the community. You were saying that you feel the community needs to be represented. Well, this is the community talking to you. The letter in the *Canberra Times* I am referring to was published on 15 September 2010 on page 18 and is from Jo Larkin:

Dr Helen Watchirs, whether Human Rights Commissioner or Children and Young People Commissioner, should be well aware of just how misleading her letter will be.

If we take the commissioner's argument to the extreme, then operators in bottle shops would be violating the rights of a 15 year old should they be refused service.

If she has truly taken the role of Children and Young People Commissioner from Alasdair Roy, then we find ourselves in a very sad situation when she places the laws regarding children in education so low on her list of priorities.

I say the same to the minister and to the convenor of the Greens: it is a shame that you place laws regarding children in education so low on your list of priorities.

I thank the members of this Assembly for the debate that our motion on truancy in ACT schools has generated. I have to say that I am very disappointed in the lack of courage of the minister for education, Mr Barr, and, in this instance, his reluctance to show tangible support for one of his principals who, in contrast to Mr Barr, has been very courageous in his stance to protect the students entrusted to his care.

Ms Hunter: On a point of order, Mr Speaker, Mr Doszpot said that he was standing to speak to my amendment, and he has not addressed my amendment at all. My understanding is that if he is speaking to an amendment he should at least refer to it in his speech.

MR SPEAKER: I think there was some confusion. I get the impression from the content of your speech, Mr Doszpot, that you are actually closing the debate.

MR DOSZPOT: I am happy to close the debate if that is what Ms Hunter wants—

Ms Hunter: You actually stood to talk to the amendment.

MR DOSZPOT: I am also speaking against her amendment—

Ms Hunter: No, a point of order—

MR DOSZPOT: I thought I made it pretty clear from the outset—

MR SPEAKER: Let us not debate the content; I am just trying to sort the process here.

MR DOSZPOT: Okay, sure.

MR SPEAKER: Ms Hunter, did you have a further point?

Ms Hunter: It was that Mr Doszpot said that he was standing to speak to my amendment, and he has not addressed my amendment. I would be pleased for him to address my amendment.

MR SPEAKER: Certainly. Mr Doszpot, you have the floor.

MR DOSZPOT: At the outset of my response, Ms Hunter, I made reference to something about finding your amendment disappointing. If I have not said it, I will say it: I do find it very disappointing and quite incredible that you should move such an amendment that, instead of clarifying the issues that are so contradictory between the interpretations of the Human Rights Act and the ACT Education Act, would add further confusion. That just highlights how statutes can and do need to gauge the spirit of the law. The amendment by you, Ms Hunter, is simply another example of the third-party insurance that your party provides not to the community, as was promised at the last election—

Ms Hunter: On a point of order, Mr Speaker, I am just not getting this.

MR SPEAKER: I am sorry; stop the clock.

Ms Hunter: Thank you, Mr Speaker. My point of order is still around addressing the substance of the amendment.

MR SPEAKER: There is no point of order, Ms Hunter. It is close to being vexatious. Mr Doszpot is speaking directly to your amendment. There is no point of order. Mr Doszpot, you have the floor.

MR DOSZPOT: I will repeat for you, Ms Hunter, if you missed it, that I am obviously not backing your amendment. I am saying it is another example of the contradictory nature of what you have said. You are actually endorsing the government's actions in obfuscation on this policy of this Education Act issue which is causing a lot of issues within our community. What we are trying to do is address that. We are trying to get some clarification. You are, by your amendment, adding another area of confusion to it. I am obviously not supporting your amendment, but I will make that even clearer, if that is what you want.

To come back to what I was saying about the third-party insurance that your party provides—or said that you would provide at the last election—again, you have just proven that you are third-party insurance, but you are providing it to this minister and to this government through actions that we certainly do not condone. Our motion, which is simply calling on the minister to back the principal—in this case, the principal of Lanyon—is exactly what we are after. That is all we are asking, but you find that too hard to contemplate.

To come back to Mr Barr, you have highlighted clearly your lack of direction, leadership and support of and for the ACT principals. By your actions today, you have set a rather dubious benchmark. You agree with the autonomy of principals, Mr Barr, but only when it suits you. You are a fraud, minister. This is the context of today's

discussion. You have made your position very clear about the simple act that we are asking you and the Greens to adopt—that is, to endorse the recently publicised efforts of the principal of Lanyon. We are not seeking anything further than that. We are asking you to address the truancy problems at his school. But you find that too difficult to do, Mr Barr. You say that not only will you protect the rights of Principal Thompson, but you will look at all of the problems. Well, you cannot even bring yourself to protect and endorse what this principal has tried to do.

Ms Hunter, that is exactly what we are asking you to do. We are asking you to endorse the actions of the principal who has stood up for the rights of the students within his care. That is all this motion asks to do. We do not agree with your amendment. We cannot accept your amendment, because it sidesteps the issue totally and simply adds another level of confusion. Mr Speaker, I commend our original motion to this Assembly.

Question put:

That **Ms Hunter's** amendment be agreed to.

The Assembly voted—

Ayes 11

Noes 6

Mr Barr	Ms Hunter	Mr Coe	Mr Hanson
Ms Bresnan	Ms Le Couteur	Mr Doszpot	Mr Seselja
Ms Burch	Ms Porter	Mrs Dunne	Mr Smyth
Mr Corbell	Mr Rattenbury		
Ms Gallagher	Mr Stanhope		
Mr Hargreaves			

Question so resolved in the affirmative.

Motion, as amended, agreed to.

Sitting suspended from 12.27 to 2 pm.

Questions without notice **ACTION bus service—effectiveness**

MR SESELJA: My question is to the Minister for Territory and Municipal Services. I refer to the Auditor-General's report, *Delivery of ACTION bus services*. The Auditor-General found:

Of 500 cancelled services reviewed by Audit, cancellations were due to either a shortage of drivers (83 percent), or of buses (16 percent). There was no evidence of ACTION having developed and implemented strategies to effectively address these issues.

Minister, why has a succession of ministers, including Mr Corbell, Mr Hargreaves and now you, failed to effectively address the issue of ACTION's unreliable service?

MR STANHOPE: I thank the Leader of the Opposition for his interest in public transport. Certainly, the auditor made a number of findings that raised continuing concerns in relation to the operation of the ACTION network. Some of those were in relation to a lack or absence of drivers. I think it is a pity, at one level, that the report was not perhaps more detailed than it was. It is a pity that it did not provide context and it is a pity that it did not provide background. Indeed, in relation to the bland statement included within the question around a lack of drivers, of course they were driver absences as a result almost always, as I understand it, of drivers taking sick leave.

I guess at the heart of Mr Seselja's question is: what steps have successive governments taken in relation to the issue of bus drivers not presenting for work as a result of taking sick leave and not presenting on a particular day, as a result of which, of course, there is significant pressure and stress on the network? ACTION does, as a matter of routine, provide for four additional drivers every day, at the beginning of shifts, to cover anticipated absences as a result of sick leave. In an ideal world, of course, ACTION would like to provide for greater coverage in anticipation of sick leave or non-attendance by drivers on a day.

The two issues that are raised in the Leader of the Opposition's question—a lack of drivers or a lack of buses—are a response not to the fact that there is not a significant workforce or enough drivers or, indeed, an excess of drivers to cover the shifts. It is a question around the level of sick leave that is taken on a particular day. In relation to no buses being available, it is a question around buses that had broken down and a shortage as a result of breakdowns or non-availability. We have been increasing the fleet.

The question is: what have we done? What we have done in the last couple of years in relation to ACTION and in relation to buses is that we have provided the single greatest injection of funding for a replacement fleet. Indeed, \$50 million in a single appropriation provided an additional 100 buses. That was a far greater investment in buses than any other government has ever attempted or implemented—a massive investment; 100 new buses through a \$50 million injection. They are some of the things we have done and the numbers we are increasing and compounding in years going ahead.

What have we done in recent years? We have expended more on public transport, both operationally and in a capital sense, than any other government since self-government. But it is a big bus to turn around, so to say. There are a range of entrenched inefficiencies. We are working incrementally to deal with all the issues in relation to infrastructure, in relation to the numbers of drivers and, importantly, in relation to the industrial landscape.

Mr Seselja asked me, "What have you done?" We are following through with attempts to negotiate a new EBA that deals with some of the really difficult and problematic issues in relation to the management of this business; namely, the industrial arrangements and the industrial landscape. Indeed, the Liberal government attempted to do the same. But it got too hard and they abandoned any attempts to

reform the industrial landscape or any reforming action. We have not abandoned it. We have not given up. We have not actually gone wobbly at the knees.

MR SPEAKER: Mr Seselja, a supplementary question?

MR SESELJA: Thank you, Mr Speaker. Minister, why has the government failed to develop and implement strategies to effectively address the issues of a shortage of drivers and a shortage of buses?

MR STANHOPE: I reject the question. We do not have a shortage of buses. There are on some days issues in relation to available buses as a result of breakdowns. There are on some days issues in relation to enough drivers, where more drivers than might have been anticipated take sick leave on a particular day.

It is a management issue, but I think all members would realise that there is only a certain amount of provision that a business can make to anticipate absences from work as a result of workers being sick. We provide every day for four additional drivers to attend at depots to cover anticipated absences on sick leave. You might ask—and this goes to the question—“We should provide 10 additional drivers?” We should actually call on a shift and pay how many drivers in anticipation of drivers taking sick leave?

Every day we have four drivers over and above the network requirement on the day. On some occasions, far more drivers than we anticipate or have made provision for do not turn up for work as a result of calling in sick. We then seek to backfill by calling in other drivers to fill those particular positions. There is often a delay. It does disrupt the network. That is why I say that it is a pity that the auditor did not provide this context.

Mr Seselja: It is the auditor’s fault?

MR STANHOPE: No, it is not. I said it is a pity the context was not provided—so that you would not have been misled, Mr Seselja, and you would not have asked such banal questions.

Mr Seselja: So the auditor misled us?

MR STANHOPE: No, she did not; you simply misunderstood. Mr Seselja, as a result of your complete lack of interest in public transport and in Territory and Municipal Services, this being the first question you have asked in the portfolio since the last election, you simply do not understand the issues that pertain to ACTION and you do not understand that we are talking about sick leave and buses breaking down. (*Time expired.*)

MR SPEAKER: A supplementary question, Mr Coe?

MR COE: Chief Minister, why has the government failed to act, despite a succession of damning reports on ACTION? How many more damning reports will it take?

MR STANHOPE: This government are applying more energy and more resources and making a greater attempt at reform of ACTION, of this particular business unit, than any other government since self-government bar none. In this year's budget alone, we made provision for \$97 million of funding to upgrade public transport infrastructure. Two years ago we made a provision of \$50 million to purchase 100 new buses. Compare that with any attempt or any interplay by any other government or any other minister since self-government. We actually are currently negotiating with the transport—

Opposition members interjecting—

MR SPEAKER: Order! Stop the clock. I remind members of the opposition that it is not acceptable behaviour in question time to simply drown out the minister by shouting over the top of him.

MR STANHOPE: Thank you, Mr Speaker. We have done more in the context of every aspect of the difficulties and the issues we face in raising ACTION in the minds of the people of Canberra as an efficient and effective and reliable public transport network than any other government. We have done it on a number of fronts. We have done it in the context of investing in infrastructure to a level that no other government has ever attempted. We have done it most particularly in relation to roads and all of the infrastructure for the public transport network, in the context of buses, in the context of extra routes and in the context of a brand-new bus interchange at Belconnen. We have done it in relation to adjusting issues around the push-pull factors of public transport around parking—issues in relation to parking that are too hard for the Liberal Party for which they continue to criticise us. Everybody with any interest in public transport knows that it is fundamental, and we have done it—

Mrs Dunne: On a point of order, Mr Speaker, Mr Coe asked the Chief Minister how many more adverse reports would he need before he would act. He is not answering the question. Standing orders say that he must be directly relevant to the question.

MR SPEAKER: There is no point of order. The Chief Minister has addressed what he believes he has done. There is probably a point of dispute there, but I do not think there is a point of order.

Mrs Dunne: On the point of order, Mr Speaker, the question was about how many more adverse reports. We were not asking for him to be retrospective; we were asking for him to be prospective.

MR SPEAKER: The member's time has now expired. We will take a further supplementary question. Mr Hargreaves?

MR HARGREAVES: Thank you very much, Mr Speaker. In the context of a disability-friendly bus service and in the context of the purchase of new buses, could the Chief Minister please advise the Assembly how the purchase of those 100 new buses is proceeding?

MR STANHOPE: Thank you, Mr Hargreaves. Indeed, I acknowledge Mr Hargreaves's role in the decision taken to purchase those buses. Mr Hargreaves's further question, of course, raises a very important point. A very important point of difference is that the buses have been funded, the orders are in and the buses are being delivered. We are modernising the fleet, we are replacing the fleet and we are ensuring that it has the capacity to ensure that we meet the disability requirements in relation to access that are a very important part of the public transport network.

Mr Hargreaves points out and draws attention to one significant area of massive investment by this government in public transport. But it is not just about the investment infrastructure. It is about the range and the raft of other issues that we are seeking to deal with comprehensively and holistically and in a way that no other government has ever done. It is right and it is fair and it is true to say—

Opposition members interjecting—

MR STANHOPE: I give the Liberal Party some credit for the attempts that it made when in government to deal with the industrial issues that we are currently in negotiations with the TWU around, but when the going got tough and the Liberal Party went to water—

Mr Coe: You sacked John; you sacked Simon.

MR STANHOPE: No, we are talking about the Liberal Party. When you were last in government and you made your attempt at dealing with the very same issues that we are dealing with now, you went to water. You caved in, you bailed out and you left it for some other government at another time and on another day to deal with the issues that you did not have the backbone to confront—all of the industrial issues that pertained—

Opposition members interjecting—

MR STANHOPE: The going got tough and the Liberal Party left the field, as they always do.

Environment—energy policy

MS HUNTER: My question is to the Minister for Energy and is in regard to consultation on the government's energy policy. Minister, consultation on the government's draft energy policy closed in February this year prior to the government announcing its 40 per cent target and prior to the release of two consultant reports commissioned by your department to evaluate how the ACT might achieve emissions reductions. Given the public interest that has been shown in the 40 per cent target, is the government intending to engage in any further consultation on the energy policy prior to its release?

MR CORBELL: I thank Ms Hunter for the question. We have conducted, obviously, consultation on the draft policy and the government is now concluding its policy work

on the final policy, which will subsequently be released. So I do not anticipate further consultation. We have already had consultation on the draft policy.

MR SPEAKER: A supplementary, Ms Hunter?

MS HUNTER: Minister, will information received from the “2030—time to talk” consultation be taken into account in the decisions made on the energy policy and, if so, how?

MR CORBELL: Yes, it will. The Chief Minister’s Department, which is coordinating the “time to talk” exercise, will provide relevant information to my department.

MS BRESNAN: A supplementary?

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Thank you, Mr Speaker. Minister, given that the implications for the energy policy are whole of government, what consultation has been or will be undertaken with other ACT departments and which departments will be included?

MR CORBELL: Mr Speaker, within government arrangements, consultation on energy policy through the cabinet process will be used in that context and we will provide all agencies with the opportunity to comment and to provide input.

MS LE COUTEUR: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Ms Le Couteur.

MS LE COUTEUR: Minister, have you contacted any of the community groups or energy academics which have engaged in the climate change debate in the ACT to seek their opinions on further development of the energy policy in light of the 40 per cent target?

MR CORBELL: Anyone with an interest in the energy policy has had the opportunity to comment, and we have had a broad range of comment, including from those with an academic interest in the issue.

ACTION bus service—management

MR COE: My question is to the Chief Minister and Minister for Territory and Municipal Services. I refer to the Auditor-General’s report on delivery of ACTION bus services. The Auditor-General found:

... there was a lack of approved policies, procedures, and guidelines to support sound management of the safety, reliability, timeliness of bus services, and provision of infrastructure ...

Why was there a lack of approved policies, procedures and guidelines to support

sound management of the safety, reliability, timeliness of bus services and the provision of infrastructure?

MR STANHOPE: I thank Mr Coe for the question. There were a number of findings by the Auditor-General in relation to management issues, issues that go the administration and management of ACTION buses. One of those was in relation to mainly process issues—some of the process issues that Mr Coe has just raised now in relation to processes, practices, the protocols that most certainly should have been in place in relation to issues that are important. Mr Coe has mentioned a couple of those.

Certainly, it is a matter of enormous regret that ACTION management had not put in place the range of written processes, that its forms were not as appropriate, up to date or as current as they should have been. I think ACTION management accepts that some of the issues that have been identified were unacceptable and were issues that should have been dealt with.

But to be fair to ACTION, I think in almost every instance the issues that have been raised were issues that were under notice and that they were proceeding to address. But in the context of their priorities—other operational aspects, issues around the network, the range of work that ACTION management was doing—they were simply issues that had not got to the top of their list of priorities.

It is important, in reflecting on the Auditor-General's report, to note that none of the issues that were raised reflect on the network itself. They are all issues that reflect on management, management's capacity, management's record of achievement and, indeed, management's shortfall. Management has to accept responsibility for that.

But, as I have said before, the great pity in a way is that that has been translated by commentators, by the Liberal Party and by others as a reflection on the capacity of the network to meet the needs of the people of the ACT. That is the shame, the pity of the auditor's report. It has damaged an already damaged network's reputation. It has further damaged it.

It is a pity. It is my great regret. It is a regret that I have expressed. I think my greatest regret in relation to the auditor's report is that it does represent a step back in genuine attempts that this government, ACTION management, the drivers and everybody interested in public transport have been making in recent years to rehabilitate, in the minds of the people of Canberra, the Canberra ACTION bus network as a bus network that they can rely on and that can be trusted.

We see in the media commentary, in letters to the editor and in media comments over the last month an unremitting attack on the network when the Auditor-General's report was really around management and management failings—and not management failings that were of any great significance. Certainly, they were unacceptable but they were not earth shattering.

But the damage that has been done to the network's reputation will now take us some significant time to rehabilitate. But we will. We have stopped. We have paused. We have gathered our strength and we will now have another go. But the continual talking

down of the network does not benefit anybody. It does not benefit the Canberra public. It does not benefit the network. It benefits none of us. This is a network that runs 3,000 services a day. This is a network that runs over 700 services through the parliamentary triangle a day. This is a network that runs a range of services regularly and reliably across the whole of the ACT. It is a network that those that use it give a 95 per cent satisfaction rating.

MR SPEAKER: Chief Minister, your time has expired.

Mr Stanhope: Of those that choose to use it—

MR SPEAKER: Chief Minister!

Mr Stanhope: 95 per cent give us a big tick.

MR SPEAKER: Chief Minister, I need you to stop when the clock stops. I do not want to have to keep asking.

Mr Hanson: Warn him, Mr Speaker; he does it repeatedly.

MR SPEAKER: Mr Hanson, I do not need your commentary either, thank you. Mr Coe, a supplementary question?

MR COE: Thank you, Mr Speaker.

MR SPEAKER: I am sorry, Mr Coe. Was there something else, Mr Hanson?

Mr Hanson: I said “just humble advice”, Mr Speaker.

MR SPEAKER: You can keep it to yourself, thank you. Mr Coe, a supplementary question from you.

MR COE: Thank you, Mr Speaker; it has been worth the wait. Minister, whilst you talk about ACTION management, given that you have had four general managers in the last four years, what responsibility do you take as Chief Minister and minister for the lack of approved policies, procedures and guidelines to support sound management and the safety and reliability and timeliness of the bus services and the provision of infrastructure?

MR STANHOPE: Thank you, Mr Speaker. I accept my responsibility as Chief Minister and minister for the delivery of all services in the ACT, just, I am sure, as members of the Liberal Party accept responsibility for what they failed to achieve in their six years in government. I accept precisely and exactly the same responsibility as they did.

MR SMYTH: A supplementary, Mr Speaker?

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Minister, have you started an inquiry as to whether other areas of your department have appropriate policies, procedures and guidelines in place? If so, what have you found so far? If not, why not?

MR STANHOPE: Yes, indeed, I have had a very open and frank conversation with the chief executive of the Department of Territory and Municipal Services in relation to my expectations, and indeed—

Mr Hanson: Aren't your conversations normally open and frank? Is that unusual, Jon?

MR STANHOPE: No, it is not. I have frank conversations with chief executives. But I have had a very good conversation with Mr Byles in relation to this particular issue. Indeed, one of the issues that I raised and discussed with Mr Byles was certainly a concern and a regret on my part as the minister that some of the issues that have been identified—very routine issues, and I guess that is the point: the majority of the issues are basic, routine issues that should have been dealt with as a matter of course.

It does raise a concern for me, a concern that I have expressed to the department and Mr Byles, about their internal quality assurance or assessment practice and methodologies. Mr Byles has undertaken to respond to me broadly around the steps that that particular department needs to take to ensure a far greater proactive capacity to be aware of and to respond to issues around quality and quality assurance within the department.

So yes, Mr Smyth, I have asked, and the department is responding to a request to ensure that department wide there is a far greater capacity within the department to stay abreast of and in touch with issues around quality and quality assurance.

MR SMYTH: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: As Chief Minister, what actions have you taken to ensure that all ACT government agencies have appropriate policies, procedures and guidelines in place to manage their activities?

MR STANHOPE: We have a range of steps in place in relation to all of these particular issues. All of our reporting is aimed very much at ensuring that we are as transparent as best practice would dictate. If I were to go through the accountability and transparency mechanisms that are in place, I would start, of course with the provision of an annual report for investigation and review by members of this place, to ensure that our quality assurance systems are as they should be. I would work from that fundamental position of the delivery of a major report each year, through the annual report and all the subsidiary reports that every department and agency produces throughout the year, as well, of course, as the scrutiny available to members through this place.

It is a list of steps that I have taken and insisted upon that is longer than my arm. So you know the list of accountability mechanisms that are in place. There is no shortage of opportunities for minute assessment of all of the steps that we as a government take to ensure accountability and transparency at a minute level in relation to the provision of services to the territory.

ACTION bus service—breaches

MR SMYTH: My question is to the Chief Minister and Minister for Territory and Municipal Services. I refer to the Auditor-General's report on the delivery of ACTION bus services, where, in chapter 2, pages 15, 16, 17, 18 and 19, she provides context on her audit finding:

TAMS has not fully complied with aspects of the Road Transport (Passengers Services) Act, Regulations and Minimum Standards, Disability Discrimination Act, Regulations and Standards and the ACT Human Rights Act;

Chief Minister, why has your department breached this legislation?

Mr Seselja: Is that minor, breaching legislation?

MR STANHOPE: The breaches, as I understand it, were indeed minor. Once again, the context of any issue or discussion in relation to compliance with Disability Discrimination Act requirements has to be taken in the context of the staged implementation or meeting of those obligations. As you very well know, we have given a commitment that we will by 2012—in other words, in two years time—be 55 per cent compliant. We have never at any stage—nor did you in government—pretended that at this stage on this day in 2010 we are compliant, because we are retrofitting. Part of the massive investment in buses, of course, is to ensure that the fleet converts to disability-able or accessible buses. When you were in government, you did not buy any disability-capable buses, and we are retrofitting the fleets.

Mr Hanson: On a point of order, Mr Speaker, on relevance, the question was not about retrofitting buses; it was specifically about breaching legislation.

MR SPEAKER: There is no point of order. The question was about compliance with the law, and I believe the Chief Minister, in speaking about retrofitting, is speaking about the government's attempts to comply with the law.

MR STANHOPE: And the commitment that we have made. This once again goes to the context of the Auditor-General's report. The commitment that we have made as a government, along with every other government in Australia—we have all as governments nationally made the same commitment—is that we will by 2012 ensure that 55 per cent of our infrastructure is accessible; in other words, that it complies with the Disability Discrimination Act.

At this stage it does not, we know it does not, we have never said it does, and it will not. Indeed, by 2012, we will only be 55 per cent compliant. So you can say, "You're

not complying with the legislation,” but we know that. We have agreed to that, and we have been very public about it. It is just a pity that the Auditor-General in her report did not say, “And we understand, of course, that the ACT government, along with every other government in Australia, has committed that by 2012 it will seek to ensure that 55 per cent of its infrastructure is compliant.”

Mr Smyth: She does say that, at paragraph 2.9, page 17. She does say that.

MR STANHOPE: Then you misled in your question, Mr Smyth. That is the point. So, yes, we accept it; we cop it. At this stage we are not fully compliant.

Mrs Dunne: On a point of order, Mr Speaker, the Chief Minister just told Mr Smyth that he misled the Assembly, and I would ask you to ask him to withdraw.

MR STANHOPE: I withdraw the “mislead”, but the question, then, of course, was only partially complete and had the capacity to be misleading in terms of the issue. I do withdraw.

Mrs Dunne: On the point of order, Mr Speaker, when you ask a member to withdraw, it is supposed to be an unqualified withdrawal. That was not an unqualified withdrawal.

MR STANHOPE: I just did that.

MR SPEAKER: Chief Minister, I think unqualified withdrawals—

MR STANHOPE: My initial withdrawal was not unqualified, but my second withdrawal was, Mr Speaker, as you know. But I will do it again, for the third time: I withdraw, Mr Speaker.

MR SPEAKER: Mr Smyth, a supplementary question?

MR SMYTH: Thank you, Mr Speaker. Chief Minister, what responsibility do you take, as minister, for your department’s failure by breaching this legislation?

MR STANHOPE: I accept full responsibility, as Chief Minister, as Minister for Territory and Municipal Services and as a minister generally, for the actions, the successes and the failings of my departments and those that report to me. Indeed, I accept, I would hope, the same level of responsibility that members of the Liberal government accepted when they were responsible for the administration of ACTION buses and indeed for the delivery of government services within the ACT.

I am happy to stand and accept my responsibilities. Many of those responsibilities are, of course, devolved through my chief executive, and through my chief executive to the General Manager of ACTION and to ACTION management. Through processes such as this place and the Auditor-General’s Office there are admirable opportunities to ensure that the administration of government is being delivered as effectively and as efficiently as possible. From time to time issues that might have been done better are identified. There are, of course, a number of those in relation to this particular

matter, as there are, indeed, in every report of the Auditor-General. I do not think I can refer to a single Auditor-General's report at any time in the last 21 years that has not actually suggested that there were aspects of government administration that might not have been better, including, of course, during the six years of Liberal governments.

MR HARGREAVES: A supplementary, Mr Speaker?

MR SPEAKER: Yes, Mr Hargreaves.

MR HARGREAVES: In the context of Mr Smyth's questioning around external influences, legislative and otherwise, could the Chief Minister please tell the Assembly how many buses, perhaps, were fitted with compressed natural gas and other environmentally friendly fuels in 2001 and how many there are in the bus fleet we have now?

MR STANHOPE: I do not have a number but it is a point well made by Mr Hargreaves as we reflect today on the great advances we have made in relation to public transport. It is worth reflecting on the sustainability and the dealing with issues where climate change was not exactly first and foremost in the minds or the eyes of the Liberal Party. I do note Mr Smyth, as the sole survivor in this place of that era and, indeed, a past minister for territory and municipal services, is very sensitive to this fact. I heard him, I think, again today: "Sign up to Kyoto; sign up to this fantastic climate change-carbon reduction policy."

In their last year in government in this place, as I have referred to before, their financial budgetary commission to meeting the greenhouse gas reduction target which they set was \$220,000, from memory, or \$240,000. The Liberal Party legislated a greenhouse gas reduction target and, in their last year in government, committed an absolutely massive total of somewhere in the order of a quarter of a million dollars in order to achieve that greenhouse gas reduction target. This, of course, is the great fiction.

To go back to the question—the better thing is to go back to the question—I do not believe that, under the Liberal Party, there was a single bus in the fleet that actually had any regard to any capacity to reduce greenhouse gas emissions, despite, of course, their much-lauded greenhouse gas reduction target which they made and then refused to fund, to the extent that a quarter of a million dollars was their massive commitment to a massive reduction in greenhouse gas emissions.

MR COE: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Coe.

MR COE: Minister, is it true that the CNG buses have turned out to be a financial lemon and that you have overturned Mr Hargreaves's decision to procure those buses and to go back to diesel ones?

MR STANHOPE: They certainly are not a financial lemon, nor are they a lemon in relation to this government's commitment to dealing genuinely with greenhouse gas

reductions and targets. It is a question that actually disputes the need for different technologies and different fuels that actually plays—

Members interjecting—

MR SPEAKER: Order, members! Let us hear from the Chief Minister. I am sure you will be interested in what he has got to say.

