



Debates

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Tuesday, 7 December 2010

The Assembly met at 10 am.

(Quorum formed.)

MR SPEAKER (Mr Rattenbury) took the chair, made a formal recognition that the Assembly was meeting on the lands of the traditional owners, and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Death of Professor Frank Fenner AC, CMG, MBE
Motion of condolence

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): I move:

That this Assembly expresses its deep regret at the death of Professor Frank Fenner, AC, CMG, MBE, distinguished and eminent scientist and philanthropist and tireless advocate for public health, and tenders its profound sympathy to his family, friends and colleagues in their bereavement.

Mr Speaker, following a rich and amazingly productive life, Professor Fenner sadly passed away on 22 November, aged 95, a great Canberran, an outstanding Australian and a hero of world medicine. Professor Fenner has been described by many of his friends and colleagues as an extraordinary intellectual, a wonderful scientist, and just a lovely person, and as a giant among us who achieved more in one lifetime than could be achieved in three or four careers.

Professor Fenner was born in Ballarat in 1914, but soon moved to Adelaide. He fondly remembered the benefits of growing up in a loving family which encouraged his childhood curiosity. In his early years, he wanted to study geology, but his father persuaded him to study medicine to open up a greater range of employment prospects—perhaps sound advice in retrospect.

In 1938 he graduated with a science and medical degree from the University of Adelaide. When World War II began, he joined the Army, serving as a captain and then a major in the Australian Army Medical Corps between 1940 and 1946. He developed an interest in infectious diseases during his service in Australia, Palestine, Egypt, New Guinea and Borneo. His work coordinating malaria control among Australian troops in New Guinea kept the rate of infection to a minimal level and resulted in his being made a member of the Order of the British Empire.

After the war, he worked alongside Sir Macfarlane Burnet at the Walter and Eliza Hall Institute of Medical Research in Melbourne, where he studied mousepox, a close relative of the smallpox virus. It was the beginning of a lifelong interest in pox viruses. In 1949 he received a fellowship to study at the Rockefeller Institute for Medical Research in New York, where he researched mycobacterial disease. Returning to Australia in 1949, he moved to Canberra as Professor of Microbiology at

the newly established John Curtin School of Medical Research at the ANU. At just 34, his reputation was already significant.

A large part of his first 15 years of working life at the ANU were consumed by research into the myxomatosis virus. This work, which contributed to the control of Australia's rabbit plague, is widely judged as one of his key achievements. A single, unorthodox experiment at this time caught the general public's attention in an effort to alleviate fears about the safety of releasing myxomatosis. Along with eminent colleagues, Frank Macfarlane Burnet and Ian Clunies Ross, he famously injected himself with the myxoma virus to prove it was not dangerous to humans.

Professor Fenner's work on myxomatosis led him into the study of the vaccinia virus, which was to prove useful background for his work on smallpox, which later brought him such international acclaim. His position with the World Health Organisation as Chair of the Global Commission for the Certification of Smallpox Eradication was to oversee the smallpox eradication program, which broadly involved isolating new cases and vaccinating nearby populations. The program's success is still regarded as his greatest achievement in science.

Professor Fenner stated on many occasions that the proudest moment of his life was in 1980 when he stood before the World Health Assembly and announced the eradication of smallpox, confirming one of the greatest milestones in the extension and improvement of human life. Millions across the globe who would already have lost their lives to or been horrifically disfigured by smallpox owe a great deal to Frank Fenner. To this day, smallpox remains the only significant human disease to be successfully eradicated as the result of human scientific and medical endeavour.

In 1995, in recognition of this work, he was awarded the Copley Medal, the highest honour bestowed by the Royal Society of London for distinguished contributions to science. Other recipients of the Copley Medal include Albert Einstein, Benjamin Franklin and Captain James Cook.

In addition to this award, Professor Fenner's achievements have been acknowledged over the years through the awarding of many honours, including the Companion of the Order of Australia and fellowships at the Royal Society and the Australian Academy of Science. He was also awarded the Albert Einstein World Award for Science in 2000 and the Prime Minister's Science Prize in 2002.

Professor Fenner was also a great teacher and mentor who made an immense contribution to medical education. He published over 300 scientific papers and edited, wrote or co-authored nearly 20 books. His numerous editions of textbooks, primarily on animal viruses and medical virology, are studied by students throughout the world. *Medical Virology* remains a standard text for medical students across the world.

Professor Fenner's pioneering work as an environmentalist is perhaps less well known than his scientific achievements. In his early life, he was inspired by Renee Jules Dubos, an American scientist and environmentalist accredited with coining the maxim "think globally, act locally". Professor Fenner was an early champion of environmental issues in Australia. In 1960 he established the Flora and Fauna Society at the Australian Academy of Science.

He pioneered environmental studies at ANU and was the first director of its research centre. The Fenner conferences still bring together environmentalists from around the world to discuss the complex environmental challenges facing the planet. The work of the centre and the deliberations of the Fenner conferences will form an enduring legacy.

As early as the 1970s Professor Fenner recognised mankind's impact on the environment and the need to address global warming, population growth and overconsumption. He had no hesitation in sharing his alarm about global warming and the urgent need to respond appropriately and quickly. When once asked what stirred his sense of wonder, he replied, "The Australian bush." Perhaps that is why he chose to make Canberra home for so much of his life. Professor Fenner was one of the first Canberrans to be recognised with a plaque on the ACT honour walk.

Professor Fenner will be long admired, not only because of the sustained nature of his distinguished career and the breadth of his achievements, but also because of his humility and decency. He was a quiet, gentle and kind man whose generosity of spirit, his determination and genuine interest in others will not be forgotten.

Professor Fenner is survived by his daughter Marilyn, grandchildren Sally and Simon, and a great-grandson, Jasper. The ACT government is pleased to be jointly funding a state memorial service to be held at 4 pm on Friday, 17 December at the ANU's Llewellyn Hall. This will be an opportunity for his colleagues and others to pay their respects to a remarkable Australian and a great Canberran whose work touched the lives of many around the world.

Mr Speaker, today on behalf of the government and, indeed, all Canberrans, I express my sincerest condolences to Professor Fenner's family, friends and colleagues.

MR SESELJA (Molonglo—Leader of the Opposition): I rise too in recognition of and respect for a truly remarkable individual, Professor Frank Fenner. His list of honours and awards, including AC, CMG, MBE, FRS and FAA give some small indication of his extraordinary achievements. This is a man who helped to rid the world of the scourge of a disease that plagued humankind for centuries and who worked to free our nation from the pestilence that had crippled the country for decades.

Hailing from Ballarat in Victoria, Frank Fenner graduated from Adelaide University with Bachelor of Medicine and Bachelor of Surgery degrees in 1938 and a Doctor of Medicine in 1942. He served in Egypt and Papua New Guinea as an officer in the Australian Army Medical Corps where he started his work with diseases. His extensive study of malaria resulted in his being awarded an MBE in 1945.

After several postings in academic institutes in Australia and overseas he was appointed Professor of Microbiology at the new John Curtin School of Medical Research at the Australian National University here in Canberra. It was here in Canberra that he continued studying viruses, and particularly the myxoma virus. The study led to the use of myxomatosis as a method of controlling pest rabbit numbers in Australia. This approach could eradicate 99.5 per cent of all pest rabbits within nine to

11 days of exposure. As we know, some rabbits survived and other methods have since been introduced. But the days of the land being so ravaged that Australia needed rabbit-proof fences are now long gone.

In 1967 Professor Fenner was appointed Director of the John Curtin School of Medical Research. This was when he embarked on his second great achievement, the eradication of smallpox from the world. While at the ANU he was also Chairman of the Global Commission for the Certification of Smallpox Eradication. Smallpox was a dangerous, deadly and disfiguring affliction that claimed millions of lives throughout history and left millions more permanently scarred if they were able to survive the ravages of the disease.

By 1977 the last known case of naturally transmitted smallpox occurred in Somalia. At a World Health Organisation meeting in May 1980 Professor Fenner announced the eradication of the disease worldwide. This achievement has been recorded as the greatest achievement of the World Health Organisation.

Listing all of Professor Fenner's other awards, honours and achievements is a task in itself, but even a shortened list is remarkably impressive. He was awarded an MBE in 1945; elected as a foundation fellow of the Australian Academy of Science in 1954; made a fellow of the Royal Society in 1958; awarded a CMG in 1976; made a foreign associate of the United States National Academy of Sciences in 1977; awarded the Japan Prize (Preventative Medicine) in 1988; made a Companion of the Order of Australia in 1989; awarded the Copley Medal of the Royal Society in 1995; awarded the Albert Einstein World Award of Science in 2000; awarded the Clunies Ross Lifetime Contribution to National Science and Technology Award in 2002; awarded the World Health Association Medal, the Mueller Medal, in 1964 and the ANZAAS Medal in 1980; awarded the ANZAC Peace Prize; awarded the Matthew Flinders Medal and the Britannica Australia Award for Medicine. In 2002 he was awarded the Prime Minister's Prize for Science and was named ACT Senior Australian of the Year in 2005.

It is an astonishing list but it is not all that his legacy has left behind. Both the Frank Fenner building in the ANU Medical School and a residential college, Fenner Hall, are named in honour of Frank Fenner. The Frank Fenner Medal is awarded annually for the most outstanding PhD thesis submitted in the John Curtin School of Medical Research. I could not possibly list his publications. The ANU website lists over 300 publications and 23 books.

Professor Fenner was also a passionate environmentalist, setting up a Centre for Resources and Environmental Studies at the Australian National University as early as 1973 where he held the position of director until 1979 and which became part of the Fenner School of Environment and Society in 2007.

My last words about Professor Fenner come from another eminent Australian scientist, Sir Gustav Nossal, who said, "What a life, what a career, what generosity of spirit with his many contributions to the Australian Academy of Science. We shall not see his like again."

Mr Speaker, on behalf of the Canberra Liberals I offer my condolences to the family and friends of Professor Fenner, in particular his daughter Marilyn, and I commend the motion to the Assembly.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens): Professor Frank Fenner, AC, CMG, MBE, MD, FAA and FRS was an outstanding Australian whose achievements and contribution were nothing less than exceptional. Whilst it is with much sadness at his passing that we are here today to honour his life, there should also be much celebration of what he managed to achieve in his lifetime and the positives for people all over the world that are thanks to Professor Fenner's work.

In a professional career that began in the 1940s and never really ended, Professor Fenner's output was prodigious. With dozens of books and hundreds of academic papers, his contribution to our understanding of virology and the natural environment was monumental. His passing is a great loss to our community, and on behalf of the Greens I would like to express our deepest sympathies to all his relatives and friends.

The list of his achievements is truly remarkable. One that struck me, and I think really illustrates his remarkable intellectual abilities, was that after joining the Australian Medical Corps in 1940, serving in Australia, the Middle East, New Guinea and Borneo as a field officer, pathologist and malariologist, he also found time to achieve a research MD from the University of Adelaide by 1942.

That was, of course, only the beginning of a career which deserves to be celebrated. I heard that he still diligently turned up to work every morning at 6.30 to work on textbooks when he was well into his 90s. His contribution to modern science and our understanding of the world is renowned the world over. Locally, of course, he was our ACT Australian of the Year in 2002—the same year he won the Prime Minister's Science Prize.

As Mr Seselja has just said, Sir Gustav Nossal, emeritus professor in the Department of Pathology at the University of Melbourne, said that Australia mourns the passing of one of its greatest biological scientists. He said, "What a life, what a career, what generosity of spirit, with his many contributions to the Australian Academy of Science. We shall not see his like again." Ian Lowe, emeritus professor at Griffith University, Queensland, described Professor Fenner as a pioneer in understanding the growing imbalance between human activity and the needs of natural systems.

Professor Fenner's contribution to the Australian scientific landscape is unmistakable. Each year the Australian Academy of Science runs the Fenner conference on the environment that covers conservation issues in Australia and its environs. The purpose of these conferences is to bring together those with relevant scientific, administrative and policy expertise to consider current environmental and conservation problems in Australia, thereby contributing to the formation of policies that can alleviate some of these problems.

The academy also awards the Fenner Medal that recognises outstanding contributions to science. Its purpose is to recognise distinguished research in biology by Australian

scientists under 40 years of age. At the ANU there is the Fenner School, the Fenner Hall, the Fenner building in the ANU Medical School and there are Fenner bursaries. His contribution is evident almost everywhere you look.

Equally, the list of prizes he received spans the full length of his career and demonstrates just what an exceptional contribution he made. The *Encyclopaedia of Australian Science* lists no fewer than 19 major awards, in addition to the ACT Australian of the Year and the Prime Minister's Science Prize I mentioned earlier. The prizes include the Mueller Medal, received from the Australian and New Zealand Association for the Advancement of Science, the ANZAC Peace Prize, World Health Organisation Medal, Japan Prize, Companion of the Order of Australia, the Copley Medal for the Royal Society, the Albert Einstein World Award for Science and the Clunies Ross Lifetime Contribution Award.

Professor Fenner was a Chairman of the World Health Organisation Global Commission for the Certification of Smallpox Eradication. He once nominated 8 May 1990, when he announced the eradication to the World Health Assembly, as the proudest day of his life.

The other particularly notable achievement was, of course, the myxoma virus which drastically reduced the rabbit plague across Australia. In response to concerns about the safety of the virus, he famously injected himself with the myxoma virus to prove it did not affect humans.

Always modest, Professor Fenner once said that he was very lucky and so many things he was interested in fell into his lap. What he did with those opportunities, the achievements and outcomes from those opportunities certainly warrants the highest praise. His exceptional ability and dedication to all the tasks he applied himself to are well renowned.

In addition to his work on smallpox and myxomatosis, he was one of the first people to really look at the interaction between the human population and the environment and how each impacts on the other. He was critical of inaction on climate change and raised many serious questions about the long-term sustainability of current human activity.

I have no doubt that Professor Fenner will continue to be an inspiration to future generations of Australian scientists and that his legacy and all his work will continue to be valuable for many years to come. Cutting edge science will still refer back to the remarkable volume of work he produced.

Professor Fenner's passing has been described as the end of an era in virology. It is the end of a remarkable career. Professor Fenner was a great Australian and a great Canberran. We should all be very proud of what he achieved in his lifetime. We should also be very thankful for his amazing contribution. Humankind and the natural environment are certainly better off for all his efforts over so many years.

Question resolved in the affirmative, members standing in their places.

Petitions

The following petitions were lodged for presentation:

Recycling—batteries and light bulbs—petition No 114

By Ms Le Couteur, from 211 residents:

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that: Fluorescent light globes are hazardous waste and are unsuitable for disposal in landfill. Fluorescent light globes can be recycled at Mugga Lane and Mitchell Resource Management Centres yet these two drop off points are inconvenient and impractical for most residents of the ACT.

Your petitioners therefore request the Assembly to: Provide for the establishment of a convenient, community drop off system across the ACT, for fluorescent light globes.

Recycling—batteries and light bulbs—petition No 115

By Ms Le Couteur, from 24 residents:

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that: Batteries are hazardous waste and are unsuitable for disposal in landfill. There are not convenient and practical drop off points for residents of the ACT to recycle their batteries.

Your petitioners therefore request the Assembly to: Provide for the establishment of a convenient, community drop off system across the ACT, for battery recycling.

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

Justice and Community Safety—Standing Committee Scrutiny report 31

MRS DUNNE (Ginninderra): I present the following report:

Scrutiny Report 31 of the Standing Committee on Justice and Community Safety performing the duties of a Scrutiny of Bills and Subordinate Legislation Committee together with the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

MRS DUNNE: Scrutiny report 31 contains the committee's comments on eight bills, 13 pieces of subordinate legislation, seven government responses and one regulatory impact statement. The report was circulated to members when the Assembly was not sitting.

In relation to the Fair Trading (Australian Consumer Law) Amendment Bill, the committee was impressed by the lengthy exposition provided to the Victorian parliament when it was considering the uniform national law. Both the explanatory statement and the statement of compatibility for the Victorian bill are the standard the committee would like to see provided for all ACT legislation.

I commend the report to the Assembly.

Health, Community and Social Services—Standing Committee Report 4

MR DOSZPOT (Brindabella) (10.22): I present the following report:

Report 4 of the Standing Committee on Health, Community and Social Services entitled *Love Has Its Limits—Respite Care Services* in the ACT, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

The Auditor-General's report into the management of respite care services was brought to the committee's attention by the public accounts committee. While the main focus of the audit was on government respite houses for people with a disability, the committee resolved to conduct an inquiry into respite services and to broaden the scope to include all respite care services. The committee received 45 submissions, with the majority of 32 from families caring for a child or adult with a disability. Submissions were also received from carers of people living with a mental illness and elderly parents, care recipients and disability and mental health service providers. Due to the sensitive nature of some of the submissions and to protect the confidentiality of the families, the committee withheld publication of names of 15 submissions and withheld a further seven from publication.

Prior to the public hearings, the committee held a public forum on 7 April 2010 that was attended by over 70 people. The first public hearing was held on 14 April 2010, followed by five further public hearings on 28 April, 21 July, 1 September, 3 September and 8 September, and we heard from 38 witnesses. The committee is grateful to all the participants who appeared and who provided written submissions.

Families have taken on the primary caring role since the deinstitutionalisation of people living with a disability and/or mental illness. While it is appropriate for

families to care for their loved ones, it is difficult to imagine the physical and emotional toll on the primary carer and other family members.

Through the submissions received and oral evidence, the committee was able to gain some insight into the plight of carers in the ACT. People do not choose to become carers; they do so out of necessity when a child is born with a disability, a child or partner develops a mental illness or chronic condition or an elderly parent develops an age-related disability. Most families accept their caring role as an extension of the love of the family unit. However, love alone is often not enough to meet all the needs of care recipients.

For example, children with disabilities, like everybody else, grow into adults with intellectual, emotional and social needs that cannot necessarily be fulfilled within the family unit. Adults living with a mental illness or an intellectual disability require support outside the family unit to develop independent living skills in preparation for a time when their primary carer may no longer be able to provide care.

For all people, young or old, with a disability or without, social interactions and friendships outside the family unit can only improve one's quality of life. For this reason the committee chose the title for this report, *Love has its limits*, from a quote by a parent, Ms Karna O'Dea, in recognition of the difficult and frustrating situation in which many carers find themselves.

The committee embarked on this inquiry to make a difference to the lives of carers in the ACT but were surprised at the lack of confidence expressed by many carers that anything would change. One carer told the committee:

ACT families are too focused and too fatigued, to concern themselves with yet another bureaucratic inquiry, to answer yet more questions that have been asked a thousand times and see the same tokenistic action.

During all the inquiries, policies and action plans that have gone before, the voice of the carer was clear—little has changed over the years. While carers have a range of needs, depending on age, ethnicity and the care recipient's needs, respite care was identified as an essential service for all carers. Without it, many families would not be able to continue in their caring role for as long as they do. Care recipients also need access to quality services to occupy their days, particularly in the post-school years or when their primary carer is no longer able to continue in the caring role.

This was not an easy inquiry. The angst and frustration expressed through submissions and directly by carers who appeared before the committee at public hearings was disturbing. The daily struggle for these families was exacerbated by the lack of certainty for the future of their loved ones.

The committee made 28 recommendations, including recommendation 1, the importance of a common understanding and definition of respite care for all carers that includes the role, purpose and benefits for carers and care recipients. Respite care is a discrete service that should not be confused with other support services.

Recommendation 3 refers to after-school hours care at the four special schools in the ACT. While not technically respite, that lack of appropriate placement, particularly for teenagers with a disability, is placing greater stress on respite services and impacting on working careers. Recommendation 6 is for greater support for ageing carers and ageing care recipients. Recommendation 16 is for greater scrutiny of the disability sector through the development of an official visitor scheme.

Recommendations 17 and 18 refer to better management of complaints and promotion of complaint processes. Recommendation 20 is the development of a minimum mandatory qualification for workers. Recommendation 14 is for the development of better measures to ensure that government and government funded disability services are in compliance with the national disability service standards. Recommendation 9 is about the importance of flexible respite options and particularly weekend respite.

I would like to thank my fellow committee members, Ms Amanda Bresnan and Ms Mary Porter, for their input and contribution to this report, and, in particular, on behalf of all the committee members, I wish to express our sincere thanks to the committee secretary, Ms Grace Concannon, for her much appreciated support and valuable contribution to this report by the Standing Committee on Health, Community and Social Services on respite care services in the ACT, *Love has its limits*. I commend this report to the ACT Legislative Assembly.

MS BRESNAN (Brindabella) (10.29): I would like to speak briefly to a couple of the recommendations and draw out some of the points which Mr Doszpot has already mentioned. I too would like to thank my fellow committee members: the chair, Mr Doszpot, and Ms Porter. This was a very collaborative inquiry, and, as Mr Doszpot said, it was not easy at times hearing some of the quite distressing stories from parents and carers. The recommendations that have come forward reflect the evidence which was heard from people.

I too would also like to thank Grace Concannon, the secretary to the committee. She has done a wonderful job in drawing together all the evidence and information we received and in putting together this report and the recommendations. I know it was not an easy job, because there was quite a volume of information we heard and received. I thank Grace for the effort she has put in with this report.

I would like to highlight a couple of the recommendations. Mr Doszpot has already done that with a number, but I will do that also. I want to go through recommendation 4, which refers to having after-school care programs established at the four government special schools, which are the Woden school, Black Mountain school, Cranleigh and Malkara.

One of the things we heard is that providing meaningful and adequate after-school respite was quite an issue, particularly with some of the changes that have come about with these schools. Obviously, this is the sort of support which parents or carers require to enable them to go to work if they need to or just to deal with those aspects of their life which they have as part of their caring role. This is a key recommendation that came out about providing those meaningful and adequate after-school services. I hope this is something which is acted upon as a priority.

Recommendation 9 was in reference to continuing to support Tandem's provision of weekend respite. Again, this is one of those areas where there has been some reduction, and there is an issue around the adequacy of funding for this sort of respite. Obviously weekend respite is more intensive and requires additional resources in terms of basic things such as pay for workers. But this is key in terms of ensuring that people are able to continue their caring role but also to enable parents who may have other children to provide them with attention as well. Siblings will often suffer in terms of caring relationships as well. Again, it is essential that we provide adequately funded and appropriate weekend respite for people.

The issue mentioned in recommendation 12 about having flexible respite options is something which really came out through the inquiry. Respite has to be flexible and it should not be limited to just one or two options. What is going to be suitable for one family or one carer is not going to be suitable for another, and we need to keep this in mind. This is in relation to various things, such as overnight respite. Some families are going to find it suitable to go to a respite house, while other people prefer to have that help in home. That is particularly the case for older carers who might be ageing and who are worried about what is going to happen to the people they care for if something occurs to them. It is about providing support which can enable the people they care for to become more independent and be used to being at home without the carer. That is why having those flexible options is essential in this whole issue about respite.

Another issue Mr Doszpot mentioned was service standards. One thing which came out through this whole process was that there are concerns around the standards applied to various respite services and also the auditing process which is undertaken. We need to provide adequate resourcing to make sure that services are audited frequently. At the moment, auditing is very infrequent. In some cases, they may not be audited in a space of five years or so. We need to make sure that this is far more adequate. We must ensure that we support the services to establish standards.

Recommendation 20 is that the committee recommends the ACT government work with the disability sector to establish a minimum mandatory qualification for all paid disability support workers in government and non-government services and develop a framework to ensure that all volunteers are appropriately trained.

That goes to the standard of services that are being provided and making sure that workers are appropriately trained, that they know what sort of conditions they will have to deal with and that they are able to deal with people who will have very complex conditions. This is extremely important in terms of the sorts of services and the quality of services we are providing to families.

Recommendation 27 is about ensuring that the no-wrong-door policy which is being applied by DHCS is appropriately planned and fully resourced so that we do not end up with the same situation for families where they find they still have to go to various services to access the services they need. We want to make sure that this actually works. Some concerns were expressed by a number of providers, so we want to make sure that they are accounted for and that any concerns that arise through the process are dealt with.

We must plan adequately for respite services and for disability services. That is reflected in recommendation 28, and it is something that was also recommended by the estimates committee. We know each year basically how many people are going to require services. We must ensure we build that into the budget process and are planning for it. It is not a surprise to people; we know how many people are going to have to access services. We know how many children are leaving the disability schools each year, so we must actually plan for this. We must also provide meaningful opportunities for people.

Again, I commend this report to the Assembly. I think it has some very good recommendations, and I will be looking forward to seeing the government respond to them and, hopefully, agreeing to them.

Question resolved in the affirmative.

Standing Committee on Public Accounts—report Government response

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), by leave: I thank members. On 19 August 2010, the Standing Committee on Public Accounts tabled its report on the review of the Auditor-General's report No 5 of 2009, *Administration of employment issues for staff of members of the ACT Legislative Assembly*.

In tabling the report, the committee made no recommendations and concluded that all issues raised by the auditor had been addressed by the government in its submission. Given the committee's report included no recommendations for follow-up and that no further action is required, I advise that the government's position on the matter is as provided in the government's submission to the committee, which was tabled on 17 August.

Kangaroos—cull Statement by minister

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), by leave: I thank members. The motion of the Assembly on 20 June 2010 called on the government to make information about the rationale and conduct of culls available to the community prior to the commencement of culling and to fully examine the feasibility of the commercial disposal of carcasses resulting from culling operations. I am pleased today to provide the Assembly with a report on progress to date in relation to both of those actions.

In relation to the first action about informing the community, I can report to the Assembly that the ACT kangaroo management plan adopted by the government in

March 2010 establishes the rationale and methodology adopted for conducting kangaroo culls. Assessment of kangaroo numbers is undertaken prior to any culling activity, and a detailed operational plan is developed for each operation. As a part of this work, the government prepares and implements a communications plan.

The next communications plan will respond to the Assembly's desire to see more information about the rationale and conduct of culling made available to the community, bearing in mind the need to ensure culling activity is undertaken in a manner that minimises risk to members of the public. The timing of the next cull is dependent on seasonal conditions but it is likely that there will be a cull some time in late autumn or early winter in 2011.

In relation to the second action, the examination of the feasibility of the commercial disposal of carcasses, I can report to the Assembly that a process is well underway to investigate the issue. The government is committed to best practice land management and responsible management of kangaroo numbers in the ACT's nature reserves. Finding a way to use a resource that is otherwise wasted would be a good outcome.

As members are aware, the ACT has no commercial kangaroo harvesting program. Kangaroos in ACT reserves are culled only for biodiversity management reasons. However, it is reasonable to consider whether ACT kangaroo carcasses resulting from non-commercial culls may be used for some productive purpose. It is instructive to consider the system for managing commercial use of kangaroo carcasses in other jurisdictions and whether it is feasible to use the same or a similar system in the ACT.

Across Australia, the kangaroo industry generates over \$270 million annually and employs around 4,000 people. Annual harvest quotas are based on scientific population surveys and vary depending on the season. However, quota numbers are usually in the millions.