MR STANHOPE: And it reflects precisely, of course, the prevailing view within the Liberal Party—most particularly nationally, but we know embraced by the Liberal Party in this place—as the major climate change sceptics, almost of the world. We have seen the fascinating example of the Liberal Party’s federal leader actually denying the existence or reality of climate change.

Members interjecting—

MR SPEAKER: Order, Mr Smyth, Mr Hanson!

MR STANHOPE: A position, of course, embraced by his acolyte Alistair Coe.

Mr Seselja: A point of order, Mr Speaker, on relevance. The question was about the financial lemon of certain buses. The Chief Minister acknowledged that; he is now talking about the federal Liberal Party leader on climate change. I think he is way off the topic.

MR SPEAKER: Chief Minister, focus on the financial performance of the buses, thank you.

MR STANHOPE: I answered the question.

ACTION bus service—disability access

MRS DUNNE: My question is to the Minister for Territories and Municipal Services and Chief Minister. I refer to the Auditor-General’s report on the delivery of ACTION bus services. The Auditor-General found in that report:

Much of the bus infrastructure did not meet standards prescribed under the Commonwealth *Disability Discrimination Act 1992* and the ACT *Discrimination Act 1991*.

Minister, how much of ACTION’s bus infrastructure does not currently meet the prescribed standards under the commonwealth’s Disability Discrimination Act and the ACT Discrimination Act?

MR STANHOPE: It was a very refreshing finding by the Auditor-General, of course, to remind us that we have not yet reached our target of 55 per cent compliance by 2012. But we will reach our nationally agreed target of 55 per cent compliance by 2012. To go to some of the issues that ACTION faces, of course, that is a target that we have been pursuing since we have been in government, and it has required us to

replace the entire fleet over time, because the Liberal Party had absolutely no regard for ensuring that there be full accessibility. We have committed to a target of 55 per cent by 2012, and we will meet it.

Mrs Dunne: On a point of order, Mr Speaker, I did not ask the Chief Minister what the target was; I asked him how much of the fleet currently does not comply. If he does not know, he is free to say so and come back and take it on notice.

MR SPEAKER: Yes, Chief Minister, Mrs Dunne has asked a very specific question. If you can focus on the answer to that.

MR STANHOPE: I have finished the answer, thank you.

MR SPEAKER: Mrs Dunne, a supplementary question?

MRS DUNNE: Minister, how much will it cost to ensure that all bus infrastructure complies with relevant disability legislation by the prescribed deadlines?

MR STANHOPE: I do not have that figure, but of course it would be, in the context of just the bus fleet alone—just in terms of buses—

Mr Hargreaves: Millions.

MR STANHOPE: Well, no. I just said I do not have it. But for the information of the member, to give her a rough ballpark figure, it would be some hundreds of millions of dollars.

MS BRESNAN: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Minister, given that all buses are not wheelchair accessible currently, what are you actually doing to ensure wheelchair-accessible buses turn up when they are meant to, which currently does not always occur?

MR STANHOPE: It certainly is a real issue in terms of an expansive network that covers the whole of the ACT with 3,000 services a day. Of course, ACTION tries to ensure, to the greatest extent possible, that a wheelchair-accessible bus—in a fleet where at this stage well less than 50 per cent of our buses are wheelchair accessible—is available on every route on every occasion at those stops where we have indicated that we will provide one.

At this stage—and I would be more than happy to take advice on the percentage or proportion of failures to show Ms Bresnan—my advice is that it is very small. I would have thought that on such a wide-ranging network, geographically spread, providing 3,000 services a day—where we are working progressively towards just half of the fleet being wheelchair accessible—members would accept and understand the difficulty of guaranteeing or ensuring in every single instance on every single pre-agreed route for a wheelchair-accessible bus that we can deliver it.

There will be bus breakdowns and there will be other issues in relation to the route that will, from time to time, regrettably, result in a wheelchair-accessible bus not being available. We would regret that, but I would have thought that you would accept that from time to time it would be virtually unavoidable until we grow—we are continuing to grow—the number of wheelchair-accessible buses that we have committed to. Very much part of the current 100 bus purchase that we have engaged in was to ensure that we meet the target that we have agreed to nationally, along with every jurisdiction, of 55 per cent of buses being wheelchair accessible by 2012.

MR COE: A supplementary, Mr Speaker?

MR SPEAKER: Yes, Mr Coe.

MR COE: Thank you, Mr Speaker. Chief Minister, have you made inquiries as to whether other TAMS infrastructure complies with relevant disability legislation? If so, what was the outcome? If not, why?

MR STANHOPE: Since the Auditor-General's report was delivered, I have had probably a dozen meetings with the chief executive and the members of ACTION. In those discussions, I would have—

Mr Hanson: Why weren't you more proactive? Why did you wait for the Auditor-General?

MR STANHOPE: I would have had an equal number prior to that, but since the report has been issued, Mr Hanson—I meet regularly, often on a daily basis, with the chief executive and members of staff.

Opposition members interjecting—

MR STANHOPE: You would be surprised. But since the Auditor-General's report I would have had a dozen conversations with the chief executive. I would have had a similar number of meetings with managers of ACTION around the full range of issues and appropriate response and my expectations in relation to all of the issues that have been revealed within that particular report. Those discussions, as I say, have ranged over the full range of issues—how we respond, how we deal, the sorts of funding and resources that we need to continue to be able to identify.

Indeed, I had the latest of those meetings just today, when I discussed again the infrastructure needs of ACTION and had a conversation around some of the likely costs of that. Of course, in the environment we are in, and this goes to the heart of any report—in an ideal world, we would like to be able to fund a whole range of things which other pressing priorities render very difficult for us. So yes, I have had those conversations; I have had those discussions. At this stage I think the fairest thing to say is that I await a draft response to the Auditor-General's report, which I look forward to providing to the Assembly.

Visitor

MR SPEAKER: Members, I would like to draw your attention to the fact that we have been joined by Mr Quinlan, a former member of this place. I welcome him back to the chamber.

Questions without notice Environment—tree felling

MS LE COUTEUR: My question is to the Minister for Territory and Municipal Services and concerns the destruction of a tree on the provisional tree register. Minister, are you aware that on 29 August a massive English oak, 20 metres high and 20 metres wide, which had been listed on the provisional tree register for the past year, was cut down on the site of the old environment centre to make way for the new ANU Exchange development? Are you able to explain why the Conservator of Flora and Fauna moved the tree from the provisional tree register instead of transferring it to the permanent tree register?

MR STANHOPE: Thank you, Ms Le Couteur. I am aware that the tree was removed. I am aware, indeed, of what a significant tree it was. I am also aware, Ms Le Couteur, that an application had been made to the conservator in relation to the removal and, indeed, the appropriate treatment of that tree. And I am aware that the conservator decided, I think in broad terms for planning reasons, that he would not list the tree.

I think it is fair to say, Ms Le Couteur, that the Conservator of Flora and Fauna, in exercising his statutory responsibilities, made a judgement about whether or not the tree should be retained or whether it was appropriate for the ANU to remove it, in the context of its decision to seek to construct an additional 500 places of student accommodation on that site. He decided that it was reasonable and appropriate for him, having regard to all of his statutory obligations and the importance and significance of the tree, to give approval to the Australian National University to remove the tree to enable the construction of 500 units of student accommodation on the site.

I do believe that the conservator took into account detailed advice on the cost of moving the tree and, if the tree were moved, the likelihood of it remaining alive. I believe that the conservator also took into account the cost to the proponents, the ANU and the ANU's partners, in seeking to redesign the student accommodation and build around the tree. I would want these figures corrected and would not wish to be held to them, but I understand that the conservator was advised that it would cost somewhere in the order of half a million dollars to move the tree and that there was no guarantee that the tree would survive being moved.

I understand that the conservator was advised by the proponents that it would cost them \$6 million to redesign the building and seek to build around it—and not only that it would cost \$6 million but that it would delay the project to a point where they could not meet the commitments that they had made to the ANU in relation to the NRAS funding which was fundamental to the construction of the building. That is my

understanding, but I would be happy to confirm some of those conclusions in relation to dollar amounts that I understand were fundamental to the conservator's thinking in the decision that he took as a statutory officer in relation to the removal.

MR SPEAKER: A supplementary, Ms Le Couteur?

MS LE COUTEUR: You mentioned that the conservator was starting to negotiate about the tree. When did the conservator start, given that the timing was clearly an issue, from what you have said? Was this at the end of the process, at the beginning of the process? Was it negotiation or was it a statement by ANU?

MR STANHOPE: I should say that the conservator falls within the portfolio of the minister for the environment in relation to the conduct of his duties in relation to trees. I do not have that information available to me. I am more than happy to find it. I do not whether the minister does. I am more than happy to take that question on notice.

I have to say that the conservator is an independent statutory officer for the purpose of the decision that he took in relation to this tree, and I would not imagine that he negotiated. Certainly I understand he took advice, as he would, and he took advice, I am advised, on issues such as the potential for the tree to be moved and the cost and implications of that. I understand he took advice on the cost to the proponent of the tree not being removed.

I have to say, as much as I regret the fact that that tree has been removed—it was a magnificent tree—I believe, on balance, in these difficult issues, as always, the reasons that I imagine the conservator took into account were valid and reasonable in the context of the social benefit to be gained from the construction under the NRAS scheme of an additional 500-plus units of student accommodation.

MS HUNTER: A supplementary?

MR SPEAKER: Yes, Ms Hunter.

MS HUNTER: Minister, what is the government's policy on removing trees from the provisional and permanent tree registers, and how can the public be assured that the tree register is a meaningful statutory protection?

MR STANHOPE: Thank you, Ms Hunter. What the government has done in relation to the sorts of assurances you seek is to ensure that the Conservator of Flora and Fauna acts independently of government, so that the sorts of decisions that you have just included in your question are decisions for the conservator alone. I think I should say that at no stage in relation to the decision around the removal of the oak tree did the government give advice to the conservator on the decision that it believed that he should make or take. What the government has done to seek to give the sorts of assurance and comfort that are at the heart of your question is to ensure that decisions in relation to the removal of trees from or addition of trees to the tree register are made independently of government, by a senior statutory officer exercising independent statutory responsibilities.

MR SPEAKER: A supplementary question, Ms Bresnan?

MS BRESNAN: Minister, how does what seems to be a dismissal of the worth of a tree register reflect the government's commitment to preserving our significant urban trees?

Mr Coe: Phoning a friend there, Jon? Ask the audience.

MR STANHOPE: I thank Ms Bresnan. I must say that there is a degree of judgement within the question around the basis on which the conservator took his decision in this particular case, I assume. I just simply reiterate, Ms Bresnan—unless I misheard the question or misunderstood it—that the Conservator of Flora and Fauna exercised an independent statutory duty and responsibility in making the decision that he made in this case, based on criteria that I imagine are included within the legislation.

To say that the government has not taken this issue seriously or that people cannot take it seriously—we have invested in an independent statutory office, the Conservator of Flora and Fauna, the responsibility for these decisions, decisions that are made within a statutory framework consistent with the law. To the extent that I suggest there is an element of judgement, I hope and trust you are not suggesting that the conservator did not exercise his statutory responsibilities fully, appropriately and competently.

MR SPEAKER: Before I give you the call, Ms Porter, I would just like to make an observation. Mr Coe, your most recent intervention at the start of the Chief Minister's response then reminded me that the constant interjecting by you and your colleagues and so many of the comments are not about holding the government to account. They are simply about personal derision.

I consider that to be unacceptable behaviour. I consider it to be disorderly under standing order 202. I have spoken clearly about this. I am at the end of my tether on this. I am making it very clear that I will clamp down on this conduct. It is one thing to make a comment about a policy matter. The simple schoolboy tactics of making derogatory comments across the chamber are not on. I cannot be any clearer about this.

Environment—Cotter Dam

MS PORTER: My question is to the Minister for the Environment, Climate Change and Water. Can the minister provide an update to the Assembly on the major water security project for the ACT to expand the Cotter Dam?

MR CORBELL: I thank Ms Porter for her question, because we are seeing significant work now underway to invest in a very important water security project for the Canberra community. There is a range of works underway, including the Murrumbidgee-to-Googong project, the Tantangara transfer project and, of course, the upgrade of the Cotter Dam.

This expansion is on a scale that we have not seen since the construction of the new Parliament House in the 1980s. I have had the pleasure, and I know many members

here have had the pleasure, of visiting the dam construction site. I am sure that all members have been impressed by the scale and size of the project and how all the different aspects of the project are fitting together to provide our community with a piece of infrastructure that is, of course, of national significance.

Work is progressing well on the project. Once again, of course, Mr Speaker, the Liberal Party are not particularly interested in a project that is securing water supplies for the Canberra community. Of course, when it comes to the Liberal Party they are all about the glass being half empty. That is their view of the world.

About 25 per cent of the work at the Cotter Dam is already complete. Work is progressing well on both the abutment excavation, which has now been excavated below the crest level abutments, and construction of the important saddle dams is also coming along well, with the clay core and filter material being placed in saddle dam No 2 and foundation preparation well underway for saddle dam No 1. Work on constructing these saddle dams is continuing. Three tower cranes will be erected later this month. These cranes will assist with the construction of the intake tower and with moving the formwork for the dam itself.

Of course, another very important and unique aspect of this project is that the rock for the dam will come from the site itself from an on-site crushing plant that has been established. The plant has crushed almost 300,000 tonnes of rock to date for use in the dam wall itself. Twin concrete batching plants will combine the rock with other components to make the concrete mix for the dam. Set-up of the batch plant is well underway and it is due to be commissioned this month.

Of course, this project is important because it helps provide a much higher level of water security for the ACT community. When completed, we will move from four gigalitres of storage capacity to 78 gigalitres. That is a significant expansion of our overall water supply catchment.

I know that many Canberrans will be interested to see this project underway. I am very pleased that ACTEW has now commissioned and the Chief Minister has opened the new Cotter Dam discovery trail so that individual Canberrans, families and school kids can go out and have a look at this project, understand the scale of what is being undertaken there and understand why it is important for securing water security for the ACT. I trust many Canberrans will take advantage of that opportunity.

MS PORTER: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Ms Porter.

MS PORTER: Minister, in relation to water security, can you advise the Assembly on the state of the territory's water catchments following recent rainfall, and how does this compare to previous years?

MR CORBELL: Combined dam levels are now at 78.9 per cent. Of those, Corin is at 99.2 per cent, Bendora is at 99.5 per cent, the Cotter is at 100 per cent and Googong, our worst performing water catchment, is at 64.4 per cent. The last time we saw levels

of this kind was in early 2002. With further rainfall predicted over coming months and an already wet catchment primed to receive inflows, we could continue to see good increases. There is a good chance that we will see levels around 80 per cent some time towards the end of this year.

Rainfall for September at the Canberra airport has been 65.4 millimetres; the historic average is 52. This year we have received 548 millimetres at the Canberra airport, which is above the expected average to the end of September of 436 millimetres. So we are certainly seeing a wet spring, and, indeed, we had a wet winter. That is a positive thing for our water catchments.

Over the last 15 years, our average inflow levels have decreased by 50 per cent, and in the four years since 2006, the average reduction has been more than 70 per cent. So this is definitely a recovery year for our storages following the last four years, which were severely dry.

The Cotter remains our most productive catchment. The three dams within that catchment, including, of course, the Cotter Dam, which is being enlarged, will take advantage of this level of rain productivity. We expect, with the increase in the Cotter catchment through the expansion of the Cotter Dam, to better capture that very reliable source of water. Water restrictions were eased from stage 2 to stage 1 in September.

MRS DUNNE: A supplementary question, Mr Speaker.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: In relation to the expanded Cotter Dam, minister, the ICRC has reviewed the costings, which came out while we were in the break, and has questioned the prudence of the expanded Cotter Dam at \$363 million. What is your response to the ICRC's finding, with particular reference to the CIE analysis of the net economic benefit?

MR CORBELL: The government's response is that we believe there is no room to take risks when it comes to water security for Canberra and the region. That is our response: there is no room for any risk when it comes to ensuring water security for Canberra and the region. Therefore, whilst some of the assumptions believe that there should be a higher level of risk and believe that that should be built into the economic analysis—that is, take the chance that we will see drier periods and we will have to see our water catchments decline to lower levels—that is not a risk that the government is prepared to take. We take a zero risk approach on this issue. Water security is too important an issue to view it in any other way.

MRS DUNNE: Mr Speaker, a supplementary question.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, will the Chief Minister's proposed artwork for the dam wall come within the \$363 million budget or will that be an overrun?

MR CORBELL: The Chief Minister, as always, is keen to identify opportunities for the placement of public art in our community, and he is to be commended for that. The decision about that will be one for ACTEW and the Bulk Water Alliance. This is a project that they are responsible for the financing of. I am sure they will have regard to the Chief Minister's suggestion, but whether or not it proceeds will be a matter for the ACTEW board and the Bulk Water Alliance.

ACTION bus service—online trip planner

MS BRESNAN: My question is to the minister for transport and is with regard to the government's development of an online trip planner for the ACTION network. Minister, given that journey planners have existed for some time for the public transport systems of Melbourne, Sydney, Adelaide, Perth and Brisbane, which have more complicated systems than Canberra, as well as for smaller jurisdictions such as Newcastle, what has prevented the government from implementing this basic user service until now?

MR STANHOPE: I thank Ms Bresnan for the question. I think, Ms Bresnan, all I can say in response to that is that in an ideal world, of course, we would do everything at once, without regard to either the financial or people resources necessarily required to achieve or implement everything that we would like to do. The ACTION network is a business. It is a fairly large business. It is a business with an operating cost to capital of in excess of \$100 million—\$80 million of which is provided straight from the budget. We could say, "It would not take much; it is fairly simple," but you could say that about everything. You could say it about implementing a new ticketing system, something that we have been grappling with for a number of years now and something that comes at a very significant cost—\$8 million. You could say it about the installation of real time information across the network: "Other networks have it; why haven't you got it?"

It is a reflection, Ms Bresnan, of the size of our budget and of our capacity in terms of the size of our workforce. Really there is a whole range of things about which you could say, "That's fairly simple, just do that. That is fairly simple and not very expensive, just do that." This is a question and a debate, of course, that the budget cabinet involves itself in every year. We get, I would say, from our departments every year, in a context where we might be able to find \$40 million or \$50 million of additional operational expenditure, bids from departments worth a billion dollars. And we reduce them from a billion dollars down to \$50 million.

In that particular context, let me assure you, Ms Bresnan, that there are myriad projects that cost, say, just \$300,000 or \$400,000 or \$500,000 and that do not see the light of day. They do not see the light of day from year to year. Really, in a fairly confined budget context, I can assure you it is not a case of "that is only \$200,000". It is a bit like the Nightrider service: "it's only \$250,000 or \$300,000". I now have ACTION going through the entire sustainable transport plan and last year's \$97 million to identify which part of the announced public transport infrastructure we will not proceed with. And I look forward to your support in that process. That is the nature of budgeting and decision making around budgets.

MR SPEAKER: Ms Bresnan, a supplementary question?

MS BRESNAN: Thank you, Mr Speaker. Minister, what is the time frame for completing the online journey planner and making it available to the public?

MR STANHOPE: I regret that I do not have that answer. I am more than happy to take that on notice and provide the information as soon as I can.

MR COE: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Coe.

MR COE: On the route plan, Mr Stanhope, isn't it true that we actually did have one on the ACTION website until about three or four years ago and it was taken down? If so, should the development costs not be very much at all?

Mr Hargreaves: Not to my knowledge.

MR STANHOPE: I must say that is beyond my knowledge, Mr Coe—and that is what the previous minister says. I am happy to take the question on notice.

MS HUNTER: A supplementary question.

MR SPEAKER: Yes, Ms Hunter.

MS HUNTER: Minister, what consideration has been given to providing other sources of online information regarding bus routes, such as integration with Google maps?

MR STANHOPE: I will find out what consideration has been given to that, Mr Speaker, and will be happy to respond to the member.

ACTION bus service—breaches

MR HANSON: My question is to the minister for Territory and Municipal Services. I refer to the Auditor-General's report, *Delivery of ACTION bus services*. The Auditor-General found:

The Road Transport (Public Passenger Services) Act 2001 requires ACTION to report all bus accidents to the Road Transport Authority. Although ACTION's records showed 219 bus accidents during 2009-10, Audit found no evidence of ACTION reporting them to the Road Transport Authority.

Minister, why did ACTION breach the law by not reporting these accidents to the Road Transport Authority?

MR STANHOPE: It was a comprehensive failure in relation to that listed requirement and I am awaiting, of course, a full report and an explanation which I am

more than happy to provide to the Assembly—indeed, I intend to provide it to the Assembly, I believe, in November—on all of the findings and recommendations of the Auditor-General. Of course, part of that will go to that particular issue.

I do not walk away from the fact that—and I have said this publicly in relation to this particular report—it is simply not acceptable that ACT government agencies do not meet, comply with or fulfil their statutory obligations. At one level, it is the sort of failing or oversight by government agencies that is not and cannot be excused and, more often than not, cannot be explained otherwise than by saying that the relevant officer, for whatever reason, was not aware of the officer's obligation and, through that lack of awareness, did not meet or fulfil it.

I do not stand here and pretend to seek to defend any breach or alleged breach of a legislative requirement. As I say, compliance in respect of the law is fundamental, and the ACT government expects all of its agencies to comply at all times with the law.

MR HANSON: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hanson.

MR HANSON: Minister, has ACTION now reported all bus accidents that it has been involved in since 2001 to the Road Transport Authority and, if not, why not?

MR STANHOPE: I have not checked on which steps have been taken in relation to some of those breaches, other than to say that I have indicated to the department my expectation that they will provide a comprehensive response to every single one of the recommendations in the report within the three-month time frame that is demanded of them, and they will. In the context of that, Mr Hanson, you will have an answer to that question.

I think it is fair to say that a report has been delivered, the report is critical and it highlights a number of failings in process. The department and ACTION management have taken a flogging as a result of the report, as has the network. They are chastened, regretful—

Mr Hanson: Are you chastened and regretful?

MR STANHOPE: I am chastened and regretful on behalf of my department, certainly. I share their angst. Indeed, I share the regret that this particular report has been treated and reported in the way that it has. As a consequence of this particular report, the ACTION network has suffered a very significant blow to its reputation that I believe could have been avoided and should have been avoided. As I say, as a minister that has invested enormous energy in seeking to reform ACTION, many of our efforts over the last couple of years have been significantly damaged and put back and retarded by this particular report.

I would have hoped, even accepting the very valid and legitimate role that the auditor plays, that we might have been able to achieve—I think it is something for us to

reflect on that we might have been able to achieve reasonable accountability and transparency requirements without actually damaging the network in the way that it has been damaged through this report.

MR COE: Mr Speaker, a supplementary question.

MR SPEAKER: Yes, Mr Coe.

MR COE: Chief Minister, in spite of a couple of years passing since the Ernst & Young report suggested better internal communications within the department, why didn't the Road Transport Authority follow up with ACTION to find out why it was not receiving regular reports?

MR STANHOPE: I cannot answer that question. It is a moot point and I am more than happy to take it on notice.

MR COE: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Coe.

MR COE: Minister, how many bus accidents have not been reported to the Road Transport Authority since 2001?

MR STANHOPE: I must say, in the context of this particular recommendation, that it is a recent requirement. As I am sure members would understand, I will have to take the question on notice. I just do not happen to have that particular number in my head.

2000 Olympic Games—volunteers

MR DOSZPOT: My question is to the Minister for Tourism, Sport and Recreation. Minister, on 13 September, the Sydney Olympics volunteers in Canberra celebrated the 10th anniversary of those games. Incidentally, this celebration served as a precursor to the larger celebrations in Sydney. There was unfortunately scant or no acknowledgement last week from the government regarding the excellent work by the volunteers in welcoming the world to Canberra 10 years ago. Minister, why did the government fail to recognise the contribution of the volunteers, and will you now do so?

MR BARR: I was, as members are aware, away overseas last week, so I was not personally able to issue a media release on the matter. I am certainly happy to state a government position in support, obviously, of all of the activities that those who participated in as volunteers at the 2000 Olympics. I know, Mr Doszpot, that you organised an event, and I congratulate you on doing that. I am so pleased that you feel it is important to raise it in question time today and acknowledge the tremendous contribution that you made as an individual towards the volunteers, particularly around soccer that was played at Canberra Stadium in 2000. Congratulations, Mr Doszpot, on organising the event. That is a wonderful thing for you to have done, given your involvement a decade ago. I warmly acknowledge that contribution and apologise that I was not able to attend the event as I was in China, and I did not issue a media release as I was in China.

MR SPEAKER: A supplementary, Mr Doszpot?

MR DOSZPOT: Thank you, Mr Speaker. Apart from the condescension, I thank Mr Barr. Minister, have you initiated any discussions to acknowledge our volunteers and Canberra's place in the 2000 Olympics and, if yes, what has been discussed? If not, why not?

MR BARR: I understand that Mr Guthrie, through Territory Venues and Events, has had some discussions in relation to elements of the Canberra Stadium's involvement as an Olympic venue. He did bring that to my attention. Of course, I acknowledged that I would not be able to attend a particular event in that week as I was overseas in China, representing the ACT at an education and trade event, on which I certainly will be reporting to the Assembly in due course. Mr Guthrie did indicate on behalf of Territory Venues and Events and the Canberra Stadium management that certain activities would be undertaken.

MR HANSON: Supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hanson.

MR HANSON: Minister, will you support recognition of the Canberra Stadium as an Olympic legacy venue? If not, why not? If yes, what actions have you taken or will you take?

MR BARR: I must say that it is not an issue that is taking up much of my attention at this moment. I am happy to consider the matter in due course. We, of course, do not own Canberra Stadium; it is owned by the commonwealth. It may be more appropriate for the owners of the stadium to make those particular decisions. We have a lease over Canberra Stadium that is coming to a conclusion. If it is appropriate—and I am happy to have those conversations—to recognise Canberra Stadium in the way that the member has suggested, I am happy to consider that. But I must confess that this is not the issue that is at the top of my agenda in any of my portfolios at this time.

Roads—speed cameras

MR HARGREAVES: I was tempted to ask the minister a question about whether there was consultation with Taubmans paints but I will not.

MR SPEAKER: Thank you, no preamble.

MR HARGREAVES: We have had that conversation. My question is to the Chief Minister as minister for transport. Chief Minister, yesterday you released the forward design study on the introduction of point-to-point road safety cameras in the ACT. How will point-to-point cameras help change the speed culture of Canberra drivers?

MR STANHOPE: Thank you, Mr Hargreaves. I am very happy to see the enormous interest in transport and transport-related issues today. It is about time. It has taken two years for a question from the opposition on transport.

MR SPEAKER: Chief Minister, the question, thank you.

MR STANHOPE: It never rains but it pours.

I do thank Mr Hargreaves for a question on a very important subject, and that is the steps that a community or a government can take to seek to reduce road deaths and road trauma. It is a challenge and I believe that the introduction of point-to-point cameras will play a very useful role in dealing with the challenge of the culture of speeding. It will reduce road trauma and it will save lives.

I have been interested in some of the commentary and the response today to the proposal and it seems to me that a lot of that denies the role of speed in accidents in causing death and injury in crashes. We need to deal with this culture of speed. We need to engender a greater understanding of the implications of speed for road safety and we need to seek to create a culture where every person that drives accepts responsibility for their behaviour. I believe point-to-point cameras have a capacity to do that. Indeed, that is the advice that the government has received most recently as a result of a consultancy in relation to some of the design and practical aspects of point-to-point cameras. It is new technology. It is quite challenging technology. I am sure everybody here understands the way in which it works.

But we do have a significant issue in the ACT. There is a culture of speed here. We have, proportionately against national averages, a very high level of high-end speeds. The fact is that a significant proportion of our population believe it is okay to drive 10 or more kilometres above the speed limit. They adopt the notion that “the roads are good; we can afford to speed”. What that denies is the implication of speed in an accident.

By way of illustration, the stopping distance for a car travelling at 60 kilometres per hour, accepting the conditions are dry and the vehicle has good brakes and tyres, is 45 metres. That is the accepted mark. It is. I am sure this is the fundamental issue that I do not believe people grasp. The same car travelling at 65 kilometres an hour, just five kilometres per hour faster, will still be travelling at 32 kilometres an hour by the time it hits that 45-metre mark. A car travelling at 70 kilometres per hour will be travelling at 46 kilometres per hour when it hits that 45-metre mark. That is the difference. That extra five kilometres per hour represents a 32-kilometre per hour impact.