In New South Wales, the overall system is guided by a kangaroo advisory management panel through an approved kangaroo management plan. Kangaroos are harvested by licensed shooters who provide carcasses to commercial processing companies that operate chiller trucks. In the capital region, chiller trucks are based in Braidwood, Queanbeyan, Tumut and Cooma. Carcasses are then transported to a processing facility, either to South Australia in the case of carcasses destined for human consumption or to Hay for processing as pet food.

To provide an idea of the scale of the system, one large processing company based in South Australia has standing orders requiring in the vicinity of 10,000 kangaroo carcasses per week. By contrast, in 2010, the total number of kangaroos culled in the ACT was 1,800 or around one day's supply for a single large processor. In this context it may prove that the overall resource available in the ACT is not of commercial significance.

Another factor being examined is that of commercial liability. Harvesters require a constant year-round supply and the ability to obtain animals in a time-efficient manner. In a commercial operation, the harvested animal is normally field-dressed on site. This field-dressing requires removal of the head and of the contents of the

abdomen. In most rural areas, the unwanted parts are left where they lie. This practice would not, of course, be acceptable in the ACT.

Particular to the culling activity in the ACT is the relatively small number of kangaroos culled each year, restrictions on the time of year that culls are permitted to take place, the geographically widespread location of reserves and the requirement to remove unwanted animal parts. In reality, it may be that there are more attractive places for harvesters to work. Nevertheless, it remains a possibility that financial incentives could be offered to harvesters to overcome these barriers.

Alongside commercial and logistical issues, work is also progressing to assess issues of legislative compliance. The commercial kangaroo harvesting industry in New South Wales, and indeed in all jurisdictions, is subject to strict and rigorous statutory requirements, among them commonwealth requirements related to quarantine, animal welfare and wildlife conservation. The New South Wales commercial kangaroo harvesting plant incorporates these commonwealth requirements and is approved under the Environment Protection and Biodiversity Conservation Act. Kangaroo products for human consumption are also subject to Food Standards Australia requirements.

The government is currently exploring the possibility of working with the New South Wales and commonwealth governments to become a part of the New South Wales kangaroo management system. For this to occur, the ACT would be required to meet the same commonwealth obligations as New South Wales as well as our own territory legislation such as the Nature Conservation Act. It would only be worth while if the economic and practical issues can be overcome and if the benefits outweigh the costs.

The management and compliance costs of the New South Wales program are significant but are largely defrayed by revenue received through industry-related fees and charges such as tag sales, licences and registrations. This is possible because of the significant number of kangaroos that are commercially culled in New South Wales each year.

Of course, there may be other small ways to pursue use of carcasses apart from commercial operations but these would need to be carefully assessed. It has been suggested that, for example, the National Zoo and Aquarium could be approached with an offer of carcasses for feeding some of the animals. The government will continue to investigate this issue. We will fully examine all options and I am happy to report back to the Assembly, before any future culling activity takes place, on the nature of these investigations and their progress.

Totalcare Industries Ltd

Statement by minister

MS GALLAGHER (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (10.44), by leave: I thank members. My statement is in response to recommendation 13 of the Select Committee on Estimates report 2010-11. The estimates committee was informed, during hearings on 17 May 2010 that Totalcare would need to continue in existence for another

12 months, noting that it was hopeful of being able to resolve any residual issues by the end of this calendar year. This reflects requirements under federal legislation, namely, the Corporations Act 2001. It is also consistent with Totalcare's summary of strategic objectives for 2010-11 as stated in its annual report for 2009-10.

Following its end-of-year audit for 2009-10, Totalcare was advised by its external auditors that it would not be able to be voluntarily wound up whilst there were any outstanding liabilities. This is just one of the requirements of the Corporations Act that a company needs to satisfy before it can be voluntarily wound up.

The outstanding liabilities of Totalcare relate to a combination of superannuation, tax and legal complications concerning a number of external superannuation funds and Com Super, which administers the Australian government's superannuation schemes. These complications have meant that the last cohort of settlements in relation to 135 ex-Totalcare employees has not yet been able to be finalised.

For example, difficulties arise in processing settlements where the ex-employees' superannuation entitlements are currently sitting in different funds to the default superannuation fund used by Totalcare, namely, the Australian Government Employees Superannuation Trust, AGEST, or where funds other than AGEST have refused to transfer superannuation entitlements back to Totalcare to avoid duplication of employee entitlements. As the estimates committee has been informed, this occurs where an ex-employee's superannuation is sitting in a third or fourth tier superannuation fund.

Those funds were not part of the original arrangement that has enabled Totalcare to recoup its money from AGEST. This has delayed the settlement process for this cohort. This is necessary as part of the restitution process for all ex-employees, which has meant Totalcare has had to look at other ways it can achieve this.

Further, there are still a number of former employees in this cohort of remaining settlements whom Totalcare has simply not been able to contact, despite a recent round of advertising urging ex-employees who had not previously been in contact with the company to do so. This is necessary to enable the company to finalise a list of ex-employees to whom it has outstanding superannuation obligations. Former employees are still able to contact Totalcare if they have not already done so. However, this unfortunately delays the final settlement process.

Totalcare has continued to avoid the unnecessary high costs of litigation for all parties because of its robust and effective, yet ethical, approach to settlements. I can advise the Assembly that Totalcare hopes to have the legal issues and documentation finalised to a point where it will be possible to wind up the company. Subject to any externalities that are out of the board's control, the objective is for Totalcare to be wound up at the end of the 2010-11 financial year.

Plastic Shopping Bags Ban Bill 2010

Debate resumed from 28 October 2010, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

MR SESELJA (Molonglo—Leader of the Opposition) (10.47): Mr Speaker, members of this place have a responsibility to work to protect the environment, and those on this side of the chamber always support sensible, reasonable and well thought through measures to protect the unique natural environment of our bush capital.

Unfortunately, the bill before the Assembly today is not an environmental protection bill, nor is it sensible, reasonable or well thought through. First, it is not a bill that will protect the environment. It just makes life harder for small businesses. It makes life harder and more expensive for shoppers. It is a bill that contains outrageous penalties for a not-so-outrageous offence. We are turning people whose only act is to offer a plastic bag to shoppers into criminals. Seriously! In the words of Dr Chris Peters from the ACT and Region Chamber of Commerce and Industry, it is a “solution looking for a problem”.

The Canberra Liberals will not support the passage of this bill through the Assembly today. I would like to spend a few moments reflecting on why this bill should not be passed. My office has been in contact with many stakeholders on this bill over the last few weeks and I have heard a variety of concerns about the impact this bill will have on business. I remain unconvinced that the government has done its homework on this bill; so the concerns that have been raised with my office appear to have fallen on deaf ears on the government side of the chamber. Perhaps the most important reason why this bill should not be passed is that it is a lazy effort by a lazy government—a government that has not properly consulted business and consumers or considered the impact of this bill on Canberrans.

This bill was introduced in the October sitting of the Assembly earlier this year. The minister for the environment, Mr Corbell, informed me at the recent annual reports hearing in November this year that a regulatory impact statement had yet to be finalised. Therefore, this bill was introduced to the Assembly and had presumably passed through cabinet without the government properly considering its regulatory impact. I am now advised, today, that the regulatory impact statement is cabinet-in-confidence. They did not have a regulatory impact statement when cabinet considered the bill, but they rushed away after they introduced the bill and prepared a regulatory impact statement. Apparently it is being considered by cabinet now and cannot be seen by anyone else.

Mr Speaker, not only has the government not done its homework but also it has not considered the full costs and benefits of the policy. In 2006 the Productivity Commission stated in its waste management report:

Based on the evidence available to the Commission, it appears that the Australian, State and Territory Governments do not have a sound case for proceeding with their proposed phase out of plastic retail carry bags.

Has the government listened to the Productivity Commission? Can Mr Corbell enlighten us today as to how this scheme is a sound case? The Productivity Commission also highlighted other environmental factors which should be considered.

In fact, it included a paragraph from the Environment Protection and Heritage Council on how plastic bags can actually assist in reducing a landfill's potential for adverse environmental impacts. The EPHC said:

... the environmental impact of plastic bags in landfill is likely to be low due to their essentially inert or unreactive nature. It appears that plastic bags may have some landfill management benefits including stabilising qualities, leachate minimisation and minimising greenhouse gas emissions.

Can Mr Corbell explain this one? At the recent annual report hearings, the EPA let the cat out of the bag, I think. When I asked about plastic bag pollution they stated:

I cannot say that it has been one of any great significance, from my officers, in relation to pollution.

So we have got the EPA in the ACT saying, "Well, actually, it's not really a problem." I asked them to tell us how big a problem, and the answer from the EPA was, "Well, not very big. Not really a problem at all." That is when the minister had to step in. We had the Productivity Commission and we had the expert opinion of people working on the ground in the ACT. So why are we considering turning shoppers into criminals, or shop assistants into criminals in this case?

Perhaps the real motivation was revealed in Simon Corbell's answer. He was very embarrassed by the EPA's statement. It did not put him in a good light; so he clarified it. He clarified the position of the government. He said:

Just on that point, the government has taken the policy decision it has in relation to plastic bags, based on two factors—

based on two factors, Mr Speaker—

One is obviously perceptions of its problem in terms of contributing to litter, as Mr Walters indicates.

So the first rationale that the government has is not that it is damaging the environment; it is perceptions of the problem. That is how we make policy now. There is a perception of a problem in the community, whether or not it is well founded, and we make policy. That is, apparently, how we make laws. Mr Corbell went on to say:

And the second is the throw-away nature of the product and the fact that many Canberrans perceive it as a very wasteful practice ...

The second rationale sounds a little bit like the first:

... the throw-away nature of the product and the fact that many Canberrans perceive it as a very wasteful practice to have once-off-use plastic shopping bags that end up in landfill.

It is "the vibe", Mr Speaker. That is why we are considering this legislation today.

Let us just dissect the policy rationale that has now been put forward by the minister. The environmental case fails. It failed when the Productivity Commission looked at it. It failed when the EPA told the Assembly just recently that it is really not much of a problem, in their estimation. The backup rationale concerned perceptions of a problem and the throw-away nature of the product. I wonder what other products we would ban based on their throw-away nature.

Let us look at the solution of the apparent throw-away nature of plastic bags. Many people do not use plastic bags. That is one of the interesting things about this debate. Many Canberrans—in fact, most Canberrans that I speak to—use them for all sorts of things after they take them back from the shops.

Mr Smyth: They recycle them.

MR SESELJA: They recycle them; they use them a number of times. One of the most common ways that they are used again is as bin liners. That is actually one of the most common ways that many Canberra families reuse their plastic bags. When they take plastic bags from the shops they can be used on a number of occasions for carrying various things around—transporting things to and from the office or from school—and keeping things from getting cross-contaminated. Then what they do is use them as their bin liners and they end up in landfill.

What we are doing to address the problem is to say, “Well, you can’t have that one-off plastic bag that you’ve used several times. What we’ll do is replace it with a genuine one-off plastic bag which is a bin liner.” This, in the government’s estimation, is the good type of plastic bag, the one you actually only use once, because most people only use the bin liner once. They use the bag to line the bin and then they throw it in the wheelie bin and it goes off to landfill.

So this is the government’s solution. They did not have an environmental case so they relied on the perception. They relied on the throw-away nature of the product and the fact that people perceive it to be wasteful. What a ridiculous way to make policy. What a ridiculous foundation on which to make laws. Apparently, it is the “perceptions” we need to change, so we need to whack \$27½ thousand fines on small business.

Mr Smyth: How much?

MR SESELJA: \$27½ thousand fines for people daring to hand out plastic bags. We need to “encourage more sustainable choices”—and that is why we have to turn people who hand out plastic bags into criminals.

One of the stakeholders that I have spoken to over the last few weeks is the National Association of Retail Grocers of Australia. NARGA, as they are known, represent small grocery businesses, including many IGA supermarkets here in the ACT. NARGA, I think it is fair to say, are deeply concerned by the ban. They made the point to me that plastic shopping bags are ideal for their purpose. They are light, strong, waterproof, hygienic, recyclable and reusable for a multitude of purposes. The

fact that the bags are lightweight allows large numbers to be distributed and stored at least environmental cost per bag.

NARGA also made the point that if people cannot obtain lightweight shopping bags they will have to buy plastic bin liners and garbage bags, as touched on earlier. This is yet another Simon Corbell imposed cost which is entirely unnecessary. It seems that the purpose behind so many government policies now is to impose either additional costs on consumers or additional burdens, and we are seeing it again.

Concerns have also been raised with the Canberra Liberals over the safety of people who work in retail shops who have to handle bags, and how overfilling bags, because they are expensive, can lead to injuries to checkout operators. Reusable bags, we have been told by both NARGA and the chamber of commerce, can also pose health risks to people if they are packing food in a bag that has been stored perhaps in the boot of a car, or has become contaminated from food spills. Mr Corbell, what study did you undertake to ensure that these risks to retail workers and shoppers are minimised? Is this included in the secret regulatory impact statement?

The government cites a survey that it undertook prior to developing this bill. The survey, conducted by consultants on behalf of DECCEW, surveyed 560 households via telephone and via self-select surveys taken at shopping centres and online. According to the survey:

Because of its nature, the telephone survey has a high degree of statistical reliability. The shopping centre and online surveys, self-select in nature and smaller in sample size, lack the statistical validity of the telephone survey.

The results of the telephone survey show that only 33 per cent of Canberrans support a ban on plastic shopping bags. Mr Speaker, 33 per cent of Canberrans support a ban on plastic shopping bags. So the most reliable part of the survey shows that only a third of Canberrans support the ban that is proposed in this bill. The survey also states on page 2:

Opinions expressed in submissions to DECCEW or through the website, or offered in the online forum, were diverse in their nature. There was support for restrictive government action, just as there was support for the status quo: no obvious majority view was evident. In similar vein, stakeholders raised diverse concerns about the issue. In the main, however, retailers and organisations representing retailers preferred no action, or action that was consistent across jurisdictions.

Another frustrating part of this bill is the penalties, which I have touched on earlier. The chamber of commerce has told us to consider the following scenarios to which these penalties would apply. The first is a shop assistant trying to assist a little old lady who has left her shopping bags at home and the shop assistant tries to do the little old lady a favour by giving her a plastic bag to carry her bread, milk and a couple of items home. It is a \$27½ thousand fine to the employer of the shop assistant or a store holder at a market like the Old Bus Depot, who was only trying to help the little old lady or someone who went to the event not intending to make a purchase, who saw a few items they liked but who did not have a shopping bag in their back pocket, if the stall assistant provides them with a plastic bag to help them carry a few items home.

Minister, the question for the Assembly becomes: what problem are we trying to solve? Do we really want to impose these kinds of penalties on people for simply handing out a plastic bag, given what the Productivity Commission has said and given what the EPA has said on the issue? Do we really see this as a serious policy response? I think the chamber of commerce summed it up best: this bill is a solution looking for a problem. That is why the Canberra Liberals will not support this clumsy piece of legislation.

This law makes handing out a bag a criminal offence, one as bad as selling alcohol to a minor, worse than taking a minor into a brothel. We saw the argument fall apart when the environment minister's EPA said, "Well, they're not that much of a problem." So the minister had to come out and say, "Well, it's about the perceptions; it's about the fact that they're one-off use and it seems a bit wasteful," even though all those arguments are easily refuted.

I think the explanatory statement actually sums it up. It sums up the motivation of this government, this nanny state approach to policy. It says, "Plastic bags have become a symbol of excessive consumption." There it is. It is not because they hurt the environment, because the EPA says they are not much of a problem. It is not because they are a serious problem, because the Productivity Commission has looked into it and said, "No, there are no serious problems." It is because plastic bags have become a symbol of excessive consumption.

I just wonder what other products we could ban that have become a symbol of excessive consumption. Pick a corporation that has been vilified for its products. No doubt there will be an argument that they encourage excessive consumption. Is it Coca-Cola? Is it McDonald's? Who is it going to be? Whose products are we going to ban because they present a symbol of excessive consumption—these terrible symbols of capitalism and excessive consumption?

That is the true rationale behind this bill. It does not stack up environmentally. It does not stack up when you do a detailed study. The only detailed study in Australia by the Productivity Commission undermined the case for it. It does not stack up in commonsense terms. The community knows it because only one-third of them actually support the ban. Two-thirds understand that this ban will not actually achieve what it is claiming to achieve. It is about dealing with perceptions, we are told; it is about dealing with excessive consumption.

Madam Deputy Speaker, we have serious issues in this community. The prison is already full. Infrastructure is collapsing. Planning is falling apart. There are any number of issues, including the health system. We have the longest waiting list in the country. Yet the Greens and the Labor Party are seeking, through legislation such as this, to turn the bush capital into the nanny state. That is what they are concerned about. They are not concerned about fixing the serious issues but with coming up with solutions to non-problems. For all those reasons, the Canberra Liberals will not be supporting this bill.

MS LE COUTEUR (Molonglo) (11.03): The Greens will be supporting the Plastic Shopping Bags Ban Bill today. This bill gives effect to an important environmental

initiative, one that the Greens have been calling for for many years. It introduces a ban on lightweight plastic shopping bags that will begin next year after a phase-in period.

The Greens have been determined to address the problem of plastic bags for many years. It was part of the parliamentary agreement with the Labor Party under which the Labor Party formed government in 2008. We asked for a levy on plastic bags to be introduced in the ACT.

The bill is a ban rather than a levy. The reason it is a ban rather than a levy is that constitutional constraints limit the ability of the ACT to impose any meaningful levy on plastic bags, so a levy would be quite ineffectual. A ban is, in any case, simple, and we expect it to be very efficient and effective.

Plastic bags are, despite what the Leader of the Opposition may say, a hazard to the environment. They tend to be a single-use disposable item—a very wasteful way to use thousands of tonnes of plastic, which is made from non-renewable fossil fuels. Australia uses about four billion plastic shopping bags a year. A car could drive around the equator 1,275 times using the petroleum used to produce the plastic bags Australians use in a year.

The high-density polyethylene plastic in plastic bags ends up either in landfill, where it does not break down, or in the natural environment, where it pollutes waterways and harms wildlife. It is disturbing to think that every piece of plastic ever made and every one of the four billion plastic bags we use each year—except for the tiny amount of plastic which has been incinerated, which produces its own pollution problems—all still exist and are not going away. Those of us in the Assembly who believe in the goal of no waste or zero waste should be considering this fact quite carefully.

Interestingly, my office spoke to a manufacturer who has been using plastic bags to make recycled furniture, which is an excellent idea. They are not worried at all about a plastic bag ban, because there are already enough plastic bags for their business to be able to be run effectively forever.

As Mr Seselja has pointed out, plastic bags are one of the hallmarks of our plastic-addicted lifestyle. Probably one of the best ways of looking at this is to look at the existence of the trash vortex in the north Pacific Ocean. This ocean vortex is approximately 850 times the size of Canberra, approximately the size of the entire state of Tasmania. It is full of plastic rubbish. It is estimated that there are about six kilograms of plastic for every kilogram of natural plankton—as well as other slowly degrading garbage. It swirls around the ocean, killing fish, birds and marine animals.

Plastic is an environmental issue, Mr Seselja. The plastic in the trash vortex does not degrade like natural material. Instead, it breaks down very slowly, but only into smaller pieces of plastic. It has been estimated that over one million sea birds and 100,000 marine mammals and sea turtles are killed each year by the ingestion of plastics or entanglement. The plastics in the ocean repel water but act as a chemical sponge. They concentrate damaging pollution that has also been put out into oceans, meaning that animals also take in highly toxic pollution.

It is not just coastal towns that need to worry about the damage that plastic causes to oceans. Plastic travels a long way along the land also, blown by the wind or carried along rivers, streams and sewerage systems.

We need to find alternatives to our unsustainable use of plastic and protect our natural resources and ecosystems. This bill is not, as Mr Seselja said, a bill about money. It is a bill around changing behaviour. I would be very pleased if no-one was ever fined under this bill. The aim is not to fine people; the aim is to change behaviour, to break old lifestyle habits.

Many other countries and cities around the world have already paved the way by introducing bans or levies on plastic bags. They have proved that it is simple and easy to do it and that you can still have a well-functioning and convenient shopping system—and one that is better for the environment. The list includes South Australia; the Northern Territory; Tasmania, which has just passed legislation around a ban; France; Italy; Belgium; Israel; Ireland; Canada; San Francisco; Oakland; California; China; western India; various parts of the UK; Botswana; South Africa; Kenya; Tanzania; Taiwan; Singapore; and Bangladesh. This is in addition to a considerable number of European countries that have restricted plastic bag use for the last 20 years.

I would also recommend that those people unsure about the reason for this bill should look at an excellent documentary called *Addicted to plastic*, made by a filmmaker who has travelled to all parts of the world and documented the impacts caused by our voracious use of plastic.

I would like to make some more comments about the Liberal Party's position on this bill. I would like to start off by quoting from the election policy of the Tasmanian Liberals, which is called "A plastic shopping bag free Tasmania". It says that the Tasmanian Liberals will "make Tasmania free of non-biodegradable plastic shopping bags within two years". In the section entitled "Why this policy is needed", it lists a raft of environmental reasons why Tasmania should go plastic shopping bag free. It then says:

... over ... one year, an average household can save 6 kilograms of greenhouse gas emissions, over 190 megajoules of energy (enough to power a television for six months) and 7 litres of water simply by replacing single use plastic shopping bags with reusable bags that are readily available from supermarkets. If every household in Tasmania could make the change we could all make a positive difference.

It says:

We can all make a difference to improve the environment and this is one practical and effective way to do so.

This is not just an issue of perceptions. It is an issue of changing our behaviour—changing our throwaway behaviour. Yes, we agree with Mr Seselja that the throwaway nature of single-use plastic bags is one of the issues. This is one of the reasons why we are supporting this ban.

Last month, the Tasmanian parliament agreed unanimously on a motion calling for a ban on plastic shopping bags in that state. The Tasmanian Liberals shadow minister on the environment, Matthew Groom, said this about it:

While many in our community have embraced this change already, we do believe that there is a justification for sensible government policy to encourage others to do so. Unfortunately, Tasmanians have seen very little in the way of sound, sensible environmental policy from this Labor Government over its 12 years in office ...

... we can recycle better and the Government has a role to play to encourage awareness and promote practical action to improve these and other waste-related issues. We should make Tasmania a plastic-bag-free State ...

The State Labor Government continually procrastinates, defers decisions and appears to find excuses not to take action on these issues.

That is right; this is what the Liberal shadow minister for the environment said. He criticised the government for finding excuses not to take action on a plastic bag ban. It is ironic to find that today that is what the Leader of the Opposition has been doing. He has basically been saying—he has entirely been saying—that there should be no action on plastic bags in the ACT. I appreciate that Tasmania has waterways around it—a bit closer than the ACT—but I cannot think of any other difference between the two and I really cannot understand the position of the Liberal Party here. I must admit that I am disappointed by it. It is a bit embarrassing to find that the Liberal Party here seems to be behind even its own party in other states.

The case is clear that moving away from these single-use plastic bags will have significant benefits for the environment. Research has been done by Sustainability Victoria, which assessed a range of shopping bag alternatives across different environmental criteria and found that shifting from plastic bags to more durable bags would deliver environmental gains through reductions in greenhouse gases, energy and water use, resource depletion and litter.

Some people have raised the concern that the common supermarket green bag is in fact no better than a one-use plastic bag. Again, the important factor here is our habits and behaviour. Green bags are also made from a type of plastic, so it is important that they are reused over a number of years. Provided a green bag is used for about two years, it will be better for the environment than the standard lightweight plastic bag. Green bags can also be recycled and do not end up harming the landscape and wildlife, as lightweight plastic bags tend to do.

There is nothing in the legislation, however, that requires people to use plastic green bags. There are a large number of good alternatives to green bags, including reusable nylon bags; bags made from recycled plastics; and calico bags, which I have had a number of for at least 15 years. There are the string shopping bags that our mothers used; they are long lasting, generally washable and an excellent environmental alternative to any type of plastic bag. I also think that customers may find them much more durable and convenient than the supermarket green bags.

Like the Leader of the Opposition, I will touch on the issue of bin liners. Bin liners are a very modern invention. Before that, people wrapped up rubbish in newspaper or cleaned out the bins. This is not as hard to do as some people think. If you have a compost system in your household so that there is no organic waste going into your bins, you will find that the bins do not get dirty. If you are putting in bottles, the *Canberra Times*, tin cans and the ever-increasing amount of excess packaging—generally plastic packaging—this does not mean that you create mess that means that you have got to clean out your bins.

I agree that it is inevitable that when lightweight plastic bags are no longer available, some people will buy bin liners. However, research has found that the purchase of bin liners does not increase significantly compared with the reduction of plastic shopping bags. Also, bin liners are much less likely to end up loose in the environment than supermarket plastic bags are. People using plastic bin liners also have the option of using biodegradable bags, such as those made from corn starch.

I will talk a bit about some aspects of the bill itself. It is clear that the success of this bill is going to rest largely on its implementation. As I have said before, the aim of this bill is to change behaviour; the aim of the bill is not to fine people. The government needs to work closely with retailers and the public to make this work. Based on the briefings that I have had from the government and the retailers who I have spoken to, I think that the indication is that so far this is progressing satisfactorily. What the retailers said is in fact part of what Mr Seselja reported. What they want is a consistent uniform regulatory regime. This bill is consistent with what has been done in South Australia, so I feel it is the right approach from that point of view.

It is important to ensure that the public understands and comes on board with the new regime. The government's communication strategy needs to be sound. Given that that is the case, I am sure that the Canberra public will come on board and embrace the change. That is what happened in South Australia: after the ban was introduced, people's approval of it went up considerably. There are also appropriate arrangements in the bill for a phase-in of the ban, including requirements for the retailers to display notification of the impending changes.

I would like to emphasise something which I have raised with the government a few times: the Greens believe that the government will need to provide some assistance to people in Canberra who are at a socioeconomic disadvantage to assist them with the one-off costs of changing over to reusable bags. As we know, it is often these people who have the biggest difficulties adjusting to these kinds of changes. We suggest that the government provide community and welfare organisations with reusable bags so that they will be able to distribute them to people who use their services. This proved to be an effective strategy in South Australia.

I would like to briefly address the comments made by the scrutiny of bills committee in relation to this bill. Firstly, I am satisfied that, given that something has to be done, it is appropriate to criminalise, in the way the bill does, the activity of providing plastic bags. As I have discussed, plastic bags have serious negative impacts and there is considerable public interest in ensuring their reduction.

Attempts at voluntary measures have unfortunately failed in the past. As Minister Corbell has pointed out, despite the presence of a voluntary retailer code of practice, usage of plastic bags increased by 10 million bags between 2005 and 2007. I am also satisfied that new retailers will be assisted with compliance by ORS. We have just seen a similar situation with the introduction of new signage requirements for retail eggs. ORS has worked with retailers that were not complying and ensured that they complied; there has been no resort to the use of criminal sanctions. ORS does retain the ability, though, to fine a retailer if this is required to ensure compliance in this case. I believe that criminal sanctions are similarly appropriate in the case of plastic bags.