You can understand, I am sure, the implications of that if that car were to hit a cyclist or another car or a person. Of course, the implications are death or at least a life-threatening outcome. That is the culture, the attitude, the behaviours we need to change. We have speed limits. We have them for very good reasons. Speed is the major factor in road deaths, road crashes and road trauma, and we need to stop it. That is in an environment where, in 2008-09, 87,000 speed infringement notices were issued in the ACT. That is the nature of the problem. Under current arrangements, 87,000 speed infringement notices were issued to the people of the ACT. We have a lot of work to do. Point-to-point cameras, I believe, are the latest and potentially the most successful—(*Time expired.*)

MR SPEAKER: Mr Hargreaves, a supplementary?

MR HARGREAVES: Thank you very much, Mr Speaker. In the context of myself, only two days ago I was 10 metres away when a man was instantly killed in a road accident attributed solely to speed. I would be very interested to know how the Chief Minister sees that the network approach would actually work.

MR STANHOPE: I thank Mr Hargreaves for the question. I believe that, in its actual application, it will work. The essential theory is, of course, that there will be two cameras on any stretch of road, initially. They might be five kilometres apart; they might be three kilometres apart; they might be 10 kilometres apart. But the technology is available. It will take a reading from a numberplate, it will read that numberplate again when it passes through the second camera, and it will automatically compute the speed of the car along that road and be able to determine automatically whether or not the car exceeded the speed limit at any time during its passage across that stretch.

An important part of the proposal, because this is the first attempt made in Australia to incorporate point to point within an urban setting, is the capacity for the technology to work not just from a point to a point or a single point to a single point, but from a point to multiple points. And that is the plan that we are seeking to roll out. We anticipate 10 point-to-point sections of road to be covered in the next few years. The capacity exists for a car to be measured across multiple collections of point-to-point cameras, with a capacity, of course, that excess speeds or illegal speeds will be detected across the whole of the ACT and that individual cars can potentially be tracked. I have no doubt that, as a result, the fact is that it is not just a case of slowing down and speeding up when the camera is passed; it is a case of, no matter what the speed is, if it is in excess of the limit across an entire journey, then the fine will apply.

I will be interested in the views of other members of the Assembly in relation to some of the other law enforcement opportunities presented. I will be bringing legislation to the Assembly to seek the implementation of this particular proposal. I hope to have that before the Assembly over the next few months. There will be, in the legislation that I propose to present to the Assembly, opportunities for the camera systems to be used by the police in relation to, for instance, the detection of unregistered vehicles, in the detection of a range of potential other offences. I will be interested in the views of the Assembly in relation to some of these other potential law enforcement opportunities that are presented by this technology in relation to things around driving of unregistered cars. Indeed, the police see an application in relation to the opportunity for the technology to be used potentially to identify suspects in other crime that might not be traffic related.

MR COE: Supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Coe.

MR COE: Thank you, Mr Speaker. Minister, what consultation did you have with the NRMA and what was the feedback they gave you?

MR STANHOPE: I understand that there is a reference group that has been formed by the Department of Territory and Municipal Services in relation to the detailed investigation that has been undertaken in relation to point-to-point cameras and that the NRMA—indeed, Mr Evans—is a member of the reference group that has been employed throughout this entire undertaking. The advice that I have received is that Mr Evans has not objected to the proposal.

Mr Evans today has reflected, I think, a view which he often expresses that he personally believes that the most successful speed initiative, possibility or proposal is more police on the roads. I go back to the point that it is also a very expensive option. But we as a government have invested heavily in ACT Policing. We have increased the number of police available to enforce the law, including traffic matters, by over 100—by over 100 officers in our time in government. We have invested heavily.

I understand it is his view, and he expresses it often, that he believes that the best anti-speed initiative or option is presented by more police and greater police visibility. We have sought to respond to that. The minister for police informs me that we have appointed an additional 127 police since coming to government to deal with those sorts of issues. I also believe that we have to engage with the newest technology, speed cameras and point-to-point cameras, but there is a suite of measures we can use. Mr Evans has been consulted at every step of the way and is broadly supportive of the initiatives we are pursuing, but he does have a first and preferred option; I acknowledge that. He understands my position and I understand his.

MS PORTER: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Ms Porter.

MS PORTER: Thank you, Mr Speaker. Minister, how do point-to-point cameras fit into the government's "vision zero" approach to road safety?

MR STANHOPE: I thank Ms Porter. I think the point-to-point cameras fit very well within the philosophy that underpins "vision zero", an approach to road safety which we are seeking to introduce into the ACT. It is an aspirational strategy. It is a strategy that is based on a philosophy that no-one be killed or seriously injured on our roads. But it is a philosophy that requires, obviously, each of us to accept our personal responsibility in the role that we can take individually in ensuring that we do nothing as road users that would endanger ourselves or anyone else.

Point-to-point cameras, I think, are fundamental to inculcating that philosophy and that view within the driving public in the ACT that it is not okay to speed. Speed limits are there for a reason. We are introducing a technology that will detect people anywhere along a stretch of road if they speed at any stage on that drive. I believe it is very consistent with ensuring a greater understanding that speed limits are there for a purpose. We all have a responsibility to obey them and the law, and we each must accept our responsibility for the way that we behave.

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

Interjection—ruling by Speaker

MR SESELJA: Mr Speaker, I seek clarification on your earlier ruling which referenced Mr Coe's comments. There are a couple of things, if you could? One, I am not exactly sure which comments you were referring to but there seemed to be an implication that Mr Coe had said something inappropriate. I did not hear him say anything inappropriate. I think it would certainly be helpful for Mr Coe and others if anything that was said was identified so that if it is inappropriate it can be withdrawn.

Secondly, I would seek further clarification of your ruling which seemed to be suggesting, from my understanding, that interjections of a policy nature are reasonable but others are not. That seems a significant departure from debates in this place, on both sides, and it would appear to set a very new standard for debate in this place. I would seek some detail on that and particularly in relation to the comments about Mr Coe. I certainly was close to Mr Coe and did not hear anything inappropriate in what he said. And if he did say something inappropriate it might be better for everyone if it is identified so that it can be withdrawn if indeed it is inappropriate.

MR SPEAKER: Certainly. I will make a general observation. The distinction I was seeking to draw in the ruling I made was between what I do consider to be genuine political comment and simple, personal jibes. This goes to your second point to some extent.

In the specific example—and I do not think it is a matter that needs to be withdrawn specifically—Mr Coe had asked the question and, as the Chief Minister paused to collect his thoughts when he stood up, Mr Coe commented across the chamber something along the lines of “phone a friend”. I consider that to be a fairly unnecessary personal jibe. I think it adds nothing to the quality of political discourse in this place and it can in no way be judged to be part of holding the government to account. It was simply derogatory.

I compare it to the subsequent question where Mr Corbell was asked about the Cotter Dam and comments were made about “triple the cost” et cetera. I consider that to be more relevant to debate in this place.

Mr Coe's example, to be fair, is not the worst I have heard. It was simply a trigger point that reminded me that, I guess, we had reached a cumulative point that it was an appropriate moment for the Speaker to intervene and give an indication of expectations for conduct in this chamber.

You believe that drawing a distinction between personal jibes and political commentary is a new standard for this place. I certainly believe it is an acceptable standard. It is a standard I wish to operate to. If members do have concerns about that, I would be happy to receive feedback probably outside the chamber and I am happy to take the conversation up in the administration and procedure committee if there is significant concern. But it is my view, as Speaker with responsibility for upholding acceptable behaviour in this chamber, that it is an appropriate distinction to draw.

Personal explanations

MR COE (Ginninderra): Mr Speaker, on your ruling?

MR SPEAKER: Yes, Mr Coe. We are not going to have a major debate in here on this now.

MR COE: Yes, I understand that. But I do think, if you are going to name me in the ruling, I should be given the opportunity to respond.

MR SPEAKER: So you would like to make a personal explanation under standing order 46?

MR COE: No. I would like to simply respond to your statement.

MR SPEAKER: I am offering you the opportunity under standing order 46.

MR COE: I understand that. I will take the opportunity under standing order 46 then.

Mrs Dunne: You need leave of the Speaker.

MR COE: And I do seek leave.

MR SPEAKER: Yes. Before you start, I have indicated it was simply a trigger.

MR COE: Firstly, it does seem quite unorthodox for a Speaker to randomly pluck out a few comments such as mine and to cite those as being examples of poor behaviour. I would think that you should be more considered in your accusations in this place and perhaps listen to the audio or read the *Hansard* and come back to this place in the future so that you can actually give more considered comments.

But on the actual comment “phone a friend” or “ask the audience”, that was in response to Mr Stanhope standing up and receiving advice from several of his colleagues. At the time it appeared he did not know the information and that sort of comment is holding the minister to account. He is expected to be across his portfolios. To that end, I think I was doing my job as a member of this place, holding the minister to account.

MR SPEAKER: Thank you for your feedback, Mr Coe. I feel I heard it clearly. I will not be reviewing *Hansard*. But I hear what you have to say.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens): Mr Speaker, I seek leave to make a personal explanation under standing order 46.

MR SPEAKER: Yes, Ms Hunter.

MS HUNTER: Yesterday during question time, Minister Barr said that Mr Coe, Ms Burch and I were in breach of the protocol for visiting schools because we failed

to notify his office. I reviewed the protocol, which clearly states that, where attendance is at the initiative of the school—that is, that the school sends the invitation—as it was in this case, there is no obligation whatsoever on the part of the visiting member to contact the minister’s office. The obligation was on the part of the school, and I had no way of knowing this had not been done.

I ask that the minister withdraw the claim that I breached the protocol because I certainly did not. I would imagine that Mr Coe and maybe Ms Burch would also appreciate the correction, as neither of them was in breach of the protocol either.

MR BARR (Molonglo—Minister for Education and Training, Minister for Children and Young People, Minister for Planning and Minister for Tourism, Sport and Recreation): I would draw the member’s attention to the Department of Education and Training’s policies and procedures in relation to MLA visits to schools. It has been on the department’s website for a decade or thereabouts. Certainly members should be aware of that. I have written to members to remind them of that.

I repeat, for members’ advice, that they should look to the policies and protocols. And I acknowledge there was a breakdown in those for everyone concerned. So let us not make a massive thing about this. For the future, I did not—

MR SPEAKER: Order! I think the point has been made.

MR BARR: I have not been raising this. I have been responding.

Mr Hanson: You have been talking on the radio on it, though, mate.

MR BARR: I have been—

MR SPEAKER: Order! Mr Barr, sit down, thank you. I think Mr Barr has made the point. There is not a procedural motion to have a substantive debate. I think you have made your observation. We will now move on.

MR COE (Ginninderra): I seek leave to make a statement under standing order 46.

MR SPEAKER: With regard to?

MR COE: With regard to misrepresentation.

MR SPEAKER: Yes, Mr Coe.

MR COE: Further to what Ms Hunter said, some members of this place may not be aware that Mr Barr actually told 2CC radio yesterday that I was in breach of the protocol. That was running yesterday on the radio. I think that such a comment is totally inappropriate and I would request that Mr Barr take appropriate action to remedy the situation.

MR BARR (Molonglo—Minister for Education and Training, Minister for Children and Young People, Minister for Planning and Minister for Tourism, Sport and Recreation): Mr Speaker, under standing order 46, I have made no such comments to

2CC but they may have recorded my response in question time, as I understand radio broadcasters are able to do. I have not spoken to 2CC. The comments that were aired on that station and that I have seen in media monitoring would have been my statements in the Assembly yesterday.

MR SPEAKER: Thank you, Mr Barr.

MRS DUNNE (Ginninderra): Mr Speaker, I seek leave to make a statement under standing order 46 because I believe that I have been misrepresented.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: On 4 September the *Canberra Times* ran a story about an incident of self-harm at the Bimberi Youth Detention Centre and I made comment for that story and subsequently, on 6 September, made broader comments on the issue, including to Radio 2CC.

It came to my attention that, in response to my comments, a member of Ms Burch's staff told Radio 2CC that my comments were "a blatant lie". This comment was broadcast at 5 pm on 6 September. I wrote to Ms Burch pointing out these unprofessional and defamatory comments and pointing out that MLAs are not allowed to use such language in the Assembly chamber and for one of her staff to make this comment in public and to have it broadcast is beneath all standards of reasonable public comment.

To remedy the situation, I asked for an immediate written apology as well as a written retraction of the comments to be sent to 2CC. In addition, I asked that the staff member concerned be counselled as to the standards required in public debate and their basic responsibilities as a ministerial adviser.

Ms Burch has not replied to my letter. Yesterday I wrote again to Ms Burch asking her for an immediate reply or I would bring this matter to the attention of the Assembly. Here we are without a response from Ms Burch rectifying this matter and nothing has been said that nothing I said about Bimberi was a lie, let alone a blatant lie. Most of the things were repeating the comments that Ms Burch had made.

The ministerial code of conduct requires the highest standards of probity, accountability, honesty, integrity and diligence. Further, the code says that ministers will deal with other members of the Legislative Assembly and members of the public and other officials honestly and fairly, with proper regard to their personal dignity, rights and entitlements. To comply with the code, Ms Burch needs to meet the remedies that I have asked for. I repeat them. I ask that she apologise for her staff member's unprofessional and defamatory statements and further ensure that a written retraction is sent to Radio Station 2CC and ensure that her staff is counselled about the appropriate professional behaviour in future.

MR SPEAKER: Ms Burch, do you wish to respond to this?

MS BURCH (Brindabella—Minister for Disability, Housing and Community Services, Minister for Children and Young People, Minister for Ageing, Minister for Multicultural Affairs and Minister for Women): I will just make—

MR SPEAKER: Before you start, let me be clear that this is not a space for debate. If you wish to clarify the record, you may but you are not to debate the matter.

MS BURCH: I will take your advice at the start. I am quite happy to clarify it. In Mrs Dunne's media release, which we were contacted by 2CC about, Mrs Dunne made a number of comments. One of them was that I had admitted that the facility is seriously understaffed. At no point did I actually make that statement and I ask Mrs Dunne to provide evidence that I have.

She also made the statement that the Canberra Liberals have been pursuing these matters with the minister but "despite assurances our questions remain unanswered". Again, I ask her to provide any question that I have not answered in the media or in this chamber or any brief that she has tried to get. She has not sought a brief or any information other than what has been asked about Bimberi in this chamber and I have responded. So in fact, her comments indeed should be challenged.

Mrs Dunne: Mr Speaker, that was a debate. That was a debate of the subject.

MR SPEAKER: Mrs Dunne, let us move on.

Supplementary answers to questions without notice Health—mental health crisis assessment and treatment team

MS GALLAGHER: I do not seek leave to make a statement under standing order 46; if I was given the time I think I could come back with quite a list and work through them one by one, but that would be a waste of the Assembly's time.

I have two matters relating to question time yesterday which I took on notice. One was from Ms Bresnan around the recommendations of an internal review into the crisis assessment and treatment team. The answer I gave yesterday was correct. I am happy to table the recommendations of that internal review, with the description of the issues identified and the recommendation. I will just leave that there for when we can table those.

There was a recommendation made which is currently being considered by the department, but no decision has been made. One of the issues was around expectations of the service and that there was sometimes confusion around the role of the CATT service and the belief that it was an emergency service that responds to situations immediately, like the ambulance or police may do. It was really a recommendation about clarifying the role of the crisis and assessment team. It was not around changing the nature of the service that it provides. As I said, it is still being discussed. There were a number of other recommendations which you can have a look at. I can provide more advice should you wish.

Canberra Hospital—neurosurgery suite

MS GALLAGHER: The other question I had was around whether any of the neurosurgeons had indicated that the new imagery machine within the neurosurgery

suite was not a prudent purchase by ACT Health. The feedback I have received—I have asked the department to check—from the neurosurgeons has been very positive. The Department of Health advises me that the only feedback they have had has been positive as well.

Public housing—energy efficiency

MS BURCH: On 26 August I was asked a question by Ms Le Couteur in regard to asset maintenance checks of public housing and energy efficiency. In my response to the member's question I included a reference to double glazing of windows and the replacement of heaters as a part of the government's \$20 million public housing energy efficiency program.

While Housing ACT does install double glazing in some circumstances, and replaces heaters as a matter of course as they fail, these are not a part of the \$20 million energy efficiency program. The energy efficiency program includes wall and ceiling insulation, draught seals, high efficiency water systems for new and existing dwellings, and pelmets and curtains installed in all new separate houses as they become vacant from August this year. In regard to our properties constructed under nation building and job plans, they include wall and ceiling insulation and draft sealing, and have energy ratings of six stars. Also, in April 2010 DECCEW provided \$1.3 million to assist low income households and community organisations to reduce energy consumption and to install renewable energy technologies.

Ms Le Couteur, I trust you will acknowledge the work done by ACT Housing across a range of programs; my response just mixed a few of those up.

Paper

Mr Speaker presented the following paper:

Ethics and Integrity Adviser for Members of the Legislative Assembly for the Australian Capital Territory, pursuant to the resolution of the Assembly of 10 April 2008, as amended 21 August 2008—Report for the period 1 July 2009 to 30 June 2010.

Alexander Maconochie Centre—needle and syringe program Paper and statement by member

MS BRESNAN (Brindabella), by leave: I present the following paper on the implementation of a needle and syringe program in the AMC:

Alexander Maconochie Centre—Implementing a Needle and Syringe Program—Discussion paper, prepared by Amanda Bresnan MLA, ACT Greens, dated July 2010.

I will just make a brief statement about the paper. We did release this in July this year. It outlines evidence from the experience of prisons overseas where there are needle and syringe programs operating. It also looks at methods of operating needle and

syringe programs; this is based on some of the evidence overseas but also on information on other programs or information that has been provided by organisations and what will be possibly good implementation for our program in the AMC. This is based on processes that operate within the community.

We have received input from a number of groups and individuals and will be compiling that information for release to inform the questions that were asked. We did ask a number of questions about how people would see this operating at AMC. That information will be released. We would obviously welcome the input of any members in the Assembly on the paper.

National broadband network—Gungahlin

MS PORTER (Ginninderra) (3:43): I move the motion standing in my name on the notice paper relating to the national broadband network rolling out in Gungahlin:

That this Assembly:

- (1) recognises the importance of a national, high-speed, fibre-to-the-home broadband rollout to Australia's prosperity and competitiveness;
- (2) welcomes the decision by the Gillard Labor Government to include Gungahlin in the list of early pilot projects in the National Broadband Network rollout; and
- (3) acknowledges the potential for this investment by the Commonwealth to leverage and facilitate:
 - (a) the development of e-health capacity within the health system;
 - (b) the development of e-education and e-training options for Canberrans at all stages of life;
 - (c) the development by Gungahlin businesses of efficiencies and new business models that will lead to greater productivity and economic growth;
 - (d) the development of new e-government services by the Commonwealth and the ACT Government that will benefit the residents of Gungahlin; and
 - (e) social inclusion, particularly enabling more vulnerable sectors of the ACT to access services and engage with the community.

I am happy to be able to move this motion in this place today. As we all know, digital technology is already transforming every area of our lives. The Gillard government's investment in the national broadband network will drive that transformation faster in crucial areas such as the delivery of health services, economic productivity, communications between governments and the people they serve, and provision of educational services. Never before in our history has a national government made investment in infrastructure on this scale and with such potential. Its capacity to

transform the way we live, play, do business and communicate is equal to the transforming power of the railways except that broadband will be delivered to your door, right across the country.

With capacity to deliver speeds of up to 100 megabytes per second—in layman's terms, up to 100 times faster than most experience it today—the NBN will connect 93 per cent of all homes, all businesses, all schools and all hospitals to fibre. The remaining seven per cent, for whom fibre is impossible or prohibitive, will be connected to wireless and satellite technologies. I have already been to Alice Springs to witness for myself what a huge difference it will make to e-health, for instance, in the Northern Territory and other remote communities.

The first sites for pilot releases under the NBN rollout were announced in March this year, with NBNCo the company established to design, build and operate the national broadband network. In June this year the commonwealth announced that NBNCo had entered into an agreement with Telstra that would see the proposed network rolled out even faster and even more cheaply. The agreement allows NBNCo to re-use suitable Telstra infrastructure, including pits, ducts and back-haul fibre, as it starts to roll out the new network, avoiding unnecessary infrastructure duplication and therefore accelerating the rollout.

On July 8, there was the most exciting news yet for Canberrans. NBNCo announced that Gungahlin would be among the next 19 locations for rollout, 14 of them brand new locations and five sites that are adjacent to sites from the first release. Gungahlin will be in the vanguard of the largest single infrastructure investment in Australia's history. At each site, fibre will be unrolled past roughly 3,000 premises. The precise areas to be covered by the rollout are yet to be determined, but conversations are about to begin between NBNCo and the ACT government, as well as with Gungahlin businesses and residents. In fact, I understand that officials from NBNCo are meeting today with officers from across a range of ACT government agencies to have preliminary discussions.

The rollout of the national broadband network in Gungahlin is a very significant investment in the nation's capital, one that I hope all members in this place would applaud and welcome. It is particularly significant since NBNCo has already indicated that it is likely that these early rollout sites will be the points from which future rollouts will occur. In other words, it is 3,000 Gungahlin premises now, with the potential for many more as the next phases of NBN investment are achieved.

Canberra is a perfect test site for the commonwealth to demonstrate the potential of the NBN rollout. As a community we are extremely quick to adopt and adapt to new digital technologies. We therefore are well placed to show how very high speed broadband can transform our lives for the better. And of course Gungahlin, a relatively new part of the city, with significant public infrastructure investments being made all the time by the ACT government, is a location with great potential.

Sadly, there are some amongst us, including, most notably, members of the Liberal Party, who do not seem to understand that broadband is about much more than downloading music or television programs or visiting, for instance, online gambling

sites. Fortunately, those who do not understand are in a very small minority. Australians have already voted. As of June 2010, there were 9.6 million internet subscribers in this country. Already, the purposes to which these Australians put their internet connections are increasingly sophisticated. For example, in 2008-09, 64 per cent of adults who accessed the internet used it to make online purchases. On the other end of those transactions are businesses—many of them Australian businesses, many of them Canberra businesses—making a sale, growing their business, supporting their local economy. And the more widespread broadband use becomes, the more our local Canberra businesses will be able to tap into a global marketplace of potential customers.

Almost a third of businesses now take orders via the internet. An economy that wants to be part of this growing trend needs the infrastructure that will allow it to seize its share. The broadband network has the potential to do that for the businesses of Gungahlin. It will also remove the barriers to businesses conducting their affairs from whatever location is most convenient to them. It helps those who choose to work from home, for example. You yourself talked about that earlier, Madam Assistant Speaker Le Couteur. The proportion of businesses with web presence has increased massively over the past decade. Towards the end of 1990, fewer than one in 10 businesses had a web presence. A decade later, it was 42 per cent. And, as mentioned, about a third of businesses do not just have a presence; they actually are trading online.

Broadband creates other opportunities for society and will create other opportunities for Gungahlin. It allows people to stay in touch with their social networks more easily, especially with family and friends who do not live nearby. It is transforming distance education, with entire degrees now being offered in online versions. And it is transforming not-so-distant education too, right across our school system. Already we have rolled out fibre to our primary schools across the city. Even our public libraries offer an online homework help service on school days, after school until 7 pm.

Broadband helps scientists and innovators work in interdisciplinary teams and with colleagues scattered around the globe. Let us remember that this ability for researchers to communicate with each other was the reason the internet was invented in the first place.

High speed broadband also has potential to transform the delivery of health services. In some cases, it may allow patients to remain in their homes while being monitored remotely by their health practitioners. It allows for the speedy sharing of electronic health records, enabling patient data to be transmitted quickly between doctors, specialists and others, allowing each to see what the others are doing before deciding to prescribe a particular remedy or treatment. It has the potential to help practitioners keep abreast of the latest research and epidemiological tracking work in their fields. It enables the use of mobile devices to collect data such as blood pressure readings. As I said, I saw the huge potential for this while in Alice Springs when looking at the future of broadband in Australia.

Broadband also has the potential to transform how governments talk to and respond to their communities. Over the past 12 months, more than 442,000 bills were paid online by Canberrans through Canberra Connect, and 5.4 million visits were recorded on

Canberra Connect's website. Right now, the ACT government is using the online environment, along with Flickr, Twitter and YouTube, as a significant component of the community consultation it is undertaking as part of the Canberra 2030 conversation. Many thousands of Canberrans have already logged onto the website to join a blog discussion regarding the kind of city we want to be in 2030 or to complete the online survey.

E-government is an area of rapid growth and great potential. That is why the ACT government is investing in the work being done by the e-government cluster at NICTA, right here in Canberra. E-government applications are a means of reaching out to people who had traditionally not had their voices heard by government and a means of delivering services more effectively and more efficiently. Pursuing and investing in e-government does not mean abandoning more traditional methods of reaching out to people. It means adding to the way in which governments and people can talk to each other.

Canberrans are already more likely than Australians anywhere else in the country to be internet users. Eighty-six per cent of us, at last count, were internet users. Not surprisingly, it is younger Canberrans who are most likely to use the internet. But if Australia is to take its place in the digital economy, it needs to act now—and decisively. That is what the Gillard Labor government is doing. Overwhelmingly, I think Australians appreciate this.

However, Australia is not the head of the pack when it comes to broadband. That honour goes to Korea, which enjoys the highest proportion of households with internet and broadband internet access, at more than 94 per cent. I saw evidence of that myself when I was in Seoul, particularly in relation to e-health. I witnessed for myself the transfer of records over long distances between doctors who were separated by many miles but who were discussing the health of particular patients and how this e-health helped them come to a conclusion about ongoing treatment of those patients. It was critical at that time. Australia, Canada and the United Kingdom enjoy similar high levels of connectivity.

We cannot stand still. The Abbott federal opposition would have us stand still—or at least move very slowly, almost as slowly as the internet speeds they were offering under their “no frills” alternative to the NBN, a kind of home brand or Lib brand variety. Australia and the Independents say, “No, thanks.” I suspect that the residents of Gungahlin will also say, “No, thanks,” and will respond well to this historic opportunity that they have to be amongst the first Australians to be connected to the NBN. I commend this motion to the Assembly.

MR SMYTH (Brindabella) (3.54): I thank Ms Porter for putting the motion on the notice paper, because access to the internet and high speed internet is, of course, a very important issue. I reflect on the history of broadband in the ACT and the government that put it here and put the ACT on the map with the largest trial in Australia—that, of course, is the former Liberal government. We started work in Aranda. We did the trials, we put in the nodes, we connected to the homes, and we said, “Yes, this is a good thing.” We did it more than a decade ago. The sad thing is that, since coming to office, the Labor Party has done so little to ensure that broadband has been rolled out in Gungahlin.

That is the great shame of this motion, and it is the shame for the government, because it exposes this government's lack of activity in nine years in delivering broadband services in Gungahlin. If there is a problem with it in Gungahlin, it is the problem that Jon Stanhope and his government cannot deliver infrastructure.

We actually do have our own fibre champion in the ACT, and it has its own network. It is called TransACT. The question is: what has the government done to help TransACT deliver better and faster services? Those opposite can answer that. But the question really does stand out, highlighted by Ms Porter's motion, that the federal government has had to come to the rescue of the ACT Labor government of Jon Stanhope because they have abandoned Gungahlin.

It is not just on the issue of things like broadband; it is the provision of pools; it is adequate access in and out of Gungahlin; it is the access to shopfronts and library services and other standard services which should have gone into that town centre ages ago but which have not. I do thank Ms Porter for running this motion today and I thank her for highlighting the fact that the Stanhope government has abandoned the people of Gungahlin over the last 10 years.

You have to go the fundamental of what is being attempted here. It is easy to get on the bandwagon and say, "Faster broadband speeds—fantastic. That's what we all want." I thank Ms Porter for referring to Korea. She is right—it is probably the most connected country in the world—and she is right that they can have downloads of 100 megabytes per second or more. I would like to read from an article that appeared in the *Business Spectator* on 16 September by Stephen Bartholomeusz, which says:

In other countries where they have had fibre networks delivering 100Mbps speeds for some years, like South Korea and Japan, consumers have been reluctant to pay more for those speeds, even with significant public subsidies. Ubiquitous high speed fibre hasn't produced economic miracles in the handful of countries that have it.

It does go back to the basics. Where is the business plan? Where is the cost-benefit analysis? It is well and good just to say, "Wow, great idea! We are going to spend \$43 billion." That is the approach of so many Labor governments. We hear it in question time every day. When the government are asked a question, they talk about inputs. They never talk about outcomes. They forget about the people who pay for those inputs, and the Australian taxpayers and the taxpayers of Gungahlin will pay for the national broadband network whether they want it or not, whether they need it or not, whether they use it or not. They will be billed for it.