As I have said before, this is legislation to change behaviour, not to fine anybody. I agree with Minister Corbell's explanation in relation to a due diligence defence. I accept his reasons that due diligence is not necessary in relation to the plastic bag offences in this bill, given that the offences are not ones that directly deal with "harm caused" or "risk of harm caused". As Mr Corbell also noted, a corporation does retain the "mistake of fact" defence for a strict liability offence.

I will briefly touch on some of the matters that Mr Seselja touched on. He spoke about the throwaway nature of plastic bags and said that this is one of the reasons that we wanted to regulate them. Yes, he is quite right; this is one of the reasons we wanted to regulate them. As Mr Seselja did so rightly point out, one of the reasons we wanted to regulate them is that we are concerned about consumption. The latest copy of the *State of the Environment Report* by the commissioner for the environment said that the ACT's inhabitants had, on average, a global footprint of 8.4 global hectares. That means that it takes 8.4 average global hectares to support the lifestyle of each and every one of us in the ACT. Unfortunately, if we look at the average number of global hectares available in the world, there are only 1.9.

In other words, the ACT needs to look at ways of reducing its consumption. The use of plastic bags is a very appropriate, very easy way for us to reduce our consumption. This is very appropriate legislation. I am very pleased that the government has introduced it in response to an item in the parliamentary agreement with the Labor Party, and I commend the bill to the Assembly.

MR SMYTH (Brindabella) (11.21): In speaking to the business community, the big concern on this bill is the lack of consultation. Yet again, we have got a minister who makes pronouncements without consultation and then, when the business community react, they get sent letters or emails saying, "Here we are consulting with you now." Consultation does not occur after the fact. If you are genuine in your consultation and you are genuine in the approach that you want to take and you actually believe in your case, then you would go out and you would have these discussions with affected industries before you start.

I guess when you do not have a regulatory impact statement it is very hard to go out and consult. And that is the problem with this bill as it stands before us. We, as members of the Assembly, are unaware of what the government understands of the impact that this legislation will have. If it is a positive impact, then I am sure the government would have dropped the regulatory impact statement.

Instead, we have got a government that hides behind its cabinet-in-confidence. The minister can, if he so chooses, release the cabinet-in-confidence document. And if the minister knew that it would have a positive effect on the Assembly, he would be down here quoting from it and distributing it so that everybody would know what the impact would be on us as a community. But the silence from the minister and the very fact that the regulatory impact statement was done after the bill was tabled, after the minister was asked for it and it was pushed through cabinet then, would indicate to me that the minister is not being quite open with this place, as he should be.

The minister will have a chance to close the debate and it will be interesting if the minister stands up and gives us a commitment that he will table the regulatory impact statement sometime today. It will be interesting if the minister stands up and actually shuts the bill down until such time as he has a copy of that to be tabled in the Assembly. But I do not suspect that will happen. We know that when the minister is on shaky ground he does not release that sort of documentation.

It is important that we see that documentation. We see the trend, particularly from this government, of more and more legislation. The only way they seem to be able to do anything is through legislation, instead of, for instance, trying to get the community onboard, instead of, for instance, seeking other alternatives to effect a long-term change without inconveniencing the community.

We know the ACT community is very good at recycling and we know that they accept the need for recycling. And they do so very well. Indeed, for years, we have led the country in terms of effort in recycling paper and recycling containers and all those sorts of things and reducing the impact. We know that because we used to have a thing called no waste by 2010. But of course it got reduced to no waste. I wonder whether, on 1 January 2011, it will disappear altogether. Part of no waste by 2010 was to find credible alternatives to what people saw as problems. The problem for this government is that they have not done anything to reduce that.

The other day there was an Australian firm that came up with what they believe to be a credible starch-based alternative to polyurethane. That is the sort of industry and that is the sort of technology and breakthrough that no waste by 2010 was there to drive. But of course this government abandoned no waste by 2010, the same as they abandoned the previous government's greenhouse gas targets. For almost nine years, they have done nothing in this field. And that is why we have got the minister standing up, all hairy-chested, dropping his bill, no consultation, saying, "We are going to change the world."

Take what Ms Le Couteur said. I do know the value of good examples but I just wonder how many of those bags from the ACT travel all the way down the Molonglo to the Murrumbidgee, from the Murrumbidgee to the Murray, from the Murray to the sea and then find their way into the Pacific Ocean.

We all know it is important to protect the environment but let us look at what it is that we are banning today. We are actually banning one of the great recycling efforts of the Canberra community. They take a shopping bag and they use it for a multitude of

purposes, whether it be carrying dirty football boots home from the footy, whether it be from sport after school, whether it be wet swimmers. I know my wife, when she takes our little fellow to his swimming lessons, uses them. You have wet gear to bring home. What do you do? You put it in one these little bags.

How many people line the small bin in their en suite or in their toilet or in their bathroom with one of these bags? How many people use these bags time and time again before they are disposed of? Then they are recycled because most of the supermarket providers now have a bin where you can take your small shopping bags back to recycle again. We have, I think, a very aware community and I think we have a great understanding in this community of what these bags are and how they should be used.

Ms Le Couteur mentioned in her speech that we might use nylon bags or things like that. My understanding was that nylon actually came from the petrochemical industry as well. If we are going to ban these things because they are bad and because they are derived from oil, we are on a very slippery slope because nylon and a whole lot of other alternatives will go out the window as well. And this is what happens when we just have a knee-jerk reaction. It sounds like a good idea at the time. As Chris Peters said, this is a solution looking for a problem.

I point out to members that the average family might do the shopping once a week or once a fortnight. For most of us, I am assuming—I would be surprised if there is not a household in the ACT that does not have a number of the heavy duty recycling grocery bags; four, five, six or maybe even 10—an average shop for an average family will not fit in that number of bags. And heaven forbid, you actually saw a special, you lashed out, you got a little extra and you ran past the capacity of the number of bags that you have taken.

What the current array of shopping bags provides is convenience for people. Yes, we have got to weigh up the environmental side of it but there are times when people buy more than they plan to buy. Shame on them! Shame on them for consuming! And this is what this seems to be about. This seems to be more about people consuming rather than behaving responsibly. If you have got a bigger family—heaven forbid if you had four, five or six kids and your weekly shop tends to go past the normal spread of the bags that you carry with you—how dare you ask for the convenience of a shopping bag! How dare you ask for that!

This is the unreal world that some members of this place now choose to live in. Heaven help you if on your way home you got a phone call from your partner, your spouse, your wife, your husband to say, “Can you stop off and pick up the milk and a few other things? Make sure you separate the vegies from the meat and put them in separate bags.” Heaven forbid that you would run in and, not having shopping bags in your boot, ask for the convenience of bags. That is what we are banning. You will now carry that load out in your arms, I assume, somehow or be forced to purchase another heavy duty bag of some description.

There is an air of unreality about all of this, without searching for or seeking other solutions—solutions that programs like no waste by 2010 were driving, solutions that

Australian firms are coming up with but are not yet at the stage where they are viable and, indeed, may never be viable now if bags like this are not allowed to be used.

The problem here is that we are making a law today, and a very serious law, that has implications. And one of those implications is the level of fines in this bill—\$27,500 for giving somebody a shopping bag. If that is the level of fine, if that is the level we have attached to this, if that is what the minister and those who will support it, his Green colleagues in their coalition, believe is an appropriate fine, then I look forward to the minister going back through all of our legislation and re-jigging the fines for some of the other crimes.

What was that example? This is a fine greater than taking a child to a brothel. Taking a child to a brothel is a crime in the ACT. It has a lesser penalty than giving somebody a shopping bag. Where is the reality check in this place when the ACT Labor Party, as always, assisted by the ACT Greens—you can always rely on the Greens to back up whatever the Labor Party says—believe that it is a greater offence to give somebody a shopping bag than it is to take a child to a brothel? Wake up to yourselves!

One of two things will happen here. The minister will jump up at the end of this and say, “Yes, you are right; we will amend that because you are right; the perspective is wrong and the ratio is wrong,” or he will say, “We will now go back and recalibrate every other crime in the ACT to match the shopping bag standard. This is the new standard, the shopping bag standard, and \$27,500 is one of the potential fines. We will now recalibrate.” This is madness. This is insanity.

We have already got a community that do their bit. They do it in so many ways. Those on the other side always talk about equity and caring for the less well-off. The less well-off will now, as will those of us who are well-off, have to go and purchase heavy duty bags and not use bin liners at all or they will have to purchase, at greater cost, because they will not be given potential bin liners, these things, putting another cost on them. Maybe we will have a subsidy system like we have for those who cannot afford electricity and gas. We will have a bin liner subsidy as well because what we are doing is putting a lot of cost to this.

I had a friend send me an email this morning when he heard about this. He said, “Fantastic. I am going to go out and buy shares in Glad. Gladbags will be very pleased with this legislation, because they will make a motza out of the ACT and other jurisdictions as we shut down the ability to give away a free bag when we are shopping.” He is very pleased. He is going to go out and buy shares immediately, because he can see the potential of this. He is probably a very wise man in that regard.

Madam Deputy Speaker, behind you are the words “For the Queen, the law and the people”. I ask: what is in this for the people? You have already got a jurisdiction of individuals who, we know, are committed. Most of them do not believe that this is a necessary step. Have we listened to the people in this regard? You have already got a jurisdiction that, through many efforts, has reduced their waste—for example, through their recycling of newspaper.

I remember in the late 1990s when I was the minister for the environment, a rumour got out somehow that we were going to stop recycling paper because we had

stockpiled so much because of the Chinese collapse. My office was inundated with people saying, “How dare you! This is our bit. This is what we do.” We have got a jurisdiction that is acutely aware of their responsibilities. I believe they, in the main, handle those responsibilities very wisely and very well. But they are saying that they actually see some value in having access to these bags.

I would urge members not to vote for this bill today. It is the nanny state. It is Mr Corbell trying to be hairy-chested and proving that he is more environmentally sound than the Greens. It is the Greens reacting and saying, “Yes, we will back you up.” It is not proven to have the sorts of outcomes that Mr Corbell and the Greens talk about. It will lead to downside effects for those who will be affected by this.

At the end of the day, the government did not consult and the government now refuses to release its regulatory impact statement. I think that speaks volumes about a government and about what the real intention of this bill is.

MRS DUNNE (Ginninderra) (11.34): I cannot let the opportunity go by and not comment on some of the remarks made by Ms Le Couteur in support of this bill. I think that I need to emphasise for the people of the ACT the sentiments Ms Le Couteur expressed when she said that she was quite happy to see this being a criminal offence. The supply of plastic bags is going to become a criminal offence in the ACT, a criminal offence which is more heinous than supplying alcohol to minors or taking minors to a brothel.

I think that this says a great deal about the priorities of the Greens and the Labor Party in this place. Mr Seselja is right. The fact is that today the planning system is going to hell in a hand basket, we have long hospital waiting lists, we have allegations of bullying in the hospitals being covered up—we have all of these things that are going wrong. The prison is full. What is Mr Corbell doing? He is legislating in relation to plastic bags.

All of these things are of a much higher priority to the people of the ACT than being criminalised—I emphasise it and repeat it—made a criminal, facing criminal penalties, having it on your police record, if some hapless shop assistant gives away a plastic bag to assist somebody. That will come on their police record. What does that do for their capacity to get a job in the ACT public service or when they cease being a shop assistant, after they have finished their study, getting a job as a teacher or whatever? They will have a criminal record. What does this say about the priorities of the Greens and the Labor Party?

Also, it is interesting that here we have again Ms Le Couteur, with the best possible intentions in the world, I am sure, giving us a lecture about how we should manage our putrescible waste in the ACT, how we should wrap it and put it in our bin and then wash our bins later. It would be desirable, perhaps, to have a green bin so that we could properly deal with our putrescible waste. I would remind members that the only political grouping at the last election who took to the election a policy of dealing with putrescible waste, of providing every Canberran with a green bin, of coming up with a solution about how to deal with that waste afterwards in a useful way for the benefit of the community was the Canberra Liberals.

This is one of the things that the Greens have had on their wish list forever and a day and, when the Greens came to choose whom they would support for government, they did not choose the party which had gone to the electorate with an iron-clad guarantee to deliver this commitment. They went with the people who said, “We will think about it.” Two years after, they have done nothing about it. That was one of the key elements of the Greens’ environment policy.

They signed up to the Labor Party and they still do not have anyone to deliver on this commitment, because the Labor Party has been in government for 10 years and has been faffing around for 10 years, failing to deliver a policy on putrescible waste. Mr Hargreaves failed to deliver it, Mr Wood before him failed to deliver it, Mr Stanhope failed to deliver it, and Simon Corbell failed to deliver it.

This is just one of the Greens’ wish list. It goes to show that here Ms Le Couteur today is still lamenting the lack of a green bin policy in the ACT. If she and her colleagues had done the right thing and backed a party of principle and with policies in this area, she could have had it already by today.

MR RATTENBURY (Molonglo) (11.38): I rise to support this bill today, which provides us with an incremental step to making a better world. I think it is important in thinking about what we are debating today to focus on exactly what this legislation does—that is, it bans non-biodegradable plastic bags. These are ones that are recognised as causing environmental problems by various organisations and do not break down in the environment for periods of up to 1,000 years, I have read in various literature over time.

What the legislation does not do is also important to focus on. This legislation allows people to still receive a plastic shopping bag, provided it is biodegradable. These do exist in the market. Ms Le Couteur mentioned this already. There are bags made of corn starch, and various other options are being developed. These are available on the market today, and it is really important that we recognise that. I think that some of the discussion we have seen this morning amounts, frankly, to a beat-up. I will come back to that in a moment, but a series of furchies does not make an argument. It is important that we remember that as well.

This legislation, as I said, seeks to ban those bags that do not break down in the environment. It is about changing behaviour and driving people towards an alternative. If we sit back and wait for change to come, it will come either too slowly or frankly, it will never happen. This legislation is simply about saying that many Canberrans are already doing the right thing, alternatives are available, there is a better way to do it, and we are going to use this legislation to nudge this community in that direction. That is what it is about.

The whole suggestion that somehow we are seeking to take away Canberrans’ inalienable right to convenience is a beat-up. It is a somewhat embarrassing series of arguments—well, furchies—that we have seen put forward this morning. Mr Smyth touched on the no waste by 2010 target that was set many years ago and which we are obviously going to struggle to achieve. Nonetheless, it remains a valid focal point. We

have taken a lot of the early steps that can be taken—the massive uptake of recycling in this territory is a credit to the systems that were set up and the Canberrans who have so enthusiastically participated. But we are now up to those levels where we have to start focusing on some of the smaller and trickier bits. Something like plastic bags is not a massive part of the market, but it is a next step. As I said at the beginning, it is an incremental step towards making a better world.

A couple of arguments have come up this morning which warrant some discussion. The argument about penalties is extraordinary. As a lawyer, as a man who worked in the Attorney-General's Department, I would expect better from the Leader of the Opposition. These penalties are clearly the maximum available penalties. Anybody who has studied the law would know—frankly, most people who have not studied law know this as well because it is common sense—these are maximum available penalties. Judges have discretion when a matter comes before the court to impose a suitable penalty within a range.

We have to look at these arguments about some poor shop assistant being whacked with a \$27,500 penalty with a check of reality. Firstly, it will possibly never come to that. The Office of Regulatory Services, which has the responsibility for enforcing these laws, is not draconian. It recognises that you have to take businesses and stakeholders with you, and it will work with people. We have seen that in Ms Le Couteur's detailed examples around the implementation of the egg labelling laws. We have seen there an effective program of the ORS working with stakeholders to make those laws work in an effective way.

We are about to see the liquor laws come into effect. ORS is out there working with licence holders to effectively bring those laws into place. They are not going to slap them with penalties in the first week of the law coming into effect. They are going to work with them and tell them where the problems are. Where an organisation or an individual continues to fail to comply or refuses to comply, then the penalties will come into effect. A little bit of common sense needs to be used, and I think ORS does that. I think the Liberal Party should give it a little bit more credit for having that common sense.

That is the first part—it is never going to come to that. Secondly, as I have touched on, this is about maximum penalties. If it comes before a magistrate, the magistrate is going to be able to use the discretion granted under the normal operations of the judicial system to work out whether somebody has made a reasonable and honest mistake—it is worth noting that strict liability offences contain a defence of reasonable and honest mistake—or whether somebody is wilfully breaching a clear policy direction that this Assembly has sought to put in place.

We also need to draw out the distinction between fines for corporations and fines for individuals. The hysterical suggestion of some poor shop assistant getting a \$27,500 fine is embarrassing, and it does no credit to this place to see those sorts of arguments put on the table.

I want to come back to that central point of what we are trying to do here today—that is, to ban an outdated technology and to push this community towards better

alternatives. Better alternatives are available—biodegradable bags are available, there are paper bags, there are boxes. There is a whole bunch of things that most of us probably used in childhood that remain available to Canberrans after this legislation is passed. I think Canberrans will cope. I think Canberrans will get the hang of this without too much drama.

My Smyth has told sob stories of people having to pick up groceries on the way home after having gone to buy a couple of things and bought a couple of things extra because they have found a special on. Well, occasionally I go down to the shops and I buy more than fits in the number of green reusable bags that I have taken with me, and I cope. I push the trolley out to my car, I put the bags in, I then maybe have to put one or two extra things in my boot without a bag. It is okay. I have still got my shopping home without too much inconvenience. I think people are rather more sensible than the Liberal Party gives them credit for, and I think they will find ways to get through this.

I commend the government for bringing this legislation forward. Of course, as Ms Le Couteur touched on, we originally suggested a levy, and certainly that was the model I had come to experience living in Europe where the bags were available. Unfortunately, because of the constitutional arrangements in Australia, it became clear that that was not a way for us to be able to proceed.

What was also interesting was the feedback from the business stakeholders that we talked to about this, and I believe the government spoke to them as well. They said a couple of things: one, a levy was probably going to be administratively more complex. We do not have the systems in place, and people said that a ban would be simpler. Certainly the big chains believe a ban would be simpler, because it is what is applied to them in other jurisdictions. They said, “It would actually be far simpler for us to do it this way.” I think it is a good reflection of starting off with an idea but actually listening and working out there was perhaps a more effective, simpler and less costly way to go about this.

I commend the government. I appreciate the discussions we have had over time in finding a way to bring this policy direction to fruition. I am pleased that the Greens will be able to support this legislation today. As I said, it is one incremental step towards improving the sustainability of this city.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (11.47), in reply: Thank you, Madam Deputy Speaker, and I thank those members who have indicated their support for this bill. This bill is an important bill in the journey that our city is continuing to travel in becoming a more sustainable one. By banning single-use polyethylene shopping bags, the bill will reduce unnecessary consumption, reduce waste sent to landfill, reduce litter and reduce other environmental impacts on our community.

It is worth highlighting the experience of other jurisdictions where bans have been put in place. The most closely studied and the most extensively examined has been South Australia. What has been the result of a ban in South Australia? First of all,

400 million fewer bags have gone to landfill as a result of the ban. In terms of a verifiable impact on a reduction in waste to landfill, it is significant—400 million bags fewer going to the landfill.

What is perhaps more interesting are the changes that have occurred in relation to people's behaviour. The South Australian government has extensively surveyed South Australians before, during and after the ban has taken place. Indeed, three detailed surveys have been undertaken by the University of South Australia.

Most usefully, those surveys have found significant behaviour change. Overall, in the most recent survey conducted by the University of South Australia, more than nine in 10 respondents claimed to take their own bags shopping compared to approximately six in 10 of all respondents who responded in phase 1 of the survey. According to the University of South Australia, this shows a significant change in behaviour. Of course, behaviour change is one of the most important considerations in relation to this legislation. So does it work in reducing waste to landfill? Yes, it does. Does it change behaviour? Undoubtedly, and there are clear scientific surveys to back this up.

It is worth highlighting to members, of course, that the legislation being introduced here in the territory mirrors the provisions in South Australia. What is the harm that is being addressed? The harm is harm to our environment. There is no doubt that the use of single-use plastic shopping bags does cause harm to the environment. It is worth highlighting that often this harm is characterised as harm to marine life.

There is no doubt that there is significant harm to marine life. Extensive studies now show the massive amount of plastic material circulating in our oceans and the harm that that does to many marine animals. But the harm is not restricted solely to the marine environment. Indeed, the harm also occurs on land. Plastic bags, according to one website, can block drains and trap birds. They also kill livestock. There is clear evidence that livestock ingest plastic bags. It kills them and it creates significant economic harm for the owners of those animals.

It is also worth highlighting, of course, that plastic bags are a significant litter problem. Indeed, of all the waste escaping from landfills it is estimated that 47 per cent of it is plastic shopping bags. Because of its lightweight nature, it is simply blown away. One only has to drive down Mugga Lane past the ACT landfill to see this in action. Plastic shopping bags festoon the fencing around that facility. But what do Canberrans think about reducing plastic bag use? Fifty-nine per cent of Canberrans believe that plastic bags are a problem. That is based on the telephone survey results undertaken by my department last year. Fifty-eight per cent of Canberrans support some form of restrictive action, either a levy or a ban.

Mr Seselja: How many want a ban?

MR CORBELL: A clear majority of Canberrans surveyed support restrictive action by government.

Mr Seselja: He doesn't want to talk about how many want a ban. How many want a ban?

MR CORBELL: That is a clear and compelling issue for the government to have regard to. A clear majority of Canberrans, 58 per cent of Canberrans, support some form of restrictive action.

Mr Seselja: How many want a ban?

MADAM DEPUTY SPEAKER: Ms Seselja, question time is later today.

Mr Hanson: Thirty-three per cent, I think, for restrictive action.

MR CORBELL: The restrictive action, of course, is either a levy or a ban.

Mr Seselja: It is an embarrassing number, isn't it?

MADAM DEPUTY SPEAKER: Members!

MR CORBELL: Other speakers in this debate have highlighted the problems with a levy here in the territory and the government has ruled out the use of the levy for the constitutional reasons that other speakers have highlighted. The only other form of action available is, therefore, a ban, and the government has decided to take that step.

We have heard the Liberal Party in their debate on this trying to characterise this as an anti-capitalist, anti-consumption activity. If that is the case, I am proud to be in the anti-capitalistic, anti-consumption characterisation which is shared by a range of other similar anti-capitalistic organisations such as Aldi stores which, of course, do not make plastic shopping bags available here in the ACT. That renowned socialist organisation, Aldi, and, indeed, that renowned hotbed of communist thought, Target Australia, no longer offer plastic shopping bags at their checkouts.

Mr Hanson: You can buy them. The consumer bears the cost.

MADAM DEPUTY SPEAKER: Mr Hanson!

MR CORBELL: So there you have it.

Opposition members interjecting—

MADAM DEPUTY SPEAKER: Order! Members of the opposition will cease interjecting.

MR CORBELL: There you have it, Madam Deputy Speaker.

Mr Hanson: They make lots of money out of it.

MADAM DEPUTY SPEAKER: Mr Hanson, I am going to warn you if you keep interjecting.

MR CORBELL: Two large national retailers operating here in the ACT have already voluntarily banned the provision of lightweight plastic shopping bags in their centres

here in the ACT. Has the world ended? Has capitalism come to a grinding halt? No, it has not, Madam Deputy Speaker, because these organisations themselves recognise that consumers are looking for change, that consumers believe the provision of lightweight plastic shopping bags is wasteful and that there are better alternatives. This ban, of course, is designed to provide for those better alternatives.

Of course, it is important to highlight that a range of plastic bags will continue to be made available. The first is barrier bags, the type dispensed from a roll to hold items such as loose fruit, vegetables or meat. Obviously, those types of bags are important for the food contamination and storage issues that consumers are rightly concerned about.

Also, there is the issue of heavier-style retail bags—boutique bags usually used by clothing or department stores. These are not affected by the ban. Neither are bags designed for multiple use such as the ubiquitous green bags that you often see in many major supermarket retail chains, bin liners for purchase and biodegradable bags that meet the Australian standard for biodegradability.

Of course, there are paper bags. Remember paper bags? I can remember paper bags when I was growing up. My mum and dad would bring home the shopping in a paper bag. The world did not end. The world did not end when there were other more sustainable alternatives. That is really the point. These are sustainable alternatives. They are alternatives that are just as convenient, just as effective, just as suitable for purpose but they do not have the impact that lightweight plastic shopping bags have on our community.

During the transition period the government will work closely with retailers to raise awareness of the ban and help retailers and consumers adjust. During the four-month transition period any retailer who still provides single-use plastic bags must also provide alternatives so that consumers are able to continue to carry goods that they purchase from that store.

Retailers will be required to prominently display signs providing customers with information on the changes and the timing of the changes. The government will fund a communication strategy to assist business, retail workers and consumers to prepare for the transition period and the eventual ban. The campaign will include advertising, direct mail-outs, training material and signage.

In anticipation of this process, the government is proposing to establish a plastic bag advisory group, which will be formed early next year and which will work with retailers, peak retail bodies and local associations on the implementation of the ban.

I would like to turn to a couple of other issues that have been raised during the debate. The first of these is the issue of compliance. The Office of Regulatory Services will manage the monitoring and compliance of the ban. The ORS will be given powers to inspect and undertake compliance action, including enforcement of penalties. As with any of these programs, the ORS philosophy is to engage, educate and enforce.

It is in the government regulator's and the individual's interest to achieve voluntary compliance with the rules and regulations that govern people's day-to-day lives. It is

not and will not be the approach of this government in relation to this legislation or any other legislation that the first response is the issuing of an infringement notice or a prosecution in the courts.

The Office of Regulatory Services aims to achieve compliance with laws wherever this is possible rather than opting for confrontation and prosecution. This approach is supported by the South Australian example. Obviously, though, if retailers do not comply, if they wilfully ignore or seek to disobey the law, then the issue of an infringement notice or a decision to prosecute will have to be considered.

As other speakers have noted in the debate, the provision of the penalties is, of course, a maximum penalty provision. It is not a mandatory penalty. It is not an on-the-spot fine. Mr Seselja, as Mr Rattenbury quite appropriately notes, should understand this concept better than most in this place. The fact that he either wilfully chooses to ignore his understanding of how these types of penalties operate or perhaps more disturbingly seeks to deliberately misrepresent it for his own political objectives is more a commentary on him than it is on the provisions in this bill.

Finally, Mr Speaker, it is worth highlighting that the penalty regime that has been established is consistent with the equivalent penalty regimes for causing environmental harm under the ACT Environment Protection Act 1997, in which a maximum of 50 penalty units applies, equivalent to \$110 per unit for an individual and \$550 per unit for a corporation. Of course, Mr Seselja seeks to characterise the maximum penalty provision against a corporation as a fine potentially liable for an individual. Again, he does himself no service in this place by making such a wilfully and deliberately misleading characterisation.

Mr Seselja: A point of order, Mr Speaker—

MR CORBELL: I withdraw the suggestion, Mr Speaker. The legislation is an important step forward. It provides for a move to a more sustainable community. By reducing the use of single lightweight plastic shopping bags in our community, we encourage consumers and store operators to provide more sustainable alternatives, alternatives that reduce waste to landfill. Again, I draw to members' attention the real and meaningful impact of this legislation in South Australia—400 million fewer shopping bags to landfill as a result of the ban and a significant change in behaviour with nine out of 10 consumers reporting that they have changed their behaviour and now adopt more sustainable practices.

The ban we are putting in place mirrors the South Australian approach. It is a ban which is recognised as workable, effective and getting the results we need to help reduce waste in our society. I commend the bill to the Assembly.

Question put:

That this bill be agreed to in principle.

The Assembly voted—

Ayes 10

Noes 5

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

Question so resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (12.05): Pursuant to standing order 182A(b), I seek leave to move amendments to this bill which are minor and technical in nature.

Leave granted.

MR CORBELL: I move amendments Nos 1 and 2 circulated in my name and table a supplementary explanatory statement to the government amendments [*see schedule 1 at page 5887*].

These amendments are minor and technical in nature and clarify the commencement of the transition period and the commencement of the ban period as 1 July and 1 November 2011 respectively.

MR SESELJA (Molonglo—Leader of the Opposition) (12.06): I think that the need to bring this amendment forward again shows some of the sloppiness with which this bill has been handled to date. The government long ago made its decision as to what it wanted to do. It went through a sham community consultation. It did not prepare a regulatory impact statement before it was considered by cabinet, and now, because it is rushing it through again, it has been forced to come and fix what is a technical but an important provision. I think that again it shows that the government has not been fair dinkum in this process.

Let us look at what the government are seeking to do. They refused to release a regulatory impact statement. It had not been done when the cabinet considered this. But they now say that this regulatory impact statement is cabinet-in-confidence. Yet it did not go to cabinet when they actually considered the bill. When did it go to cabinet is an interesting question. The sloppiness, which is personified in a number of ways but also by the bringing forward of this amendment today, goes to the way this government have handled it and the disregard they have had for the impact on business—just complete sloppiness.

We heard in the debate, “It does not matter that you’re imposing this regulatory burden because it’s only a maximum penalty.” They are saying that it is only a

maximum penalty, so it is okay; we can put ridiculous fines on those terrible people who hand out plastic bags, but we will only put the \$27,500 fine on the really, really bad ones, the really bad bag distributors—those plastic bag distributors who have gone beyond, over and above, the ordinarily just mundane evil that is handing out a plastic bag.

It is worth at this point just reflecting on the sloppiness. I think the sloppiness reflects a lack of regard for the impacts of the legislation, and the defence that has been put up—that only very few bag distributors will get the maximum \$27,500 fine—is a very thin defence indeed.

MS LE COUTEUR (Molonglo) (12.09): The Greens will be supporting this amendment. It is important that the issues are worked through properly with the retailers and that the public have adequate information about the—soon to be no longer proposed—changes. So, for this reason, we will support the government's amendment.

MR CORBELL: (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (12.09): The Liberal Party continues to wilfully misrepresent the penalties regime in the legislation. Is Mr Seselja seriously suggesting that penalties for corporations should be the same as penalties for individuals? Is that what he is arguing in this place? Because, if he is not, he should perhaps think a bit more about what he is saying, because \$27,500 is a penalty on a corporation; it is not on a natural person. It is not on any individual; it is on the corporation. And I am sure that Woolworths and others would be delighted if the penalty regime was the same for a natural person as it was for a corporation; that is, at the lower level. But that is not the way we structure penalty regimes in this place. Mr Seselja knows it and he is just continually misrepresenting these provisions for his own crass political purposes.

I would also deal with the issue of consultation. I draw to the opposition's attention the detailed consultation report prepared by my department and released last year. This bill highlights that the organisations my department consulted with included Woolworths; Coles Australia; Target Australia; Kmart Australia; Aldi Australia; the Shop Distributive and Allied Employees Association; the Australian National Retailers Association; the Australian Food and Grocery Council; the National Association of Retail Grocers of Australia; the Australian Retailers Association; the Conservation Council of the ACT; Clean Up Australia; Keep Australia Beautiful Council; Independent Grocers of Australia; and the Kondouris Group, operators of Supabarn. In addition, my department contacted McDonalds; Yum! restaurants, who are the operators of Kentucky Fried Chicken; Hungry Jack's; Red Rooster; Kingsley's Chicken; National Seniors Australia; Council on the Ageing ACT; and the ACT Council of Social Service.

This was not a desultory effort when it came to consultation. This was a detailed engagement with those organisations, all of whom were contacted. Comment was sought from them, a number of them on a number of occasions, and taken into account in the development of this legislation. The claims that there has been no stakeholder engagement or that it has been rudimentary are without any foundation and I draw members' attention to the consultation report in that regard.

MR SESELJA (Molonglo—Leader of the Opposition) (12.12): The minister is particularly touchy on this point and he goes back and forth in his arguments. In fact, he started when it was first put to him that these penalties are the same as for various serious offences like supplying alcohol to a minor or other things, or more serious than for some other serious offences like taking a minor into a brothel. We received an advice that that is the same as it is for other similar offences. Then, when he was asked to show what are the similar offences, he compared it to serious illegal dumping. So his argument is that, if someone engages in some serious illegal dumping, that is the same offence and should be treated in the same way as someone who hands out a plastic bag.

It is insulting. It is insulting to the community. It is insulting to the intelligence of the community because they know the difference. It is insulting to the integrity of the community because it is suggesting that the person who hands out the plastic bag is always aiding and abetting a gross environmental offence. It is ridiculous.

He has been caught out on this and it goes to values. This is a value statement. When we compare it to other offences, we are saying how serious we treat various things. That is what we do with penalties, from the most serious offences—murder, life imprisonment—right down the chain to the less serious offences. And by putting it as more serious than some pretty serious offences, by putting it on the same plane as selling alcohol to a minor and serious environmental dumping, what this minister is saying, and what this Assembly is saying by backing him, is that these are the values of those people who vote for it; they compare these offences; they are on an equal footing with these other serious offences.

The community do not accept that. Most of the community do not want to see this ban at all. I wonder what sort of response you would have got if you had added the question in that survey: if we are to proceed with a ban, should the fine be the same or more than that for supplying alcohol to a minor? I wonder what kind of response you would have got to that question. I do not know that you would have got one per cent in favour—maybe one per cent; there is always someone who will back silly pieces of legislation, as has been demonstrated today with the Labor Party and the Greens in their votes saying that this offence, this heinous offence, of handing out a plastic bag is worse than some other serious offences.

Now the minister's defence—it was first put by Mr Rattenbury and now by the minister—is: "It is only a maximum offence; it is only a maximum penalty." But that is true of all those other offences we point to. The maximum penalty for supplying alcohol to a minor is the same as the maximum penalty for supplying a plastic bag.

Then we saw another iteration: he said, "But the \$27,500 is only for those big bag corporations." But that is true of illegal dumping; it is true of a whole range of other things. So he is saying it is okay for the checkout operator to have a \$5,500 fine—a \$5,500 fine is reasonable for the checkout operator who hands out a plastic bag—and it is okay for the small business operator to have a \$27,500 fine because it is such a heinous offence.

He has been caught out. It does go to his values. It goes to the values of those voting for this ridiculous piece of legislation and I think maybe next time they should do a broader survey and ask these kind of questions and just see what kind of a response you get, and see if you get anywhere near even the 33 per cent of the community who actually support this ban in any way, shape or form.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (12.16): The only people who need to rethink their position on this are the Liberal Party, because this is legislation that reduces waste to landfill, that reduces pollution in the environment, that reduces harm to livestock and other animals, that reduces the use of resources in a wasteful way.

What is it about that that the Liberal Party find so difficult? What is it about that that they think they need to undertake this cheap, nasty campaign against what is such a commonsense piece of legislation that 58 per cent of Canberrans believe—

Mr Seselja: No, they don't.

MR CORBELL: an issue that 58 per cent of Canberrans believe needs to be addressed?

Opposition members interjecting—

MR CORBELL: Fifty-eight per cent of Canberrans believe this direction needs to be taken. When they do not like the arguments and when they do not like the facts that are put before them, they seek to shout me down. But the facts speak for themselves: 400 million fewer plastic bags to landfill in South Australia as a result of their ban; detailed scientific surveys confirming significant behaviour change on the part of people who are responding to that ban, who are adopting more sustainable practices, who are doing simple things like using a biodegradable bag or taking their own bag.

This is not the end of the world. This is common sense. This is about using resources more wisely and it is a measure that I believe the overwhelming majority of Canberrans like and support and which many children to come in our community believe is a good thing to do.

So the Liberal Party can stay in the past, but the rest of this Assembly is going to move forward with a sensible piece of legislation to reduce waste to landfill. That is what this bill does and it should be supported.

MR SMYTH (Brindabella) (12.18): The minister speaks about doing surveys and scientific facts and he puts on this impressive voice and talks about being shouted down. But he stumbled; he almost read the wrong fact halfway through his speech and he quickly diverted to another fact. But the fact is that only a third of Canberrans, according to the minister's survey, actually support the ban. Two-thirds of the people of the ACT do not agree with the minister.

The minister can obviously speak again—he can speak to these amendments as many times as he likes—and he could stand up and quote that fact from his survey and confirm that what I have said is true. But I bet he will not.

The other thing the minister will not do is stand up and quote from the regulatory impact study. And I notice he has not tabled it. I assume he has a copy of it. I assume he has seen it because he is the minister that supposedly took it through cabinet after the event. It is a very interesting process when a minister behaves in this way. He has an impact statement. He refuses to release it. It casts a doubt on him. He says he is using scientific fact. But the fact from his own survey says he is wrong—

Ms Le Couteur: I raise a point of order, Mr Speaker.

MR SMYTH: and yet we do not get a straight answer from this minister.

MR SPEAKER: Yes, Ms Le Couteur.

Ms Le Couteur: I understand under standing order 58 that the debate has to be relevant to the matter under consideration. We are considering, I believe, an amendment which talks about changing a couple of dates. This is not what Mr Smyth was talking about.

MR SMYTH: To the point of order—

Opposition members interjecting—

MR SPEAKER: Give me a moment, Mr Smyth. Thank you, Ms Le Couteur. Whilst I think you are technically correct, I have given this debate quite a bit of latitude and I think it is probably too late to uphold that point of order. Mr Smyth, you have the floor.

MR SMYTH: Thank you, Mr Speaker. The hypocrisy is noted: if the Liberals stray from what the Greens think is the point of the debate, we are called to order by the Greens. But, when Mr Corbell does it, does it deliberately and does it twice in response to Mr Seselja—of course the alliance is strong, the Greens-Labor coalition is strong: “We stand up for our coalition allies”—

Mr Hanson: Never been stronger.

MR SMYTH: It has never been stronger, according to Mr Stanhope. Of course, they are not called to account. And the public know of this hypocrisy. I think they voted on it in Victoria recently. But the point is that the minister has a report that he refuses to release and you have to ask the question why. We will give him leave to table the report any time he wants. If he wants to adjourn the debate now so he can bring it back after question time, we will do that for him; we will give him that courtesy. But I do not think anyone will ever see the regulatory impact statement—because there must be something in it that the minister does not like. There must be something that he does not want people to know. Otherwise he would be using it. If it was fair

dinkum it would be out there. But the reality is that it probably contains the survey that the minister almost misquoted from. And that, of course, would be embarrassing as well.

Amendments agreed to.

Question put:

That the bill as a whole, as amended, be agreed to.

The Assembly voted—

Ayes 10

Noes 5

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

Question so resolved in the affirmative.

Bill, as amended, agreed to.

Sitting suspended from 12.26 to 2 pm.

Questions without notice

Planning—Molonglo land release

MR SESELJA: My question is to the Minister for Planning and relates to the discovery of 90,000 tonnes of asbestos-contaminated waste at the site of the pond in the new Molonglo development. Minister, when did the government first discover the asbestos dump in Molonglo and when were you first personally made aware of the problem?

MR BARR: I think members would be aware—indeed, most people in Canberra are aware—that that particular area had been a site for a former sewerage works, and indeed a site where some building waste had been dumped over an extended period in the 1970s and 1980s prior to self-government. That the area was expected to contain contaminated material was indeed anticipated. That was the reason that the ACT Planning and Land Authority engaged a team of consultants and experts in relation to these matters and undertook, as I understand it, more than 350 bore drills of the area to identify levels of contamination.

It was clear from that process and then the ongoing process of delivering the particular project at the north Weston pond that more contaminated soil has been discovered. As a result, the Land Development Agency and Territory and Municipal Services, who are the agencies engaged in delivering the project, have taken the actions that they have, which the Chief Minister has outlined. I understand that the Chief Minister has referred certain matters to the Auditor-General in relation to this

process, the process leading up to the commencement of that work, including an examination of the nature of the contamination and the work that led to the project proceeding. That is as appropriate.

In relation to the second part of the member's question, obviously the extent of the contamination was brought to my attention in the last week or so. I do not have the exact time in front of me. I am happy to advise the Assembly, though, that this information was shared with me, and indeed the Chief Minister, and I was provided with a briefing yesterday.

MR SPEAKER: Mr Seselja, a supplementary question?

MR SESELJA: Thank you, Mr Speaker. Minister, why were you provided with a briefing after this matter had first hit the papers? Would you describe the actions of ACTPLA in relation to this toxic waste dump as competent?

MR BARR: There are a number of assertions and comments in that supplementary question that are, I think, a little over the top. It is not emotive; it is not a toxic waste dump. That sort of language, I think, reflects a desire from the Leader of the Opposition to overhype this particular issue.

The member will be aware that, in fact, pretty much every house built in the Australian Capital Territory prior to the mid-1980s will contain asbestos. To suggest, in the way that the member has, that this particular site is a toxic waste dump is a pretty poor reflection on the state of the Leader of the Opposition's mind. If his only contribution to this debate is to make observations like that then he deserves to be condemned.

MS LE COUTEUR: A supplementary, Mr Speaker?

MR SPEAKER: Yes, Ms Le Couteur.

MS LE COUTEUR: Minister, what is the future for the north Weston pond site? Are you considering not building a pond, relocating a pond, or what?

MR BARR: Those matters will obviously be considered by the government in due course, taking advice from various sources. Of course I remind members that the project has now moved beyond the planning stage into the delivery stage and is a project being delivered by Territory and Municipal Services and Land and Property Services. The ACT Planning and Land Authority will obviously be involved in providing advice to government in relation to options for a way forward in relation to this project. We will take that advice and make decisions in due course.

MRS DUNNE: Supplementary question, Mr Speaker?

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, what assurances can you give to buyers that their blocks are safe and fit for habitation?

MR BARR: Members would be aware that there is a considerable distance between this particular project and any blocks that have been sold. There is no danger to those people who have purchased blocks within the Molonglo Valley development. There is a considerable distance between this particular area of contaminated soil and those blocks.

Children and family services

MS HUNTER: My question is to the Minister for Children and Young People and is about the new youth services program and family services program framework. Minister, can you explain why organisations are being asked to make formal submissions to the new draft service delivery framework by 15 December 2010, yet they have also been informed that their feedback will have no impact on the final framework?

MS BURCH: The new framework for families and youth services has been an ongoing discussion with our stakeholders who have been interested in these policy areas for some time. We went through a round of consultation. We had feedback on a number of submissions. That formed the basis of the framework which is out now and will inform the purchasing environment that we go to in the new year.

It is important that we keep the sector informed and abreast of the framework and what we are expecting of them. It will be an active procurement process, so I think it is reasonable that we have a framework out there for them to make comment on, for them to have a view on and certainly provide that information. Any intelligence on how we can best to respond to the sector and to the families and young people that will be impacted by that service is something that is worthy for us to have.

MR SPEAKER: Ms Hunter, a supplementary?

MS HUNTER: Minister, can you provide justification for a tendering process that starts on 4 January and finishes in mid-February? Can you give some justification for the timing, considering that this is the time when people take leave, youth services are swamped over school holiday periods and many people have to put together quite complex partnerships and new models of service delivery?

MS BURCH: The purchasing time line is for early in the new year, but, as I have mentioned, the framework has been out for some time so people are aware of the procurement aims that we are trying to do. I understand that there is or will be an industry briefing for those with an interest in tendering. Certainly, the number of organisations that I have spoken to have raised some challenge of that time of the year. But also, if these services are to be in place by June, we do need some time before June to have that tender process in place.

MS BRESNAN: A supplementary?

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Minister, can you confirm that the current funding percentages have been maintained to meet the needs of young people aged 12 to 25 years in the ACT?

MS BURCH: I will take that on notice and come back with a firm figure, but I would assume so. But to be absolutely sure, I will get back to you.

MS LE COUTEUR: A supplementary, Mr Speaker?

MR SPEAKER: Yes, Ms Le Couteur.

MS LE COUTEUR: Minister, why does your new service delivery framework neglect to provide services to the 18 to 25-year olds when decades of research and practice have informed us that young people should be defined as 12 to 25-year olds? And on what evidence do you base this redirection of resources away from the 12 to 25-year age group?

MS BURCH: Our young people's plan, indeed, covers up to the age of 25, but this funding stream is not the only way that we, the government, support and respond to the needs of those beyond 18 and up to the age of 25.

If I can just go back to Ms Bresnan's question, there is no intention of a reduction in funding allowance through the new framework. It is more of a realignment of the resource. But I can come back to you, for sure.

Bimberi Youth Justice Centre—safety

MRS DUNNE: My question is to the Minister for Children and Young People. Minister, on 19 November the responsible shadow for family and community services, me, and the shadow for youth, Mr Coe, wrote to you about Bimberi youth detention centre. In that letter, we stated that there were "concerns for the ongoing safety of residents and staff". We also urged you "to take all necessary steps to ensure their safety". In response to that letter, you attended a meeting with Bimberi youth detention staff, teachers, CPSU delegates and others. Minister, at any time during those meetings did you indicate to those present that you were there only, apparently—I quote from information provided by staff—to cover your backside?

MS BURCH: I did indeed go and meet with a number of staff out at Bimberi and I entered into conversations that were, at their request, confidential conversations. I for one will not breach anyone's confidence. I went out there—

Members interjecting—

MS BURCH: It is worth while focusing on the fact that I did go out. I did go out and speak to the young residents there. I went out to speak to the teachers there. I went out to speak to the youth workers there. They raised a number of concerns with me. Some of them I have already commenced action on. Also, we have started today—I have announced today—a review of Bimberi. Work has already commenced. It has been work that I have had under discussion with the department for a number of weeks. We have finalised personnel into that. So I was able to announce that today.

We will focus on the learning opportunities for the young people out there. We will focus on the safety, support and supervision for the workers there. And we will continue to focus on Bimberi being a restorative environment for the young residents there.

MRS DUNNE: A supplementary question, Mr Speaker.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Before asking my supplementary, Mr Speaker, I notice that the minister did not answer the previous question. Minister, did you at any time indicate that you had no idea what was going on at Bimberi?

MS BURCH: I have regular briefings about what goes on in Bimberi. Part of my effort of going out there was to hear it firsthand. As anyone would know, if I am to embark on a review of Bimberi, which I have done, I felt it was important to listen to the staff, the teachers and the young residents there so I can better be informed about the scope of the project and the review that will be happening there.

MR COE: Supplementary, Mr Speaker?

MR SPEAKER: Yes, Mr Coe.

MR COE: Minister, did you at any time cover your ears and say, “La, la, la, la”?

MS BURCH: No.

MR COE: Supplementary, Mr Speaker?

MR SPEAKER: Yes, Mr Coe.

MR COE: Minister, during those meetings did you make at least one reference to Bimberi detainees as “little buggers” and use extended phrases such as “naughty little buggers” and “silly little buggers”?

MS BURCH: Clearly, you listen to afternoon radio. But, as I say again, those conversations were confidential and I am not going to breach any comment from any of the workers there. I have said that I went out there to talk to the workers to be better informed in the review process. It is timely that Bimberi is undertaking a review. Two years it has been operating. We now have a better sense of the number of residents; it has moved from 12 to over 20 on a regular basis.

Mr Coe interjecting—

MR SPEAKER: Order, Mr Coe!

MS BURCH: That has impact on staff numbers, on programming, and so that is what we will do. I am very proud that the way we will approach this review is by having

somebody who is well experienced in youth detention, who has got 20 years experience. He will be out there each week working alongside the youth workers, working alongside management, to make sure that the practices and the protocols and the way we approach how we better deal with the residents at Bimberi and give them a better outcome is the way forward.

Employment—labour market

MR HARGREAVES: Mr Speaker, my question, through you, is to the Treasurer. Can the Treasurer please advise the Assembly of the state of the ACT labour market?

MS GALLAGHER: I thank Mr Hargreaves for the question. It is very positive news for the ACT to have the lowest unemployment rate in the country, at three per cent, following what is now clearly the peak of unemployment at 3.7 per cent in December 2009. The number of unemployed persons in trend terms decreased by 100 in the month and, year on year, to October 2010 ACT employment increased by 2.6 per cent, compared to an increase of 2.3 per cent nationally.

Encouragingly, and I know Mr Smyth will be very pleased with this, the private sector enjoyed a 5.1 per cent increase in employment through the year to the August quarter 2010. Public sector employment also recorded an increase, not in the same order but of 1.8 per cent over the same period. As at August 2010, private sector employment accounted for 53 per cent of employment and the remaining 47 per cent were employed in the public sector.

The main industries to record significant employment growth in the August quarter were the wholesale trade, financial and insurance services, construction, electricity, gas, water and waste service sectors. Over the past 12 months, electricity, gas, waste, water, manufacturing, retail trade, rental hiring, real estate services and administration and support industries were the main sectors to experience strong employment growth. For the 11th consecutive month, trend employment in the ACT is higher than its level a year ago and, for the 13th consecutive month, trend full-time employment in the ACT is higher than the level a year ago.

Compared to other jurisdictions, the ACT continues to record a relatively high participation rate and, as I said before, the lowest unemployment rate in the country. Our participation rate in trend terms is the second highest of the jurisdictions, at 72.8 per cent, which is 7.1 percentage points above the national rate of 65.7 per cent. And I think that does reflect increasing positive sentiment around the economy.

We have also seen increases in the number of newspaper job ads in the ACT and, for the second consecutive month, in November 2010, job ads remain above levels a year ago and well above the trough experienced in June 2009. And I think what this does, again, is to validate the approach the ACT government has taken to ensure the strength of our economy through our own investments and our own budget recovery strategy. We did recognise the need to invest more. We did want to see our capital spend increase. And we have seen just that over the last 18 months.

We have also taken the view that a longer term recovery is in the broader economy's interest in relation to our own budget plan, and our budget plan remains on track. But

there have not been any short, sharp shocks to our own spending—indeed, the contrary. Our additional investment into the private sector—and you can look back through the data, and I know Mr Smyth will reluctantly accept this at some point in his life—shows that the approach that we took to invest in capital, to increase the spend that we did to support private sector employment, I think, is reaping the benefits now.

I do not want to say we are at full employment but we are getting pretty close to it. Over the past year, 6,000 jobs have been created and I think, at some point, we will have to acknowledge the role that the ACT government has played in keeping our economy strong in ensuring that jobs have been created through perhaps what has been the most difficult economic times this country has experienced for many years.

MR SPEAKER: Mr Hargreaves, a supplementary question?

MR HARGREAVES: Thank you very much, Mr Speaker. Treasurer, can you please advise the Assembly on how many jobs have been created in the ACT in the last year or so, despite the negative comments from those opposite?

MS GALLAGHER: I thank Mr Hargreaves for the supplementary question. The current unemployment rate is the lowest in the ACT, at three per cent. We have the second highest participation rate and we are seeing the number of unemployed persons, in trend terms, decreasing for 10 consecutive months.

Over the past year the number of unemployed persons in the ACT has declined by 1,300. The ACT has the second highest annual employment growth, at 2.6 per cent. What we can see from the data is that over the past year 6,000 jobs have been created in the ACT. Breaking that down along gender lines, 55 per cent of all new job holders are female and 45 per cent are male.

So what we have seen is that, even during a very tight labour market with a 12-month average unemployment rate of around 3.4 per cent, the ACT has created new employment and new employment opportunities for Canberrans. I think, as an Assembly, we should be welcoming that data.

At the industry level, the private sector contributed three-quarters of all of the new jobs created in the territory through the year to the August quarter 2010. So you can see that 5,400 jobs were added to the ACT private sector. I think what that also reflects is the fact that public sector growth has been kept to a minimum. That has been a deliberate decision of both the ACT government and the commonwealth government. We have had to restrain our own spending and our own growth in order to make sure we had the capacity to support jobs outside of the public sector and also be mindful of the budget pressures that exist in terms of recovering our own budget and not wanting to exacerbate them further.

Mr Speaker, after 18 months post the worst of the GFC, we can see that the ACT economy has held up very well. We have seen private sector growth. Some of that—even a tiny bit of that—has to be put down to decisions of the government, and supported by the Assembly.

MS PORTER: Supplementary, Mr Speaker?

MR SPEAKER: Yes, Ms Porter.

MS PORTER: Thank you very much, Mr Speaker. How does the ACT labour market compare with other jurisdictions?

MS GALLAGHER: The ACT has the lowest unemployment rate in the country at the moment. I say that with a little bit of caution: although we are two percentage points below the national unemployment rate, as I am increasingly learning with the ABS data, particularly with small jurisdictions, there are a number of revisions made month by month. But it appears that we have the lowest unemployment rate in the country, well below the national unemployment rate and I think alongside the Northern Territory as the other jurisdiction with a low unemployment rate. We have the second highest participation rate in the country, which is excellent, at 72.8 per cent, which is seven per cent above the national average.

So in terms of how our own labour market is performing—I think the shadow treasurer opposite would say how the engine room of the economy is operating—all the signs are excellent. I guess the next thing that comes when you get to these levels is that you have to look out for the impact of skill shortages on the ACT. We continue to liaise with our industry partners around areas of pressure. With the limited capacity we have to make decisions around investments, we do that mindful of the advice that we are getting from the private sector about pressures that they are experiencing.

MR SMYTH: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Thank you, Mr Speaker. Treasurer, you said in early 2008 that the package would be too small to stimulate. Are you now guessing that you have had an effect or can you table the analysis that proves your statements to the Assembly?

MS GALLAGHER: It is hard to accept that—

Mr Smyth: What? Hard to table the analysis? So you are guessing?

MS GALLAGHER: No, I am referring to your question and the reluctance—with you getting to your feet to actually try and put a bad light on these excellent figures. The comment I was making was around the local initiatives package, which I believe was a very modest package of about \$20 million. I think the comments I am making more broadly, as the shadow treasurer would understand, relate to the ongoing investments we have made on top of that.

That package on its own was too small to stimulate, but it played an important role in maintaining employment based on advice that we were getting from industry about areas of pressure where they were seeing work dry up and could we look at a few areas where we needed work done, and we did that very quickly.

The other element of this—and I think, Mr Speaker, the shadow treasurer would know that all of this is detailed in figures like the state final demand and the national accounts, where it is clear—

Mr Smyth: So you've got analysis. What's happened to the analysis?