The evidence overseas, and I think the evidence emerging from Tasmania, is that if you want it, it is a good thing, but it is incredibly costly. But in many cases, the services that Ms Porter just spoke about can already be downloaded through the existing ADSL networks. For instance, all of the supposed benefits—medical consultation through video conferencing—can already be delivered on standard ADSL services. So why do we need this enormous new network, and where is the analysis to prove that the people of Gungahlin will be better off? There is none.

We have asked for the cost-benefit analysis. We have asked for the business plan. All around the country, experts have asked for these details. The federal opposition have asked for these details. I will go back to the Stephen Bartholomeusz article:

The government has committed to spending up to \$43 billion of taxpayer funds, or whatever lesser or greater amount the NBN ultimately costs—

let us face it, we know the federal government's record on delivering infrastructure, and we know the local government's record on delivering infrastructure; it is never on time and on budget—

without any meaningful analysis of its costs and benefits.

How, in terms of good public policy, do you make up a sum—I assume the number is being just made up because nobody has been able to produce a document that supports \$43 billion—without any meaningful analysis of its costs and benefits? A number of commentators have said that there probably are benefits in this, but let us quantify that. Let us have a discussion about that before we determine that this is the best way to save.

The Bartholomeusz article goes on to say:

The 546-page implementation study produced by McKinsey and KPMG earlier this year wasn't a cost-benefit analysis—the firms explicitly said so in the introduction to their study. That study was a reverse-engineering exercise for a decision that had already been taken, and a rather unconvincing and rubbery one at that, built on ridiculously optimistic assessments of penetration and demand rates.

We know it is unrealistic, because AAPT have said that they have had to write off \$900 million of the \$1 billion they invested in laying fibre. Already the firms are writing off their investments.

I am in favour of fibre and I am in favour in broadband networks. I know I will be misrepresented by the end of this speech, Mr Speaker. But our proof of that is in the pudding where we set up TransACT so that people in the ACT could get high speed services. AAPT has an enormous amount of underutilised fibre, and there are two HCF networks, a copper network and multiple increasingly high speed wireless broadband networks already in Australia, and Ms Le Couteur knows this.

The article says:

AAPT itself has 24 strands of fibre running along the eastern seaboard – but uses only two because of the lack of demand. It has written off \$900 million of the \$1 billion it invested in laying that fibre. Most businesses in urban Australia either have fibre or access to it if they are prepared to pay for it, as do most schools, hospitals and government departments.

The article then questions why duplicate strand and make redundant and devalue existing infrastructure that is capable of delivering profitable and fast enough services

if there is the demand for them? There is the real question: why are we doing this? You only have to go to the front page of the *Australian* this morning to see that web guru Graeme Wood has joined the attack on the NBN. The article states:

One of Australia's most successful dotcom entrepreneurs has branded the National Broadband Network a potential "\$43 billion hi-tech babysitter", joining the growing chorus of industry criticism of the federal government's internet plans.

Now, what Mr Wood said is that the debate has not been had, and he goes on in the article:

Is there any value to society in just delivering entertainment faster ... to have more dots on the screens? The public debate hasn't been had, not just in the terms of GDP impact of broadband, but on the costs (and) benefits to society.

So, let us have the argument. Let us have a discussion on the costs and benefit to society. The article goes on:

"Which part of that \$43bn investment is going to provide hi-tech babysitting?" he said. "What are the costs to society if people spend an extra two hours in front of the screen instead of getting out and walking the dog or talking to their neighbour?"

So, Ms Porter, it is well and good to welcome this, and I thank you for highlighting the failure of the Stanhope Labor Government over the last nine years to deliver high speed infrastructure for the people of Gungahlin. But if we are going to have this debate and we are going to spend that amount of money as a country, then let us have a reasonable debate. Let us make sure we get it right. Let us make sure that we know exactly what we will get into.

An article by Andrew Harris, who is an expert in this field and is an independent telecommunications consultant, in the *Business Spectator* on 9 September says:

The fact remains that the economics of the NBN as it stands are still clearly questionable. But Labor now has the chance to come clean and set a new foundation. It should review its position on how it plans to fund the NBN and how it approaches the network in terms of its commercial and non-commercial elements.

That is a good comment. Let us have a discussion. If there is a public good beyond just having high speed broadband, then let us have the discussion. Let us see if we cannot quantify that amount. If, for instance, the medical communications that can be done—mind you, they can already be done on the existing networks—have some impact that takes the burden off the hospitals, let us quantify it. Let us actually make a decent case for such a thing. I question why Senator Conroy does not make that case. If the case is overwhelming, if the case is supportable and if the case works, then let us have that discussion.

The other thing is: will it actually come to my home or will it pass homes? There are questions here. If you get on the web and onto the national broadband network site

and you put in “fees” or “charges” or “costs” or “price”, the only thing that comes up is that there is a fee to connect to a new development. There is no charging structure when you get onto the website. It might be somewhere else; perhaps I have not found it. But, again, the question needs to be asked.

Bartholomeusz in his article says:

In fact the reality of the NBN may not meet the expectations. Most of the cost of the NBN will be in bringing the network close to premises and then connecting them. In that sense—where the bulk of the money is spent—it will be mainly a consumer network.

It isn't yet clear whether NBN Co will “pass” homes and then invite householders to connect. Nor is it clear who will pay for the final connection and the internal cabling needed to make use of the network. Will households be prepared to pay significantly more for broadband in order to download and upload videos faster?

The implementation study—and NBN Co—have said the NBN can be priced (at the wholesale level) at prices comparable to entry level prices for the existing services, or around \$30 to \$35 a month for a 20 Mbps service.

Now, if the existing retailers just shift their prices a little bit, it will certainly make the NBN even more uncompetitive. What we need to have is the case made. What we need is a case that justifies spending this money and justifies what are assumed to be other benefits.

If you want to have a reasonable debate, let us have it. Let us not just have self-congratulatory motions of this nature, which we get so often from Ms Porter. But I think it blows up in her face because, at the end of the day, it says that the Stanhope government—let us face it, they do not have an infrastructure commissioner, they do not have a proper infrastructure plan—have not considered this, have not done the job, have not followed up on the work of the previous government and have not said how they will do that. They are relying simply on the federal government to cover up for their mistakes.

I now move the amendment circulated in my name:

Omit all words after “That this Assembly”, substitute: “notes the failure of the Stanhope Labor Government to provide adequate infrastructure, such as broadband, to Gungahlin residents over the last nine years.”.

The amendment deletes all of Ms Porter's words and simply inserts:

... notes the failure of the Stanhope Labor Government to provide adequate infrastructure, such as broadband, to Gungahlin residents over the last nine years.

In terms of accuracy and the succinct nature of the amendment, it stands on its own.

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait

Islander Affairs and Minister for the Arts and Heritage) (4.08): I thank Ms Porter for bringing forward a motion on this most important subject. Canberra is Australia's premier regional knowledge-based economy. We have the highest concentration of knowledge-based activity in Australia, as measured by the National Institute of Economic and Industry Research. Our R&D spend ratio is higher than anywhere else in Australia. We have more information and communications technology professionals per capita compared to any other comparable region in Australia. We have the most highly educated workforce in Australia. We also have the highest concentration of creative business in Australia.

Mr Speaker, Canberra was also one of the first cities in the world to introduce a fibre optic cable network. In fact, the rapid development of the information and communications technology sector has underpinned our knowledge economy position and ICT, as an enabling technology, has been the silent driver of much of Canberra's growth over the past two decades.

The national broadband network offers Canberra the capacity to further leverage this competitive advantage, but it also offers new directions that will have enormous benefits for the broader community. High speed broadband will deliver data at much faster speeds than the internet services that are currently available across much of Australia. It will support the growing demand that Australians have for internet downloads. The NBN aims to deliver fibre to the premises to around 93 per cent of all Australia with speeds up to 100 megabits per second—download speeds about 100 times faster than those currently used by many households and businesses.

The benefits of high speed broadband will be pervasive. High speed broadband will improve the way education services are delivered, it will move us into the real experience of e-health services, it will level the economic playing field for regional businesses, it will allow our small and micro-businesses to present themselves to any market or customer they choose, and it will reduce the rate at which we all consume finite resources.

In a country as large and dispersed as Australia, there are many areas where it is not commercially attractive to build a network. The NBN will have national scale that will allow it to provide services to both profitable and high cost areas. The NBN's construction is a highly repeatable, scalable process involving very similar modules rolled out across the country.

As my colleague Mary Porter has just said, I was delighted back in July when NBNCo announced that Gungahlin would be among the next 19 locations across Australia eligible for the early rollout of fibre. This week we have commenced the preliminary conversations with the company on how, when and where the rollout will occur in Gungahlin. The rollout of the national broadband network into Gungahlin is a very significant event for the territory and one that I hope all members of the Assembly would welcome.

The Canberra community are behind this all the way because they know high speed broadband will be the platform for new and improved service delivery and it will underpin productivity gains into the future. We know that wireless and mobile usage

is increasing, but so is the demand for fast fixed line broadband capacity. According to the ABS, downloads have increased in Australia by a staggering 280 per cent since 2008 and, in the 2010 June quarter, downloads have jumped a further 57 per cent.

The demand for fast internet connections is also on the rise. Since last year, internet subscribers of connections with a capacity of over eight megabytes per second have increased by 45 per cent, while broadband connections slower than 512 kilobytes have decreased by 60 per cent. Australians are voting with their feet and their hip pockets for these new services.

This week the United Nations broadband commission endorsed the rollout of Australia's NBN, arguing high speed internet was a vital engine driving economic growth and crucial for future economic prosperity. The UN commission said that future service delivery in health, education, trade and government would rely on broadband enabled platforms so that countries must plan for a future built on broadband. The UN commission added that ubiquitous high speed internet services are a vital engine to drive growth.

The UN broadband commission was less glowing in its assessment of mobile driven broadband policies like those espoused by the federal Liberal Party. The World Bank and the Organisation for Economic Cooperation and Development are also on record as saying that faster broadband and fibre optic networks will promote stronger economic expansion. One recent World Bank study of 120 countries found that for every 10 percentage point increase in penetration of broadband services, there is an increase in economic growth of 1.3 percentage points. Other research by McKinsey and Company similarly concluded a 10 per cent increase in broadband household penetration produces a rise of 0.1 to 1.4 per cent in GDP growth. Just yesterday, IBM claimed that Australia's gross domestic product could be increased by 1.5 per cent, or \$19 billion, if broadband enabled smart technologies were installed across the country's electricity, water and transport grids.

You do not have to look to the future to see the sorts of companies that high speed broadband can nurture and support. They are here in Canberra right now: companies like Lucy Media, the winner of recent awards for exporting innovation. Based in Canberra, Lucy Media own and operate a portfolio of websites with a global audience of over 10 million unique visitors each month. Or eWAY, a dynamic, young Canberra company that is rapidly cornering the online payment gateway security space. Not only is eWAY a success in its own right, but it is providing the systems and wherewithal for many other small businesses to make the secure step into online commerce.

Then there is Bonobo Labs, another young Canberra company led by a young Canberra entrepreneur, which is carving out a successful niche in the iPhone and iPad apps building business. With offices in Sydney, Perth and Melbourne and development partners in Europe, Bonobo Labs will flourish with the capacity that NBN will deliver. Or Simmersion Holdings and its Mycosm virtual 3D world technologies, another Canberra company that was also one of the first recipients of commercialisation funding from the new commercialisation Australia initiative. The download speeds and support that NBN will provide will take the company to new heights.

Or the Ten Project, also based in Canberra, which is building the Mega City Hero website, an online-based social enterprise that is working to engage kids' creativity to solve the big issues facing society like climate change and global warming. And new age education websites, like Mathletics, the online interactive teaching aid for children, that was also a Canberra-led innovation.

I am also proud to say that these companies have also received critical development support from our innovation acceleration programs, such as Lighthouse and Innovation Connect. I am also pleased to acknowledge here today the 2010 Telstra ACT business woman of the year, Kate Sykes. Kate is also this year's Commonwealth Bank business owner of the year and founder of CareerMums, an online job network that helps mothers back into the workforce. CareerMums, established in 2006, now comprises 18,000 candidates and employers. Without doubt, this very important service could not have achieved such success in just four years without an online presence. This is about access, and in this increasingly online business world we need the right infrastructure to create growth. There are many more of these companies in Canberra that will flourish with the platform that NBN will provide.

We can only imagine what will emerge from Canberra's wellspring of innovation when we have broadband 100 times faster than current services. The national broadband network has the potential to transform all or our lives here in Canberra and, indeed, throughout the whole of Australia. We should embrace the opportunity the national broadband network presents and the businesses that will continue to emerge through having this infrastructure in place across Australia.

Indeed, Mr Speaker, it is a matter of enormous pride for those of us in the Labor Party that it is through the vision of the federal Labor Party—a Labor government—that we are able to participate in this. It is perhaps the most significant nation building initiative that has been pursued in Australia for the last 50 years. Intriguingly, and I think ironically, it is a massive nation building project that is opposed by the Liberal Party.

When I said that it is perhaps the most significant nation building project that has been pursued for the last 50 years I had in mind the Snowy Mountains hydro scheme—the nation building project that is always raised as the obvious example of the role that a federal government can have in building this nation, with vision, with commitment and with courage. Perhaps the greatest example of nation building by a federal government is, and has always been, the Snowy Mountains scheme, generated by a Labor government and opposed by the then Liberal Party in opposition. And here we have it again. What I think is the next greatest example of nation building proposed and delivered by a Labor government is again opposed by the Liberal Party.

This is an excellent motion, drawing attention to the nation building undertaken by the current federal Labor government, opposed by the Liberal Party. How ironic that the Liberal Party would oppose a proposal such as this, so vital to the future of our nation and to the people of our nation. I commend the motion and thank Ms Porter for proposing it.

Question put:

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

The Assembly voted—

Ayes 6

Noes 11

Mr Coe	Mr Hanson	Mr Barr	Ms Hunter
Mr Doszpot	Mr Seselja	Ms Bresnan	Ms Le Couteur
Mrs Dunne	Mr Smyth	Ms Burch	Ms Porter
		Mr Corbell	Mr Rattenbury
		Ms Gallagher	Mr Stanhope
		Mr Hargreaves	

Question so resolved in the negative.

MS LE COUTEUR (Molonglo) (4.22): I thank Ms Porter very much for raising this issue today. It follows on quite nicely from my motion this morning on ICT. We have already, in fact, discussed this morning the reasons why we need the internet. I will not have enough time to go through all the things that have already been touched upon, but it is important. Governments are now more and more moving to make information available only online.

Quite positively, one of the results of the planning committee's recent inquiry into live events was that a Facebook group was independently established—not by us—to support it. In the news yesterday it was stated that people are downloading 50 per cent more than they were a year ago. As we have said, high speed internet services are essential for building good communities. They give people access to work, education, play, social opportunities et cetera.

An ACT ICT blogger, Tom Worthington, has provided a few additional statistics. At the end of June this year, there were 9.6 million active internet subscribers in Australia. The phasing out of dial-up internet connections has continued with nearly 92 per cent of internet connections now being non-dial-up. Australians have also continued to access increasingly faster download speeds with 71 per cent of access connections offering a download speed of 1.5 megabytes or greater.

Mobile wireless, excluding mobile handset connections, is the fastest-growing technology in internet access, increasing to 3.5 million in June 2010. This is a 21.7 per cent increase from December 2009. As Mr Worthington notes, the popularity of wireless connection also raises questions as to the need for and the viability of the fixed fibre optic national broadband network.

My view and the view of the Greens is that the national broadband fibre network is a good thing, but it is very important to make sure that the NBN is well managed both technically and as a project. The last thing we want to have is outdated technology. Internet connections are a rapidly evolving field technically. It is really important that the right technology is used.

However, it appears that the outcome will be that fibre will provide the bulk and the backbone and there will be some additional wireless capacity in certain areas. Members may have noted that I was using my wireless mobile phone today to provide my connection to my laptop.

The Greens, of course, support good access to the internet being available to everybody. We know that Gungahlin has missed out on this. This is very ironic because back in 1995 when Gungahlin was originally being settled—it started with Palmerston—there was a promise by Telstra to spend \$20 million to connect all Palmerston school buildings with fibre optic using a hub and router system into the university's file server, other schools and then also into the worldwide web and internet. Remember that we are talking 15 years ago. This was revolutionary.

Unfortunately, it was never followed through. Since then, as Gungahlin has grown it has problems with even the most basic internet connections. This is presumably one of the reasons why large businesses and federal government departments have not moved into Gungahlin. While we support the government's plan for the national broadband network, it is only planning to cover 3,000 houses in Gungahlin. Given that there are over 12,000 houses in Gungahlin at present, this rollout is unfortunately not going to fix the problem. It is going to leave around two-thirds of the houses uncabled.

I now wish to speak to my amendment. Therefore, I move the amendment that was previously circulated in my name:

Add:

“(4) requires all new subdivisions to have cabled high-speed broadband;

(5) notes that the following groups:

(a) Electronic Frontiers Australia;

(b) Google;

(c) Child Wise;

(d) the Australian Greens; and

(e) the Federal Coalition

oppose the introduction of a mandatory internet filter as part of the Commonwealth's broadband and communications strategy, noting that it will slow the speed of broadband delivery; and

(6) calls upon the Federal Communications Minister, Stephen Conroy, to abandon the unworkable mandatory internet filtering policy in favour of more effective measures in consultation with industry.”.

MADAM ASSISTANT SPEAKER (Mrs Dunne): The question now is that Ms Le Couteur's amendment be agreed to.

MS LE COUTEUR: First off, I believe our planning code should include a requirement that all new housing estates provide the capability for cabled high speed broadband. I think I have already covered the reasons for that.

The second item I want to deal with is internet filtering. Internet filtering is very relevant to the NBN, because the NBN's purpose is to provide fast, high quality internet connections. But the internet filter's purpose is to provide slower, less high quality internet connections. So the two are very much related.

Many ISPs and organisations are worried that the proposed internet filter has the potential to cause bottlenecks and webpage blackouts, making the high speed NBN less viable. There is quite an unusual diversity of groups who oppose the filter. It is not just the Greens. The list of groups includes Electronic Frontiers Australia, Google, Child Wise, us of course, and, I believe from their public statements, the federal coalition.

We all oppose the introduction of a mandatory internet filter as part of the commonwealth's broadband and communications strategy. Not only will it slow down the internet; it simply does not provide any substantive protection to children or substantive reduction in the accessibility of objectionable material. It does provide the commonwealth government, whoever that may be in the future, with the architecture to implement a much broader censorship plan. Thus, my amendment calls upon the abandonment of the unworkable mandatory internet filtering policy.

Internet filtering has two levels: firstly, the compulsory filtering for all internet coming into Australia of prohibited content; and, secondly, there would be an optional level of filtering for those houses which chose to participate in it. The system proposed involves a blacklist plus dynamic filtering. The dynamic filtering is essentially a roadblock or a checkpoint which will analyse all traffic flowing past it for prohibited content, just like a physical roadblock on the road. This will slow down Australian access to the web and cause traffic jams.

It will also have quite a lot of false positives and block things which people should quite reasonably want to be able to see. There will be a blacklist maintained by the Australian Communications and Media Authority, ACMA, which will deny access to prohibited content. It is speculated that this could have 10,000 sites on it. But there are a lot of questions still about this. How will the content be decided? Senator Conroy has described them as "inappropriate" and "unwanted" but according to what criteria? By whom? Will its decisions be transparent? Will they be able to be challenged and debated? Will they be publicly available? Will it prohibit access to legal material or only illegal material?

None of the country's biggest ISPs like the plan and none of them want to cooperate with the government on it. I doubt that very many users of the internet see what is being proposed—even though it is not exactly clear just what that is—as in any way necessary. But the people who use the internet I do not think are the major people that the censoring is meant to appeal to.

The government is overplaying the threat that the internet poses in its current form to people who have little understanding of what the internet does and then it is offering to protect them from it. This is in the long tradition of political populism—taking a complex issue, blowing it out of proportion and offering a simple solution. It is possibly good politics but it is certainly not good policy.

Censorship is an age-old problem. What do we censor? What is offensive? One person can take offence when another does not. Remember last year when we had a big debate about the photographs by Bill Henson? He has subsequently been rehabilitated and his art has been now described as art again.

One of the things the Greens are strongly in favour of, and that I hope everyone in this house is in favour of, is democracy, open debate and free speech. Without open debate, we do not have democracy. We are left with a dictatorship of some form. There is always a tension between censorship and open public debate. People should be free to express opinions, even if those opinions are unpopular, critical of the government of the day, question certain religious or political beliefs or raise uncomfortable questions. We must strive to keep the range of ideas that can be expressed in public life as broad as possible.

However, I do recognise that at some point the expression of certain ideas and the distribution of certain materials is damaging, or can be damaging, to our society. Personally, I think the expression of racial hatred is one place where drawing the line is appropriate. So is religious vilification and producing or consuming child pornography.

I believe that the challenge for all of us, and certainly the challenge for internet provision, is to censor as little as possible so as to protect our democratic freedoms, while censoring enough to protect the members of our community who would be vulnerable otherwise. Censoring the internet that comes into Australia is a slippery slope, especially when the agency which will be charged with it, ACMA, has no experience in doing it, no guidelines for how to do it and no supervision.

We do not know what we are not allowed to see and why we are not allowed to see it. We will not be able to challenge the decision of whoever it is that makes these decisions for us. The process will be secret and the censorship, which is not transparent, is a real threat to democracy. Right now I have to say that we are totally confident the government will not use censorship as a political tool. There are other countries in the world where this does happen. Unfortunately, this may not be the case in the future.

In terms of protecting children from inappropriate content, the technology is already out there to do that. The Howard government spent over \$80 million on a program to provide free content filters to families to protect their children from unwanted content. These filters when installed on a family's computers work effectively and enable parents to finetune what their kids can and cannot access. We think that was a good and appropriate move.

There is certainly room for the federal government to work with these software companies to provide a filter to families more cheaply or build one that can be downloaded free of charge. I think that would be a worthwhile exercise. There are other simple low-tech things like putting the computer in the lounge room or another area where you can supervise your kids' web use or talk to your kids when they are using the web.

Let us look at where internet censorship actually does occur. We have all heard about the great firewall of China. Do we want to emulate it? According to Scott Ludlam, other countries that do it are Iran, Saudi Arabia, India and Burma. Is this actually the sort of company that Australia wants to be in as far as censorship is concerned? Colin Jacobs, the chair of the online users lobby group Electronic Frontiers Australia, said:

I am not exaggerating when we say that this model involves more technical interference in the technical infrastructure than what is attempted in Iran, one of the most repressive and regressive censorship regimes in the world.

In terms of the technical issues, there are many trivial ways to bypass the filtering, such as having a server overseas. The filtering also will not cover email or peer-to-peer networks and it will slow down access speeds for all users. The public results of the filter trial in Tasmania showed very large numbers of false positives, failure to block banned content and the potential for drastically reduced speeds. Without going into the technical details, the premise of this trial was also flawed. In real-world scenarios, we believe that the performance degradation would be many times worse and that there would be more false positives.

The real problems are social issues. Child pornography, international terrorism and crime are not problems which are caused by the internet. They are not problems that are going to be solved just by the internet. We need to look at ways to stop the production of these things because this is only one medium that they will be distributed in. We need to look at building tolerance and understanding between cultures. This is what is going to stop terrorism, not blocking access to websites. In days gone by, we killed off heretics and we burned books. Now we look at filtering the internet.

These are problems which have their roots in the sorts of societies that we live in. The answers to these problems lie in social change, not in a technical fix. What is being proposed by filtering is a band-aid, not a real solution. Thus, my amendment does two things: firstly, it calls upon the government to abandon the unworkable mandatory internet filtering policy; and, secondly, it calls upon the government to ensure that all new estates have cabled internet connections.

MS BURCH (Brindabella—Minister for Disability, Housing and Community Services, Minister for Children and Young People, Minister for Ageing, Minister for Multicultural Affairs and Minister for Women) (4.37): I thank Ms Porter for bringing this motion to the Assembly.

As Minister for Disability, Housing and Community Services, I am aware that my department and the community sector work with Canberra's most vulnerable people.

Like all Canberrans, our most vulnerable will benefit greatly from the rollout of the national broadband network. My department works hard to ensure these people are connected to the services and supports they need to facilitate positive involvement in the community and that broadband delivers the information in a way that is increasingly required by our society.

It has often been said that education is the great leveller in our society, and I believe that high speed broadband also has a significant role to play in making our society fairer and more inclusive. It is not simply a “\$43 billion high-tech babysitter”, as Graeme Wood from wotif.com was flippantly quoted in today’s *Australian* as saying. If Brendan Smyth actually understood how an economic cost-benefit analysis works, he would understand that it is completely incapable of producing even a marginally meaningful result on a project like the NBN. Moreover, a cost-benefit analysis would only estimate the net private benefit that a given investment opportunity would be expected to deliver and would ignore the costs and benefits that people and organisations would experience as a result of the investment choice.

But the national broadband network will enable people to be connected to services, employment and each other like they never have been before. There are three key benefits of high speed broadband which will be delivered by the NBN to our community from the perspective of my portfolio. First, high speed broadband will improve people’s access to services. We know that currently people shop online, purchasing goods and services and using the internet to acquire information from vast databases, at home and elsewhere. ABS data from 2009 shows that nearly 60 per cent of most age groups in Australia and 40 per cent of people in the over-65 age bracket purchased goods or services online within a 12-month period. Government services, such as some ACT government concessions, motor vehicle registration renewals and participation in ACT government community-government consultations can now be accessed online.

But that is what we do now. As the paradigm of broadband shifts, so will the depth of the services that we access change into the future. High speed broadband may make it increasingly easy for people who now find it difficult to physically get to particular services, because of disability, young children or cost. The national broadband network may improve access to employment, allowing some people to work more flexibly at home, helping them manage the demands of home and work—and maybe even their disability.

It is in this way that high speed broadband offers the opportunity for improved social inclusion. It allows people to stay in contact with family and friends when even geographically separate. We know that many families have other family members interstate—and, for migrants, their families are often overseas. The future of broadband allows all of us to stay connected, using rich and interacting video conferencing at home with friends—or even with our colleagues in the workplace. All citizens in the Canberra community will stand to gain from improved access to services, flexibility of employment and greater social inclusion.

However, there is a danger that our community will rely ever more on internet technology for people’s participation in services, employment and communication

and that those without such technological access will be left behind as the information poor. In Canberra, such vulnerable groups include people from low income households, people with a disability, people who are ageing, people from diverse backgrounds, Aboriginal and Torres Strait Islander people, women, children and young people. For such people, in households without the kind of broadband access that many of us take for granted, there is no level playing field.

While the NBN will be available for every home in Canberra, some people on low incomes may find it difficult to afford internet access or may be without an internet capable device or computer. This government wants such people to enjoy access to the internet and provides free access to public facilities such as libraries and schools—and through its support of community organisations. For example, the Women's Referral and Information Centre in Civic recently received new computers for the use of community members. While the NBN will enable greater access to high speed internet, we must continue to be vigilant in facilitating this access.

The NBN is not simply about enabling us to download a 40-gigabyte blu-ray quality movie at the click of a button; the NBN will support my department's strategic plans now and into the future. The strategic plan for positive ageing 2010-14 commits to the development of an online seniors information portal, to provide information on seniors services in the ACT. The strategic plan also commits to assisting seniors who wish to increase their technical skills through the provision of training on information communication technology. The ACT young people's plan 2009-14 recognises that most young people use online technologies to access information and connect with friends. The plan seeks to increase the amount of information available, to assist young people to make informed decisions about services available to meet their needs. The internet has an important role in ensuring that all young people have access to this information.

The ACT children's plan 2010-14 acknowledges the importance of providing opportunities for children to influence decisions about their lives and communities, and the plan commits to the establishment of online feedback mechanisms, to ensure the concerns of children are heard and responded to in the delivery of the children's program and services in the ACT. The ACT multicultural strategy 2010-13 notes that translated information on services and supports is needed for people from multicultural backgrounds. While we currently offer a multicultural e-news bulletin and an ACT multicultural community directory online, I can only begin to imagine the opportunity for automated translation services that high speed broadband may deliver.

The ACT women's plan 2010-15 highlights the fact that women often experience difficulties in balancing employment and caring responsibilities. Flexible working conditions, including the ability to work from home, can assist women to remain in the workforce and reduce economic disadvantage. The internet also provides a valuable way of preventing social isolation for women, particularly those involved in caring responsibilities.