MS GALLAGHER: Those are public documents, Mr Smyth. It is very clear that public consumption and public investment did increase at a time when private sector consumption and investment were decreasing, and household consumption, and you can see that there was public investment. That is the ACT government, as a small partner—

Mr Smyth: So it's just guesswork. You're just guessing.

MS GALLAGHER: I am not just guessing. These are the figures. That is the ACT government as a small partner and the commonwealth as a larger partner in the ACT. It is very clear that what supported the economy in the ACT over the past 18 months was public sector spending.

Planning—Molonglo land release

MS LE COUTEUR: My question is to the Minister for Planning and concerns again the north Weston pond site. Minister, given the discovery of asbestos and the issues with that, is this going to affect the timing and plans for land release either in the Molonglo Valley or in the rest of Canberra?

MR BARR: Timing of land release is actually a matter for the Chief Minister through his portfolio responsibilities. I can of course observe that the ACT Planning and Land Authority has been developing concept plans for land release in a number of different parts of the city and so there is more than one development front in relation to greenfield development and of course there are multiple brownfield redevelopment sites as well as an ongoing program of urban renewal around the city.

MR STANHOPE: Mr Speaker, I will add to that answer, if I may—

MR SPEAKER: Yes, thank you, Chief Minister.

MR STANHOPE: as minister with responsibility for some of these issues. Ms Le Couteur, I am prepared to be quite blunt about this: the issues in relation to delays in the north Weston pond construction will have absolutely no impact on land release at all—absolutely none.

MR SPEAKER: Ms Le Couteur, a supplementary?

MS LE COUTEUR: Thank you. Minister, was ACTPLA or anyone in the government aware that Weston community council, about three years ago at a community council meeting with government representatives, I have been informed, raised the issue of the dump site with the government representatives? I think they said that the site used to be called “asbestos pond”.

MR BARR: Yes. As I indicated in my answer to the Leader of the Opposition's opening question in question time today, yes—that the site contained a former sewerage works and was also understood to be a site for the dumping of a considerable amount of builders waste. Yes, the Planning and Land Authority and other ACT government agencies were aware of that. Hence a major piece of work was commissioned involving consultants and specialists in the area of dealing with this sort of contamination.

What has become apparent, though, as work has progressed, is that the extent of the contamination is greater than first thought. It was always understood that the area contained a degree of contaminated soil. What has become apparent as the process has continued, more dirt has been cleared and more digging has occurred is that there is more contamination than was originally thought.

MS BRESNAN: A supplementary?

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Minister, given the rainy weather that the ACT has experienced, has ACTPLA received any advice from the EPA about the dangers of asbestos washing downstream and any remediation measures that might be required?

MR BARR: I am not aware of any advice but I will seek clarification from the Planning and Land Authority as to whether they have received any advice from the EPA in relation to the recent rainfall.

MR SPEAKER: Mr Seselja, a supplementary?

MR SESELJA: Thank you. Minister, how much will remediation cost and are you certain that the 90,000 tonnes as outlined is the extent of the waste?

MR BARR: The answer to both of those questions is uncertain at this point in time.

Alexander Maconochie Centre—capacity

MR HANSON: My question is to the minister for corrections and relates to the population of the new jail. I quote from *Hansard* from estimates hearings on 25 May this year. I said:

You planned on a prisoner population of up to 300, because that is how many beds you have got.

The minister responded:

Indeed.

However, during annual reports hearings on 19 November, it was revealed that the maximum population of the AMC is only about 245. Minister, did you mislead the

estimates committee in May when you agreed that the planned population—and I emphasise “planned population”—of the prison was 300?

MR CORBELL: No.

MR SPEAKER: Mr Hanson?

MR HANSON: Minister, in a speech to Christians for an Ethical Society on 19 March 2008 you said of the AMC:

It is built to accommodate up to 300 prisoners of all classifications, sentenced and remand, male and female.

Minister, did you mislead the Christians for an Ethical Society if the jail can only accommodate up to about 245 prisoners?

MR CORBELL: No. And the basis of Mr Hanson’s question is invalid and false. The reason is that it depends, of course, on the requirement to provide for separation of prisoners. This will vary, depending on the prisoner population. If there is a need for a high number of prisoners to be kept, for example, on separation or strict separation from other prisoners, that will reduce the overall capacity that is able to be utilised at the prison. I would have thought that was bleedingly obvious to everyone, except perhaps, obviously, to Mr Hanson.

MR SMYTH: A supplementary, Mr Speaker?

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Thank you, Mr Speaker. Minister, in a speech during the pre-election opening of Alexander Maconochie Centre on 11 September 2008 you said, “The capacity of the centre is 300.” Minister, did you mislead the community if the real capacity is only 245?

MR CORBELL: The opposition do not seem to appreciate the issues around the operational elements of the prison and its theoretical capacity. Its capacity is 300. At no stage have I misled anyone in relation to that. But the operational requirements of a particular prisoner mix may result in fewer than those 300 beds being able to be utilised. I would have thought that was obvious.

MS BRESNAN: A supplementary?

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Minister, to what extent do extended stays for individuals in the isolation section affect the ability of the AMC to separate prisoners as required?

MR CORBELL: I thank Ms Bresnan for the question. Again, this highlights the point. There are a range of factors that impact on the ability of the prison to utilise all of the beds in that facility. Certainly the number of prisoners that have to be kept in

isolation can have an impact on the total number of beds that are able to be utilised. Indeed, in similar circumstances, the number of prisoners that have to be kept on a strict protection basis, prisoners that have to be kept on a protection basis, also has an impact on the number of beds that are able to be utilised.

These figures will vary from time to time. It is not the case that there is a particular figure below 300 that is the absolute maximum that can be utilised. It will depend on the mix of prisoners and the requirements in terms of their accommodation and their separation, in particular their separation from other prisoners.

Alexander Maconochie Centre—capacity

MR SMYTH: My question is to the minister for corrections and relates to the capacity of the new jail. Minister, in answer to a question on notice from Mr Seselja on 27 September 2007 you provided the projected prisoner population of the new jail, showing that in 2008 the prison was expected to have a population of 244, increasing to 247 in 2009, and would have 256 prisoners by 2012. Minister, if the real capacity of the AMC is only about 245 prisoners, why did you plan for and open a jail that, by your own projections, would be full when you opened it?

MR CORBELL: I simply refer Mr Smyth to my previous answer, Mr Speaker, which is that the operational capacity at the jail will depend on the mix of prisoners in the facility and their requirements in terms of separation from other prisoners. This will vary from time to time.

In relation to numbers in the jail at the moment, it is worth highlighting that prisoner numbers are moving around significantly at this period of time. For example, in June last year there were only 163 prisoners accommodated in the jail. As recently as 14 November there were 230 prisoners accommodated in the jail. Currently there are 222—as of 2 December—in the prison. These figures will vary from time to time. It is difficult to predict. Indeed, there is no accepted methodology that we can reliably rely on, although some extrapolations based on past trends are available.

MR HARGREAVES: Supplementary, Mr Speaker?

MR SPEAKER: Mr Smyth still has the call, Mr Hargreaves. Mr Smyth?

MR SMYTH: Minister, did you mislead Assembly members when you said that the prison had a capacity for 300 prisoners, or did you mislead Assembly members when you said it was not a surprise to anyone that capacity was only 245 prisoners?

MR CORBELL: Once again the ability of the Liberal Party to plumb the simplistic depths has been highlighted in these questions today, Mr Speaker. The prison has a capacity of 300 beds, but the operational requirements of the prison may result—

Mr Seselja: Does that include the sick bay?

MR CORBELL: in fewer beds being able to be utilised because of the prisoner mix.

Mr Seselja: Does that include the sick bay?

MR SPEAKER: Order!

MR CORBELL: This is a concept that I would have thought—

Mr Seselja: It includes the sick bay?

MR SPEAKER: Mr Seselja!

MR CORBELL: was fairly easy to understand on the part of those opposite. Clearly I am mistaken.

MR SPEAKER: Supplementary, Mr Hargreaves?

MR HARGREAVES: Thanks very much, Mr Speaker. Minister, could you perhaps advise the Assembly of the breakdown of those sorts of prisoner demographics in there, such as remand, such as the gender split and protections?

MR CORBELL: I thank Mr Hargreaves for the question. Regrettably, I do not have those numbers available, but I am happy to provide those to members.

MR SPEAKER: Mr Hanson, a supplementary?

MR HANSON: Minister, the Corrective Services website, updated as late as today—I note it is still live—states that presently, and I say again “presently”, the capacity of the AMC is 300. Is the capacity of the AMC 300 or is this statement misleading?

MR CORBELL: It is almost as though you need a hammer to hammer it through their thick skulls. There are 300 beds in the prison. The ability to utilise all 300 beds—and those are beds for accommodation—will depend on the mix of prisoners, whether or not a certain number of prisoners need to be kept on separation, strict separation, isolation or a whole range of other factors. And that may—and, indeed, does—impose constraints on the overall number of beds that are able to be utilised at any one point in time. It is worth highlighting that at no time have there been issues with accommodating prisoners that have been sent to the jail by the courts.

ACTION bus service—wheelchair accessible buses

MS BRESNAN: My question is to the Minister for Transport and is in relation to the availability of wheelchair accessible buses during peak hour. Minister, it has come to my attention that on a number of Xpresso routes wheelchair accessible buses are only available for one direction of the service during the day. Minister, what steps are you taking to ensure that for every outgoing wheelchair accessible bus on a route there is a return service?

MR STANHOPE: Over time of course it is expected that every one of the buses in our fleet will be wheelchair accessible. That is not the case at the moment. We are progressively replacing the fleet as we upgrade, and all new buses of course are designed for accessibility. Until we reach that point—and we are not there and we will

not be there for some time—we will of course always have an issue in providing a wheelchair accessible bus on all routes. But of course it is our long-term aim and our determination to ensure that all buses are accessible.

In the interim, as I say, it is difficult. Ms Bresnan raises a very reasonable point, though, in relation to a particular route where there is a wheelchair accessible bus one way—that there might be an expectation by people utilising it that there will be one on the return. I cannot answer that particular question or the networking decisions taken in relation to that, Ms Bresnan, but I have to say that I understand the sense and the purport of your question and I will ask for advice and will happily provide it to you.

MR SPEAKER: A supplementary, Ms Bresnan?

MS BRESNAN: Thank you, Mr Speaker. Minister, how does ACTION determine which bus services will use wheelchair accessible buses?

MR STANHOPE: Thank you, Ms Bresnan. The decision does involve—but I am not sure that there is any finite science in it—an assessment of usage most simply on the peak routes. ACTION is very responsive to requests in relation to particular routes where there is a known and acknowledged need for wheelchair accessible buses and does seek to meet consumer requirements in relation to that.

In the context of an overall model, Ms Bresnan, I will take advice on that. I would be happy to provide it to you in the context of the decision making that informs decisions around which routes will be serviced by wheelchair accessible buses.

MS HUNTER: A supplementary?

MR SPEAKER: Yes, Ms Hunter, a supplementary.

MS HUNTER: Minister, in ACTION's consideration of journey planning software for the ACTION website, will there be an option for users to specify wheelchair accessible buses only? And what happens if there are not any wheelchair accessible buses available to service patrons' needs?

MR STANHOPE: Thank you, Ms Hunter. I will take that question on notice. But I do need to repeat or reiterate that, whilst we have a commitment to ensure that our entire fleet is wheelchair accessible, I am sure members understand that a single bus costs in the order of half a million dollars. We have made a massive, quite historic, investment in new buses in the last few years, a \$50 million straight-up investment in an additional 100 buses.

But in our fleet we have now in excess of 400 buses. We are progressively replacing those buses. But we are in a situation where we still have—and I do not quite know the number—a very large proportion of our fleet that is not wheelchair accessible and we will not have a fleet that is entirely wheelchair accessible for a significant number of years yet.

Whilst of course we would like to be able to say we will service every route as early as we can, we are in the process of purchasing 100 new buses. But each bus comes at a cost of just over half a million dollars. So it is a very significant investment. It is an investment we will continue to make. We are investing historic amounts in public transport, including of course in the fleet, and we will continue to do that.

But any decision that we take and any instance I give you today must be an answer given in the context of the very significant investment which will need to be made and which we are prepared to make. But we will make it over a number of years to ensure that our entire fleet is wheelchair accessible. So we cannot respond necessarily to every request if the requests exceed the number of wheelchair accessible buses we currently have.

MS LE COUTEUR: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Ms Le Couteur.

MS LE COUTEUR: Minister, does ACTION keep data on the number of patrons who are in wheelchairs and use express services, and is the patronage of routes with wheelchair access in one direction only lower than on those routes that have a return service?

MR STANHOPE: I do not know the answer to that, but I am more than happy to get that information.

Alexander Maconochie Centre—capacity

MR COE: My question is to the minister for corrections and relates to the capacity of the new jail. In the Chief Minister's media release on 25 March 2007, entitled "ACT's first prison—60 per cent complete", Mr Stanhope said:

On commissioning the prison has capacity for 190 sentenced prisoners, 110 remandees and will employ approximately 170 staff.

Minister, does the jail have the capacity to hold 190 sentenced prisoners and 110 remandees, as asserted by the Chief Minister?

MR CORBELL: Mr Speaker, I refer the member to my previous answers.

MR SPEAKER: Supplementary, Mr Coe?

MR COE: Thank you, Mr Speaker. In the Chief Minister's media release of 11 September 2008 titled "New Alexander Maconochie Centre officially opened", Mr Stanhope said:

The \$131 million purpose-built AMC will accommodate male, female, remand and sentenced prisoners from low to high security classifications, and can house up to 300 inmates.

Minister, will the AMC house up to 300 inmates or only up to about 245 inmates?

MR CORBELL: Again I refer the member to my previous answer.

MS BRESNAN: Supplementary, Mr Speaker?

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Minister, will moving the therapeutic community which currently takes up one of the cottages to a fenced area in the remandees area have an impact on prison numbers?

MR CORBELL: It will not have an impact on prisoner numbers. It may have an impact on the number of beds that are available to be utilised and that is a matter that is currently being investigated. Certainly the organisation that runs the therapeutic community in coordination with Corrective Services, ADFACT, has made representations to me arguing that the therapeutic community should be relocated from its current location in one of the cottages adjacent to the sentence cell block to another cottage further away from the sentence cell block.

I am sympathetic to those requests and Corrective Services are looking at whether it is possible to realign the mix of prisoners in that accommodation to achieve that. But no decision has yet been made in relation to that, although options are being considered.

MR HANSON: Supplementary, Mr Speaker?

MR SPEAKER: Yes, Mr Hanson.

MR HANSON: Minister, at estimates hearings in 2007 you said:

The projected planning for the prison in terms of population gives us real capacity to accommodate growth into the future and certainly gives us a facility in terms of its current bedding configuration, as currently being constructed—not its potential but its current bedding configuration—to meet our needs over the next 25 years or so.

Minister, was that statement true?

MR CORBELL: Yes.

Community services

MS PORTER: My question is to the Minister for Disability, Housing and Community Services. Could the minister inform the Assembly about the progress of the regional community facilities project and the benefits it will provide to the community?

MS BURCH: I thank Ms Porter for her question. The ACT government is committed to building a better city and a stronger community. That is why the government has invested \$27.25 million to undertake work at nine former school sites and two greenfield sites, known as the regional community facilities project.

The regional community facilities project is delivering great benefits to local communities, including eight new community meeting places across the ACT. This initiative is creating a stronger and more sustainable community sector and is providing more accessible services for those who need them most. It is assisting 39 non-government, not-for-profit organisations with affordable premises to deliver their services to local residents. These services will be co-located in themed community hubs focusing on health and wellbeing, arts and education and other mixed uses.

I am pleased to be able to update the Assembly that the regional community facilities project is well progressed and I can report that this project is delivering a great outcome for many communities. At Village Creek, Kambah, Minister Gallagher will know that the ACT Health facility, including building car park works, are completed and were handed over to ACT Health in November. In October I visited the Mount Neighbour site in Kambah, where the former school has been demolished and construction is underway for 57 older persons public housing units there.

I also note that the Rivett community hub refurbishment is complete, with the tenant, Noahs Ark Children's Resource Centre, occupying the premises. In Belconnen, I also launched the Cook arts and education hub in September of this year, and the response to this hub has been fantastic. When the tenants held their open day in October it was attended by over 600 enthusiastic members of the local community.

In November I was particularly pleased to open the brand-new Bonython and Griffith neighbourhood halls that were delivered under this project. The halls will be managed by Communities@Work and Southside Community Services and they have already reported a high demand for those facilities. I am also pleased to say that the refurbishment of premises at the Hall headmaster's cottage and Hall pavilion and Tharwa are now available for use by local communities.

There are still some sites where works are still in progress. At the mixed services hub at Holt the internal building works are completed, with a car park due for completion in December of this year. At the Weston community hub some internal building works such as the new disabled access bridge and lift are still being constructed and the car park is scheduled for completion by the end of December.

The internal refurbishment works at Chifley health and wellbeing hub have been completed with several tenants occupying their tenancies, including Neurospace, Autism Asperger ACT, the Australian Diabetes Educators Association, YMCA and the Warehouse Circus.

The community facilities project is delivering on the ACT government's commitment to build a better city and a stronger community and I look forward to further updating the Assembly.

MR SPEAKER: A supplementary, Ms Porter?

MS PORTER: Thank you, Mr Speaker. Could the minister inform the Assembly about how the public can access the Bonython and Griffith neighbourhood halls?

MS BURCH: I thank the member for her question. The construction of both Bonython and Griffith halls has been completed. Both halls are open for use by the public. The ACT government's investment of \$1.2 million in the Griffith neighbourhood hall and \$1.1 million in the Bonython neighbourhood hall will provide a fantastic resource for Canberra residents. I note that at that opening both Mr Dospot and Ms Bresnan attended as local members and saw the structure firsthand. It is a good facility and it is well located.

The halls will function as a focal point and venue for meetings and activities for families and social and community groups. Each is equipped with a large hall, a meeting room, two kitchens, an office, toilet facilities and an outdoor meeting space. Communities@Work will be managing the Bonython hall and south-side services will be managing the Griffith hall. Community organisations have already registered a strong interest. The Griffith hall is currently being used by groups such as Gaby's Dance Studio and Jumptown, and the Bonython hall is being used by groups such as Jazzercise. We have provided \$200,000 to help fit out these brand new community hubs and neighbourhood halls, including funds for chairs and tables and equipment to fit out the shared kitchens across Bonython and Griffith.

An additional four community hubs containing halls and meeting rooms will be refurbished under the facilities project. I look forward, as I have said, to welcoming the community groups that use those facilities.

MR HARGREAVES: A supplementary, Mr Speaker?

MR SPEAKER: Yes, Mr Hargreaves.

MR HARGREAVES: Minister, through you, Mr Speaker, how is the government supporting local community organisations through the regional community facilities project?

MS BURCH: Thank you, Mr Hargreaves. The regional community facilities project provides substantial benefits for local community organisations. Thirty-nine community organisations will now be accommodated in the community hubs in Holt, Weston, Chifley and Cook. Having visited some of these sites, I know that the refurbished rooms will be well used by Canberra's community groups. These organisations represent a broad cross-section of the Canberra community and providing them with a permanent home gives them the confidence not only to continue to deliver their services but to grow and develop the range of services they presently offer.

I know that the Canberra community values community engagement, and the halls and meeting spaces that are being provided will act as focal points and meeting venues for families as well as social and meeting groups. At a recent open day for the Cook community hub, many local residents took the opportunity to discover what groups were at the hub and what services were available. They include playgroups, ballet classes, the University of the Third Age, theatre groups, genealogy, just to name a few. And I have already seen evidence of the partnerships developing from the co-location of these services in these hubs and I hope that they will continue.

The positive feedback that I have received about the hubs gives me confidence that the regional community facilities project will deliver good outcomes for the community into the future.

Alexander Maconochie Centre—capacity

MR DOSZPOT: My question is to the minister for corrections and relates to the population of the new jail. During annual report hearings this year on 19 November, it was indicated that bunk beds will be retrofitted into some cells by the end of December. Minister, what is the total number of bunk beds that are required at the AMC?

MR CORBELL: The government has agreed to the purchase of 20 bunk beds for cell block cells and cottage bedrooms.

MR SPEAKER: Mr Doszpot, a supplementary question?

MR DOSZPOT: Minister, what is the total cost of retrofitting bunk beds at the AMC?

MR CORBELL: It is anticipated that the purchase of those bunk beds will cost \$39,000. That has been done as a precaution should additional capacity be required.

MR HANSON: Supplementary, Mr Speaker?

MR SPEAKER: Yes, Mr Hanson.

MR HANSON: Minister, will the government need to build further accommodation at the jail within the next four to five years? If so, what will the cost be?

MR CORBELL: It is a hypothetical question, Mr Speaker. I obviously cannot answer what will happen in the future.

Members interjecting—

MR SPEAKER: Order! Ms Bresnan has the call.

MS BRESNAN: A supplementary, thank you, Mr Speaker. Minister, what proportion of remandees is eventually sentenced to non-custodial sentences? And what impact does this have on the prison population?

MR CORBELL: I would not have those percentages to hand. I would have to seek some advice and I will take the question on notice.

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

Attorney-General Motion of censure

MR HANSON (Molonglo) (2.55): I seek leave to move a motion of censure against Minister Simon Corbell.

Leave not granted.

Standing and temporary orders—suspension

MR HANSON (Molonglo) (2.55): I move:

That so much of the standing and temporary orders be suspended as would prevent Mr Hanson from moving a motion of censure of the Attorney-General.

Quite clearly this is an important matter. I appreciate that there will be some difference of opinion but through what has been heard through estimates hearings, through annual report hearings and through question time today, it is quite clear that there is some dispute about whether Mr Corbell has been honest about the capacity at the AMC, dating back through to 2006 and what was said—

Mr Hargreaves: Point of order, Mr Speaker. The question before the house is about the suspension of standing orders, not a substantive debate.

MR SPEAKER: The point of order is upheld: we are debating the suspension of standing orders, not engaging in a substantive debate.

MR HANSON: I am trying to explain why it is important.

Members interjecting—

MR SPEAKER: Order! Mr Hanson has the floor.

MR HANSON: My point is that there is a very substantive issue here about Mr Corbell misleading both the public and the Assembly. It is quite clear, through question time and through the previous other forums, that there have been misleads. I am convinced that he has been misleading the public.

We have heard the evidence here today. He has failed to provide adequate answers through question time, simply saying no to quite substantive questions. He gave contradictory answers to questions when he was asked to explain why he said that this jail would be adequate for 25 years but then in the answer to the very next question was explaining why he was retrofitting bunk beds into the same jail.

It is quite clear that this minister has been misleading the public and misleading the Assembly for a period of three years with regard to the capacity of the AMC. It is cut and dried. It is entirely appropriate that we go through—

Mr Hargreaves: Point of order, Mr Speaker. You have already ruled on it, Mr Speaker; he is using substantiation of his motion. He needs to talk about why we should suspend standing orders, not prosecute his case.

MR SPEAKER: There is no point of order, Mr Hargreaves. Mr Hanson, you have the floor.

MR HANSON: I will not be speaking much longer. It is quite clear that a case has been made. I do not see why those opposite do not want to hear. All we can say is this: if Mr Corbell has a case that is so strong—if he has a case that he thinks he can defend—why doesn't he stand up and defend that case here in the Assembly? I think that he is scared of something. If he does have something to hide, that could be the only rationale for him preventing me from moving this motion here today.

MS BRESNAN (Brindabella) (2.58): I find this whole thing a bit of a joke really. We will not be supporting the suspension of standing orders; we will not be supporting the censure. It is the flimsiest basis for censure that I have seen the Liberals put up since they have been here. If Mr Hanson does not understand—

Members interjecting—

MR SPEAKER: Order! Ms Bresnan has the floor.

MS BRESNAN: If Mr Hanson does not understand his own portfolio and cannot understand the policy of how prisons operate, that is not for us here in the chamber to facilitate so that he can get up and prosecute his arguments about this.

Mr Hanson: You are a liar. You are a liar.

MR SPEAKER: Order! Mr Hanson, I invite you to withdraw the assertion you just made across the chamber.

Mr Hanson: I withdraw.

MR SPEAKER: Thank you.

MS BRESNAN: I will go to a couple of points Mr Hanson made. You asked a number of questions today in question time. Yes, the capacity is 300, but for a variety of reasons in the prison you may not be able to have that number. That has been outlined in estimates; it has been outlined in annual reports. It is outlined in—

Members interjecting—

MR SPEAKER: Order! Ms Bresnan has the floor. Mr Hanson! Ms Bresnan, you have the floor.

Members interjecting—

MR SPEAKER: Order! Stop the clocks, thank you. The next person who interjects on Ms Bresnan will get a warning. Ms Bresnan, you have the floor.

MS BRESNAN: There is no debate to have about this. As I have said, it has been noted in annual reports; it has been noted in estimates. It is noted in the functional brief on the AMC. What does Mr Hanson not understand? As I said, if he does not understand his own portfolio it is not for us to come into the chamber here so that he can facilitate some flimsy argument that he wants to put forward.

Mr Coe: On a point of order, Mr Speaker, you upheld a point of order earlier calling on Mr Hanson to speak to the suspension of standing orders. I ask that the same discussion be applied for Ms Bresnan when she is approaching this—rather than discussing the substantive issue.

MR SPEAKER: There is no point of order. I believe that Ms Bresnan is putting a point as to why she does not think we should have a debate. But I remind you of the earlier ruling, Ms Bresnan.

MS BRESNAN: Thank you, Mr Speaker. On that point, Mr Hanson did actually get up and talk about a variety of reasons around the numbers that have been put forward today in question time.

We will not be supporting the suspension of standing orders. There is no argument here. It is not a story. We have had a number of arguments about the capacity. It has been discussed in a number of forums. Again, if Mr Hanson does not understand his own portfolio, that is his problem, not ours.

MR SESELJA (Molonglo—Leader of the Opposition) (3.01): You have got to ask why Mr Corbell does not want to have this debate. We heard in question time—

Mr Corbell: Because there is nothing to debate.

MR SESELJA: He does not like it. We heard it in question time. That is why he is hiding from this debate. That is why he, the Labor Party and the Greens are combining to hide from this debate. His argument does not stack up. He has been caught out on a number of fronts. He has been caught out on competence, and he has been caught out on honesty. That is what we are talking about. That is why the Labor Party do not want to debate this. That is why the Greens do not want to debate it. That is why he is hiding behind it.

Mr Hargreaves: On a point of order, Mr Speaker, this is prosecuting the argument, not talking about suspension.

MR SESELJA: No, it is not.

Mr Hargreaves: He is not talking about why we should suspend standing orders. He is prosecuting the argument.

MR SPEAKER: There is no point of order at this stage but, members, let us try and stick to the standing orders suspension.

MR SESELJA: Thank you, Mr Speaker. There is no point of order. What we are faced with here—

Mr Hargreaves: You are not the Speaker, mate. You are only the leader for the moment.

MR SPEAKER: Order!

MR SESELJA: The Speaker just said there is no point of order.

Mr Hargreaves: You are only the leader while he keeps you there.

MR SPEAKER: Order! Mr Hargreaves, do not shout across the chamber. And Mr Seselja, do not respond to him. Mr Seselja has the floor.

MR SESELJA: Why is it that Mr Hargreaves and his colleagues do not want to debate this issue? Is it perhaps because they do not have confidence in Mr Corbell to put the argument? Time after time in question time today, we heard him give incorrect and contradictory information. We give him the chance to defend it; we give the Assembly the chance to consider it. And the Greens and the Labor Party say no.

At every opportunity, the Greens—Ms Bresnan goes in to defend the government. And we have Mr Hargreaves as a former minister himself—a former minister for corrections. He was embarrassed that he had to pick up the pieces after Simon Corbell. And then Mr Corbell is back in the portfolio. Mr Corbell is back in the portfolio stuffing things up. The facts are not in dispute. This prison is now full—

Ms Bresnan: I don't think so.

MR SESELJA: how long after we have opened it?

Mr Hanson: Eight months at the most.

MR SESELJA: Is that the real opening or the fake opening?

MR SPEAKER: Order, Mr Seselja! Ms Bresnan.

Ms Bresnan: On a point of order, Mr Speaker, I ask Mr Seselja to take back that comment about being a fool.

MR SPEAKER: Being a which, sorry?

MR SESELJA: I did not say that.

MR SPEAKER: I am sorry; I did not hear what was said.

MR SESELJA: Could we stop the clocks?

MR SPEAKER: Stop the clocks, thank you.

Ms Bresnan: Mr Seselja just said that Ms Bresnan was a fool. I ask him to withdraw that statement.

MR SESELJA: No, I did not.

Ms Bresnan: He just said that Ms Bresnan was a fool. I ask him to withdraw that statement.

MR SESELJA: I did not say it.

MR SPEAKER: Members, please be quiet. I cannot even hear Ms Bresnan on the fourth occasion.

Ms Bresnan: He said Ms Bresnan was a fool. I ask him to withdraw that statement.

MR SESELJA: I did not say it.

MR SPEAKER: I am going to have to go to *Hansard* on this. Mr Seselja, you have the floor to continue.

MR SESELJA: Thank you, Mr Speaker. We see why the Labor Party and the Greens do not want this debate. They have been embarrassed by the performance of this minister. I think what I was saying before the point of order was that the prison is now full. The prison is now full. It is near capacity already, to the extent that they are having to get in bunk beds. We have got a minister who, soon after opening this prison, told us that it would have 20 to 25 years capacity. We now see that it is actually filling up well before that—to the extent that they need to get bunk beds. We now see that he has been fudging the numbers. He has been saying that there are 300 when there is in fact a much lesser capacity. That is why they do not want to debate it.

These are the things that Mr Corbell and his colleagues find it so difficult to defend. I think it is outrageous that we have the Labor Party and the Greens again combining to prevent this minister from being scrutinised. The case has been put in question time. The questions have been put. Mr Corbell has not been able to answer the questions. He was given the opportunity. He was given the opportunity to correct the record. He was given the opportunity to explain why he gave us incorrect information in the lead-up, why he got it so wrong, why the prison is already full and why he has been giving us this incorrect information all this time. He failed to do so. He had that opportunity, and he failed.

Now the Labor Party and the Greens are squibbing the debate. They are squibbing the debate because, clearly, they do not have any confidence in the minister. We do not have confidence in this minister. That is why Mr Hanson should be able to move this motion of censure and we should be able to have the full debate that this deserves.

Misleading the Assembly is a serious thing. We take it seriously. Mismanaging the prison is a serious thing, and we take that seriously, too. We should be able to prosecute that case. Mr Hanson, no doubt, will continue to prosecute that case, whether he is allowed to do it in this place or not.

MR SMYTH (Brindabella) (3.06): Mr Speaker, when comments are sometimes thrown across the chamber that you do not agree with, the answer is always presented to members that it be done in a substantive motion. We have asked questions for which we are dissatisfied with the answers, and this place is responsible to holding ministers to account. Indeed, it is what the Greens always proposed that they would do—hold people to account. They have not heard Mr Hanson’s case. They have not heard the data that he will present and the facts that he would like to present about where the minister has misled not only the community but this place. Yet we are being shut down. We are being denied the opportunity to do our job, which I thought oppositions were meant to do—indeed, I thought crossbenchers were devoted to doing it—which is to hold the government to account.

At the heart of this is the new maths—it probably explains why Mr Corbell lost the education portfolio—apparently 300 prisoners now equals 245 prisoners, and that is okay. Mr Corbell is on the record as having said, “We have capacity in our current configuration in the prison for 25 years.” If that statement is true—and this is what we want to debate—why are we spending \$39,000 on fitting bunks in a prison that, by the minister’s own words, has 25 years of capacity? One of the things the minister has said cannot be true, and that is why, Mr Speaker—

Mr Hargreaves: On a point of order, Mr Speaker, we cannot have in this debate points being made about the length of time, references back, the whole thing. The question before the house is why we should suspend standing orders. You do not need to go into the litany of argument they are putting forward.

MR SPEAKER: There is no point of order. I think Mr Smyth is outlining the importance of the argument.

Mr Hargreaves: Well, they’ve got nothing else to say, then.

MR SPEAKER: Order, Mr Hargreaves.

MR SMYTH: Mr Hargreaves would not know what else we have got to say, because the Greens are allowing the government to shut this down. The party devoted to holding the government to account and to defending truth and honour and honesty do not want to hear the case. They simply just want to shut it down.

This is the problem with those on that side just saying no. They will use the numbers of the Greens-Labor alliance to cease scrutiny in this place. They will betray the people of the ACT, and they will betray the purpose of this place by not having this debate. When an issue of this nature comes up, the appropriate way to resolve any conflict is to have a substantive motion. This is the proposal that we have put forward.

We know that there are inconsistencies from the minister's statements over the last four years. We know about how to run an organisation. We know that sometimes what you build and say is 300, due to constraints, might change. But we want to debate what the minister said. These are the minister's own words:

The projected planning for the prison in terms of population gives us real capacity—

—not only is it “capacity”, but it is “real capacity”—

to accommodate growth into the future and certainly gives us a facility in terms of its current bedding configuration—

—current bedding configuration—

as currently being constructed—not its potential, but its current bedding configuration—to meet our needs for the next 25 years or so.

It has not even been 25 months since the Alexander Maconochie Centre accepted its first prisoner. (*Time expired.*)

Question put:

That standing and temporary orders be suspended.

The Assembly voted—

Ayes 6

Mr Coe
Mr Doszpot
Mrs Dunne
Mr Hanson
Mr Seselja

Mr Smyth

Noes 11

Mr Barr
Ms Bresnan
Ms Burch
Mr Corbell
Ms Gallagher
Mr Hargreaves

Ms Hunter
Ms Le Couteur
Ms Porter
Mr Rattenbury
Mr Stanhope

Question so resolved in the negative.

Papers

Mr Speaker presented the following paper:

Standing order 191—Amendments to the Road Transport (Alcohol and Drugs) Legislation Amendment Bill 2010, dated 24 November 2010.

Executive contracts

Papers and statement by minister

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): For the information of members, I present the following papers:

Public Sector Management Act, pursuant to sections 31A and 79—Copies of executive contracts or instruments—

Long-term contract:

Adrian Makeham-Kirchner, dated 11 June 2010.

Short-term contracts:

Daniel Walters, dated 22 and 28 October 2010.

Dougal Whitton, dated 4 November 2010.

John Stenhouse, dated November 2010.

Kate Starick, dated 11 November 2010.

Keith Simpson, dated 2 November 2010.

Leanne Power, dated 9 November 2010.

Lisa Holmes, dated 3 November 2010.

Contract variations:

Anne Ellis, dated 4 November 2010.

Anthony Polinelli, dated 11 November 2010.

Loretta Zamprogno, dated 5 November 2010.

Michael Trushell, dated 15 November 2010.

Paul Ogden, dated 5 November 2010.

Roderick John Nicholas, dated 10 November 2010.

Stuart Friend, dated 8 November 2010.

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

Leave granted.

MR STANHOPE: I present another set of executive contracts. These documents are tabled in accordance with sections 31A and 79 of the Public Sector Management Act, which require the tabling of all chief executive and executive contracts for contract variation. The contracts were previously tabled on 16 November 2010.

Today I present one long-term contract, seven short-term contracts and seven contract variations. Details of the contracts will be circulated to members.

Paper

Mr Stanhope presented the following paper:

North Weston Pond—Molonglo—Request for inquiry into procedures used to test for contamination—

Copy of letter from the Chief Minister to Ms Tu Pham, ACT Auditor-General, dated 7 December 2010.

Copy of media release by the Chief Minister.

Public Accounts—Standing Committee Report 11—government response

MS GALLAGHER (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations): For the information of members, I present the following paper:

Public Accounts—Standing Committee—Report 11—*Review of Auditor-General's Report No 8 of 2009: 2008-09 Financial Audits*—Government response.

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

Leave granted.

MS GALLAGHER: I present the government's response to the report of the Standing Committee on Public Accounts entitled *Review of Auditor-General's Report No 8 of 2009: 2008-09 Financial Audits*. I note that the recommendations in the committee's report largely relate to the quality of performance measures in agency statements of performance, the implementation of audit recommendations, the unfunded superannuation liability review and information system internal controls.

In light of previous audit comments and outcomes, the majority of these recommendations have already been actioned and implemented by agencies, with the remainder relating to ongoing review and improvements over time.

The government's response agrees to seven recommendations and notes four, on the basis that existing processes and procedures are already in place to address those recommendations. I commend the paper to the Assembly.

Papers

Ms Gallagher presented the following papers:

Gene Technology Act, pursuant to subsection 136(2)—Operations of the Gene Technology Regulator—Annual report 2009-2010, dated 13 September 2010.

Australian Health Practitioner Regulation Agency—Annual report 2009-2010—Report.

Corrigendum, dated 16 November 2010.

Gambling and Racing Commission—report Paper and statement by minister

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing)

(3.21): For the information of members, I present the following paper:

Gaming Machine Act, pursuant to section 168—Community contributions made by gaming machine licensees—Report by the ACT Gambling and Racing Commission—1 July 2009 to 30 June 2010, dated 26 October 2010.

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

Leave granted.

MR BARR: I present the report on community contributions made by gaming machine licensees for the period 1 July 2009 to 30 June 2010. The report is a requirement of the Gaming Machine Act 2004 and is made by the Gambling and Racing Commission. The act requires club licensees to make a minimum community contribution of seven per cent of their net gaming machine revenue each financial year.

Hotel and tavern gaming machine licensees are not required by the act to make contributions. However, it is compulsory for them to submit a financial report to the commission. The legislation outlines the broad purposes that a contribution must meet to be approved by the commission as a community contribution. In addition, guidelines in Gaming Machine Regulation 2004 provide further assistance to the commission and to licensees as to what types of expenditure would be approved as a community contribution.

Gaming machine licensees can make community contributions to the following categories: charitable and social welfare, sport and recreation, non-profit activities and community infrastructure. In order to encourage contributions to women's sport and for assistance with problem gambling issues, the legislation provides an incentive for licensees by allowing them to claim \$4 for every \$3 actually contributed.

The commission's report provides information on three main aspects: the extent to which licensees use their revenue to make community contributions, the level of contributions in each reporting category and legislative compliance by gaming machine licensees.

The commission's report outlines the total value of community contributions from clubs in 2009-10, and this amount was \$13.6 million. This was a slight decrease of 0.7 per cent from the level of contributions made in 2008-09. In the 2009-10 financial year, the club industry had net gaming machine revenue totalling \$97.6 million, which was a decrease of one per cent on the previous financial year. Community contributions, as a proportion of net gaming machine revenue, were 13.9 per cent in 2009-10, which was marginally higher than the amount experienced in 2008-09 and, again, well above the seven per cent minimum contribution level required.

As in previous years, the level of contributions to the sport and recreation categories consistently and significantly outweighs the level of contributions to the other categories. In 2009-10, sport and recreation received in excess of \$9 million, or over 66 per cent of all contributions. The commission's report shows that the adjusted

contributions to women's sport were \$435,763, or just over 3.2 per cent of total contributions. Even though this is a small percentage in relation to other categories, it is pleasing to note that the level of contributions to women's sport has once again increased, this time by over 99 per cent when compared to the previous financial year.

The figures in the commission's report indicate that contributions to community infrastructure increased by 280 per cent on the previous year to \$851,755, due to significant upgrades to the football and golf course facilities by a particular club group.

Furthermore, the commission's report shows that charitable and social welfare contributions declined by 25 per cent to \$841,864 in 2009-10 after the increase experienced in the previous year when significant contributions were made to the appeals for the Victorian bushfires and the Queensland flooding disasters.

In relation to the other categories for the 2009-10 financial year, the following contributions were made: non-profit activities, \$2.1 million, or 15 per cent of total contributions—this was a slight decrease of 0.8 of one per cent on the previous financial year—and problem gambling, \$343,871, or 2.5 per cent of total contributions, which represented a decrease of 15.3 per cent on the previous year.

Whilst it appears that the level of contributions to problem gambling has decreased in comparison to 2008-09, the commission's report indicates that some payments scheduled to be made by some club licensees to an ongoing problem gambling assistance program during the 2009-10 financial year were not called upon until the following financial year.

Whilst there is no minimum level requirement for community contributions from hotel and tavern gaming machine licensees, six of the 11 gaming machine licensees made community contributions in the 2009-10 financial year. These licensees contributed a total of \$41,164, which is a 33 per cent decrease compared to the last financial year.

Historically, hotels and taverns tend to contribute to only a few of the permissible categories. For the 2009-10 financial year, the sport and recreation category received 75 per cent of all the contributions made by hotels and taverns, with the remaining 25 per cent going to charitable and social welfare organisations.

The commission's report contains comprehensive data on gaming machine activity in the ACT. I table, for the information of members, the 2009-10 report on community contributions by gaming machine licensees as prepared by the ACT Gambling and Racing Commission. I move:

That the report be noted.

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

Papers

Mr Corbell presented the following papers:

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Education Act—Education (School Boards of Schools in Special Circumstances) Birrigai Outdoor School Determination 2010—Disallowable Instrument DI2010 284 (LR, 4 November 2010).

Exhibition Park Corporation Act and Financial Management Act—

Exhibition Park Corporation (Governing Board) Appointment 2010 (No 3)—Disallowable Instrument DI2010-287 (LR, 11 November 2010).

Exhibition Park Corporation (Governing Board) Appointment 2010 (No 4)—Disallowable Instrument DI2010-288 (LR, 11 November 2010).

Radiation Protection Act—Radiation Protection (Fees) Determination 2010 (No 1)—Disallowable Instrument DI2010-283 (LR, 4 November 2010).

Road Transport (General) Act—Road Transport (General) Application of Road Transport Legislation Declaration 2010 (No 9)—Disallowable Instrument DI2010 286 (LR, 8 November 2010).

Road Transport (Safety and Traffic Management) Regulation—Road Transport (Safety and Traffic Management) Parking Authority Declaration 2010 (No 4)—Disallowable Instrument DI2010-289 (LR, 11 November 2010).

Smoking (Prohibition in Enclosed Public Places) Act—Smoking (Prohibition in Enclosed Public Places) Amendment Regulation 2010 (No 1)—Subordinate Law SL2010-44 (LR, 10 November 2010).

Women

Discussion of matter of public importance

MADAM ASSISTANT SPEAKER (Mrs Dunne): Mr Speaker has received letters from Ms Bresnan, Mr Doszpot, Mrs Dunne, Mr Hanson, Mr Hargreaves, Ms Hunter, Ms Le Couteur, Ms Porter, Mr Seselja and Mr Smyth proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, Mr Speaker has determined that the matter proposed by Ms Porter be submitted to the Assembly, namely:

The importance of supporting and valuing women in the ACT community.

MS PORTER (Ginninderra) (3.22): I am pleased to have the opportunity to speak today about the importance of supporting and valuing women in the ACT community. Supporting women and girls in our community can take many forms because they need different types of support at different stages of their lives.

Earlier this year, the Children and Young People Commissioner in the ACT Human Rights Commission visited a number of schools, childcare centres and youth centres across Canberra to ask, “Why are girls important?” The girls were asked to communicate their responses through the creation of cloth banners that were then displayed at the International Women’s Day awards. Over 500 children and young people participated in the project.

I have been given copies of examples of what key messages have been conveyed on those banners. Clear messages from the banners show that girls and young women, even at an early age, define themselves in terms of their relationships as well as their physical appearance and feel that they are unique, independent and powerful and that they can achieve whatever they want in life. What a wonderful feeling to have. I am sure that these young people acknowledge that they will need to meet a range of challenges in order to achieve their life goals, whatever they may be.

But this feeling of potential is something that one must work to retain throughout one's life. The ACT government offers support to meet these challenges through a range of policies and programs as well as through ongoing research to better understand the needs and wants of women and girls in our community.

I would like to speak about some excellent work that the ACT Office for Women does through its various grants programs to support a diverse range of women in our community, women of all ages and backgrounds and from all walks of life. Indeed, just this year I produced a grants directory so that all people in our community are aware of the grants available to them. This is an important function of government and demonstrates that community and private organisations do much to support community members to achieve their goals.

In particular, I would like to draw your attention to the range of innovative grants and programs that the Office for Women offers and how they are helping women empower themselves to establish businesses, further their education and pursue their dreams. Some of these grants and scholarships aim to promote inclusion and tackle disadvantage. And I am pleased to say that in the past year they have helped dozens of women in the ACT.

One such program is the return to work grants program. We know that women on low incomes face many obstacles when trying to re-enter the paid workforce. Accessing affordable childcare, flexible working hours and meeting the costs of education and training are just a few of the barriers. For some, dealing with issues about self-esteem can also be hard to overcome. The return to work grants recognise the extra support some women may need as they transition back into the paid workforce and assist women from all walks of life.

One woman, a mother of four children, who is making a new life for her family in Canberra after fleeing the conflict in the Sudan, found it difficult to put food on the table while meeting the costs of studying for a bachelor of nursing. The \$1,000 grant gave her financial relief and comfort as it enabled her to buy textbooks and pay course fees, without eating into the family food budget.

Another, who is the mother of three-year-old twins, used the grant to participate in the MYOB computing course. This allowed her to establish her own work safety consulting business and provided the flexible working hours she needed to take care of her children.

We know the value of having women in the paid workforce. We also know the positive effect that returning to the paid workforce has for mothers and the

empowering effect that it can have but also how difficult it can be to re-enter the paid workforce after several years out of it. By providing that important financial support to overcome the initial hurdle, the return to work grants are supporting women to either continue where they had left off or to make a new start and a new career.

Not all of the Office for Women's grants programs target individuals. The women's grants program assists community organisations to provide activities that focus on enhancing the status of women and strengthening their capacity to provide women's services. The grants have supported women from diverse backgrounds to access a number of projects, such as empowering young Aboriginal and Torres Strait Islander women to develop leadership skills.

The grants also enable women from Canberra's southern Sudanese community to celebrate their cultural heritage through dance and song. Some of the recipients to share the \$100,000 available in the 2009-10 program include YMCA of Canberra which received a grant of \$15,000 to empower Aboriginal and Torres Strait Islander young women to develop leadership skills, which I just mentioned. Inanna Inc received \$9,000 to provide opportunity for disadvantaged women to gain their first aid certificate and undertake nutritional education and training through a strengths-based participatory approach. And, as I mentioned before, Companion House received \$3,000 to support women from Canberra's southern Sudanese community to express their cultural heritage through dance, song and the preparation of traditional food for community celebration.

One of the Office for Women's newer grants programs is the Audrey Fagan scholarship program. The 2007-08 budget initiative honours Audrey Fagan, the first female chief of police in the ACT. The three scholarships in this program recognise Ms Fagan's contribution to women in public life and seek to encourage Canberra women to follow in her footsteps into positions of leadership and community service. \$250,000 was allocated over four years to provide Canberra women with opportunities to further their study and professional development in leadership positions in law enforcement, care and protection or professional support services for women who are victims of violence. The program also seeks to inspire women to make a difference in the community and encourages the retention of skills.

The program has three components. Firstly, there is the ACT government Audrey Fagan Churchill fellowship. Three fellowships have been awarded to date. Secondly, there is the Audrey Fagan postgraduate scholarship. Again, three scholarships have been awarded to date. Thirdly, there are the Audrey Fagan young women's enrichment grants. Pleasingly, 13 grants have been awarded to date. The young women's enrichment grants for 2010 have gone towards helping a number of young women pursue their dreams.

One recipient in particular has begun her journey as a pilot and aims to continue her studies in mathematics in order to achieve her ultimate goal, which is to become a pilot in the Australian Air Force. Another recipient is a young photographer who hopes to become a member of PhotoAccess at the Manuka Arts Centre which presents exhibitions, provides courses and publications and special projects and offers learning opportunities in digital photography. Other successful applicants for 2010 include

a ballerina who is undertaking a two-year full-time ballet program in Sydney and hopes to join the Royal Academy of Dance, and a violin maker who wants to improve her skills and learn more about the trade.

The ACT women's directors scholarships also seek to help women achieve positions of leadership. These scholarships were introduced in 2005 as part of the ACT government's commitment to achieving equal representation of women in decision-making roles. Twenty scholarships have been provided to date. Recipients of the directors scholarships attend training delivered by the Australian Institute of Company Directors to develop their knowledge, skills and abilities to work in high-level positions and hone their leadership skills. ACT government funding of more than \$11,000 is provided for these scholarships in each year.

Finally, I would like to give a brief outline of the newest grants program run by the Office for Women, the micro credit program, which was launched by the Minister for Women in March 2010. It enables women entrepreneurs to establish and/or develop their businesses by providing interest-free loans of up to \$3,000 to women on low incomes. It is assisting the growth of a diverse range of businesses for women on low incomes, providing them an opportunity to take their idea that one step further. To date, women have applied for loans for a number of innovative business ideas—a lingerie business which is tailor-making garments for women with special needs, foreign language training for pre and primary school children, workshops that teach women techniques in applying make-up, a girls clothing designer and the creator of a specialised fabric.

The program is managed by the Lighthouse Business Innovation Centre. The centre provides free workshops and seminars and assists women to develop their business ideas into a plan. As at 30 September 2010 the full annual allocation of 10 loans has been approved since the program was launched on 12 March 2010.

Through these grants programs, the ACT government is demonstrating the value it places on supporting women to further their education, pursue their dreams and return to the paid workforce. Gone are the days when policy making revolved around the premise that a woman's career ended when she got married and had children or, indeed, that this was the only measure of her achievement. Today we recognise the valuable contribution that women make in all aspects of life—in the workforce, in academia and, of course, in community service. To this end, the ACT Office for Women is making a valuable contribution in supporting women in our community to achieve these goals.

Just as an aside, I was pleased to hear the minister for sport, when presenting his paper just a few minutes ago, mention the contribution to women's sport which is being made by the club industry.

I commend all of the women and girls who through their hard work and initiative make a huge difference to their own lives and to others in the community. The ACT government is proud to be able to work with women and girls to help them make that difference and to do all it can to support and value women in the ACT.

MRS DUNNE (Ginninderra) (3.34): I thank Ms Porter for bringing forward this matter of public importance. I suppose, in a way, it bookends nicely with the last matter of public importance that we debated in this place, which was in relation to men's health. I am pleased to be able to speak on both those matters. It shows how multiskilled I am.

As Ms Porter has said, it is axiomatic that women play a very important role in the ACT community. I appreciate the importance of supporting and valuing women as we do through this matter of public importance today.

It comes as no surprise to us that the women in the ACT make up slightly more than half the population—50.3 per cent of the ACT population—and make a considerable contribution to our community and to our ever-growing economy. In the last 25 years, there has been a remarkable shift in the economic circumstances of most women in the community. As a mother of five amazing young people myself, I understand the cycle of life and that at many times for women there are many pressures involved in managing a family along with a career and maintaining a healthy, sustainable work-life balance.

On the subject of work-life balance, I would like to pay particular tribute to the work of Women's Forum Australia, an organisation that I have been involved with for some time. Women's Forum Australia is an organisation that seeks to promote initiatives that support women's freedoms. The organisation has undertaken extensive research to investigate "the conflict between women's work and life goals, impacts of conflict, and solutions for achieving better work life balance".

The extensive research spearheaded by Canberra 2008 Telstra business woman of the year, Lynne Pezzullo, of Access Economics, included a focus group, a literature review and a web-based survey with over 950 respondents. The survey revealed that women are juggling more with various roles such as mothering and paid work. It found that women spend 78 hours per week in paid and unpaid work compared to 73 hours for men. This is an improved ratio over previous surveys. The survey also revealed the following:

Women experience more emotional impact from work life conflict—over half feeling rushed, pressured and exhausted, and have a higher frequency of conflict than men—nearly half reported conflict a lot, almost always or constantly, compared with around one third of men. Moreover, the issue of work life conflict has increased more for women and is expected to continue to increase more in future.

Other notable outcomes of the survey revealed impacts of work-life conflict:

The major casualty of conflict for women is self-care, with over half of Survey respondents reducing personal care, exercise or leisure, although this increases health risks ...

47% had curtailed family desires due to other commitments; 16% delay having children and 18% do not have children, despite the desire to have them, sometimes as a consequence of not having time for relationships ...

Around half forgo opportunities in the paid workforce; 45% of women reduce work (and income) or delay career. Respondents emphasised the lack of choice (particularly for single mothers) and the need to work for financial reasons and to cover the cost of living in the new millennium ...

For 35%, study is sacrificed and for 32%, their voluntary work.

That is, their voluntary work has been given up. The survey says:

A number of women recommended having children earlier in life.

It also says:

Substantial proportions of respondents had experienced workplace discrimination, the inability to access flexible work arrangements, long waits or no access to childcare, and the necessity to provide informal care due to there being no other options.

There is an interesting statistic here, Mr Assistant Speaker, when we talk about childcare and the number of children in long day care. A fact which was highlighted in this survey on work-life balance by Women's Forum Australia is that, roughly speaking, for every child in formal long day care there is another child in an informal arrangement with a relative or friend. That has big policy implications for us, especially when we are talking about the quality childcare agenda and the impacts that this may have, in that we may be, in fact, providing services to only half the childcare population.

The survey revealed that women earned \$33.60 per hour compared to men, who earned \$36.30 per hour. That is an eight per cent gap. This is despite the fact that women are more highly educated than they have been in the past, and there have been increases in women's participation in professional careers and a range of policy initiatives to help further women's participation in professional careers.

Some of the solutions mentioned in the survey were "taking regular time out for exercise/leisure", finding "more flexible work practices", "organisational culture and management support" and "carer leave and collocated care centres". This is an interesting point. It is not just finding co-located childcare centres but, since women also represent 71 per cent of primary carers for disabled and frail aged people, finding more accessible places for people who are working and have caring responsibilities. Other solutions that were flagged were the possibility of tax deductibility for childcare and "decentralising workplaces so that they are closer to residential areas".