Future directions: towards challenge 2014 seeks to ensure that people living with a disability have access to information and support, to assist them to participate in the

community. Internet provides a mechanism for supporting people living with a disability to access services such as groceries, banking and training opportunities. Internet also provides people living with a disability with information on support services and the ability to participate in the workforce, through flexible working options. Reliable high speed broadband will enable people with disabilities to make better use of Web 2.0 tools, such as blogs, wikis and social media platforms, to access e-government services. These and other underdeveloped tools are beginning to offer a quiet but profound revolution for people with disabilities to access government services online, contribute to public policy decisions and discussions, socialise and engage in the community through the use of social media and receive support online from professionals.

The national broadband network will assist in the implementation of these plans by providing greater internet access to all citizens regardless of age, cultural background, gender or disability. The national broadband network offers great potential to increase social inclusion in our society, and I urge everyone in this place to embrace the opportunities that this provides to our community. I thank Ms Porter for bringing the motion to the Assembly.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (4:47): I move the following amendment to Ms Le Couteur’s proposed amendment:

Omit proposed paragraph (4), substitute:

“(4) work with NBN Co and TransACT to deliver high-speed, cabled broadband to new subdivisions;”.

My amendment essentially seeks to acknowledge that, in relation to the provision of cable high speed broadband in new subdivisions, it is important that we work with NBNCo and with TransACT in the delivery of that. To be purely pragmatic, obviously there is a cost associated with rolling out that infrastructure and, if it can be provided as part of the national broadband network, it would make sense. I see nodding in agreement from Ms Le Couteur, so, hopefully, she will agree with my amendment.

In relation to paragraph (5) of Ms Le Couteur’s amendment, yes, I do note that a variety of groups have a position in relation to the mandatory internet filter. As I understand the situation nationally, Minister Conroy has in fact deferred further consideration on that matter, subject to some further consultation around a range of technical and policy issues that relate to the proposed internet filter. I certainly acknowledge there are a variety of views in relation to the issue itself—whether there should be a filter—and then equally to whether it is technically practical to achieve such an outcome.

I tend to fall into the camp that does not see a need for an internet filter. If people want to opt in to such a service, that is entirely appropriate, but it should not be a blanket position for all users of the internet, and one would hope that, through the further consideration of this policy in the months ahead, that will be the position that

is arrived at. So, whilst I have some sympathy with paragraph (6) of Ms Le Couteur's amendment, I will not be supporting it today. I think it is better to acknowledge that the matter is in fact under some further consideration and will be subject to, no doubt, some robust debate in both the lower and upper houses of the federal parliament—and perhaps it would be incumbent on me then to make another amendment, which I might do in due course, just to rework that one slightly.

So, in moving this amendment, I do so, as I indicated, because I think it is important to work with NBNC_o and TransACT. This sort of infrastructure does come at a significant cost, and it is important that we take advantage of some of the federal government funded programs in this area, recognising the importance of delivering this particular project in new subdivisions, most particularly in Gungahlin, since, as we know, there have been a number of issues in that part of the city.

Equally, as we move forward as a nation, the importance of the national broadband network is clear, seemingly, to all or most. It is a pity that, in the context of the most recent federal election campaign, perhaps the importance of this technology to our country was not a matter of bipartisan agreement, but it would appear, with the appointment of Mr Turnbull to the shadow communications portfolio and judging by a number of the statements he has been making that, where he is a tech head and Tony Abbott is clearly not, the federal Liberal Party's position on this matter will change.

Therefore, it is important that there is a degree of certainty around the future of NBNC_o, which I think we now have, and therefore we should be working with them and with TransACT, our local broadband provider, to ensure that high speed cable broadband is made available to new subdivisions. Indeed, where it will be retrofitted throughout our city in the fullness of time, it is important that we, as an Assembly, support that.

For those reasons, I move my amendment to Ms Le Couteur's amendment and recognise and am happy to note the position of the groups listed in paragraph (5). But I indicate a concern that paragraph (6) does not in fact reflect the current state of the policy debate in the federal parliament and also indicate that it may be necessary for me to move a further amendment, which I will do, once I have sat down and got the chance to write it.

MS LE COUTEUR (Molonglo) (4:53): I will very briefly speak to Mr Barr's amendment to my amendment. I would like to say that his proposed rewriting of my paragraph (4) is entirely acceptable. I am obviously very supportive of the idea of getting the commonwealth government to pay for broadband in new subdivisions. I think that is an excellent idea. However, if this does eventually become an amendment to get rid of paragraph (6), then, no, I will not agree with that. But the amendment, as currently circulated, seems entirely acceptable.

Mr Barr's amendment to Ms Le Couteur's proposed amendment agreed to.

MADAM ASSISTANT SPEAKER (Mrs Dunne): The question now is that Ms Le Couteur's amendment, as amended, be agreed to.

MR BARR (Molonglo—Minister for Education and Training, Minister for Children and Young People, Minister for Planning and Minister for Tourism, Sport and Recreation) (4.54), by leave: As I indicated, the government has some concerns with paragraph (6) of Ms Le Couteur’s amendment. I apologise for not having circulated an amendment to that. I indicate that I will move that we vote on each of these items separately.

Ordered that the question on Ms Le Couteur’s amendment be divided.

Paragraph (4), as amended, agreed to.

Paragraph (5) agreed to.

MADAM ASSISTANT SPEAKER: The question now is that paragraph (6) of Ms Le Couteur’s amendment be agreed to.

The Assembly voted—

Ayes 4

Noes 13

Ms Bresnan
Ms Hunter

Ms Le Couteur
Mr Rattenbury

Mr Barr
Ms Burch
Mr Coe
Mr Corbell
Mr Doszpot
Mrs Dunne
Ms Gallagher

Mr Hanson
Mr Hargreaves
Ms Porter
Mr Seselja
Mr Smyth
Mr Stanhope

Question so resolved in the negative.

MADAM ASSISTANT SPEAKER (Mrs Dunne): The question now is that Ms Porter’s motion, as amended, be agreed to.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (5.00): Madam Assistant Speaker, I am very pleased to rise to speak in support—

MADAM ASSISTANT SPEAKER: Mr Barr, you have already spoken.

MR BARR: On the amendments, not on the substantive motion.

MADAM ASSISTANT SPEAKER: No, it is assumed that you are speaking on the substantive motion. You can seek leave. Is leave granted?

Leave not granted.

Suspension of standing and temporary orders

MR HARGREAVES (Brindabella) (5:00): I understand your ruling is that, on the negation from Mr Seselja, the Speaker—

MADAM ASSISTANT SPEAKER: Leave was not granted.

MR HARGREAVES: Therefore, I move:

That so much of the standing and temporary orders be suspended as would prevent Mr Barr from again addressing the Assembly.

MR SESELJA (Molonglo—Leader of the Opposition) (5:01): We will not support a suspension of standing orders. Mr Barr has had several opportunities to speak to this. The fact that he chose not to speak to the substantive motion in the first place is not our problem. I can count two or three times he has already spoken on this—not just once but at least twice he has spoken previous to this. The idea that he can speak as many times as he likes to a motion is not acceptable.

This is about the Labor Party filibustering now. They are filibustering because they do not want to talk about drugs and the prison. That is what is going on here. They do not want to talk about ACTION. They do not want to talk about drugs in the prison. So Mr Barr wants to have three or four goes at speaking to this. We will not support a suspension of standing orders so that the Labor Party can filibuster so that we do not get to issues they do not want to get to, particularly drugs and the prison.

MS LE COUTEUR (Molonglo) (5:02): I want to speak to the motion. I wish to rise to support the suspension of so much of standing orders as is necessary to allow Mr Barr to speak. I do this for a couple of reasons. It has been a fairly confusing debate. I was not quite sure exactly at what point I should speak, given the number of amendments. So I think it is quite understandable that Mr Barr would have been unsure, when he actually spoke, that he was able to speak to the substantive motion.

Secondly, I would also point out that both times that Mr Barr has spoken so far he has been very brief and to the point. So far I do not think we could accuse Mr Barr of filibustering. I am hopeful that we will not feel that we should be making this accusation afterwards.

I think that, in the spirit of having a full debate on what is an important matter, we should allow Mr Barr to speak once more on the substantive motion which he has not, I would observe, spoken to to date.

MR HARGREAVES (Brindabella) (5:03), in reply: I thank members. Ms Le Couteur raises a very good point. I think it is worth while asking perhaps the Speaker or the Clerk, through the Speaker, to advise members of the process around speaking to motions, because I do know there is a lot of confusion, particularly among newer members who have not encountered this before but not among older members like Mr Smyth and, I would have expected, the Leader of the Opposition. I understand that he is confused, because he does not read the standing orders very often.

It is confusing. If you have got a number of amendments on the go, you need to understand and to recall that, when you are moving your own amendment, you are actually speaking to the substantive motion at the same time as your own amendment. You can get confused. It is the most simple of things.

Only today in fact, I observed that a couple of members, when I spoke to them about this sort of process, were not aware that is exactly what would happen. So it may be worth while for the Speaker taking this up and put out a little screed or something like that. I thank members for supporting the suspension of standing orders.

Question put:

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

The Assembly voted—

Ayes 10

Noes 5

Mr Barr	Ms Hunter	Mr Coe	Mr Seselja
Ms Bresnan	Ms Le Couteur	Mr Doszpot	Mr Smyth
Ms Burch	Ms Porter	Mrs Dunne	
Ms Gallagher	Mr Rattenbury		
Mr Hargreaves	Mr Stanhope		

Question so resolved in the affirmative, with the concurrence of an absolute majority.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (5:08): I thank the Assembly for the opportunity to speak in relation to broadband and its role in education. I think it is now accepted across the western world that broadband is the most vital tool in communication systems and is fundamental to the way education will work in the digital age.

Whilst the Canberra Institute of Technology and the University of Canberra are both major innovators in the use of broadband and digital technology, I intend to limit my comments this afternoon to the positive impact of these technologies in ACT schools. Since the advent of the digital education revolution, broadband technology has become increasingly important in how education systems are meeting the 21st century's challenges.

In this context I think it is important to make it clear, though, that broadband is important but is not a substitute for quality teachers or quality teaching, which is the most important element to making our schools great places for learning. Rather, broadband is a key tool in increasing access to education. It enriches the system. It makes learning more challenging and exciting, complementing and enhancing what a dedicated teacher does in the classroom.

The ACT government have been working very hard to ensure that we are leading the broadband revolution in education. We have invested heavily in broadband and the digital education revolution because we believe that computer and digital literacy is as important to a student as being able to read and write or to do maths. It is simply an essential skill for young Canberrans living in the 21st century.

There is no doubt that the ACT has some of the best schools in the nation, as our NAPLAN results so clearly demonstrate. And broadband is certainly giving us the

edge when it comes to the future. We have been part of the debate on how funds should be invested. We have been a partner with the federal government on funding. We have been listening to education experts on what is needed and we have been prepared to invest to get the best outcomes for ACT students.

A great example of the digital revolution in action in ACT schools is the virtual learning environment known as the CLC, the connected learning community. The system is delivered across high speed fibre, the fastest and most effective way for schools to access online content.

Put simply, without fibre, the functionality of the connected learning community in our schools would be severely limited. There would be limited possibility for video conferencing. Also, podcasting of lessons would not be practical because, when a large number of students wanted to watch or listen, the system would simply be too slow to allow this. The use of embedded media, movies, embedded documents, sound files and flash games would also be very difficult without broadband fibre.

The CLC is the new kid on the block when it comes to broadband learning and replaces the previous my classes platform with a faster, fibre-delivered speed and superior technology. It has a total budget of \$2.9 million and is part of the ACT government's smart schools, smart students initiative. The CLC provides opportunities for learning which were previously unavailable to ACT teachers and students. It provides exciting opportunities to broaden curriculum opportunities for students across the education system.

MR ASSISTANT SPEAKER (Mr Hargreaves): Excuse me, Mr Barr, for a second. Gentlemen, could I ask you to do two things, please. Keep your volume down a little and press your mute button, please, because the guys upstairs are being entertained. Thank you.

MR BARR: Thank you, Mr Assistant Speaker. It also provides the necessary components to explore more future-focused models of education across ACT schools through the concept of a virtual school. Since the CLC rollout started in ACT schools in May this year, students and teachers have recognised its value. They have responded with a great deal of enthusiasm to its learning possibilities.

In fact, our technical experts tell us that in August this year student hits on our CLC learning environment outnumbered hits on Google. In the face of scepticism of those opposite, CLC has become the most frequently visited website for ACT public schools. CLC continues to be rolled out in our schools, with 51 schools currently having access to the technology. The remaining schools will have access to this virtual learning environment during term 4.

The rollout is being carefully staged, of course, with elements being rolled into next year. This will include the introduction of a portal for parents, scheduled for late 2011. The parent portal will give parents the ability to conveniently get a better idea of what is going on at their child's school. The parent portal will give information, including attendance data, school timetables, homework tasks, test results and even a portfolio of their child's work. I think it is fair to say that the old excuse that perhaps many of

us have used about not being able to remember what our homework was will no longer be possible. The old “the dog ate my homework” excuse will be even less effective in a connected learning community. With CLC, students and parents will be able to access one of the finest broadband enabled systems in the world.

When fully rolled out, CLC will allow students to use video links to practise speaking another language with a student at another school. It will allow them to download and play back podcasts and even complete their maths and other homework online. It is a multitasking learning environment for students, teachers and parents and one that will clearly encourage greater collaboration between students, teachers and schools.

One example of the current use of the CLC environment is at Amaroo school, whose year 6 students are preparing to go to the new Gungahlin college built by the ACT Labor government. The principal of Gungahlin, Gai Beecher, is already in communication with students at Amaroo, from the primary school through to the high school, via broadband subject choices, seeking student input on issues such as how the school will be run. The use of the CLC is easing the transition of students to the new college and is empowering students at the same time. It is indeed a great example of the practical benefits broadband can have on education.

But any form of virtual learning comes at a cost. Total investment to date on the fibre network for ACT primary schools is \$7.7 million. This is on top of the original investment of \$6 million from the smart schools, smart students program that provided fibre to all ACT public high schools and colleges.

I think it is important to note that the ACT is the first jurisdiction nationally to provide this capability to all of its public schools. At one gigabyte per second, the speed achieved on our network is world leading for education and is also a speed that will allow ACT students to take full advantage of Labor’s national broadband network.

But as I say, rather than being a substitute for quality teaching, the CLC is actually an opportunity for our teachers to further hone or gain new skills. An important component of the rollout of this technology is the time and money we are committing to the professional development of teachers using online tools delivered by broadband. Nearly half a million dollars is being invested in the first 12 months of the implementation of the connected learning community.

A professional learning program for teachers will be delivered over several days a term, with a target of 12 schools per term. There will be regular after-school CLC workshops for all teachers and opportunities for teachers to undertake further professional training. There is already an ICT master class program, a five-day program on ICT integration into the curriculum, which includes podcasting, digital content, constructing online learning and interactive whiteboards. The courses are currently operating two per term.

Embedded within the ICT master class program is an optional certificate II in ICT provided through CIT. The program saw 28 teachers graduate with a certificate II in IT in May of this year. By combining professional development and school access to broadband, I am sure members would not be surprised to learn, ACT public school

teachers have been identified by the Learning Federation of Australia as the largest per capita users of the national digital curriculum content.

Broadband is important to education because it connects communities, delivers individual learning, allows the free flow of information and makes it so much easier for students to access the world and get instant feedback. Without broadband and without the substantial investment by the ACT and federal governments, the ACT and Australia would be left behind. Instead, we have ensured that Canberra is well placed to capitalise on the national broadband network. It is good for students, because it enhances their education.

MS PORTER (Ginninderra) (5.18): I thank members for their contribution to this debate. However, unfortunately as usual, Mr Smyth continues the negative glass-half-empty policy of his party with his attack on broadband and its advantages, including his selective reading from and quoting of commentary on NBN. For instance, he omits to say that Mr Wood went on to say in the article in the *Australian* today that broadband would be a great boon for businesses and for education and medical services. Mr Smyth seeks to relegate this important investment to something that just provides people with the opportunity to download movies faster and a waste of money. And this demonstrates that he is totally ignorant of its great potential and the demand for this facility. To say that people in Gungahlin will not want it beggars belief.

I think we need to consider—and obviously he does not—the number of businesses alone that will welcome this facility. As I said before, it highlights the narrowness of the Liberals' view of the world. And I thought that the Liberal Party was supposed to be the friend of small business, those that champion the cause of small business.

What about the benefits that will be gained from e-health? As I said before, I have had the benefits of this demonstrated to me in the remote Northern Territory and in South Korea. This is indeed lifesaving technology.

MR ASSISTANT SPEAKER: Stop the clock. Members, please, Ms Porter is trying to close debate and there are rumblings around the chamber. If you wish to rumble, please do with a little less volume. Thank you very much.

MS PORTER: Thank you, Mr Assistant Speaker. As I was saying before, I have observed this technology in action as it was demonstrated in the Northern Territory and in South Korea, in particular with regard to e-health, and I believe this is lifesaving technology. Those opposite think it is a waste of money.

The benefits to the community as a whole cannot be argued with, even though Mr Smyth has made a feeble attempt to do so. I have already highlighted the way our community have embraced the internet and this age of communication. The ACT government has also embraced it as a means of consulting with the community.

Ms Le Couteur has also highlighted how much the community have made use of it in the way they have communicated with the government and indeed with committees. However, Mr Smyth thinks this is all a bad idea. His colleagues also think it is a bad idea.

As Ms Burch said earlier, this high speed broadband will connect people to services in a way they have never been connected before. As she says, some people find it difficult to get to localities because of their disability or for other reasons, and these people stand to gain enormously from this investment. I am glad that this government takes seriously the needs of those who may not currently have access to broadband, as Ms Burch has outlined.

Of course, she also outlined many advantages of the NBN which I will not repeat here, in the interests of time. However, again this only goes to highlight the stark difference between the two sides of this chamber. The Liberals want to remain in the dark ages, and this side of the chamber will work with the federal Labor government and work with NBNCo to facilitate this fantastic investment.

This is an investment, as Mr Barr has also pointed out, that will give education a key tool for advancements in learning that we have never seen before. E-learning is a great advantage for schools in the ACT but is an even greater advantage for remote communities where it is critical, I suggest to you. It is evident to me that the Labor government and the crossbenchers will embrace this opportunity as much as the Liberal opposition will oppose it.

Motion, as amended agreed to.

Alexander Maconochie Centre—drugs

MR HANSON (Molonglo) (5:22): I move:

That this Assembly:

(1) notes:

- (a) the harmful effect of illicit drug use;
- (b) that illicit drug use is a factor in many of the crimes committed by prisoners at the Alexander Maconochie Centre (AMC);
- (c) rehabilitation from substance addiction is made difficult in an environment where illicit drugs are accessible; and
- (d) that the Chief Minister has informed media that drugs are readily available to prisoners at the AMC;

(2) confirms its commitment to eradication of illicit drug use at the AMC and the rehabilitation of prisoners suffering from addiction; and

(3) calls on the ACT Government to table in the Assembly by close of business on 23 September 2010, an explanation of all measures it is taking to prevent drugs from entering the AMC and to ensure that prisoners remain drug free.

At the outset I would like to make a very important point: I believe that the job that the corrections officers do in our jail is an extremely difficult one and one made more

so by the ideological drive that this government has in putting the human rights of prisoners above the safety of prison officers. Not just on the issue of drugs but more broadly in the management of the centre, I would like to make it very clear that the opposition's beef with everything to do with corrections is with the government, not with corrections officers. If Mr Corbell bothered to talk openly with the front-line staff, he would realise that they have some very real concerns about the way that this government is proceeding and the direction that it is taking. They have some real concerns.

Quite clearly mistakes will be made, and occasionally you may have a bad apple in any organisation. But it is very clear that the government is taking this jail in the wrong direction. And that is at the expense of both the prisoners and the corrections officers.

Simon Corbell says that he is doing everything that he can to prevent drugs from entering the jail and that he is trying to prevent the prisoners from using drugs. It is difficult to believe that this is actually the case. It is difficult to believe anything that Simon Corbell says, to be honest. If you look at his track record of competence—if you have even a cursory look at his record as the minister, including as a planning minister—you will see that there is no reason to trust Simon Corbell in this regard. In fact, if you look at his track record and the government's track record in corrections, you will see that they are a litany of failures. I will just cover them, because when we are talking about the prevalence of drugs in jail and some of the programs that the government is looking to introduce, including an NSP, it is important to see where they have gone wrong.

We saw human rights breaches and overcrowding at the Belconnen Remand Centre for years under this government. We saw the violent assault of corrections officers, including six officers requiring hospital treatment. You will remember that one, Mr Assistant Speaker Hargreaves. We had prisoners protesting on the roof of the Belconnen Remand Centre, and then Simon Corbell came out and prejudiced their case. He was condemned in the Assembly for doing so.

We saw the long delays, the extensive delays, in the completion of the Alexander Maconochie Centre. And then there was the sham opening, which we all recall, on the eve of the ACT election of 2008. We have seen ongoing defects in the Alexander Maconochie Centre, in particular defect 2.6. We saw cost blow-outs in the total cost from \$110 million to \$130 million. We saw cost blow-outs in the cost per prisoner. The Chief Minister said that it would cost no more than sending prisoners to New South Wales. What we know is that in fact—he is actually on the record as saying it, Mr Assistant Speaker; roll your eyes if you wish—the price per prisoner peaked at \$500. I am not sure quite what the figure is now.

We know that the jail was delivered without a gym, without a chapel and without a perimeter fence—but with an artwork. What a surprise! What of the number of beds that were delivered? The original scope of the project had beds at nearly 500. It was then reduced to 375, and only about 300 beds were finally delivered when the jail opened. And there is a lack of transition accommodation also. The original scope was 60 beds, and only 15 were delivered.

We have seen security breaches. We have seen safety breaches. We have seen assaults and we have seen sexual assaults. From the last information I had, based on a question on notice, we saw over 127 prohibited items found, which included drugs and drug-related implements. We have seen breaches of internet policy. We have seen the damning, unanimous report of the JACS committee and then the minister's extraordinary attack on that committee, including his own member, Ms Porter, when he said, "It is just a simple sham inquiry to achieve a political end." It was quite a remarkable thing to say when it included one of his own members.

There has been the maladministration of medications at the Alexander Maconochie Centre, the loss of the RFID bracelets, a death in custody and the falsification of documents relating to that death in custody. There have been allegations of rape and abuse at the AMC that led to warnings from a Supreme Court judge. We know that there has been understaffing. There were real problems with rostering and loss of confidence by corrections officers. That led to a rooftop protest by prisoners that was supported by a number of the corrections officers because they were so exasperated about what was going on.

At that time, and probably subsequently as well, we had the disruption to rehabilitation programs where people who were delivering such programs could not actually access the jail because the prisoners were locked down. We have seen the wrongful release of a prisoner—at least one. We have seen the use of drugs, needles and syringes in the jail. In fact, as you will recall, Mr Assistant Speaker, we had drugs and needles get into the jail almost immediately. Now we hear that the drugs are readily available in the jail and that the government, along with their Greens coalition partners, are considering introducing needles and syringes. I make the point that that is a movement that is opposed absolutely categorically by the corrections officers themselves.

Jon Stanhope talks of the continued availability and access to illicit drugs by inmates at the Alexander Maconochie Centre. But even if I supported a needle and syringe program—and let me make it very clear that I do not; that is on the record—this certainly would not be the government or the minister to introduce such a program. Whilst other jurisdictions have been running jails for literally hundreds of years, this government, which has been running this jail for about a year, thinks that with a track record like that it would be a great thing to introduce a needle and syringe program—because it is doing such a magnificent job here with the Alexander Maconochie Centre.

Aside from the ideological argument, the sheer nonsense that this is a government and a minister who would be capable of introducing that sort of program given their track record is just laughable. And given that Simon Corbell is saying that he is doing everything he can to eradicate drugs from the jail, when we look at that track record, that litany of failure I just outlined, it is pretty clear to me, and I think it is pretty clear to everybody else in the community, that he is actually failing to do so. He is failing to eradicate them and certainly failing to reduce the number of drugs down to the absolute bare minimum.

Up front, I suppose the question is: should we mind? Are drugs such a problem in jail? Should we be worried about their use? The Greens may have a different approach to that, but the Australian Institute of Criminology will tell you that 37 per cent of Australian detainees attributed some of their offending to drugs, and 41 per cent of detainees in Australia are deemed to be dependent on drugs. The Australian Institute of Health and Welfare will tell you that one in 10 prisoners are imprisoned for drug-related offences, most commonly drug trafficking and dealing. There are complicated reasons for committing criminal offences, but the Australian Institute of Criminology acknowledges that “at the very least, drug use makes criminal involvement worse”.

Yes, drug taking is a problem, and we need to eradicate it. But it increasingly seems that, with the pressure of the Greens and, increasingly, sections of the Labor Party, the view is that we want to give prisoners access to the implements to take their drugs. It is an odd approach, and it is one that is not supported by any corrections officer that I am aware of. Indeed, that is consistent with all corrections officers in all jurisdictions, not only in Australia but also in New Zealand. Some very strong words have been said about that.

Rehabilitation is the key. I think we all understand that. We all understand the importance of rehabilitation. That is for the wellbeing of the prisoner, his family or her family and society more generally. With many of these individuals, prison actually affords us an opportunity to provide effective rehabilitation. The education, training and health programs are just going to be redundant if the prisoner, the individual, is trapped in that cycle of addiction.

Reducing drug use is actually a cost benefit. If you look at research done by the US national institute of drug abuse, you will see that it estimates that every dollar spent on rehab programs reduces the cost to society for drug-related crimes by \$4 to \$7. On every measure, rehabilitation is the key. It is what we want to achieve. But let me be very clear: it is impossible to do when you have got ready access to drugs. You cannot have rehabilitation when you have got ready access to drugs in the jail, because detoxification is the first step in any effective rehabilitation program.

The ACT corrections mission statement is:

To protect the community by providing a safe, secure and humane correctional system which encourages offenders to rehabilitate.

But how is that even possible if drugs are so readily available, if the people we are trying to rehabilitate are using and have access to drugs?

The Liberal Party’s approach to this is to have zero tolerance to drugs in jail. We are realists and we understand that keeping drugs out of jail is a complex and difficult task, but seeing drugs in jail should be the exception; it should not be the commonplace that it appears to be here in the ACT. It is very clear that on this issue we have a very different approach from the Greens and from Labor with regard to tolerance, or a lack of tolerance, of drugs in the jail.

There are a number of measures that can be taken to reduce the amount of drugs in jail and, hopefully, get it down to zero. Some are used in the ACT; some are used elsewhere. They include drug sniffer dogs and ensuring that there are sophisticated screening measures for all visitors. There is our X-ray machine; I am not sure if that is being used on all visitors or staff. There is random and frequent searching of prisoner cells. Effective intelligence is an important part of this. There is the random drug testing of prisoners and targeted drug testing of prisoners. There are effective rehab programs, isolation for prisoners found to be smuggling drugs, use of restrictions of privilege for those found to be smuggling drugs, restrictions on contact visits for prisoners, a loss of remission for parole for prisoners found to be smuggling drugs, searching of visitors if necessary, and swab tests of visitors' hands. These are all measures that can be used. Some are used by the ACT, but clearly some are not used as effectively as they should be.

It does appear that the ACT government has somewhat given up on eradicating drugs or limiting the use of drugs in the jail. But an NSP will not solve the problem. It will create more problems than it resolves. It will give prisoners easy access to the tools needed to inject their drugs. It is akin to condoning drug use.

The CPSU is adamant that its members are unanimously opposed, for a variety of reasons—principally because of their safety but also because of multiple studies from the US Institute of Medicine, a review from 2006 that shows that needle and syringe programs do not reduce the transmission of hep C. There is still debate about the effectiveness of these programs, not only to broader society but, if they are introduced in jail—whether they will actually make the difference. The US Institute of Medicine review in 2006 said that evidence regarding the effect of needle and syringe exchange on HIV incidents is limited and inconclusive.

The bottom line is that the Liberal Party will not sacrifice the safety and security of corrections staff and will not be supporting an NSP.

I would like to turn to the issue of random drug testing. It is important because it is very unclear exactly what regime is in place in the ACT. It is a very important measure that will measure the extent of drug use, detect and punish users, discourage the use of drugs, and allow us to refer people to rehab programs.

The government has a legislative framework. It has the Corrections Management Act 2007, the Corrections Management (Urinalysis) Policy 2009 and the AMC's hierarchy of privileges. They all allow us to conduct random drug testing. But it appears that it is not actually utilising this program. The minister today has been nothing but obtuse. He was asked by me yesterday in question time and he was asked by the media, but he continually gives vague answers. He is not getting to the nub of the question: are there any comprehensive regimes of mandatory random drug testing in the jail?