As the shadow minister for women, I am pleased to be involved in an organisation that has been working hard to address these types of issues—in this case, mainly by bringing them to people's attention and putting all this information together in one place when previously it has been dispersed. Women's Forum Australia has received many accolades for its work on work-life balance.

I also want to compliment Women's Forum Australia—as I think I have done in this place on previous occasions—for their outstanding work in relation to body image

and the sexualisation of young women and girls, particularly their material marketed under the banner of “Faking it”, which now extends to quite extensive curriculum teaching resources for use in schools. This is a fabulous piece of work which I have bandied around this chamber on at least one other occasion. I compliment Women’s Forum Australia for taking up the fight in this particular area and taking a particular stance in valuing and supporting women in the community by highlighting the issues of the sexualisation of women and girls.

Looking across the ACT community, I am also proud to support the work of the ACT Women’s Legal Centre. The centre provides free legal information and advice to ACT women. It runs community legal education sessions and provides women with information about their rights, the law and the legal system. It is conducting ongoing research advocating for law reform to help remove barriers to women’s access to justice. This particular organisation is essential for the ACT community, and its work is important in supporting and valuing women in the ACT.

I am mindful of the difficult circumstances in which the Women’s Legal Centre now operates, with fairly difficult accommodation which is overcrowded and less than ideal. Since I first visited the Women’s Legal Centre, when even their sink did not work and they had to bail out their wash-up sink by hand, I know that some work has been done to improve their circumstances, but for the community legal centres that work with the ACT Women’s Legal Centre and are co-located, the circumstances of their accommodation are substandard. I encourage the government to work with community legal centres in providing them with better opportunities for accommodation.

Across the ACT, there are a range of programs that reach out to women in need. Ms Porter discussed many of those and I am sure that other members will address them. I would like to highlight a couple of programs that are of particular importance.

Firstly, there is the work of the extraordinary CCCares program for mothers and babies, which has moved from very modest beginnings to become nation leading and possibly world leading in encouraging young parents, particularly young mothers, to stay in contact with education, to complete their schooling; giving young parents, and particularly young mothers, opportunities for better and wider careers. It has been the tendency in the past that, if young people at school find themselves about to become parents or if they have become parents, they become quite removed from schooling. It can be a one-way street into poverty, because the young people do not finish their schooling. Through the work of CCCares, we are starting to see more and more young people who are opting to be parents able to finish their schooling.

This has been an outstanding success. I have seen it grow. I remember my first visit to CCCares, probably in about 2003. I have seen its substantial growth and expansion and its improved facilities. When I first visited, its facilities were pretty meagre indeed. I was proud to be able to make representations on behalf of CCCares, and over time its facilities have improved remarkably.

I am also proud, as members would know, to be one of the patrons of Karinya House home for mothers and babies, a community-based organisation which services the

ACT and surrounding regions and provides support for women during and after their pregnancies—women who find themselves without support, without housing and without friendship during difficult pregnancies. The service provides opportunities for women to seek practical support and the skills needed for parenting and confidence. In the last financial year, it provided accommodation for 52 residents and provided case work and outreach for 307 women.

I understand that the ACT government, through the Office for Children, Youth and Family Support and other agencies, rely quite heavily on Karinya House to provide services to some of their clients who are particularly in need. I encourage the relationship between the minister's department and Karinya House and encourage the minister to be supportive of the work done by Karinya House.

I understand and respect the importance of supporting and valuing women in the ACT community. I acknowledge the demands and gaps women face in our community and I will continue to support ACT women in my capacity as the shadow minister for women. I recognise the importance of the work of such organisations as the ACT Women's Legal Centre, Karinya House, CCCares and the national organisation Australian Women's Forum. I will continue to support their work and take an interest in their achievements.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (3.47): It is undeniable that women play a very important role in our society. The equitable participation of women in the ACT community is a goal that the ACT Greens continue to work towards. Across the world there has been an ongoing movement to make women equal to men in the eyes of the law, and we know that there is still much work to be done to realise full equality.

The ACT Greens believe that women have the right to equal respect, responsibilities and rewards in society. Women have the right to equal access and participation in decision-making processes in all areas of political, social, intellectual and economic endeavour and women have the right to freedom from violence. In the ACT we have also seen the importance of women having the right to equal pay for work of equal value, and to have their unpaid caring responsibilities acknowledged and properly valued throughout their lifetime.

There has been an emerging agenda about achieving work-life balance for men and women in the 21st century. What we know for women is that they are often the primary carers of children or other relatives and working as well. This balancing act is becoming increasingly difficult for women to achieve.

Around five million working Australians have caring responsibilities. Of these, nearly two-thirds are female carers. The Australian Council of Trade Unions reports that more mothers are returning to work with younger children. In 1979, when maternity leave was introduced, very few mothers returned to work before their child was at school. Today 35 per cent of mothers have returned to work by the time their child is 12 months old and about half of mothers are back at work by the time the child is two years old.

Changes to the labour force and families, including increased dual-income and sole-parent families, mean that most children live in households where all the adults work. Parents of young children face extreme time pressure, particularly mothers of children under five years who are working full time. This can have a negative impact on family wellbeing, including the child's wellbeing.

Currently 35 per cent of mothers of children under 12 are employed casually and have no paid sick leave or carers leave. This is a growing area of need and provides fresh challenges for women who are trying to find a healthy work-life balance. Women are often faced with the challenges of choosing leave for holidays or leave for caring.

So how do we support women in these endeavours and, as a result, value the roles they work in? It is critical that we work towards flexible work practices which allow people to balance work and family life, including higher employment through an increase in workforce participation by mothers and carers, enhanced productivity through the retention of skilled workers after the birth of a child and greater gender equity through quality part-time work for parents rather than casual work.

Work to remove the social structures which disadvantage women must be achieved in order to fully support and value the role of women in our community. These social structures include the need to reduce gender pay inequity, greater career opportunities for women and increased access to quality part-time jobs.

We cannot engage in serious discussion of the importance of women in our community without highlighting the continuing disparity in pay between men and women in Australia. Women in Australia doing equivalent work get paid, on average, 18 per cent less than their male colleagues. This continuing gulf between men and women exists despite more than 30 years having passed since equal pay for equal work was enshrined in our federal workplace laws. Successive commonwealth governments, both Labor and coalition, have sat by as the struggle for economic equality has ground to a halt.

For those who would claim that this is simply a reasonable function of the market at work, I would say that this is a clear case of market failure. Female-dominated industries like early childhood education, nursing and the community sector face a huge demand for workers and a low supply, and yet these industries continue to be low paid compared to male-dominated sectors that do equivalent work.

In the ACT a recent report called *Motivation, money, making a difference: a profile of the ACT youth sector workforce*, prepared by the Youth Coalition of the ACT, confirms that the ACT youth sector, as one example, is a clearly feminised workforce, with over 70 per cent of respondents identifying as female.

I am proud to take the opportunity to credit the Australian Services Union—a union that I have been a member of for at least 25 years in various forms—the Australian Council of Trade Unions and the hundreds of thousands of union members and working Australians taking part in the pay up campaign seeking equal pay for workers in the community sector, a historically underpaid, female-dominated workforce that

contributes substantially to our communities on a day-to-day basis. As one of those workers working in the community sector here in the ACT for around 25 years, I know very clearly from my experience how workers are underpaid for such vital and valuable work. These are the workers who provide shelter to the homeless, who provide respite care to those with illness or disability and who support families to stay together. These are workers that give assistance for women who are pregnant and new mothers when help is not available from anyone else.

We need to commit fully to the basic principles of this campaign and support this campaign. It is unfortunate that the campaign is necessary, but even today the federal Labor government, under Julia Gillard, is unwilling to commit to these basic principles of equity that should underpin our workplaces. In a submission to Fair Work Australia, the Gillard government effectively stated that equality for women in the community sector is just too expensive to do right now.

And this is coming from a government that does not find it too expensive to subsidise diesel fuel for the coal industry, that does not find it too expensive to maintain phenomenally expensive offshore asylum seeker detention centres in violation of the principles of the refugee convention and that does not find it too expensive to maintain a multimillion dollar building and construction commission that is designed to strip workers of basic rights. It has to be asked how far down the commonwealth Labor government's list of priorities is equal pay for women.

In the submission to Fair Work, the government claimed that, if an order was given that granted equal pay, as a major funder of the sector the federal government would respond by cutting jobs and support for the sector. The ASU is correct in saying that this is an outrageous attempt to hold those workers to ransom for seeking fairness in pay. Responding to years of underpayment by threatening workers with the sack is not a tactic I would expect from the government.

The ACT Greens and our Australian Greens colleagues continue to stand proudly in support of the national campaign for equal pay for women, and we call upon the other parties here in the ACT Assembly to also support that campaign.

Another thing we need to take seriously is the United Nations Convention on the Elimination of All Forms of Discrimination against Women. Australia has committed to CEDAW, and we need to take action to ensure that we achieve equal representation of women and men in public life. We want women to be able to live their lives free from violence. To value women, we want equal pay for equal work, as I have said. And we want family-friendly workplaces and public spaces.

We also need to see that we have a role to play in the international context to make sure that women from other countries also will enjoy equality and opportunities that we take for granted. I was reminded of this just last week when a Greens colleague who is the president of the Papua New Guinea Greens party, Dorothy Tekwie, was in town.

Dorothy was talking to us about the state of play in the Papua New Guinean parliament, where there are 109 seats and only one is held by a woman. There is a bill

under which they are hoping to be able to have 22 extra seats added that would be for women. Unfortunately, that was due to be debated a few months ago, I understand, but the Speaker shut down the house before there was a chance for that to be debated and, hopefully, passed. There is still a positive feeling that it will get through. I certainly hope it does, because it is countries such as Papua New Guinea where we do need to ensure that women's rights are upheld. (*Time expired.*)

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) (3.57): I thank Ms Porter for highlighting how the government supports and values women here in the ACT. I thank Ms Hunter and you, Madam Assistant Speaker Dunne, for your contributions.

As Minister for Women, I have had the pleasure of working closely with the Office for Women and meeting the recipients of some of the grants. Let me say that this has been a very rewarding experience. It is amazing what a difference \$1,000 or \$2,000 or \$3,000 can make in a person's life, and I would like to commend the officials from the office behind these grants who work closely with the recipients to get the best outcomes for them.

I would like to speak about some of the other work that the government has done and is doing to further support women in our community. The ACT government has a vision for women and girls to realise their potential, to be recognised for their contribution and to share in the benefits of our community. The development of a second ACT women's plan attests to the government's commitment to value and invest in women and girls and to promote and safeguard their freedoms and rights to actively participate in all areas of ACT life.

The 2010-15 women's plan, which I launched in March of this year, continues the work of the previous plan and provides a framework to address the still significant inequalities between men and women in the ACT and between different groups of women. The women's plan is supported by principles aligned with human rights and linked to the Canberra plan, which promotes Canberra as an inclusive, creative and sustainable centre of economic growth and innovation. Together, these plans support women and girls to contribute and share in the economic, social and environmental aspects of Canberra life.

Earlier this year, I tabled in the Assembly the supplementary gender analysis of the Commissioner for Public Administration for the ACT public service workforce profile. This valuable piece of work will provide the foundation for further work around the pay equity gap in the ACT public service, and I commend the efforts of Ms Hunter in bringing this matter to the Assembly earlier in the year.

Key observations of the commissioner's report include the following. As at June 2009, the gender pay gap for the ACT public service workforce was 5.5 per cent. That means that, on average, for every dollar earned by a male employee in the ACT public service, females earned 94.5c. The national pay gap as measured by the ABS was 16.9 per cent in May of last year and 17.2 per cent in August. The ACT gender pay gap as measured by the ABS was 11 per cent in May and 11.4 per cent in August of last year.

Measures such as these will provide the government with opportunities to identify where the issues are and improve equity for all employees of the ACT public service. Gender equity was an issue discussed with women's ministers at the ministerial conference on the status of women, which I attended in September of this year.

It is worth emphasising the significantly narrower gap in the ACT public service when compared to the national pay gap of 17.2 per cent. I think it is testament to the efforts of the ACT government agencies to retain women in the workforce, promote them into senior roles and foster family-friendly work environments. To this end, a progressive maternity leave scheme which this government took to the 2008 election has now been in place for over a year, and it remains the most generous for the public service in the country.

At 18 weeks paid leave, the scheme provides financial support to ACT families and sends a positive message to women in the public service that they can take time off with their new children. In saying this, I add that the ACT government has also doubled bonding leave to two weeks in recognition that it is also important for fathers to spend quality time with their newborns without being financially disadvantaged.

On the prevention of violence against women, the most recent budget targeted a group of vulnerable women who receive support through a range of community services. In 2010-11, the budget provided \$2.8 million in new funding over four years to increase support for women who are victims of domestic violence or sexual assault. The funding will ensure that victims of family violence or sexual assault receive timely and appropriate specialist support and advocacy and that early intervention occurs in families where violence is escalating. This additional funding adds to the robust response to violence against women. The new services form part of the continuum of support from police intervention through to counselling, accommodation and court advocacy. The budget provides recurrent funding for an innovative early intervention program for young people using violence against family members.

The women's safety audits provide an opportunity for women to assess and comment on the actual or perceived safety of an event, space, building or neighbourhood. Following a recommendation from the ministerial advisory council for women, women's safety audits will be piloted at several ACT government events over the next 12 months. These audits will be a useful tool to support organisers to consider issues that might prevent women accessing the great number of events that this government puts on every year. The intention at this early stage is to develop a useful tool for event organisers to incorporate into their event evaluation processes, and there is strong potential to use the women's safety audit across a range of settings.

The ACT Office for Women has been providing secretariat support to the ACT Aboriginal and Torres Strait Islanders Women's Gathering since its inception in 2007. The gathering provides an opportunity for members to identify issues of interest to them. I attended the recent gathering in November of this year, and the discussion concentrated on developing a vision and future directions for the group. The members were keen to develop links with appropriate bodies, both locally and nationally, and two members of the gathering were recently appointed to the ACT Ministerial Advisory Council on Women.

March 2011 will mark the 100th anniversary of International Women's Day. International Women's Day is an opportunity for women to come together in unity and friendship, to celebrate achievements and to highlight current social, economic and political issues. The ACT government has a long history of recognising the vital, significant and often extraordinary contribution of women in our community through the presentation of women's awards around International Women's Day in March of each year. In the celebration of the 100th anniversary of International Women's Day, an honour roll of local women is being produced to highlight the contributions and achievements of recipients of these awards.

In closing, I thank Ms Porter for bringing this matter of public importance to the chamber and recognise the support that this government is giving to women in the community. Whilst we do a good job, I know there is always more to do, and I am happy to have those conversations with members here in the chamber and a number of community groups to do just that.

MR ASSISTANT SPEAKER (Mr Hargreaves): The discussion is concluded.

Justice and Community Safety Legislation Amendment Bill 2010 (No 4)

Debate resumed from 18 November 2010, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

Standing and temporary orders—suspension

MRS DUNNE (Ginninderra) (4.05): Mr Speaker, I move:

That so much of the standing and temporary orders be suspended as would prevent debate on reasons why the Justice and Community Safety Legislation Amendment Bill 2010 (No 4) should be adjourned, being debated.

I know that this is unusual and that normally adjournments are put straightaway and forthwith, but this is an important issue which deserves some airing, and I think we should actually be able to discuss whether or not this matter should be adjourned.

What we are looking at today in debate on the Justice and Community Safety Legislation Amendment Bill—and other bills that will come after, both today and on Thursday—is the government racing to push bills through at the last minute so that there is not sufficient time for the Assembly to consult with the community on these bills and ensure that they are appropriately covered.

I have attempted to appeal to the better nature of the manager of government business. I put him on notice some time ago—I think on 19 November—that, given the short time between when these bills would be introduced and the next sitting, the opposition was not prepared to debate these bills except in exceptional circumstances. I have on a number of occasions in conversations and in meetings with the manager of government business reinforced that and put the point that members would decide on a case-by-case basis the appropriateness of whether or not these bills should be debated this week.

In relation to the Justice and Community Safety Legislation Amendment Bill, I have been given no advice—

Mr Corbell: On a point of order, Mr Assistant Speaker, the question before the chair is that standing orders be suspended. This is not a debate about the detail of the bill or what representations Mrs Dunne has made to me about the bill; it is about the suspension of standing orders. Given the highly unusual and irregular procedure that Mrs Dunne is seeking to adopt, I think it is very important that she constrain her comments to the question before the chair.

MR ASSISTANT SPEAKER (Mr Hargreaves): Mrs Dunne, I think you are starting to stray a little. Could I bring you back, please, to the question at hand.

MRS DUNNE: Happy to do so, but in addressing why we need to—

MR ASSISTANT SPEAKER: No, sorry, Mrs Dunne, there is no “happy to do so, but”. There is no “but”. It is a but-free city. Please bring yourself back to the question.

MRS DUNNE: I am happy to do so.

MR ASSISTANT SPEAKER: I am pleased to hear it.

MRS DUNNE: In addressing the question of why standing orders should be suspended on this occasion, it is important to note the lack of communication between the government and the opposition on these bills. The reason that we need to air and discuss why these bills should be adjourned is the lack of time that members in this place have to communicate with their electorates on these issues and ensure that, for the sake of our electors, we have appropriate legislation.

It is the case that the government is trying to force through a whole tranche of legislation at the last minute. We are doing this because the government has been lazy. The attorney, in particular, has been lazy and has left it until the last minute to do a whole range of things. For instance, I have been told that the reason that we need to pass the Justice and Community Safety Legislation Amendment Bill is that there are some pressing security industry reforms which relate to a COAG agreement. It is particularly important, I was told by the minister’s senior adviser, as the ACT is delayed in implementing the reforms in comparison to other jurisdictions. Goodness gracious me, Mr Corbell is embarrassed.

It is interesting that when I sought advice on these security industry reforms from both the department and the Office of Regulatory Services, I was told essentially that these were not pressing, that these were the reinforcement of existing provisions for the most part. I still cannot see why these matters need to be brought forward in such a short form. It is only 2½ weeks since these matters were introduced into the Assembly.

The minister has been quite cavalier in his approach. He said to me in the government business meeting that essentially his job was to get nine votes on the floor of the Assembly, and if he could get nine votes on the floor of the Assembly nothing else

mattered. But there was to be no consultation. If the Assembly wanted consultation on this, it did not matter, because what mattered to Mr Corbell was getting nine votes on the floor of the Assembly.

What we have here today is a challenge for members of the Legislative Assembly. Do they want appropriate scrutiny? We should suspend standing orders to discuss why this matter should be suspended and adjourned until a later time. (*Time expired.*)

MR RATTENBURY (Molonglo) (4.12): I find myself rising not entirely clear—perhaps it is because I came in slightly late—as to why we are suspending standing orders. I am not sure if it is because Mrs Dunne wants to adjourn all of these bills in one go or if there is some other reason.

Mrs Dunne: So we can have a discussion about the adjournment.

MR RATTENBURY: Right.

Mr Corbell: She wants to speak—

MR ASSISTANT SPEAKER (Mr Hargreaves): Excuse me, members, this is not a conversation across the floor.

MR RATTENBURY: Sorry; I started that somewhat, Mr Assistant Speaker.

MR ASSISTANT SPEAKER: Minister and Mrs Dunne, if you want to have a discussion in the amicable way for which you are renowned, please do so outside. Mr Rattenbury.

MR RATTENBURY: In light of that slight confusion on my part, I will flag the approach the Greens intend to take to the full discussion this week around whether we should be suspending standing orders and to what end we might be doing so.

We do not intend to take a blanket approach to whether these bills should be debated or deferred. Each of them is somewhat different in its nature. Some of them are rather simple; some of them are rather more complex. We intend to address each bill on its relative merits as to whether it should be debated or not.

We are concerned by some of the timing issues. It certainly seems that a number of these bills have come in at the last possible moment, which seems rather unnecessary. For example, the consumer law bill that we will be dealing with on Thursday is a COAG arrangement. The agreement has been in place for quite some time; many jurisdictions have been legislating on that matter since earlier this year. The fact that in the ACT legislation was introduced at the last possible moment and will now be debated at the last possible moment before a necessary 1 January start seems to be an unfortunate and unnecessary jamming of that bill into the end of the sitting year, particularly given that other jurisdictions have been organised at a faster pace.

The situation resulted in the rather dramatic and breathless article in today's paper about the potential loss of millions for the ACT. The suggestion is that, if we do not

pass all these bills this week, we will somehow forgo revenue from the commonwealth. We simply should not be in this situation. I think the government could do a better job in managing its business so that we do not come to the final sitting week of the year in this position, particularly when we have had other weeks when we have finished early. To find ourselves in this situation is unfortunate, and that is why we will be taking each of these bills on their merits, and looking at the complexity of the bills, the level of controversy in the legislation and the consequences of not passing a particular bill.

I just want to flag that general approach. At this stage, I do not think we will be suspending standing orders, in the sense that I think we can deal with each bill as it comes up.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (4.15): This is a very clever artifice on the part of Mrs Dunne to enable her to speak on a bill when she is not ready to speak on the bill. The standing orders in this place are quite clear. If you are ready to debate a bill then you stand up and debate the bill when it is called on. If you are not ready to debate a bill then you seek to adjourn debate on the bill.

What Mrs Dunne wants to do is to have her say about what she is unhappy about with this bill but then not debate it. It is an artifice. It is a very clever construct—I will give her that—but it does not accord with the forms of this place. Nor is it in the spirit of the standing orders in this place, which is that if you want to debate a bill you make sure you are organised to debate the bill. You do not try and have it both ways, which is what Mrs Dunne is doing. So the government will not be supporting the suspension of the standing orders.

That said, Mr Assistant Speaker, I make a very brief observation, cognisant of the question before the chair, and that is that the standing orders in this place require that bills not be introduced and debated in the same sitting. That is what the standing orders require. Obviously, members should at all times seek to anticipate what matters will be coming forward and prepare themselves accordingly. To that end, the government provides advance notice of those bills that it wishes to debate in the forthcoming sitting period through a meeting that I regularly convene ahead of the sitting week in question.

The government has given notice that these bills are intended to be brought on for debate. There is a range of reasons for doing so. I think it is difficult for the opposition to claim that having had three weeks to seek a briefing on these bills and to understand their implications and be ready to debate to them is in some way insufficient. We are talking about nearly a month since the bill has been introduced.

These two bills are not complex. They are not large bills. In fact, they are very small bills. The JACS bill itself is effectively non-contentious in its nature. The firearms bill makes one change. There are only two clauses in the Firearms Amendment Bill. These are not complex bills. They are straightforward bills. If the opposition cannot be bothered to prepare in order to debate these bills they should not be frustrating the rest of the Assembly in dealing with this business.

MRS DUNNE (Ginninderra) (4.19): It is important that we suspend the standing orders so we can have a proper debate about why these matters should be adjourned because of the nature of the approach the government has taken. Mr Corbell, with his usual propensity to want to spin things, makes slightly over two weeks almost a month. We have crossed the halfway point.

MR ASSISTANT SPEAKER (Mr Hargreaves): Mrs Dunne, you are straying into the substance of the debate.

MRS DUNNE: I am responding, Mr Assistant Speaker, to the comments made by the attorney about why the matter should not be adjourned. I am closing the debate and responding to those matters. Mr Corbell is trying to give the impression that there has been plenty of time and that these are not complex bills. But there are more people involved in making a decision about whether or not a bill gets passage in this place than just members of this place. Our responsibility as members of this place is to ensure that we represent members of the community and that the community are aware that there is legislation before this place and they have an opportunity to have a say on it.

Most organisations that we deal with are often voluntary organisations or they do not meet regularly. They can only put forward their views after their body has considered the matter and come back with a view. That does not usually happen overnight. Occasionally it happens overnight—occasionally it happens in a short period of time—but for volunteer organisations especially it does not happen like that. They might meet once a month.

It has been the convention, until the standing orders changed in this place at the beginning of this Assembly, that there was a clear month for consultation. That was the case when Mr Humphries was the manager of government business. It was the case when I first started attending government business meetings in this place. Ms Tucker and Dr Foskey were very keen to ensure that there was a clear month so as to allow time for consultation with the community.

It is up to members, on a case-by-case basis, as Mr Rattenbury has said, to make a decision on whether we should go ahead with debate on the two bills listed this afternoon and the ones listed for Thursday. But I am flagging that the opposition is unhappy at the rushed nature of the passage of this legislation. It is clear that Mr Rattenbury has concerns too about the management of government business in this place. We are putting it on the record that the manager of government business needs to get better at managing government business and ensuring that there is time for proper consultation with the community about the passage of these pieces of legislation.

It is not about us; it is about us talking to the community and ensuring that the community understands and is in support of the legislation. If there are problems with the legislation, it is incumbent upon us to bring forward the community's concerns and represent the community's concerns. That is why I am moving the suspension of standing orders.

Question put:

That standing and temporary orders be suspended.

The Assembly voted—

Ayes 5

Noes 10

Mr Coe

Mr Doszpot

Mrs Dunne

Mr Hanson

Mr Smyth

Mr Barr

Ms Bresnan

Ms Burch

Mr Corbell

Ms Gallagher

Mr Hargreaves

Ms Hunter

Ms Le Couteur

Ms Porter

Mr Rattenbury

Question so resolved in the negative.

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

That debate be adjourned.

MRS DUNNE (Ginninderra) (4.27): The opposition will support this bill, which is one in a series of omnibus legislation to amend laws administered by the Department of Justice and Community Safety. In doing so, however, I want to draw particular attention to the amendments to the Security Industry Act. Once again, we see an attempt by a recalcitrant Attorney-General to sneak substantive policy change amendments through in omnibus legislation.

The amendments are part of a suite of changes that are being made under a COAG agreement to create a national seamless economy. In itself, this is a good thing because it means that business and employees can operate under a common set of rules across the nation. This creates business efficiency and allows business to focus on its business rather than on red tape. For this ACT government there is an incentive, but it carries a catch. The incentive to adopt the national approach is money—millions, in fact. The catch is that something has to be done in relation to the new laws—to have laws in place by 31 December for operation on 1 January next year.

So, Mr Assistant Speaker, you would think that any efficient Attorney-General and any efficient government would get their act together with plenty of time to spare to ensure the legislation gets across the line in time. But, no, not with this lazy Attorney-General and not with this lazy ACT Labor government. All through this year we have had week after week of early adjournments because this government had insufficient business to fill the Assembly's programs on sitting days. And then we get to the end of the year and there is a flurry of activity—a rush of new legislation and a rush of activity because, all of a sudden, this lazy government suddenly realises that it has the potential to miss out on millions of dollars if it does not get its act together.

The process goes like this: the Attorney-General sits down and thinks, "How can we sneak this through without drawing too much attention to it?" First, he buries it in

omnibus legislation, in which he is well practised. He has done this a number of times. Indeed, he tried it for this very same act—the Security Industry Act—this time last year. Then he tries to lull us into a false sense of purpose by calling it minor and non-controversial and not a matter of policy. Quite simply, Mr Assistant Speaker, this is false. These amendments do go to matters of policy—quite major policy reforms which are part of a national agenda.