We know that there is drug testing on inmates when they arrive at the jail. We know that people, as I understand it, who get onto rehab programs voluntarily submit themselves to drug testing. And there is certainly some targeted drug testing. But that is very different from a full regime of random drug testing. And if that is not

occurring then Simon Corbell cannot put his hand on his heart, amongst other measures, and say, “We are doing everything that we can to eradicate drugs in our jail.”

The worth of these programs is quite clear. In the UK they have got programs. They test 10 per cent of people monthly. That has halved the number of people taking drugs in their jails. I am happy to provide the Home Office report for you, Mr Stanhope, if you are interested. In New South Wales, they test five per cent of their prisoner population every month, amongst a range of other drug testing procedures.

What is clear, and what we know, is that this government has mismanaged the corrections portfolio. We now have drugs that are readily available in the ACT jail. The government’s approach and, it seems, the Greens’ approach—certainly it is the indication from government—is to introduce an NSP. We in the Liberal Party want to have a focus on rehabilitation, keeping drug use to a minimum and keeping drugs out of jail.

The minister has failed to complete his job. What I want to do, and what this motion is about today, is call on him to outline all the measures he is taking so that we can review the matter and see what this government is doing.

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for the Arts and Heritage) (5.38): In response to this motion regarding illicit drug use from the Liberal Party, I wish to outline that the government is committed to ensuring that prohibited items stay out of the Alexander Maconochie Centre and that prisoners have opportunities to rehabilitate and successfully reintegrate into the community. The minister indicated in question time yesterday that he would detail steps that are taken at the Alexander Maconochie Centre. Unfortunately, the minister is unable to be here at the moment and I am fulfilling that commitment by the minister on his behalf.

The Alexander Maconochie Centre is, as far as I am concerned, a great achievement of this government, of this city and of this community. It is a modern facility. It is underpinned in its development by human rights principles and the Human Rights Act and it is characterised by a range of programs offered to prisoners. It is a unique prison.

The introduction of contraband, in particular drug paraphernalia, into a prison environment is not unique to the ACT. Contraband had been entering facilities worldwide a long time before the AMC was ever constructed. The AMC has a number of systems in place to deter and detect the introduction of contraband. Indeed, we have leading edge systems in place—to name a few: the K-9 unit, ion scanning, metal detectors, RFID and the SOTER X-ray machines are all measures operating at the AMC. I am satisfied—in fact, I have no doubt—that the AMC has appropriate security measures in place to limit the introduction of contraband. However, we will not stop looking for ways to improve in that regard.

The introduction of very draconian measures would be required to keep drug paraphernalia out completely. It would involve such things as banning contact visits altogether. It would involve intrusive searching, including body searches, of all visitors, staff and authorised personnel visiting the facility. You can only imagine how the community, the Human Rights Commission and the ACT Ombudsman, not to mention organisations such as the United Nations, would react to such a policy shift.

This government takes on a threefold approach to addressing drugs at the AMC. These are supply reduction, demand reduction and harm reduction. The objective of supply reduction is to disrupt, discourage and prevent the production, supply and uptake of illicit drugs, and to control and regulate the supply of licit substances. Demand reduction aims to discourage the uptake of harmful drug use, including abstinence oriented strategies, treatment and support to reduce drug use through education. Finally, the objective of harm reduction acknowledges that illicit drug use occurs. It simply acknowledges that reality and provides a set of actions that aim to reduce the harm that arises as a consequence of this residual drug use.

As part of supply reduction, detection of illicit drugs at the AMC is achieved from a variety of sources, including electronic and physical surveillance and monitoring; intelligence-based interruption of supply through various methods, such as targeted monitoring of prisoner telephone conversations and interception of suspect mail; searching prisoners, staff, cells, common areas and visitors through the use of ion scan equipment and passive alert drug detection dogs; liaison and intelligence exchange with the AFP; banning of visitors who attempt to introduce drugs into the facilities; visitor signage warning of penalties for introducing drugs into the AMC; clear plastic valises for staff and official and other visitors' effects on entry into the AMC; bulk breaking of goods and supplies outside the AMC secure perimeter; drug testing of all prisoners on admission; and targeted and random drug testing.

In addition to these measures, the government has increased its capacity to detect and prevent drugs at the AMC. Firstly, in February 2010—that is, early this year—two additional passive alert drug detection dogs and two additional dog handlers were recruited, meaning that Corrective Services now uses a total of four drug detection dogs.

Secondly, an X-ray scanner has been introduced to scan prisoners for contraband. The X-ray scanner is used on prisoners only and provides an alternative and less invasive method to strip searching. I should note that the ACT is the first jurisdiction in Australia to introduce such a device which plays an important role in not only detecting contraband but also deterring prisoners from introducing illicit drugs and other prohibited items into the AMC.

Corrective Services also has a urinalysis testing regime whereby all prisoners are tested on admission to the prison. Targeted drug testing based on intelligence is also conducted, as is random drug testing, with penalties for positive results. There is also a continuous searching regime of the prison on a planned and random basis where officers utilise all search mechanisms to locate contraband. The number of occasions on which they find contraband items is an indication of the extent to which people

will break the law and attempt to introduce illicit substances and other items into the centre. It is also an indication of the effectiveness of the measures in place.

I will also outline some of the programs offered to prisoners as part of our approach to address both demand and harm reduction. Firstly, the Solaris therapeutic community—a crime prevention initiative of the government—has been established for offenders committed to addressing their drug dependency issues. The therapeutic community is a structured and segregated environment where people with common addictions—for example, alcohol and drug dependence—live together and learn from and support each other.

The program duration is six months and it uses a staged throughcare program that encompasses assessment, readiness, treatment, transition and release. The program also supports participants to learn and develop pro-social behaviours, effective communication skills, educational and vocational skills, together with emotional and cognitive resilience skills. Admission to the therapeutic community is on a voluntary basis.

Since the commencement of operations at the AMC, the government has seen four intakes of prisoners into the Solaris therapeutic community, with an average retention rate of 83 per cent across all intakes. I should say that this figure, an 83 per cent retention rate, demonstrates that the vast majority of prisoners who enrol in the program are committed and clearly wish to address their alcohol and drug dependency issues.

Further, the therapeutic community operates within the throughcare case management model that underpins the AMC's operations, enabling offenders to continue their treatment after release during their period of community supervision. Prisoners released into the community following completion of the therapeutic community program may be eligible for short-term supported accommodation within the ACT corrections service managed accommodation program or community linkages are facilitated with other drug rehabilitation programs in the community.

The managed accommodation program is another crime prevention initiative funded by the government. It was implemented in late 2009 to address the criminogenic needs of high-risk recidivist offenders by providing accommodation in the community and addressing their alcohol and drug-related issues. Since the commencement of AMC operations, over 25 offenders have been provided with accommodation support through that particular program.

Since the commencement of operations at the AMC, the government has also offered a range of alcohol and other drug programs to its prisoners, including the health and wellbeing program, the AOD first steps relapse prevention program and the alcohol and other drug back in control relapse prevention program, as well as a successful opiate replacement therapy program—in other words, the methadone program.

The first steps program aims to help deal with the challenges faced when ceasing or reducing substance use. The program examines factors that trigger substance use and offers healthy alternatives. It assists in the development of knowledge, skills and confidence in making informed decision around substance use.

The back in control program is an 18-session, high-intensity relapse program designed to assist participants to expand upon and consolidate skills learnt previously in the first steps relapse prevention program. The intention of the program is to improve participants' mental and physical health, increase lifestyle opportunities and enhance quality of life.

As you can see, Corrective Services has multiple diverse supply, demand and reduction strategies in place at the AMC. Rather than focus on the small amount of drug-related contraband that finds its way into the AMC, we should be commending the achievements and successes of the rehabilitation programs and supply reduction technology we have in place at the AMC.

Just to repeat—and I think this goes to the demand which Mr Hanson makes on the government to explain today—the steps that we take to seek to prevent contraband: we have electronic and physical surveillance and monitoring and we have intelligence-based interruption of supply through various methods, such as targeted monitoring of prisoner telephone conversations and interception of suspect mail. We do those things.

We search prisoners, we search staff, we search cells, we search common areas and we search visitors through the use of ion scan equipment and passive alert drug detection dogs. We liaise and receive intelligence and exchange intelligence with the AFP. We ban visitors who attempt to introduce drugs into the facilities and who are detected.

We have visitor signage in the facility warning of the penalties. We have clear plastic valises for staff and official and other visitors' effects when they enter the AMC. We bulk break goods outside the perimeter. We drug test all prisoners on admission. We have targeted and random drug testing throughout the year which involves all of those within Alexander Maconochie.

These are the things we do. Despite all of that—despite the technology, despite the drug dogs, despite the random tests, despite the constant searches—contraband continues to find its way into the Alexander Maconochie Centre, as it does in every other corrections facility in Australia and almost certainly in the world. At one level, of course, it is a signal of human ingenuity, the steps which people will take and the extent to which people are prepared to break the law.

We do all of those things. Some contraband, most particularly drugs and drug paraphernalia, finds its way into this prison. We would wish it did not, but it does. It is reflective of every corrections facility in the nation and the world. We could respond to that by turning a blind eye and adopting the sorts of attitudes that have been expressed by the Liberal Party today—an “all care but no responsibility; leave it up to them” sort of attitude—or we could seek to explore appropriate responses to the reality and seek to better understand the implications of that.

We confirm our commitment to the eradication of drug use at the AMC and the rehabilitation of prisoners suffering substance abuse and addiction. However, that

cannot be by way of the use of the draconian measures that we would need to use to prevent interactions between prisoners and their families and interfere unduly with their human rights. The consequences of seeking a total eradication are so draconian and so against the interests of prisoners' rehabilitation that we are not prepared to contemplate their use.

You have to ask the opposition: what purpose does this motion today have? The answer is quite clearly none. It takes complex social, health and personal issues of addiction that mar the lives of individuals and turns those into simplistic statements that hide the facts that face prisoners, prison workers, prison authorities, governments and, ultimately, the community. The motion is a denial of reality. It is a denial of the facts. Motions such as this, and the language that the shadow minister uses, have the effect simply of brushing over the complexity. Using the word "rehabilitation", as Mr Hanson does, does not make the motion compelling or believable.

The government is not hoodwinked into thinking—and nor will anybody else be—that Mr Hanson or the ACT Liberals care at all about the rehabilitation of drug users or their health. If you did, you could not possibly be supporting the sorts of attitudes that you parroted today and have parroted in recent days.

I should add that the motion does not provide any comfort to those who work in the prison environment. They know what the problems are. Stating them in this way does not change the complexity of the problems, even if the opposition thinks it is that simple. Prison workers themselves are rightly concerned by the issues the matter of contraband raises in the prison. The sudden conversion of the opposition to championing the rights of workers does not convince me and will not convince anybody else that the interests of the worker are at the forefront of the opposition's thinking. Certainly, there is no track record in the Liberal Party of concern for workers. The ACT Liberals do not identify prisoners—

Mr Hanson interjecting—

MR STANHOPE: They do not. This is at the heart of the Liberal Party's position and philosophy on this. The Liberal Party simply do not identify prisoners or drug addicts as people worthy of concern, humane treatment or the sorts of considerations which everybody has a right to. That is what is at the heart of this motion. Today Mr Hanson stands here, walks away from and dismisses a commitment to human rights across our community, including in our prison.

That is what this is about. It is the same as the nonsense we have heard from him in recent days in relation to truancy. It is a convenient opportunity to stand up again and wave the flag, as they have always waved it, in relation to human rights when they opposed the Human Rights Act. They have continued to oppose human rights. They do it here again because they see drug addicts and prisoners as lesser human beings. This motion does not move this issue forward at all. It does not seek to find solutions. There is no effort to solution in this at all. It is not constructive and it is not insightful. It should not be supported.

MR SESELJA (Molonglo—Leader of the Opposition) (5.53): What we just heard from the Chief Minister was prepping the ground—we have seen it in the media—to

sell out the prison guards. That is what we have got today from the Chief Minister, the Labor Party and the Greens. They are going to sell out the prison guards. No matter how he tries to squirm around it, that is what they are doing. He has prepped the ground in the media and he has confirmed it again today.

We read in the *Canberra Times* the comments from Mr Stanhope, and it is worth reflecting on those comments. He said that drugs are readily available. Effectively, what he is saying is that there is nothing we can do; that the war to keep the drugs out, the efforts to keep the drugs out, have failed. In this losing battle, this government is prepared to throw up its hands and say, "We can't stop them, so let's have a needle exchange."

It is worth reflecting on the exact words used by the Chief Minister. He says he is now more inclined to believe that a needle exchange "as a minimum" is something that he would accept. So how much further is this government planning to go? What other harm minimisation measures does this government have planned for the prison? If it is going to go beyond the needle exchange, if he has already prepped the ground for the needle exchange, what else is in the pipeline? Perhaps the Chief Minister could be given leave to speak again so that he can tell us what other things, over and above a needle exchange, this government will now do.

It has thrown its hands up and has again sold out the prison guards. It has sold out their concerns and disregarded their very legitimate concerns about safety and, in the words of the union representing prison guards, the concerns they have about drug-affected prisoners wielding syringes. This government has said to those prison guards, "Bad luck; we've made our decision." That is the ground that has been prepped. It was clearer in the chamber just then from Mr Stanhope's speech than it was even in his comments in the media—he is prepping the ground.

Canberrans would be asking themselves: is the government really fair dinkum about keeping drugs out of the prison? You would have to conclude that the answer is no. You can see that from Mr Corbell's obfuscation today with the media where he will not actually reveal the true extent and detail of how many random drug tests are actually taking place in the prison. How fair dinkum are they? We go to their record. Mr Hanson has talked about their record in managing the centre, and there is no doubt that it has been a debacle from start to finish. Just reading the list of dot points on failures since they opened this prison would take the rest of my speech. It is unfortunate that we do not have longer to go through them, but I think they are well known. It is well known how badly this prison has been managed by this government.

Now they are saying effectively to us, "Because we've managed it so badly, the only way to go is a needle exchange program. That's where we're left. We didn't get the opening right. We haven't been able to manage the prison population. We haven't had the resourcing right. We've been all over the place in so many areas, to the extent that contraband has been able to readily find its way into the prison." This government have done such a bad job they say, "The only answer now is to have a needle exchange program." What they are saying to the workers in the prison is: "Your rights don't count. We are not concerned any more about your very legitimate concerns."

We go back to the philosophical underpinnings, and it is an interesting dynamic that we are seeing where this Labor-Greens alliance is pulling this government. I do not think it took much pulling.

Mr Hanson: They're naturally inclined that way.

MR SESELJA: We have a situation where the government are naturally inclined that way. They are naturally inclined to put the human rights of prisoners above the rights of prison guards. Mr Stanhope, in his contribution, noted concerns about truancy. Likewise with truancy, they have said that there is somehow now a human right to wag school. It is ridiculous, but that is what we are seeing. If you were to ask someone in the community about whether or not they would have thought that Jon Stanhope and his government would have been fiercely committed to keeping the prison drug free, I think we know the answer we would get. I think that this government have been looking for the excuse. This was always the end point. This was always where they were going to end up. They were always going to end up with this kind of harm-minimisation approach. But it is harm minimisation at whose expense?

It does not minimise the harm for prison guards; it puts them in harm's way. That is what it does. Despite the fact that there may be well-intentioned people who argue for it, it is not in the best interests of prisoners either. To argue that a prisoner who enters the Alexander Maconochie Centre who is addicted to illicit drugs and who is seeking to be rehabilitated and seeking to get off the drugs is well served by a regime which is ineffective in stopping drugs from getting in and which allows, therefore, needles to be exchanged is absurd.

At 6.00 pm, in accordance with standing order 34, the debate was interrupted. The motion for the adjournment of the Assembly having been put and negatived, the debate was resumed.

MR SESELJA: It is absurd to argue that prisoners are well served by a regime which is lax on drugs getting into prison and which simply has as the solution a needle exchange program. The prisoners are not served by it; it does not aid their rehabilitation. To argue that the prisoners are not affected by there being more needles in prison and more drugs in prison is ridiculous. It raises safety issues for prisoners, not to mention the prison guards.

What this government is now choosing to do and what this Greens-Labor alliance is choosing to do is to effectively do what I think people would have suspected they always wanted to do with this prison—to have a lax approach in the first place, to put so-called human rights concerns above the rights of workers to a safe environment and the rights of prisoners seeking genuine rehabilitation to seek that in a drug-free environment. This government is selling out all of those interests.

The government are selling those interests out and saying, "We can't do anything about drugs getting into prison." They have not really tried, and, let us face it, that is at the nub of this. It is a philosophical position where they were never going to be fair

dinkum about it. Does anyone really believe that Jon Stanhope and his government were fair dinkum about stopping drugs from getting into the prison? What was their focus? Their focus was not about keeping it drug free, about preventing contraband from coming in. Their focus, as always, was on the wrong issues. Their focus was on getting artwork into the prison. Their focus was on being able to call it the most human rights compliant prison in the country.

We certainly paid top dollar for this prison. We certainly paid for something that should have given us a better outcome. But now we are told we should simply accept that there is nothing this government can do. Despite the fact that we paid the most expensive price per bed for a prison in the country and the fact that it is the most expensive to run, what do we get? We get worse results, it seems, than other prisons.

This is a sell-out. This government and this Labor-Greens alliance are now selling out the interests of prison guards. They are ignoring their genuine concerns and they are selling out the interests of prisoners who genuinely wish to rehabilitate themselves. For that reason this motion should be supported today, and I commend Mr Hanson for bringing it forward.

Sitting suspended from 6.03 to 7.30 pm.

MS BRESNAN (Brindabella) (7.30): The Greens will be opposing the motion from Mr Hanson today. There has been much mention by Mr Hanson in the media and here today in his speech about needing to stop drugs getting into the prison, with very little mention about how he would actually do this. His point is particularly relevant, given every prison, not just in Australia but around the world, has not been able to implement policies or procedures for this to occur.

Mr Hanson's recent call has been for randomised drug testing to be introduced at the AMC. Mr Corbell has today stated that this already occurs, as has Mr Stanhope in his speech earlier. I am also aware that all prisoners have a blood and urine test when they arrive at or enter the prison, which would also potentially pick up any possible drug use.

I will be interested in seeking some further information from Mr Corbell, the corrections minister, on how the tests are conducted at the AMC as there is information from new case studies on randomised drug testing conducted in the UK which does present some concerning information. These studies are some of the most comprehensive on this subject.

A number of studies have been conducted into the UK system of drug testing, including both qualitative and quantitative analyses. The most comprehensive analysis provided by the University of Central England and Birmingham indicated that the low detectability of hard drugs, in particular heroin, meant that random drug testing did not typically act as a deterrent for drug taking. The relatively high level of detectability of so-called soft drugs such as cannabis means that there is a measurable effect on individuals switching from these drugs to intravenous drugs.

Broad-ranging surveys of prison officers, governors and prisoners indicated that a likely effect of mandatory drug testing was to shift soft drug use to hard drug use.

Additionally, prisoner and guard focus groups in the study reported increases in prisoner violence, particularly towards any prisoner caught out by drug testing. I would seek assurances from the minister that the process of randomised drug testing at the AMC is being managed and monitored to mitigate these impacts if they are shown to be occurring. Also, as I have highlighted previously, in none of the prisons where drug testing has been introduced has drug use been entirely eliminated nor has the problem of blood-borne virus transmission been addressed.

The ACT Greens have put forward a paper on possible models for the implementation of a needle and syringe program in the AMC as a measure to reduce the high level of blood-borne virus transmission that occurs due to needle sharing in the prison. And I imagine that is partly why Mr Hanson's motion has eventuated today.

It is a broadly acknowledged policy of both the ACT and Australian Greens that the most effective means of combating drug issues, including people currently in the AMC, is through harm minimisation. We have this policy because it is supported by the best possible Australian and international evidence. Harm minimisation is shown not only to reduce associated harms of drug use such as health problems, overdoses and drug-related crime but it additionally reduces overall levels of drug use, particularly for highly addictive drugs such as heroin and crystal methamphetamines, by providing safer access to programs to combat addiction.

Applying these principles to a prison facility presents unique challenges, and this is the reason why we developed a policy paper based upon the international experience of needle and syringe programs in prisons. The research examined by the ACT Greens discussion paper as well as the feedback we have received is clear. Needle and syringe programs reduce blood-borne virus transmission. They increase the uptake of drug treatment programs and improve safety for corrections officers. I emphasise the point that it actually improves safety for corrections officers. In some cases the presence of a needle exchange program reduced the incidence of drug use.

I would like to refer to information contained in the discussion paper:

A review of international research and program development conducted by the University of New South Wales National Drug and Alcohol Research Centre in 2001 examined the successes and limitations of NSPs in a selection of prisons in Spain, Switzerland and Germany, and provides useful feedback on the success of various NSP methodologies. All prisons surveyed reported a significant reduction in syringe sharing and was almost non-existent at the end of most of the pilot studies, and where medical data was available, it largely indicted a reduction in seroconversion and other symptoms of BBVI—

that is, blood-borne virus infection—

spread. No cases of seroconverting for HIV, hepatitis B or hepatitis C were reported in any prison with an NSP ... The review noted the limitations on the success of the program were based upon the knowledge and acceptance of the program amongst prisoners and staff, however staff attitudes were significantly positive. No syringe-based attacks were reported in prisons that had implemented the NSPs.

Overall, prisons with NSPs have not resulted in increased drug use, have not caused security or safety concerns, and have reduced the risk of needle-stick injuries to prison staff. Evaluations have shown that NSPs actually make prisons safer. NSPs also result in people accessing drug treatment.

I would like to emphasis again that last point because this is actually from the Royal Australasian College of Physicians. They are not necessarily known as a group who would come out with that sort of statement if they did not have the evidence to back it up.

What the international experience has also shown—and this is something I learnt from my meetings in Lisbon on this matter—is that creating an environment where drug use, particularly through the use of needles, and its related health impacts can be discussed in an open way has a far greater educative and direct impact on the level of drug use. With the experience in Portugal, it was noted, in my meetings, that one of the main achievements of having NSPs was that they were able to provide training sessions with health staff, corrections officers and prisoners in regard to health, harm reduction and infections, and almost 100 per cent of prison staff were reached with these programs.

The steps we should be taking from here on are: to engage in a constructive conversation with corrections and health staff, community organisations involved in the provision of health services in the AMC and the community in general about the next steps of implementation. Also, when we are dealing with highly emotive and, unfortunately in this instance, politicised debates, it is imperative that we look to the evidence base.

It is notable that Mr Hanson has chosen not to outline any specific additional measures in his motion that the corrections minister should take to eradicate illicit drugs at the AMC. That is because, as I highlighted in my supplementary question without notice yesterday, to eradicate or, closer to the point, merely reduce drugs in prison, the types of measures that corrections would have to implement would be incredibly draconian, such as complete solitary confinement, no contact visits, extensive and invasive searches of all prisoners, visitors and staff, including health staff and corrections officers, and would create substantial difficulties in maintaining prisoner cooperation as well as the goals of a human rights compliant prison.

Once again, even in maximum security prisons where such measures exist in part or in full, drug use has not been eradicated. Human ingenuity has shown that prisoners have always been able to evade even the most stringent detection regimes. The question then is: given that drugs are present, what is the most effective course of action that we should take?

The Greens are constantly accused, in particular by the Canberra Liberals, of ignoring the reality of the situation. Here is a perfect example of where the Canberra Liberals are completely ignoring the reality of the situation and looking to policies and measures which have been proven not to work and have been dismissed by governments and prisons around the world.

Mr Hanson: But not in Australia.

MS BRESNAN: Yes, they have been, Jeremy. The ACT Greens believe that the most responsible course of action to reduce drug use in the prison is to target demand rather than to try to completely eliminate supply, simply because, even in prisons that implement the draconian measures I mentioned above, they still find ways to supply drugs to prisoners.

We continue to support the existing drug detection measures and punishment for those caught smuggling drugs into the AMC. However, we must acknowledge that these measures are imperfect. We refuse to take a head-in-the-sand approach and simply hope that the drug problem goes away.

When we take the steps to incarcerate someone in our society we have a responsibility to give them the best possible chance to rehabilitate themselves. This includes treating in the most effective fashion any drug problems they may have and preventing prisoners developing further health problems whilst they are inside. The evidence shows that our policy to implement a needle and syringe program is the most effective means of fulfilling this responsibility. Furthermore, our approach is the best method in ensuring correctional officer safety. When it comes to correctional officer safety, drug use minimisation, prisoner health, effective rehabilitation and human rights, we are more than happy to debate the evidence at any time and in any place.

It is unfortunate that the prison is being used as a political football by Mr Hanson as it is an easy target. If we want to implement policies in the prison that actually increase the uptake of drug treatment programs and reduce the rates of blood-borne virus infections which then will have flow-on effects in terms of aiding rehabilitation and reducing recidivism, then we must look to the evidence base and what is proven to work.

Mr Hanson did outline a whole lot of measures earlier—I do acknowledge that—but they are already things that happen in the prison now. He did say that they need to be done more effectively and I will be waiting with bated breath on how Mr Hanson proposes that that will actually be done.

Mr Hanson referred to a report from the Institute of Medicine. I do know that Drug Free Australia is one of the organisations that have quoted from this report but, unfortunately, they did not quote in full the paragraphs, which I will read out for you. I have the full report. These are the paragraphs which they selectively quoted from. I will read out the full paragraphs, to give the context:

As with drug treatment, a common concern is that sterile needle and syringe access may produce unintended results, including more new drug users, expanded networks of high-risk users, more frequent injection, and more discarded needles in the community. However, studies do not find evidence of such outcomes.

Sterile needle and syringe access can prove important in linking drug users to health and social services. Such programs also have the potential to help prevent hepatitis C—which is transmitted more readily by injection drug use than HIV—by providing other sterile injecting equipment, such as cotton swabs and alcohol wipes.

Although questions remain about the impact of multi-component programs that include sterile needle and syringe access on actual HIV incidence, the report recommends that high-risk countries act now to implement such programs. These programs should include multiple access points and methods of delivery, focus on reducing sexual risks, and actively refer drug users to other services.

I think that shows that, when you are quoting a source of information and when it is being quoted by particular groups, you need to check the actual report and the source of information before you use it because, as this clearly shows, it was selectively quoted. What this report actually says is that it is in favour of needle exchange programs and that, while there are some questions around how the programs operate, high-risk countries should be implementing these as a matter of importance because of the impact they have on the spread of blood-borne viruses and other resultant impacts that they will have in terms of the operation of the prison.

MR HARGREAVES (Brindabella) (7.43): I would like to put on the record a couple of things. Firstly, when I was in Mr Hanson's position—as shadow minister—I opposed the installation of needle exchange programs in the prison as well. I actually took the view then that the welfare of the officers was more important than the health of the prisoners—that the security of the officers was a really important thing. I still hold to that view—that that is a very important thing.

But I have to confess that I have changed my position relative to the needle exchange program. I would like to advise the Assembly why. I would also like to talk about some of the things that Mr Hanson was saying earlier on. What we heard was a litany of things that he thinks that Minister Corbell and possibly even I got wrong with the prison in its first year of life.

Hello, if you want to get it right first time, well, mate, you need to be born by immaculate conception to do that, because you cannot do it. We heard a litany of things that went wrong, all the way down to the contract to build the building. What that has to do with the needle exchange program is totally beyond me. It is a completely different subject. All it succeeded in doing for me was show that the argument was a bit shallow and needed padding out a bit.

What Mr Hanson, I think, has missed really in this whole debate is that this is not a corrections issue; this is a health issue. This is actually about people's health. Now, when I was quizzed about it earlier on, at the time I was the minister for corrections, I said, "I will not talk about a needle exchange trial until the prison is 12 months of age." I wanted to get the ordinary things ironed out first, and then I thought we would spend about six months to design some sort of a trial. I ceased to be the minister, so I could not actually carry that through. But it was my view that because we had a health facility in the prison divorced from the corrections side of it that showed this government's commitment to the fact that this is a health issue.

Firstly, I want to applaud Ms Bresnan's discussion paper. I have not actually had a chance to completely read it, but the fact that it is out there is a terrific idea. I think it is a terrific idea. Let us have people talking about it. What we are actually seeing from those opposite is the normal redneck scaremongering that you would expect. We are

seeing the normal redneck scaremongering that could actually whip up a frenzy in the community. They are saying that we have got a massive drug culture here and the only way to fix it is to belt the daylight out of people. Sorry, that does not work. That is just a hard on crime re-election program. It does not actually have any reality about it. It does not actually address the underlying issue, which is that people are dying from the transfer of blood-borne infections.

You have got to understand that there are two issues here. One is drug use and drug addiction, and that is pretty serious and everybody is concerned about that. The other issue is the transfer of blood-borne disease. Now, I do not know about the rest of you, but I would rather keep these people alive while I address their addiction to drugs. I would rather have a regime in there which keeps people alive so that we can say to them, "Here is an alternative to that. Let us help you get off your drug addiction and then go forward."

If we want to restore people back into our community, then we want to get them clear of their drug addiction and give them all sorts of life skills and things like that and put them back into the community, but you have got to keep them alive to do that. Denying people clean syringes in a controlled environment will guarantee that some of them are going to die from a blood-borne disease, whether it is before or after they are in the jail.

From where I am sitting, what we are seeing here is a politicisation of other people's misery, and I do not find that at all acceptable. We are seeing people in that prison who have no way of helping themselves. They are looking to us for assistance, and what do we do? Do we turn our back on them? I applaud the work of Brian and Marian O'Connell. In their work, they have been badgering people for a generation, and I consider them to be some of our society's most persistent heroes in this particular area. I think they are brilliant. And I also need to mention Bill Bush's work too, because he is absolutely sensational.

In the past, when we did not have a prison—it was in Goulburn—this was not possible. We had no control over this. It is now possible. We do now have control over this. We would be remiss in our responsibilities to the lives of people in Canberra not to proceed with this. It is not a case of a luxury item. It is not a case of, "Will we do it because we feel like it is a good idea?" We do not have any choice; we have to do it.

The problem, of course, is that, as with any kind of regime like this, the community is not necessarily ready for it, so we have to take the community with us. That is where I think the beauty of Ms Bresnan's discussion paper lies. That is where I was at when I ceased to be the minister, but I was also of the view that it was not the correction minister's responsibility. My view was that it was the health minister's responsibility, in conjunction with the corrections minister. It was the sort of thing that the community advisory panel or CAP—call it what you will—to the prison would have an input into and then that would take us forward.

But we need to negate the redneck scaremongering that goes on because of political expediency. I know; I have been there and I have done it, and I am not proud of it. I

am not proud of it one bit. And I can see it. It is like putting make-up on a pig. It is still a pig. And this is rednecking and scaremongering for political purposes.

Mr Hanson: Madam Assistant Speaker, I rise on a point of order

MR HARGREAVES: I apologise to the pig, before he says anything.

MADAM ASSISTANT SPEAKER (Ms Le Couteur): Mr Hanson?

Mr Hanson: I will just ask you to rule on the use of unparliamentary language. He has called me a redneck about four or five times; he has now called me a pig. I wonder if you would ask the minister—

MADAM ASSISTANT SPEAKER: Mr Hanson, I do not think that Mr Hargreaves specifically referred to you as a pig—

Mr Seselja: It was not lost on any of us.

MADAM ASSISTANT SPEAKER: or anyone in particular, so I do not think that your point is relevant, because he was not in fact referring to any person or personages.

Mr Hanson: I would ask if you could review the *Hansard* and maybe make a ruling on that tomorrow, Madam Assistant Speaker, because my interpretation was that that is what he was, if not directly saying, certainly inferring.

MR HARGREAVES: Madam Assistant Speaker, I would like to talk to that. I will clarify that. My comments were not directed at Mr Hanson personally. They were directed to the process and the policy of this particular approach. As I indicated before, I did it myself, and I am not proud of it, and I can see it popping up in the children opposite. I can see it coming up. The bad news is that this is being used for political expediency, because it is good stuff out there. It is the stuff that made John Laws an absolute billionaire.

Mr Doszpot: Where did the pigs come in? When do pigs come in?

MR HARGREAVES: And Mr Doszpot ought to be quiet, because so far Mr Doszpot has my respect and he is losing it at a rapid rate of knots. I can only assume from this approach that Mr Hanson has articulated today that he is an opponent of the harm minimisation approach to drug addiction. I can only assume that. The harm minimisation process is all about keeping people alive while ever you try to sort their problem out. Now what part of keeping somebody alive do they not agree with? There is only one alternative. You either support a trial and a community approach to having clean needles available, if you cannot stop the other, while you are addressing the other, or you do not. If you do not, that means you are condemning people to a miserable death. If you do, you recognise that the introduction of drugs and other substances into the prison is something that we fight.

The Alexander Maconochie Centre has a pretty good record for stopping it. That was not mentioned by Mr Hanson at all. He does not recognise that the incidence of drugs

going into the Alexander Maconochie Centre is nowhere near as high as in the New South Wales corrections system—nowhere near it.

Mr Hanson: How do you know that? Where is your evidence for that?

MR HARGREAVES: And Mr Hanson says, “Where is your evidence?” Ms Bresnan sprung him, like a mouse in a trap. He has no evidence to back up any of the assertions that he made. I can tell you this much, Madam Assistant Speaker: I do not need to be able to quote you chapter and verse that someone is going to die of hepatitis.

Mr Hanson: Where is your evidence about the volume of drugs in New South Wales?

MR HARGREAVES: I do not need that kind of evidence. I know it, and I know where they get it from, and you know where they get it from as well. Madam Assistant Speaker, it is unacceptable for the politicians in this town to sit in their comfortable little chairs and watch people contract disease in the Alexander Maconochie Centre and die as a result. They die as a result. I defy Mr Hanson to show us otherwise—to stand up here and tell me and the rest of us how he is going to stop people from getting hepatitis in the AMC. How are you going to do it? At least this is an attempt to stop it.

I again applaud Ms Bresnan’s bringing forward of the discussion paper, because I think it is about time people out there in the community started talking about this a little bit more around the kitchen table so that they are better informed of the exercise, instead of listening to redneck political expedience.

MR HANSON (Molonglo) (7.54), in reply: Firstly, in response, I would like to turn to the motion that is on the notice paper and that has been discussed today. It has been described as redneck and it has been said that somehow I and all the people affiliated with me are pigs for having done it. Let us just go through it and see where it is so redneck and what this government and the Greens are actually opposing.

The motion firstly asked the Assembly to note the harmful effects of illicit drug use. That is a well-established factor. Illicit drug use is harmful, certainly when it relates to criminal activity. And the evidence—I went through it when I spoke earlier—is that a significant number of our prison population do use drugs and it is related to their crimes.

The second thing I ask the Assembly to note is “that illicit drug use is a factor in many of the crimes committed by prisoners at the Alexander Maconochie Centre”. You know the statistics, and if you will just bear with me for one moment I will go to those statistics. I have here information from the Australian Institute of Criminology that 37 per cent of Australian detainees contributed some of their offending to drugs and 41 per cent of detainees in Australia are deemed to be dependent on drugs. That is from the Australian Institute of Criminology. The AIHW says that one in 10 prisoners are imprisoned for drug-related crimes. So that is what is established; it would be difficult to refute those comments.

I then ask the Assembly to note that “rehabilitation from substance addiction is made difficult in an environment where illicit drugs are accessible”. That is a self-evident factor. If you were trying to rehabilitate from illicit drugs, either in the community or in jail, then, if those sorts of drugs are readily available, it is more difficult to rehabilitate yourself. Like an alcoholic who has access to alcohol, a drug addict will have ready access to drugs. That is why, when people in the community get sent to rehabilitation, that is an environment that is drug free. I do not see what the Assembly could have a problem with in relation to that.

I then ask the Assembly to note that “the Chief Minister has informed media that drugs are readily available to prisoners at the AMC”. These are just lifting direct quotes from the *Canberra Times* of last week.

We then move on to asking the Assembly to confirm its commitment to eradicate illicit drug use at the AMC. That should be our goal. I am a realist; I do accept that it is a difficult and complex issue, but if we do not have as our goal the intent of eradicating drug use then I think that we are no longer adhering to the mission of corrections ACT. Corrections ACT has a mission:

To protect the community by providing a safe, secure and humane correctional system which encourages offenders to rehabilitate.

We should all agree that eradicating drug use by recognising that that is a challenging and difficult issue is an entirely reasonable thing to expect. And the motion asks the Assembly to confirm the commitment to the rehabilitation of prisoners suffering from addiction. Is there someone that wants to put their hand up and disagree with that statement? What problem do the government or the Greens have with that statement? I simply do not understand.

All those things that I am asking the Assembly to note and to confirm are entirely reasonable and entirely consistent, I would have thought, with the principles that have been espoused—although we have differing points of view on needle exchange, and I accept that. My motion does not mention needle exchange. I cannot see what there is in this motion. I will certainly grant leave if you want to point to a specific part of this motion where you would disagree with any of those statements.

Then the motion calls on the ACT government:

... to table in the Assembly by close of business on 23 September 2010, an explanation of all measures it is taking to prevent drugs from entering the AMC and to ensure that prisoners remain drug free.

If Mr Stanhope believes he has already done that through his statement, I would say that, if he has got nothing more to add to that, simply tabling that would be the full response. Then, if that is his response, that will be fine.

I understand that we have some heated debate in this place and I understand that there are some significant differences of opinion about various aspects of policy and how they are implemented. But I have been advised that this motion will not be supported.

I have just gone through it in detail. If it is not going to be supported, then, as I said, I would certainly grant leave to the members of the government or members of the crossbench to identify to me where they have a problem with any of those statements. If they vote this down, they are voting down what I think is a very reasonable motion that calls on some quite reasonable principles.

If they think that drugs are not harmful, that they are not a factor in crimes committed and that rehabilitation from substance addiction is not made difficult where drugs are available, and if they do not think that the eradication of illegal drug use is a good idea and that the rehabilitation of prisoners is a good idea, then they should vote against this motion. Clearly, that is what they are going to do. We can see that the ideology of the Greens and the government is blurring their reason in this regard.

The principal speech that I gave talked about the issue of needle and syringe programs but it talked much more about many other issues in terms of the problems that we have had at the Alexander Maconochie Centre. I have been accused in the speech by the Greens of using the jail as a football. This has been a political football in ideology from the government. It is the experiments that they have tried to introduce through the Alexander Maconochie Centre—this focus on human rights as opposed to proper discipline and security measures—that have turned the jail into the political football that it is. I went through that litany of problems that they have had which have been exposed to the media. They have got a lot of problems. It is not my issue. This latest issue of drugs in the jail was not even raised by me; it was raised by Mr Stanhope in a radio interview.

But let me turn to the issue of needle and syringe programs, which was the major topic of the speech by Mr Hargreaves and Ms Bresnan. No, we do not support it. And the corrections officers do not support it. In fact, as I understand it, the Prison Officers Association of Australasia—all the prison officers in Australia and New Zealand—recently passed a motion that says “needles in, staff out”. We are listening to the advice of the corrections officers. We have spoken with them. We agree with them that this is not a good idea, for a number of reasons, including the safety of prison officers.

There is a lot that we need to be doing to make sure that we have a target of eradicating drugs from jail—certainly lessening the amount. Although Mr Hargreaves quoted the fact that there are more drugs in New South Wales than in the ACT, he has got no evidence for that. What seems to be occurring at the moment is that it is quite clear that we have a significant problem here in the Alexander Maconochie Centre. I do not think that enough is being done to eradicate that problem.

With the position of the government and, it would appear, the Greens—and now that Mr Hargreaves has put his stake in the ground—it appears that there is no-one left on the government benches who is opposed to an NSP. It would appear that the will of this Assembly by the majority of its members will be moving forward with this program. It is something that we need to raise and discuss in the community. Although there are people who sit on the benches here who think it is a good idea, if you go down to the jail and speak to the corrections officers—and you have done that, Mr Hargreaves—you will know that they do not support it at all.

I do not think that my position is redneck. The position that I have adopted is consistent with the position of every state and territory in Australia. It is consistent with the UK. It is consistent with New Zealand. The only people that do not agree with that, in terms of the government and in terms of ideology, are the people sitting on the crossbench and the government bench.

You can describe me as a pig; you can describe me as a redneck; you can describe me by basically saying that I am being negligent and supporting the death of prisoners in the Alexander Maconochie Centre. I see you nodding your head, Mr Hargreaves. This is pretty strong language that is being used. As we move forward with this debate, it is unhelpful. You need to recognise that, in calling me redneck, calling me a pig and saying that I am basically wilfully accepting or encouraging the death of prisoners, that is an allegation you are making against every corrections officer here in the ACT who does not support an NSP. That is disgraceful.

Question put:

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

The Assembly voted—

Ayes 3

Noes 7

Mr Doszpot
Mr Hanson

Mr Smyth

Mr Barr
Ms Bresnan
Ms Burch
Mr Hargreaves

Ms Hunter
Ms Le Couteur
Mr Stanhope

Question so resolved in the negative.

Employment—people with disabilities

MS BRESNAN (Brindabella) (8.08): I seek leave to amend my motion on the notice paper in the terms that have been circulated.

Leave granted.

MS BRESNAN: These are just minor amendments around the wording of “disability” and “disabilities”. This has come through consultation we have had with disability groups about the correct terms to use. So these are just minor amendments to correct that. I move:

That this Assembly:

(1) notes:

- (a) the June 2009 report entitled Making Diversity Work: A study of the employment of people with disabilities in the Australian Capital Territory Public Service by People with Disabilities ACT;

- (b) the ACT Public Service Employment Framework for People with a Disability published in 2004; and
 - (c) people who self identify as having disabilities continue to make up around 1.5% of the ACT Public Service, although people with disabilities make up approximately 17% of the ACT population; and
- (2) calls on the ACT Government to:
- (a) develop a new ACT Public Service Employment Framework for People with Disabilities which:
 - (i) includes people with episodic disabilities, such as chronic illness and mental illness;
 - (ii) specifies targets and deadlines to work towards to achieve an increase in the percentage of the ACT Public Service workforce who have disabilities, and an internal accountability mechanism for a failure to meet those targets;
 - (iii) provides for flexibility in work practices that will allow the greatest productivity of all members of the workforce; and
 - (iv) includes a commitment to the collection and analysis of gender disaggregated data;
 - (b) consult with people with disabilities, and different types of disabilities, when developing the framework; and
 - (c) report back to the Assembly by the last sitting day in February 2011.

Over the last 20 to 30 years our understanding of what is disability and how we should respond to it has changed. For many years the word “disability” was used to define those people who were suffering a significant and visible physical or intellectual impairment. Society believed that it was the person with the impairment that had the problem. The responsibility for solutions was placed on the person with the impairment and their family and friends.

But with the rise of human rights, the understanding of disability has changed. Disability is now understood to be a reflection of the barriers that society puts up, which exclude and disadvantage people with impairments. We as a society, therefore, have a role to play in minimising disability and breaking down those barriers.

In terms of employment, our very own public service could do better in removing those obstacles that prevent it from employing a higher percentage of people with disabilities. If we as a jurisdiction are to embrace human rights, we must embrace it within our own workforce. So it is for this reason that I am moving this motion which calls on the ACT government to renew and reinvigorate its ACT public service employment framework for people with a disability.

People with disabilities suffer high rates of unemployment and poverty. Practices which encourage sustainable employment for them bring benefits not only to their income status but also to their social inclusion. But separate to the obvious benefits that employment brings to a person with disability, employers also stand to reap rewards when they engage staff with disabilities. For example, evidence shows that, in contrast to the perceptions many employers hold, employees with disabilities have high level skill sets with levels of productivity that are equal to or better than those of their non-disabled counterparts.

They have better attendance records, are less likely to have accidents or make compensation claims and are more likely to stay in the same workplace for longer periods of time. Engaging employees with disabilities can also lead to better workplace morale and team development and enhanced corporate reputation and public image.

Looking at the ACT public service workforce profile, which is released annually by the ACT Commissioner for Public Administration, it is disappointing to see that only a small number of people with disabilities continue to be employed within the ACT public service.

Madam Assistant Speaker, I seek leave of the Assembly to table figures which outline the number of people with declared disabilities that are employed in the ACT public service.

Leave granted.

MS BRESNAN: I table the following paper:

ACT Public Service—Employment levels of people with disabilities—1997 to 2009.

The figures which have just been circulated are the earliest figures my office was able to source for the number of people employed from 1997, when the first ACT public service workforce profile was issued. At that time, the ACT employed 329 people that declared their disabilities. This represented 2.26 per cent of the ACT public service. Since then, that figure of 2.26 per cent has fallen consistently and now sits at around 1.5 per cent. This is surprising as it is in strong contrast with reports that 17 per cent of the general labour pool has disabilities.

The fall in numbers mirrors experiences in the commonwealth public service, where employment rates fell from 6.6 per cent in 1986 to 3.1 per cent by 2007-08 across all job classifications. For some reason which we have not been able to uncover, the employment of people with disabilities in the ACT public service has always been at a much lower rate than the commonwealth.

I do appreciate there have been some small and specific efforts in the last year or so through the ACT public service to employ people with disabilities, including the introduction of a disability toolkit for managers. But I am concerned that recent

efforts have not gone far enough, and we need something much broader which includes encouragement of cultural change.

If we are to see dramatic improvement in these rates of employment, there are several challenges to overcome. The first, of course, is to see a greater commitment from the government to employing people with disabilities but, secondly, and perhaps more importantly, we want to see the ACT public service encourage an environment in which people can more comfortably declare their disabilities and thus receive the assistance in the workplace that they find it difficult to ask for.

It seems likely that the ACT public service has a high level of hidden disability that is not being reported, and that in itself is a problem. Some staff may be operating with a sense of fear that their impairment will be discovered, and employers may be finding it difficult to identify where barriers exist.

In the commonwealth public service, discrepancies have been found between those statistics provided through its employment database and those provided through anonymous surveys. Rates of reported disabilities are always much higher in the surveys and reflect the apprehension that people with disabilities feel towards disclosing their disabilities because of any negative workplace attitudes they may encounter.

The motion I am moving today seeks to note the report entitled *Making diversity work: a study of the employment of people with disabilities in the ACT public service*. This report was released in June 2009 by People with Disabilities ACT, also known as PWD. PWD wrote this report because it was receiving anecdotal information that a number of people with disabilities were having inadequate employment experiences in the ACT public service. PWD conducted a number of interviews with employees and found that, while some staff had positive experiences, many also experienced an erosion of self-esteem. The people interviewed did not feel valued in the workplace and sensed alienation from colleagues.

These reports are saddening to hear, given the vulnerability of people with disabilities and the manner in which we pride ourselves on our high standards. No employee, let alone someone with disability, should come away from the ACT public service with such negative and somewhat destructive emotional experiences.

PWD were also driven to write their report because the Australian government ratified the United Nations Convention on the Rights of Persons with Disabilities. Article 27 of that document states that people with disabilities have the right to have access to employment conditions on an equitable basis with their non-disabled peers. This convention does not set out any new human rights for people with disabilities but is a template for implementation of existing rights which have been consistently denied.

People with disabilities in Australia are impatient for changes, especially in regard to employment, and they see this convention as a powerful instrument which sits beside discrimination legislation and will empower them to take actions to improve their situation.

The PWD report found that the low levels of employment of persons with disabilities in the ACT public service were not for want of policies. There was legislation and toolkits in place, and most were of a very good quality; it was commitment to implementation that was the problem.

Reflecting on the implementation of the 2004 ACT public service employment framework for people with a disability, it seems governments monitoring of this framework could have been much stronger. The document states in its final section that the government would hold an annual roundtable on the issue of public service employment of people with disabilities. The roundtable was to be chaired by the Commissioner for Public Administration and include the ACT Disability Advisory Council, industrial associations, service providers, key community stakeholders and people with disabilities in the ACT public service. But, according to our recent discussions with key representatives of people with disabilities, these roundtables had not been occurring for at least the last three years.

One of the PWD recommendations that the government must implement if its words are to turn into action is for there to be targets set for employment levels. Whether it be three, four or five per cent in five, 10 or 15 years, targets must be set and the government must be held to account for those targets. The government also needs clearly defined data collection protocols and an annual requirement for detailed reporting on disability employment statistics to the very highest level of government.

The PWD report found that the existing mechanism in which the ACT Commissioner for Public Administration publishes an annual ACT public service workforce profile is not stringent enough. Reporting on the level of employment of people with disabilities in the 2007-08 report was reduced to about 80 words, to the effect that little had changed since the previous year.

Our understanding of disability has changed in recent years in that we are now coming to recognise forms of episodic disability which can present through chronic or mental illness. When a person is well, they can be very well and their illness can be hard to detect, but when periods of illness prevail, their symptoms can be overwhelming. All too often, if the period of illness is not well managed, the person can find themselves unemployed, despite being healthy again soon after job loss. The Greens want to see the ACT public service employment framework for people with disabilities to recognise that the nature of episodic disability can be different to that experienced by people with constant impairment.

Over the last year I have submitted questions on notice and received a briefing about the ACT public service's support for its staff that have chronic or mental illness. On the mental illness front, I was directed to the employee assistance program. This a counselling service paid for by the government that can provide up to three free counselling sessions for an employee. I was also notified of the Chief Minister's Department's participation in a beyondblue study project.

On the chronic illness front, I was directed to the ACT public service's health and wellbeing strategies. Having looked at these documents, especially those relating to

health and wellbeing, I was disappointed in the lack of detail and attention given to these areas. For people with episodic disability, workplaces must engage in strategies that assist a person in maintaining ongoing employment. It must remove those barriers that prevent a person from best managing their symptoms when a period of significant illness occurs.

While similar strategies should be used for disabilities that are constant or episodic, such as disability awareness training for staff and development of peer networks, those with episodic illness probably need greater access to flexible work hours so that they can work when they are well, and take time out when they are unwell.

One specific example of chronic illness is multiple sclerosis. Longitudinal studies conducted at ANU show that nearly two in three Australians with MS are not in the paid workforce, and most of them left the workforce because of fatigue. Having met representatives from MS ACT, I was informed of the importance of carer rooms, because if a person suffering fatigue is able to take a break in the middle of the day, they will be much better able to cope in the workplace and thus sustain their employment. It is about enabling a person to best manage their symptoms.

The Victorian government is ahead of us in assisting its workforce to manage chronic illness. The Victorian public service has what is called an employer advice service which aims to assist employers to appropriately maintain staff when the symptoms of chronic illness impact on work in any way. The service also aims to assist appropriate and timely disclosure of chronic illness by workers. I would encourage our government to look at Victoria's work in this area and see what improvements it has been able to achieve.

I have also included in this motion a request that the ACT government collect and report on gender disaggregated data. Women are likely to experience different sorts of disabilities from those that men suffer and have different life circumstances. Past research, for example, has shown that men with disabilities are almost twice as likely to have jobs as women with disabilities. Men are also likely to access entry to labour market programs and earn higher incomes.

If the government does commit to collecting and analysing gender disaggregated data, it can then work with groups like the Women's Centre for Health Matters to identify trends in women with disabilities and gaps in services. If the data can be combined with or focused on specific diversifying factors, such as age, education, cultural background, disability and occupation, we will also be able to validate and acknowledge the array of women's experience and the importance of social determinants on women's health and wellbeing.

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for the Arts and Heritage) (8.22): The ACT government have a long commitment to the employment of people with disabilities in the ACT public service and we continue to engage with key stakeholders to ensure that government initiatives are responsive to the needs of people with a disability.

In 2004, the government's commitment to the development of employment opportunities for people with disabilities was evidenced by the launch of the ACT public service employment framework for people with a disability. The framework has led to the establishment of a memorandum of understanding between the ACT public service, local disability employment support agencies and a federally funded employment service. The MOU established a brokerage mechanism to facilitate employment of people with disabilities in the ACT public service.

We also developed the whole-of-government online toolkit with a range of disability-related information and resources to support both managers as well as employees. These proactive efforts to increase the number of employees with disabilities in the ACT public service need to be acknowledged, even though I concede that they have not yielded the results that we had hoped for. We are, indeed, acutely aware that there is still much more to be done.

At the beginning of this year I called for a renewed effort to ensure that people with a disability are able to realise their potential through access to employment opportunities within government and by working closely with this sector's key stakeholders. In addition, People with Disabilities released its report, *Making diversity work: a study of the employment of people with disabilities in the Australian Capital Territory public service*. This important report has provided government with useful input to support the review of the ACT public service employment framework for people with a disability which commenced at the beginning of 2010 and is due for release later this year. The development of an ACT public service disability employment strategy and supporting action plan is part of a broader review of the ACT public service equity and diversity framework.

Building a diverse and skilled workforce is important to a successful public service and, indeed, a successful government. Such diversity will inform the way we design and deliver services and contribute to the development of the ACT community. As a government, we seek to reflect the attitudes and behaviours which the community would expect of us. As a large employer, we also have a responsibility to do business in a way which models an innovative and sustainable approach to increasing employment opportunities for people with disabilities.

Current reported rates of employment for people with disabilities in the ACT public service were at 1.45 per cent in 2007-08 rising, just marginally, to 1.5 per cent in 2008-09. Approximately 16 per cent of the Australian working age population identify as having a disability. Of this group only 53.2 per cent participate in the labour force compared to 80.1 per cent for people not reporting a disability. We should make every effort to close those gaps.

I am aware that other Australian jurisdictions are reporting comparable levels of employment of people with disabilities. In making this point, I do not in any way seek to diminish our level of responsibility, rather, to note two things. Firstly, low reported levels of employment of people with disabilities is a problem confronting many public sector employers. The factors contributing to this, in many instances, extend beyond the ACT environment.

Secondly, our capacity to report levels of employment of people with disabilities is limited by the number of people who choose to disclose that they have a disability. Anecdotal evidence suggests that actual levels of employment of people with disabilities may be significantly higher than are reported. Many people who choose not to disclose their disability status do so due to concerns relating to the possibility of discrimination or adverse impact resulting from the disclosure of a disability. In some instances, people simply do not see themselves as having a disability, nor see any benefit in disclosing the fact that they have a disability.

These points, together with the recommendations provided in *Making diversity work*, tell us that in order to be successful our strategy will need to approach the problem of low levels of disability disclosure and employment opportunities in a more holistic manner. It is not enough to simply offer jobs. We need to ensure that our staff have the knowledge and capacity to engage effectively with agencies that represent job seekers with a disability. We need to ensure that our workplaces and practices are capable of successfully accommodating the needs of employees with disabilities and that disclosure of disabilities and requests for reasonable adjustments are met with sensitivity.

We need to work towards the development of a culture in which our staff feel confident about disclosing the fact of a disability. We need to ensure that the employment experiences of people with disabilities are positive ones so that our existing staff are encouraged to stay and others are attracted to work with us. In short, we need to develop into a “disability confident” employer. Both the strategy and the associated action plan will focus on the development of the ACT public service as a “disability confident” employer—that is, an employer that provides not only employment opportunities for people with disabilities but also opportunities that are matched by the confidence and expertise to support the development of sustainable and successful careers.

Work on the development of a new ACT public service disability employment strategy is well underway, including consultation with key stakeholders. This strategy will reflect the objectives of the ACT public service attraction and retention framework and will specifically focus on the attraction of employees with disabilities to work in the ACT public service; retention of existing ACT public service employees who have a disability; improving capability, in terms of both the development of individual employee capability, along with organisational and systemic capability; and developing organisational capacity to assess and report on our progress in implementing the strategy. It is our intention that the strategy will be a living document. Whilst the strategy itself will have a life of five years, the action plan which supports it will be refreshed every two years to evaluate and build on our progress.

Inclusion of people with all types of disabilities, spanning physical, intellectual, learning and episodic disabilities, including chronic illness and mental illness, is a clear focus of the strategy document. We recognise that some types of disability are particularly under-represented in the ACT public service workforce profile and that specific employment programs may be required to promote inclusion of these groups.

Such programs will assist workplaces to develop their capacity to successfully work with people who may need things done differently in order for them to participate.

On a practical level, I am pleased to say that we are currently piloting an administrative traineeship program across ACT public service agencies. This program provides employment in clerical roles and a nationally recognised qualification in business administration for nine Canberrans with intellectual disabilities. It is likely that we will pursue similar initiatives through the strategy in order to create opportunities for people with disabilities to access employment in the public service. Importantly, we will establish career pathways for people at a range of qualification levels from school leavers to university graduates.

A process of internal and external consultation on the draft strategy is currently underway and, of course, I will not and should not pre-empt the outcomes of that particular process. However, proposed features on the initial action plan are likely to include providing multiple entry pathways for employment across the service; establishing a network to support employees with disabilities, and to promote broader awareness of disability issues within the ACT public service; and improving the availability of support, information and training for ACT public service staff and managers to increase confidence and capacity in employing staff with disabilities.

I have requested that consideration be given to the establishment of employment targets to provide a level of focus and direction to our efforts to improve disability employment outcomes. This approach is also currently being considered at the commonwealth level and has been introduced in varying forms in some state jurisdictions.

A potential benefit of the introduction of targets is to focus resources and attention towards achieving those outcomes which are being measured. The use of targets has the potential to provide a useful mechanism to achieve cultural change by raising organisational awareness and drawing attention to the valuable contribution which employees with a disability can make in the workplace when given the opportunity.

When setting targets we need to develop the necessary culture to support disability disclosure and build disability confidence. This will ensure that people recruited through the initiatives under the strategy have a positive employment experience. Of course, it is also important that targets are not viewed as an end in themselves but rather as benchmarks along a sustainable improvement path.

A key objective of the strategy is improving our understanding of the disability profile of our workforce. We plan to conduct a voluntary diversity census across our workforce to provide our staff with an opportunity to tell us about any disabilities they may have or which they have acquired during their employment in the ACT public service. By doing this, we hope to gain a better understanding of the frequency and nature of the disabilities represented within the ACT public service. This information is also important to establish realistic employment targets.

Possible indicators against which targets could be established include overall improvement in employment numbers of people with disabilities, representing an

increase in our current profile; increased numbers of reasonable adjustments or modifications provided to assist existing employees; a decrease in separation rates for employees with disabilities; increased participation in learning and development opportunities by employees with disabilities; and increased engagement with local disability employment support agencies by ACT public service agencies.

I have requested that all ACT public service agencies report annually on their progress in implementing the disability employment strategy and action plan. The Commissioner for Public Administration is developing appropriate reporting mechanisms.

The *Making diversity work* report states that women with disabilities are almost half as likely to be in full-time employment as their non-disabled counterparts. Women with disabilities are twice as likely to be in part-time employment as their non-disabled peers. The government is committed to the collection and analysis of gender disaggregated data in an effort to identify where the gender equity issues may be and whether the issues lie in more than one agency or in a particular classification group or cohort in the service.

The information currently published in the ACT public service workforce profile has recently been enhanced by the supplementary gender analysis which, for the first time, provides a more in-depth gender focused analysis of our workforce by employment type, age profile, length of service and remuneration. The report provides observations based on gender pay gaps identified in agencies and classification groups and will support the development of strategies to improve pay equity.

Mr Speaker, I look forward to presenting the completed ACT public service disability employment strategy to members of the Assembly later this year—an important document that is being developed over some months through close consultation with stakeholders. I now move an amendment circulated in my name:

Omit all words after “That this Assembly”, substitute:

- “(1) notes the June 2009 report entitled *Making diversity Work: A study of the employment of people with disabilities in the Australian Capital Territory Public Service by People with Disabilities ACT*;
- (2) notes the *ACT Public Service Employment Framework for People with a Disability* published in 2004;
- (3) notes people who self identify as having a disability continue to make up around 1.5% of the ACT Public Service, although people with a disability make up approximately 17% of the ACT population; and
- (4) notes the ACT Government is developing a new *ACT Public Service Employment Framework for People with a Disability*.

I have to say that the government does not have any particular issue with the motion which Ms Bresnan has moved, and indeed I thank her for moving it. This is a most important issue. It is just that I do not believe, and the government does not believe, in

the context of work that we are currently doing—a draft strategy is under active consideration and is being consulted on—that it is appropriate through the motion as moved to essentially pre-empt issues that we have under active consideration. The draft strategy which we propose to present actually goes to the very issues which Ms Bresnan has outlined as important in her motion.

I make the point that the government has no inherent difficulty with Ms Bresnan's motion. It is just that we do not believe it acknowledges and reflects the fact that we are consulting on a current strategy, that consultations are active. We are preparing a draft. It will be produced by the end of this year and it will probably go, I think, to most, if not all, of the issues which Ms Bresnan raises as important.

I am not suggesting that I disagree. It is just that at this stage, having regard to processes that we have in place, I do not wish to compromise the integrity of the consultation with relevant stakeholders and the broader community by accepting suggestions in advance of the finalisation of that particular process. I am not suggesting in any way that we disagree. It is just that I believe Ms Bresnan's motion today potentially pre-empts a process which the government has in place. I have been very pleased to speak to this most important issue.

MS BRESNAN (Brindabella) (8.36): The Greens will not be supporting Mr Stanhope's amendment, as we do not think it provides the guarantee that we are seeking within the new framework, in that it would not provide for episodic illness such as chronic and mental illness, targets for improvements and gender disaggregated data.

With regard to the idea that we should not be calling for a new framework, as the government are already doing this, I would just like the Assembly to note that this is a matter I have been tracking for over a year now, and I heard the Chief Minister was having a new framework developed only after I tabled this motion in July. In August last year, when I asked questions on notice, the 2004 framework was still in operation. We were told in a subsequent briefing in October last year that the ACT public service might change something in May this year, as there were some federal changes coming through. We did get a toolkit in March but nothing to the degree we were expecting. So I decided in June to table this motion, and since then the government have come out and said they are working on a new framework. Perhaps it took the Greens putting the motion on the notice paper for this to occur.

So, while I do appreciate, as the Chief Minister has said, that there is this work occurring, we do still want a guarantee that the things we have put in this motion, which are issues which have been brought up in our consultation with community organisations, are actually accounted for in the framework.

Amendment negatived.

MR DOSZPOT (Brindabella) (8.38): The timing of Ms Bresnan's motion is appropriate, and I thank her for bringing this motion before the Assembly tonight. Looking at the ACT public service workforce profile from 2005 to 2009, the percentage of individuals with disabilities employed in the ACT public service

workforce has, for the most part, remained stagnant. In fact, in 2005 1.6 per cent of the public service workforce had a disability and in 2009 this figure decreased to 1.5 per cent.

The government may claim that a slight decrease of 0.1 per cent constitutes an inconsequential figure, but it is important to remind ourselves that there are human lives behind these statistics. If we are allowed to quote People with Disabilities ACT's figure that approximately 17 per cent of people in the ACT have a disability, then having only 1.5 per cent of people with disabilities in the ACT public service workforce is tantamount to underachievement. It is imperative that the government show leadership on this matter.

When we look across the border to New South Wales, the reported public sector benchmark for people with disabilities in that state is 12 per cent, with an incorporation of a seven per cent benchmark for individuals with disabilities that require work related adjustments. At present New South Wales Department of Education and Training figures show that disability employment levels are higher than here in the ACT, with figures as early as 2007 pointing to six per cent of employees with a disability and 2.3 per cent of employees who require work related adjustments.

Here in the ACT we have had a disability framework since 2004 and the government's Challenge 2014 document was supposed to, in the government's own words, "put meaning and practical relevance to the vision that the ACT government has embraced for all people with disabilities; achieving what they want to achieve, living how they choose to live and being valued as full and equal members of the ACT community".

Over half a decade into this initiative, I think it is time for the government to put its money where its mouth is. We understand that the government is working on updating the 2004 ACT public service employment framework for people with a disability. The Canberra Liberals will work hard to ensure that these valued members of our community are not short changed and have equitable access to job opportunities. This motion and our amendments are a first step towards ensuring this. Every polity functions on an underlying social contract for mutual benefit. However, in many cases, people with disabilities have limited participation at this bargaining table. We tell and we give to individuals with disabilities, but we seldom listen.

Last year I had the privilege of hosting a work experience student in my office here in the Assembly. This student had muscular dystrophy, was wheelchair bound and required constant carer supervision. He was also one of the smartest and most savvy 16-year-olds I have met and he did first-rate work in researching many issues, including bullying in schools.

This opportunity allowed me to see firsthand the many difficulties encountered by someone with disabilities in securing a job and functioning effectively in that job. Firstly, there was a problem with this student and his carer securing reliable transportation. Hence, work hours had to be flexible to accommodate transportation arrangements. Ultimately bookings had to be made directly with a known taxi driver to ensure some semblance of reliability.

Once at the Assembly and in my office there were some further difficulties he encountered: the lifts in the Assembly were small and could barely fit him and his carer; no-one knew where the wheelchair-accessible toilets were, and the one that was identified was on the other side of the building; there was insufficient OH&S induction to accommodate someone with his disabilities; the anteroom was not accessible due to heavy glass doors, so he had to go around the building to enter from the main entrance to the Assembly chamber; and, when there was media activity in the courtyard, the step leading to the courtyard made it difficult to take part in media activities. I hate to think what would have happened if we had had a fire drill or, worse still, if a fire were to happen.

The point is that we as a community need to ensure equitable access to gainful employment for individuals with disabilities and to also ensure that they can succeed in their jobs. This is even made more urgent when we are faced with the fact that in the ACT there are few post-school options for individuals with disabilities to transition into.

The Liberals will support Ms Bresnan's motion. However, I will seek amendments to affirm measurable targets, accountability and transparency and to ensure that proper consultations with the disability community are conducted. In light of the government's upcoming disability employment framework, to be announced in December, this motion is a first step to ensuring that we have a clear road map that takes us from strategy to execution and to effective management. I move the following amendment circulated in my name:

Omit all words after "mental illness" in paragraph (2)(a)(i), substitute:

- “(ii) specifies a strategic map for increasing the percentage of people with disabilities in the ACT Public Service workforce;
- (iii) provides for flexibility in work practices that will allow the greatest productivity of all members of the workforce; and
- (iv) includes a commitment to the collection and analysis of disaggregated data, for example, gender, age, disability, resignations;
- (b) increase consultations with all key stakeholders within the disability community and documenting this process; and
- (c) report back to the Assembly by the last sitting day in February 2011.”.

MS BRESNAN (Brindabella) (8.44): The Greens welcome the amendment provided by Mr Doszpot. Since I placed this motion on the notice paper, I have received further comment from the Women's Centre for Health Matters, to the effect that they would appreciate it if the gender desegregated data could be further split into age, ethnicity and type of disability. Something else that the Women's Centre for Health Matters has included in here is that the ACT public service should review bullying and harassment procedures, as the experience of bullying and harassment is worsened by the extremely stressful process of making a complaint in many workplaces. This is an area that we must improve, and I hope we can examine it through other future efforts.

Mr Doszpot has suggested that the government document the consultation process, and I appreciate this suggestion, as I also would like confirmation through those documents that the ACT government is consulting with groups that represent episodic disability. The Greens will be supporting the amendments put forward by the Liberals.

MS BURCH (Brindabella—Minister for Disability, Housing and Community Services, Minister for Children and Young People, Minister for Ageing, Minister for Multicultural Affairs and Minister for Women) (8.45): As minister for disability, I am well aware of how essential it is for the government to provide support to people with disabilities to find and retain employment, and I am pleased to have the opportunity to speak on this motion today.

The Chief Minister has already spoken in detail on the positive work that this government is currently undertaking to further support the needs of people with a disability in regard to employment and to respond to the issues raised in the making diversity work study released last year. I know from our own discussions that disability employment is a priority for the Chief Minister. I am looking forward to seeing the results of the review of the ACT public service disability employment strategy and supporting the action plan, as part of a broader review of the ACT public service equity and diversity framework.

However, I would note that much of what Ms Bresnan is calling for in this motion is already underway, through this and related work. While I acknowledge that we as a government can do better when it comes to employment levels of people with a disability in the ACT, the government has already implemented a range of initiatives to increase the social and economic contribution of people with a disability in the ACT. These include an employment framework, which includes strategies and actions for recruitment and retention for people with a disability in the ACT public service, a pilot traineeship program offering nine identified positions for 12 months employment in the ACT public service, and a nationally recognised qualification in business administration for people with an intellectual disability.

However, rather than focus on this and the other work being done by the Chief Minister's Department, as detailed by Mr Stanhope just a little while ago, I would like to spend a few minutes outlining some of the excellent work that is done through the Department of Disability, Housing and Community Services. Across my department there are a number of significant pieces of work which continue to improve the presence and participation of people with a disability in the workforce and to assist them to develop opportunities for self-employment. These include the recruitment of a human resource officer, with a particular focus on recruitment, retention and workplace support for people with a disability; the placement of trainees in the department; and the establishment of a champions group to ensure that the department retains its focus on a diverse workforce. We are also refreshing the access to government strategy, which will deliver a new improved access guide, awareness training for staff by people with a disability and a disability consultation register in the next 12 months, along with a renewed emphasis on disability awareness across the ACT public service.

Alongside the government showing leadership, other things we are already doing include BLITS, which stands for business leaders' innovative thoughts and solutions. BLITS consists of high-profile members of our community who have a position of influence and who come from a variety of backgrounds, including the entertainment sector, the arts sector, the business sector and the public sector and who focus on promoting activities and events that value and engage people with a disability, including as employees and employers in business.

BLITS continues to raise awareness of the presence of and contribution that people with a disability make across business, sports and the arts. I note that this year 43 nominees from across business, sports and the arts were received for the Chief Minister's inclusion awards. Furthermore, BLITS is currently undertaking a significant piece of work, to be rolled out over the next two years.

The BLITS tick is an accreditation program, offering hospitality, tourism and the retail sector the opportunity to be publicly acknowledged as a disability accessible and friendly business. Additionally, we recognise that employment in the public service is not the only option, and ACT Procurement Solutions are working with Disabilities ACT to actively promote the uptake of social tendering, including the role which can be played by Australian Disability Enterprises in government contracting. We also support the ACT social enterprise hub, through funding and working closely with them, to develop a range of initiatives to support the establishment of a range of social enterprises.

I was pleased earlier this year to launch Ronnie's Succulent Snails, a small business enterprise established by a young man called Ronnie Lawrence. From memory, I think Amanda Bresnan was there. I had my first snail race on that particular day. It was a slow spectacle on the day, but still, it did provide—

Mr Hargreaves: Did you win?

MS BURCH: No, I did not win, unfortunately.

Mr Hargreaves: Were you too quick?

MS BURCH: Maybe I was too quick. It is not a habit of mine, I can say, but never mind. I was pleased, as I said, to launch Ronnie's Succulent Snails. Ronnie Lawrence is a young man with significant disabilities who now has his own business, supported by his family, farming escargots and selling them to a national distribution group for restaurants.

Another example is Paperworks, a small social enterprise that produces high quality paper products and sells them locally. This enterprise provides training in the art of paper-making, along with marketing and sales skills for people with a disability.

Other initiatives include innovation and quality of life grants, one-off direct grants that support people with a disability to buy specialist equipment, additional support or to try opportunities that otherwise they would not be able to afford. A number of these

grants have supported people with a disability to either establish a social enterprise or support an employment option.

I would also like to mention the work Disability ACT has done recently in establishing a new service that will support young people with a disability as they leave school and begin transition into adult life. This year, 32 school leavers will be assisted by the new transitional support service, contracted to be delivered by the House With No Steps. The transition service will assist these students to leave school with meaningful social, recreational and vocational pathways, will give their families confidence in experiencing options and opportunities for their children into the future and will put in place the formal supports and services they need to achieve their goals.

The Chief Minister has spoken in detail about the work that this government is doing and, as I have said, I am looking forward to the reviews of the ACT public service disability employment strategy and the broader review of the ACT public service equity of diversity framework. Whilst I know we can do better, I think that the work that we are doing, have done and will be doing into the future, needs to be recognised and regarded. I know, as the Minister for the Department of Disability, Housing and Community Services, that I take an absolute watching brief and keen interest to see how my department performs in this, and I am very, very pleased to see that we have recruited a human resource officer, who has a particular focus on recruitment, retention and workplace support for people with a disability.

So the provision of worthwhile employment opportunities for people with a disability will remain a government priority and, as I have acknowledged, there is still more we can do in this area. However, I believe that the initiatives I have outlined today present a real and tangible move forward for people with a disability, and I look forward to building on these initiatives in the future. The Chief Minister tabled some amendments to the motion; unfortunately, they were not successful, but, as I have said, as Minister for the Department of Disability I will see what I can do to champion the cause of increasing access to employment in the ACT public service.

Amendment agreed to.

MS BRESNAN (Brindabella) (8.55): I thank all members for their contributions tonight. It is quite obvious that all parties recognise that this is an important issue. I appreciate the amendments that Mr Stanhope put up as well as why they were not supported. I appreciate the intention behind them. I also thank Mr Doszpot for the discussions we had about the issue and the amendments he put forward, which improve the motion which we put forward.

Ms Burch mentioned BLITS and the Social Enterprise Hub. These sorts of enterprises, particularly the Social Enterprise Hub, have an important role to play in terms of the employment opportunities for people with disability. I would like to acknowledge with the Social Enterprise Hub the wonderful work that Mandy Richards is doing there. She has been a real asset to the Social Enterprise Hub; her energy for this project has been one of the reasons why it has been so successful.

And Ms Burch mentioned Ronnie's Succulent Snails. It is great because it does provide a wonderful opportunity for this young man to be engaging and to have something which gives him a real opportunity to do something each day.

I would like to mention specifically Cafe Ink, which is operated at Woden library by Woden Community Services. This again is a wonderful enterprise through the Social Enterprise Hub. It provides opportunities for people with mental illness to gain employment experience. And again it is a wonderful thing because it is based in a library, so they will have a lot of interaction with people coming through the library. They also do fantastic catering. Ms Burch and I were both on a panel in an event that was run as part of the Social Enterprise Hub. They provided the catering there and did a fantastic job.

This is an area where there is real interest amongst community groups and organisations to get involved. There are Indigenous enterprises and there is one area we thought could provide opportunities for young refugee women. There are probably good opportunities there; it is another area where a group of people who are typically socially isolated and do not always get opportunities could be involved. They do have very particular and specific skills, which would be a real asset in this type of enterprise.

I would like to point out that we recognise that, with the percentage of employment, yes, there were some reductions in the past because of the type of employment opportunities that people did have. We have seen a reduction in Australia. It is not just here in the ACT; it is in the commonwealth as well, and across governments. Often private enterprise does much better than the public service in terms of employing people with disabilities.

We can improve in this area and provide opportunities to create a work environment where people feel they can disclose that they have a disability. It creates a better work environment, not just for them but for all employees, if we can enable that and have that happen.

Once again, I thank all members for their contributions today. I believe that this is an important motion.

Motion, as amended, agreed to.

Adjournment

Motion by **Ms Burch** proposed:

That the Assembly do now adjourn.

2000 Olympic Games—volunteers

MR DOSZPOT (Brindabella) (8.58): On Monday night, 13 September 2010, there was a gathering of around 80 former ACT Olympic volunteers at the Canberra Stadium. The occasion was a 10-year reunion of ACT Olympic volunteers who took part in the Canberra portion of the Sydney 2000 Olympic football tournament in September 2000.

The organisers of the Olympic volunteer 10-year reunion, led by Alan Lee, were Cindy Young, Graham Gittins, Stephen McIntyre and John Smith. I would like to thank them for their hard work and contribution to what turned out to be a great night of celebration and reminiscing, of rekindling friendships that the 10-year gap had not diminished. Thanks also to Neale Guthrie, the General Manager of the Canberra Stadium, Paul Smailes, the catering manager, and Bill Poulos from Coca-Cola for their generous contributions to the volunteers reunion. Special guests were the President of the ACT Olympic Council, Mr Robin Poke, and Brendan Lynch, who was head of the SOCOG national volunteer program in Sydney for the Sydney 2000 games.

The Olympic journey for Canberra really began on 20 December 1996. The *Canberra Times* carried a front-page story headed “ACT to host Olympic soccer”. That headline was the tip of the iceberg for the enormous planning and the effort of the ACT government—and, it has to be said, the vision of then Chief Minister Kate Carnell. In paying tribute to the ACT Olympic volunteers, I would like to recognise the efforts of Kate Carnell—her vision, to see the possibilities; her constant determination to succeed for Canberra; and her courage to stand by her vision, a vision that afforded all of us in Canberra the opportunity to experience one of the greatest sporting events in our history, Olympic Games participation here in Canberra at the magnificent new Bruce stadium.

During those heady days from 13 to 24 September, we experienced firsthand the involvement, the honour and the privilege of Olympic participation when packed ACTION buses carried the thousands of spectators to Bruce, where, despite doomsayers’ predictions, the security was superb. The crowd gained speedy entry to the stadium because of the involvement of the volunteers with the police and security colleagues. Our 650 ACT Olympic volunteers participated with unbelievable energy and enthusiasm that motivated and energised the Canberra community and also the government agencies. We all worked together to promote our city and our Olympic participation.

Interstate and international visitors were amazed by the friendliness of our so-called soulless city. We all worked as one and the Olympic spirit was in evidence, not only at the stadium but throughout Canberra. Who will forget the way the Olympic Games football in Canberra galvanised the whole Canberra community and instilled into each of us a great sense of pride and achievement?

Over 100,000 spectators attended the six nights of Olympic football tournament at Bruce, while an estimated 400 million households in China, Brazil, Germany, Japan, the United States, South Africa, Cameroon, Nigeria, Norway, the Czech Republic and Slovakia watched it on television. In other words, we had the opportunity to showcase Canberra to the world as never before. In the process, we not only witnessed a football spectacle but shared in the unique Olympic experience. Our international visitors were all very much impressed with the Bruce stadium as a superb Olympic venue, Canberra as a beautiful modern city and the friendship and hospitality shown to them by the Canberra community.

That brings me to the Olympic volunteers. For myself as then SOCOG event director and Alan Lee as SOCOG venue manager, it was the greatest privilege and honour to work with all of the ACT volunteers and share that special Olympic participation that comes only once in a lifetime and to very few people.

And the legacy the ACT volunteers gave to our city in return is only part of this Olympic story that has been left unfinished. In Sydney the 74,000 Olympic and Paralympic volunteers have their names inscribed within the Olympic stadium precinct for future generations to be aware of their contributions. I do not think it is asking too much for our ACT government, on the occasion of the 10-year anniversary, to also recognise the ACT volunteers' great contribution to that wonderful Olympic experience that enabled Canberra to be forever known as an Olympic city. After 10 years of almost confining our Olympic legacy and participation to the waste bin of ACT history, I urge this government to finally recognise Canberra's Olympic legacy and the ACT volunteers' fantastic contribution to the Sydney 2000 Olympic Games, the best Olympic Games ever.

The following are the ACT volunteers who attended the 10-year Olympic volunteers reunion: Jock McLean, Gary Vandeburgt, Malcolm Buchanan, Pam Sherpa, Amanda Hart, Theo Papacolaou, Gai Beecher, Rosanna Agnello, Patrick Robertson, Steve Grigor, Neale Guthrie, Carol Johnston, Marj Falusi, Keith McLaughlin, Kate McCarthy, Wendy Taylor, Mike Slee, Colin Colquhoun, Les Howard, Bev Stokes, Col Hosie, Paul Tso, Steven McIntyre, Dave Appleby, Frank Millburn, Michael Brentt, Jan Dachs, Bruce Podmore, Sarika Falusi, Victoria Bell, Bob Watts, John Lewis, Chris Conti, Norrie O'Leary, Matt Sainsbery, Klaus Scharrer, Nerida Barges, Andrew Kuzek, Julie Valeri, Karen Doyle, John Smith, Helen Leayr, Graham Gittens, Michael Neumann, Sue Bourke, Fritsz Ohlmus, Mandy Squair, John Nicholas, Maureen Sims, Bill Taylor, Stephanie Cooper, Rosa Scharrer, Denise Lee, Lou Agnello, Barbara Mitchell, Paul Dachs, Phil Harris and Beth Harris.

Canberra bachelor of the year

MR COE (Ginninderra) (9.04): Mr Speaker, I rise tonight to speak on an interesting subject, on an event which I am sure you and others in this place will find a little humorous, to say the least, especially Mr Hargreaves over there.

Over the last couple of months, planning for the inaugural Canberra's bachelor of the year fundraising event has been underway. The event is the brainchild of Danielle Neal and Erin Molan, who have been extremely generous with their time and resources. They are committed to raising money for a very worthy cause through what is an innovative, interesting and no doubt entertaining event.

Proceeds from the Canberra bachelor of the year event will go to the ACT Eden Monaro Cancer Support Group. Founded in 1986, the Cancer Support Group provides financial assistance and emotional support to approximately 1,700 cancer patients and their families in the Canberra-Queanbeyan region. The group depends on fundraising, community partners, the generosity of businesses and the local community to offer the services they do.

Politicians regularly get asked to speak at community events, present awards, attend openings and participate in charity events, whether they be singing bees, golf days, auctions, dinners et cetera. However, being asked to take part in the bachelor of the year event certainly came from left field. The event supports a very worthy cause and promises to be a light-hearted, fun and profitable evening held in good taste with proceeds going to support those in our community doing it tough as a result of cancer. So I happily accepted the invitation to take part in the event.

I am sure those opposite will have a bit of fun with this one—and perhaps even those a little nearer to home. In fact, I am quite sure that people nearer to home are already having some fun with this one. But jokes aside, it is a very worthy cause that we are raising money for, and I am very happy to cop a bit of flak over it.

Whilst I realise that this is not everyone's cup of tea, I am confident about the spirit in which the event will be run. I think it is a great opportunity to raise money from attendees at the gala night who are not necessarily engaged on Canberra's existing fundraising dinner circuit. To date more than 400 people have bought tickets for the event, to be held at the Hotel Realm on 14 October.

In addition to me, the guys taking part are Michael Bailey, Daniel Barboro, James Boyce, Tom Burbige, Jason Davonport, Duke Didier, Shaun Fensom, Trent Kingi, Michael Kucharski, Kenny McDonald, Mal Osborne, James Rush, Markus Schuermann, Richard Wark and Luke Wittle.

I would also like to thank the sponsors that have come on board so far. They are, in no particular order, the *Canberra Times*, WIN Television, Artespresso in Kingston, Thoroughbred Park, Zanebono Advertising, Next Hair, Club Lime, Platinum Exclusive, Balagova Makeup Artistry, Sybil's Closet by Danielle, Allbids.com.au, TheGlass.com.au, Hotel Realm, Urban Pantry, Off London Hair, Canberra Weekly, Viktoria Novak Design, Bowtie Promotions, Rod Sheather Constructions, Maxim Chartered Accountants, Top Notch Property Investment, Ray White Canberra, OutInCanberra.com.au, Balls n' all, Kiwi G, Rainmaker Cloud Computing, Servcorp, Glamour by A'imee, and Nomad Photography.

I also thank the individuals and organisations that have helped me with my fundraising to date; I will acknowledge their support at a later date. Of course, anyone wanting to support the very worthy cause should visit canberrasbacheloroftheyear.com.au or contact my office. Again, I would like to thank Danielle Neal and Erin Molan for all the effort they are putting into making this event a success.

**Baha'i community in Iran
Eid-ul-Fitr festival
Tharwa fair**

MS BRESNAN (Brindabella) (9.08): I have previously spoken in this place about the situation of the seven Baha'i leaders detained in Iran who have spent several years in jail without formal charges or access to their lawyers. On 8 August this year the

Baha'i community received reports that the seven leaders had each received jail sentences of 20 years. These reports of the prison sentences have been met with condemnation from around the world. The lawyers—associated with the Defenders of Human Rights Centre in Tehran, cofounded by Nobel Laureate Shirin Ebadi—who are representing the Baha'i leaders have themselves been harassed, including Ms Ebadi, who was maligned by the state-sanctioned media when it became known that she and her colleagues would act as legal counsel for the Baha'i leaders and who was forced to remain outside Iran for an extended period.

The prison sentences represent an escalation in the ongoing and systemic persecution of the Baha'i in Iran. There are currently some 50 Baha'i imprisoned in Iran, including the seven leaders. All are jailed due to their religion and some have been held for more than 30 months in what are termed temporary detention centres. The number of Baha'i in detention in Iran varies as more people are arrested and others are released, typically after surrendering business licences, property or cash.

On 15 February this year the UN Human Rights Council held the universal periodic review on Iran, with governments and human rights groups from around the world describing the degree to which Iran has failed to meet its obligations under international human rights laws. Organisations and governments are now calling on the Iranian government to immediately release the seven Baha'i leaders on bail and to expedite an appeal that respects international standards of jurisprudence.

The seven leaders have already served two years of temporary detention under harsh conditions, in clear breach of the rights to which they are entitled under Iranian and international law. They have not been given a fair and public trial according to international law, and no evidence appears to have been presented against them.

I would also like to acknowledge—Ms Burch and Mr Doszpot have already done so—the Eid-ul-Fitr festival on Sunday, 19 September. It was an excellent event and it was wonderful to see so many people out celebrating the end of Ramadan. Hopefully, it will become a permanent fixture on the festival scene here in Canberra. It was an excellent day.

I would also just like to acknowledge the Tharwa fair, which was held on Sunday, 19 September. There was a fantastic turnout for the fair. Mr Doszpot was also there; he was leaving just as I was arriving. As I said, it was an excellent turnout. It showed that there is a real vibrancy in Tharwa. It was wonderful to see so many people out. It was a wonderful day, with lovely weather that probably encouraged many people to turn out to the variety of festivals that were on that day.

Question resolved in the affirmative.

The Assembly adjourned at 9.11 pm.