Finally, because this Attorney-General and his government are so lazy, they introduce these amendments at the last minute, leaving little time for others in this place to consider the legislation and to consult with the community on it. Then this Attorney-General has the temerity to suggest that it is the opposition that is lazy and not himself or his government.

I ask you, Mr Assistant Speaker: how long has the Attorney-General known about these amendments? I will tell you. He has known since July 2008—fully 2½ years—that amendments need to be made to the security industry in accordance with agreements signed by COAG. How long has he had to have them drafted? How long has he had to consult on them and how many times has he discussed this major policy change that has been before us and COAG since 2008?

Then he gives other members in this place, representing the people of Canberra, less than three weeks to consider legislation that is of major importance nationally and, when taken together with what is yet to come, represents a significant policy shift for the ACT, its business community and the country at large. The Attorney-General's laziness is plainly disgraceful. This Attorney-General is a disgrace. He will, as usual, avert his eyes, shake his head and stare at the desk. His shame is profound, and deservedly so.

But let me turn to the amendments themselves. There are three amendments to the Security Industry Act 2002, all of which are part of the national reform agenda, as I have said, agreed to at COAG in July 2008. Firstly, the amendments expand the range of activities that fall under the category of security activities and, therefore, become licence subclasses. These activities apply to guards with firearms for cash in transit or for protecting property, noting that the guards must also hold a firearms licence; employees who act as monitoring centre operators; and guards with dogs.

Secondly, a transitional provision allows the holders of employee licences who have been doing the work of the new licence subclasses to apply for suitable endorsement of their licence within two years of the commencement of the new subclasses. Their experience will count as the equivalent of satisfactory completion of a training course for the subclasses.

Finally, the amendments to the Security Industry Act create a new class of licence, called a temporary visitor licence, which can be in “master” or “employee” form. These temporary licences can be used when interstate licensed persons undertake work in the ACT for special events, such as sporting or entertainment events.

A consequential amendment to the Security Industry Regulation 2003 is made to prescribe the training courses appropriate to the new subclasses of licence. The

remaining amendments brought in this omnibus legislation are, in fact, of a minor, non-consequential nature that do not change overall policy but do introduce efficiencies.

An amendment to the Crimes Act inserts into the offence provisions of the act the definition of anabolic steroids currently standing in the Medicines, Poisons and Therapeutic Goods Regulation 2008 as a transitional provision, thus making it permanent.

The amendment to the Guardianship and Management of Property Act is part of a national approach to narrow the offence liabilities of officers of a corporation that commits an offence. Currently the liability extends to offences of the corporation against the act as a whole. This amendment would limit the liability to offences relating to ACAT injunctions to restrain dealings.

The Human Rights Commission Act 2005 is amended to allow the commission to deal with complaints made orally if the commission is satisfied as to exceptional circumstances. Under another amendment, the commissioner has more flexibility in dealing with complaints that are unlikely to succeed in conciliation. Currently, the commissioner must close the complaint and the parties can only resolve it in the ACAT. This amendment will enable the commissioner to deal with it by other means—for example, referring it to another entity or investigate it in the commission and issue a report.

Amendments to the Land Titles Act 1925 and the Unit Titles Act 2001 allow an owners corporation to step into the shoes of the unit owner in certain circumstances when there is a lease renewal.

The Legal Profession Act 2006 is amended to clarify that the licensing body—the ACT Law Society—must impose conditions on a barrister’s practising certificate if the bar council agrees to or recommends such a condition. An amendment to the Personal Property and Security Act 2010 repeals provisions in the Cooperatives Act relating to the register of cooperative charges because that register is now maintained by the commonwealth under previous changes in this Assembly.

The Public Trustee Act 1985 is amended to allow the Public Trustee to keep a register of wills and enduring powers of attorney in a form that the Public Trustee considers appropriate, including electronically.

Finally, there is an amendment to the Unclaimed Money Act that repeals part 4, relating to unclaimed superannuation benefits, as this now is managed by the commonwealth.

In conclusion, I repeat that the laziness of the Attorney-General and the ACT Labor government is culpable in the passage of this bill. It is demonstrated by the lack of business in the Assembly this year and it is demonstrated by the apparent urgency of activity in the last weeks of this sitting when there are potentially millions of dollars at stake in COAG incentive payments. It is demonstrated by their sheer arrogance, treating other members of this Assembly and, worse, the business community and the

people of the ACT, with contempt. I wonder if that laziness, that arrogance and that contempt will ever abate.

MR RATTENBURY (Molonglo) (4.35): The Greens will be supporting this fourth and final JACS bill for 2010. The bill makes changes to 12 pieces of legislation related to the justice portfolio. Some of the changes add flexibility to what has proven over time to be an unnecessarily rigid process. The Human Rights Commission amendments are a good example of that. Some of the changes empower statutory bodies to go out and equip themselves with better technology to do their jobs better and more efficiently. A good example of this is the amendments to the Public Trustee Act which will allow the trustee to keep an electronic register of wills and powers of attorney.

Whether they are adding flexibility or better equipping government agencies to go about their job, the amendments all update and improve our laws. The majority of the changes are minor and technical, and I will not repeat what has already been set out in the explanatory statement and said by the attorney.

There is one particular amendment, however, that I think goes one step further and, while not introducing large-scale policy change, does make changes of substance which warrant discussion in the Assembly today. These are the amendments to the Security Industry Act that Mrs Dunne has already spoken about to some extent.

The amendments do two things. Firstly, they set up a cross-border recognition system for licensed security workers and, secondly, they restate exactly what activities are regulated by the Security Industry Act. The cross-border recognition amendments will set up a system whereby the ACT can recognise the licence of a security worker licensed in another jurisdiction, such as New South Wales.

Under the system, a security guard licensed in New South Wales will be able to apply for a temporary authorisation to work in the ACT for one-off events such as the Foreshore Music Festival. This will improve on the current situation where the workers are required to apply for a full ACT licence, even where their work only requires them to be in the ACT for one day.

I do doubt that there was a high rate of compliance with this seemingly unnecessary process. That is not to cast any judgements against the security industry. I simply think the requirement was overly onerous, given the need for police checks and the associated expense that accompanied a full licence application. The new system will require the worker to have a current licence in another jurisdiction. Given that all states and territories now have the same processes of police record checks, we are cutting down on duplication and increasing the prospects of incoming workers complying with the requirements.

The second set of amendments restates exactly what activities are regulated by the Security Industry Act. The revised list of activities will now include for the first time the reference to a security guard carrying a firearm. This is a departure from the current approach where there is no reference to the fact that security guards can carry a gun. On an initial or cursory reading, this set of amendments raised the question of

whether this could prove a pathway for an increase in the number of security guards carrying guns. I think members would agree that this would have constituted a large-scale policy shift inappropriate for a JACS bill. I am pleased, however, that, on closer inspection, and with assistance from the department and the attorney's office, we have been able to clarify that this is not, in fact, the case.

A security licence is required for a range of listed activities. An example of the current list of activities is:

... patrols, protects, watches or guards property (including cash in transit).

What the amendment will do is add two further categories of licensed activity. These are guards with a firearm for cash in transit and guards with a firearm for protecting property. What is important to note at this point is that it is actually the Firearms Act that authorises the use of all firearms, including by security guards. The amendments today will not allow a greater number of guards to carry guns. Should they require a gun, they will still need to apply to the Firearms Registry and satisfy all the grounds, such as being an eligible person, having a legitimate reason to carry a gun, passing the criminal history checks and having the appropriate knowledge and training.

What will be gained from being more exact about the list of regulated activities is the opportunity to set more specific training requirements. In the regulations there will be specific training requirements listed for a guard who carries a gun. Whereas currently the only prescribed training requirement is a certificate II in security operations, specific electives will be listed for guards who carry guns.

Required electives will include controlling security-risk situations using firearms and controlling people using empty-hand techniques or non-lethal techniques. The Greens believe this is a good outcome. Anyone who works with a firearm in a public place, obviously, should be as well trained as possible and these additional requirements will improve that level of training, we believe.

On that basis, we are satisfied that these changes to the Security Industry Act are straightforward and do not introduce large-scale policy change. As I have said previously, the remainder of the amendments are minor and non-controversial, and the Greens will be supporting them.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (4.41), in reply: I thank members for their support of the bill. It was not that hard, really, was it, once we got down to it? It was not that hard. It is not a complex bill and indeed, if it was that hard or if it was a controversial bill, I would imagine the opposition would have provided their opposition to this bill and would have voted against the bill. But, after the huff and bluster from Mrs Dunne, there is no opposition to the bill. The bill is straightforward and makes no major policy and, surprise, surprise, it is supported unanimously in this place.

I do have to of course draw the Assembly's attention to the fact that, despite the opposition being advised last Wednesday that the bill was due to come on for debate this week, they did not arrange a briefing for themselves until yesterday.

Mr Hanson: You are not misleading again, are you, Simon?

MR ASSISTANT SPEAKER (Mr Hargreaves): Stop the clock. Mr Hanson, I would ask you to withdraw that statement of yours, your question that the minister was misleading again. I suggest that you withdraw that, please.

Mr Hanson: I asked the question. “Are you misleading again?” was the question.

MR ASSISTANT SPEAKER: Mr Hanson, that is an imputation against the member and that is my ruling. I ask you to withdraw it. If you do not wish to, there are other actions.

Mr Hanson: I withdraw.

MR ASSISTANT SPEAKER: Thank you.

MR CORBELL: Thank you, Mr Assistant Speaker. Of course, they can give but they cannot receive.

Mr Hanson: Let us do the motion I wanted to do earlier then, Simon.

MR ASSISTANT SPEAKER: Mr Hanson, I am not in the mood for this. Minister, please—

Mr Hanson: Let us do the motion I wanted to do earlier.

MR ASSISTANT SPEAKER: Mr Hanson, you are warned. Minister, please do not bait them and do not put me in an invidious position.

MR CORBELL: Thank you, Mr Assistant Speaker. I will not do so but I will simply make the observation that of course they are quite happy to ladle invective upon me and my character during this debate but they are unwilling to receive some in return.

This bill is an important bill. It provides again for the government to improve the operations of the statute book, and support for this bill is support for good governance, national harmonisation and better-quality legislation. The bill does not introduce new policy. Instead, the bill improves the existing and ongoing operations of the government. It also helps the territory to keep pace with national reform projects, particularly in relation to the security industry.

We have heard the criticism, in terms of the timing and debate on this bill, that there has been insufficient time for consultation. What that fails to accept is that a reform process in relation to the security industry has involved widespread consultation with all of the actors and all of the participants in the national security industry. And that consultation has not occurred solely on the part of the ACT government. That consultation has occurred nationally across all jurisdictions, involving the commonwealth government and involving the national associations that represent the security and guarding industry in Australia.

They support these reforms. They are on the public record as supporting these reforms. This reform process has been a lengthy one that has involved extensive discussion with the industry and we are now at the final stages of delivery of the agreed reform processes that have occurred nationally.

Of course the other changes to the bill involve improvements to the way the territory's regulatory and government systems operate in relation to the Land Titles Act and the Unit Titles Act. Changes are being made to allow lease renewal to occur more easily. Again, this is not a contentious change, nor is it a complex one.

Finally, changes are being made to the Human Rights Act. The Human Rights Commission has identified, through its experience, that there are some improvements that could occur in relation to complaints handling to achieve more effective and timely outcomes for people who seek its help. The bill includes a series of commonsense reforms that will give the commission greater flexibility in its operations when it comes to handling complaints. Again, these are not contentious or complex matters.

Of course the fact that they are not contentious and complex matters is confirmed by the fact that all parties in the Assembly are supporting the bill today. I thank members for their support of the bill and I commend it to the Assembly.

MRS DUNNE (Ginninderra): Mr Assistant Speaker, I seek your leave to make an explanation under standing order 46 because I have been misrepresented.

MR ASSISTANT SPEAKER (Mr Hargreaves): Leave is granted.

MRS DUNNE: Thank you, Mr Assistant Speaker. In his comments Mr Corbell implied that we were so disinterested in this legislation that we did not even seek to get a briefing on this matter until this week. I want to put on the record that, when we left the government business meeting on Wednesday and found that this matter was coming forward, my staff rescheduled a briefing and brought it forward to Thursday, 2 December. It was held in conjunction with Mr Rattenbury and his staff.

We sought a second briefing because, quite frankly, the briefing provided by the officials at the time was scant and did not cover the issues that we wanted to raise. We sought a second briefing, which was provided to us yesterday. There were two briefings attended by me and my staff, on one occasion two staff members, along with Mr Rattenbury and his staff on two occasions. It is unfair and untrue to say that we did not seek a briefing until yesterday.

MR ASSISTANT SPEAKER: The question is—

Mrs Dunne: Get your story straight, Simon.

MR ASSISTANT SPEAKER: Mrs Dunne, please! You had your opportunity under the standing orders.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Firearms Amendment Bill 2010

Debate resumed from 18 November 2010, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

MRS DUNNE (Ginninderra) (4.48): The Liberal opposition will be supporting this bill, which will pave the way for the government to engage interstate professional shooters for the control of vertebrate pest animals in the ACT. To do this, the bill inserts a new section 140A to allow temporary recognition of interstate licences for professional shooters who hold a licence that corresponds to the category D licence in the ACT.

The category D licence covers a range of self-loading rifles and shotguns, including pump action shotguns. Authorisation would only be given to interstate shooters who are employed by or contracted to a government agency, usually TAMS, for the purpose of culling vertebrate pest animals. Such activities would normally be conducted from the air using a helicopter.

The registrar must refuse authorisation if not satisfied that the individual has a special need, and the special need cannot be met in another way, or the minister refuses to approve the authorisation in writing. Conditions can be attached to the authorisation as prescribed by regulation or as the minister considers in the public interest.

A period of authorisation is for a maximum of six months. In addition, the major driver for this bill, as Mr Corbell noted in his presentation speech, is the lack of skills in the ACT for this kind of work. This bill will enable the government to contract suitably licensed interstate shooters. I would hope, however, that, if this kind of work was to present a viable opportunity for existing or potentially suitably qualified ACT-based professional shooters, the government might give some priority to those shooters in future culling programs. In that regard, I note that section 65 of the principal act covers the issuing of category D firearms licences to ACT resident shooters. Thus, this bill merely augments the government's options for skills recruitment when these culling programs come forward.

I note the attorney's comments in the presentation speech that this bill will "achieve consistency with other jurisdictions". That this is so also warrants support. Cross-border consistency is important in matters such as this. I note that the advice that we have received from the minister's office is that this is not a time-critical issue. It is, however, quite simple, and, while the opposition supports this bill, it is inappropriate that it has been brought on so quickly. We would have liked the opportunity to consult more fully with rural lessees and some nature conservation groups in the ACT.

It is quite clear that this is filling a gap. It is, however, not clear to the members of the opposition when this gap in the law was identified and whether it was something that was recently brought forward. We have asked when the government became aware of this gap and why the bill is being brought on for debate so soon after being introduced, but we have not received an answer from either the minister who has responsibility for the Firearms Amendment Bill or the Minister for Territory and Municipal Services, TAMS being the principal users of the legislation. I put on record the fact that the opposition's questions—why this is urgent and, if it is urgent, why it has taken so long to get to the notice of the Assembly—have not been answered.

It is clear from the advice that we have received that there is no critical time date on this matter. The only reason the opposition are supporting the government's bill today is that it is a simple and straightforward piece of legislation and it is easily understood. We would have preferred the opportunity to have had more time for consultation with rural lessees on this matter.

MR RATTENBURY (Molonglo) (4.53): The Greens will be supporting this bill today. It seeks to amend the Firearms Act 1996, and the bill focuses on extending the capacity of the government to issue category D licences to people from outside the ACT, something that is currently prevented under the Firearms Act, under section 58. This is not dissimilar to the previous bill we debated, in that when we first looked at the bill it clearly caught our attention and we took a very careful look at it. That is particularly the case because of the nature of category D firearms. These are firearms that, of course, are very tightly restricted and are made up of weapons such as self-loading centre fire rifles, self-loading rim fire rifles, self-loading shotguns and pump-action shotguns. They are weapons where we obviously want to ensure that the restrictions around them are absolutely appropriate. Category D firearms licences are among the most highly regulated firearms licences in the territory, and appropriately so.

Specifically, the licence is to undertake vertebrate pest control, and the act outlines that the application must be one of the following: a professional contract shooter employed in controlling vertebrate pest animals on rural land; a person employed or authorised by a government agency prescribed by regulation that undertakes vertebrate pest control; or a primary producer, land owner, lessee or manager who is participating in an authorised campaign conducted by or on behalf of a government agency to eradicate animals that are affected by brucellosis or tuberculosis.

The specific bill seeks to allow category D licences to be issued to people from interstate. It has come about, as Mrs Dunne noted, because of the lack of suitably qualified people in the ACT to hold such a licence. To hold such a licence requires accreditation, something that is difficult to maintain in the ACT, because there is so little call for this category of licence and this particular set of skills. It would certainly be costly for the department to support somebody maintaining their accreditation and the skill set. The ACT has very little need for such licences to be issued, and yet if the need arose it is likely that a licence would be required quite quickly.

That brings us to the two reasons given for the use of semi-automatic weapons envisaged under this proposed amendment. The first of those is land management, and

this relates specifically to the control of feral species. Feral animals can and do cause quite some damage in our national parks in particular. Under special circumstances, when baiting and trapping processes fail, there can be a need to eradicate feral animals through shooting. Again, as Mrs Dunne noted, this tends to be aerial shooting from a helicopter, because of the inaccessible terrain and the spread-out nature of the species. Fortunately, it does not happen often, but it is occasionally the best last option.

The second reason for needing this capability is emergency disease management. Of course, this is something that we hope we do not see often, but should south-east Australia see the spread of diseases such as tuberculosis in livestock there is no doubt that the ACT would need to implement management plans in cooperation with New South Wales and that this would no doubt need to be done in a timely manner. While it is a somewhat distasteful notion, there is no doubt that the ACT would not want to be held up in this task by not having the capacity to employ suitably qualified people.

When it comes to the specifics of this bill, it sets a limit on the authorisation of six months. It ensures that the applicant must demonstrate a special need, and that cannot be fulfilled in any other way in order to get the licence. The bill also allows the authorisation to include conditions prescribed by regulation, and it gives the power to the minister to veto the authorisation. I would like to discuss the last two of these points in particular.

With regard to the setting of conditions, under the provisions of this bill, the applicant would have the opportunity to apply to hold two firearms for the purposes of carrying out specific tasks. It is my understanding that the national code for the safe destruction of animals sets out certain standards that may require a person undertaking such culling or hunting operations to carry two weapons. This, in essence, is a matter of ensuring the prevention of cruelty to animals in the unfortunate event that an animal is wounded but not killed and the weapon seizes, jams or becomes inoperable in some way. In such a case, having a second weapon is an important animal welfare issue.

The more complex of these two points is the power of the minister to refuse authorisation, and this was raised in the scrutiny report. In light of the scrutiny report, we took a further look at this issue and sought further clarification. I note that the minister has now responded to the scrutiny report. It is clear from that examination that this provision only allows the minister to stop an authorisation.

I also note that the minister has, in his response to scrutiny, indicated his discretion as minister would be “confined by the principles and objects of the Firearms Act” as well as “ordinary administrative law principles, including a requirement not to take into account irrelevant considerations and not to fail to take into account relevant considerations”. The attorney, in his letter, noted that the first principle of this act is that firearms possession and use is a privilege that is conditional on the overriding need to ensure public safety.

It certainly is a serious responsibility to issue a licence for a category D firearm, and the Greens believe and agree that, for this subject matter, it is appropriate that the Assembly delegate a very broad discretion to the minister to determine whether it is appropriate to grant a licence. It is the sort of circumstance where we wondered

whether it should be drafted in such a way as to set criteria or create particular conditions under which the minister may stop an authorisation taking place. But, given the particular subject matter, we are of the view that the broader discretion for the minister is appropriate in these circumstances.

In summary, the Greens will be supporting this bill. I hope that the occasions on which provisions in the bill are utilised are few and far between. We appreciate that the department is involved with pest animal management, and we need to ensure that these provisions are available before they are needed so we do not get caught out not being able to access the correct skills and expertise in the event that they are required.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (5.00), in reply: I thank members for their support of this bill. Again, this bill is not a complex one, nor is it one that creates significant changes to the way the Firearms Act operates. However, it is an important amendment, because it will allow the territory to be able to engage commercial shooters who have category D firearms licences in other jurisdictions to operate here in the territory.

This is important, because there is a limited number of commercial shooters with category D licences available in the territory. Often it is desirable and indeed more effective for commercial shooters with category D licences to operate from another jurisdiction into the territory for the purposes of pest animal control. The notion of pest animal control is, of course, always a difficult subject, but it is necessary in protecting native ecosystems and species. I would like to thank members for their support of the bill. It is an important reform. I commend it to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Adjournment

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

That the Assembly do now adjourn.

Mr Thomas Reid

MR SMYTH (Brindabella) (5.02): I wish to bring to the attention of the Assembly the death of Thomas Reid on 2 October this year. Tommy Reid, or Tom as he was better known to his friends, will probably be best known to most people here as the husband of Senator Margaret Reid, long-time senator for the ACT.

Thomas was born in Glasgow in 1927 and was encouraged from an early age to study as a means of getting on. He won a bursary to the prestigious Morrison's Academy at

Crieff for his secondary education from 1940 to 1944. His time there coincided with children being evacuated from Glasgow during the war. He and his brother and sister were sent to a village called Braco, which was nine miles from Crieff. Tom travelled to Crieff each day to attend Morrison's.

He completed his education there and, as many 17-year-olds leaving school at that time did, he then joined the Royal Navy. He was a petty officer radio mechanic. After the war, he attended Glasgow University from 1948 to 1952 and graduated with a Bachelor of Science in engineering, with first class honours in electrical engineering. He received numerous awards and prizes during his university course, including the Howe Prize in electrical engineering in 1952. This was awarded to him as the student who had attained the highest standard of excellence in the work of the lecture and laboratory classes in electrical engineering of the second, third and fourth years and, on graduation, a letter from the Professor of Electrical Engineering said in part:

It has been a great pleasure to have had you in the Department as a student and I take this opportunity to congratulate you on your distinguished undergraduate career and its highly successful termination. It has given great satisfaction to us all.

During his time in the Royal Navy, Tom served on ships in Japan, Singapore, and Sri Lanka and spent time in Sydney, when young sailors were "off-loaded" to enable married UK servicemen to return home sooner. He decided then that he would, if he could, return to Australia, which he did by joining the Royal Australian Navy in 1952, arriving in Melbourne on Melbourne Cup Day of that year.

During his five years in the Royal Australian Navy, he served at HMAS *Cerberus*, on HMAS *Vengeance*, at HMAS *Leeuwin* and on HMAS *Waramunga* as Electrical Officer. In 1957, he moved to South Australia and became a scientific officer at the Weapons Research Establishment at Woomera, where he stayed until 1962, when he moved to Adelaide and became a senior lecturer in electronics at the South Australian Institute of Technology.

He moved to Canberra in 1964, where he became the First Director of the NASA STADAN Station at Orroral Valley, where he remained until 1967, when he moved to the NASA MSFN Station at Honeysuckle Creek. In 1970, he became Director of the two NASA Deep Space Stations located at Tidbinbilla, and he remained in that position until 1988, when he retired, but he remained a consulting engineer until 1990.

It is interesting to note that in the book *Uplink—Downlink: a history of the deep space network 1957-1997* the author, Doug Mudgway, said of Tom Reid:

His crisp management style and penchant for clear lines of authority, particularly in his relationship with JPL (Jet Propulsion Laboratory) and NASA personnel, made a visit to 'his' complex a memorable experience for many Americans. He ran the station in a disciplined, formally organized way that attracted and retained the best technical staff available. As a direct result of their teamwork and his leadership, the CDSCC played a critical role in all of NASA's deep space missions in the years 1970-1988.

Tom's first wife, Elizabeth, unfortunately died on 2 October 1965. Tom and Elizabeth had four children, Thomas, Margaret, Nicholas and Danae. He married Margaret in 1967. Unfortunately, he lost his battle and died on 2 October 2010.

For his contribution to the manned flight program, he was awarded an MBE in the new year's honours list in 1970 and was presented with the USA Public Service Medal at Tidbinbilla by the visiting US Vice-President.

He was a great person. He was a delight to be with. He was great to his friends. He was so incredibly supportive of Senator Reid. He had that dry Scots' wit. He liked a wee dram. He was very brave to the end. His last gift to the people of Australia was that he actually donated his body to science, and he quipped, "There you go; I will get back into ANU yet."

Canberra Critics Circle awards

MRS DUNNE (Ginninderra) (5.08): Last week, I had the opportunity and the great honour to attend the Canberra Critics Circle awards for 2010. The Canberra Critics Circle is 20 years old this year and is the only such group of its kind in Australia. It runs across all major art forms, not just the performing arts. The Critics Circle changes each year because it depends on who is writing and broadcasting in the area and who is commenting on arts in its very widest form in the ACT and region which, for the purposes of the Critics Circle, is defined as anything within a 100-kilometre radius of Canberra.

This year the Canberra Critics Circle had a gala event at CMAG and announced a range of awards across the disciplines. The awards went to writers Kaaron Warren, Peter Stanley for his outstanding piece of historical non-fiction in relation to the war and Alan Gould for his novel, *The Lakewoman*. Filmmaker Christian Doran and visual artists Jude Rae, Simon Maberley, TJ Phillipson and Patsy Hely were given awards, as too were curators Deborah Clark and Mark Van Veen.

Dance artists who were given awards included QL2 dance studios, Jackie Hallahan and Jacquelyn Richards. In the area of theatre artists, Everyman Theatre, Boho Interactive, the Street Theatre, the marvellous Jordan Best for her direction of *A Streetcar Named Desire*, Tony Turner for his outstanding performance as Big Daddy in *Cat on a Hot Tin Roof*, Louiza Blomfield and SUPA Productions and Phoenix Players for their production of *Miss Saigon* were also given awards.

Musicians Lucy Bermingham, who was highly regarded for her theatre and her theatre music, and David Pereira received awards. Shortis and Simpson, as well as Donal Baylor, Tobias Cole, the Street Theatre and the ANU School of Music were awarded for their collaboration and bringing up to date of *Dido and Aeneas* which, although I did not see it, was very highly complimented wherever I went at the time.

Painter Ruth Waller was singled out by the circle for her outstanding body of work and her strong advocacy for the visual arts. The Media, Entertainment and Arts Alliance announced that the green room awards for professional productions went to sound artist Kimmo Vennonen and to the production *When the rain stops falling*.

The major award of the year went to Canberra cellist David Pereira. David was described as “inspiring” by the special guest presenter, Sydney Theatre director, Ian Sinclair, as he presented him with a cheque from *CityNews* to the value of \$1,000. In addition, he received a glass artwork which was presented by David Williams on behalf of the Canberra Glassworks. It was a glass paperweight crafted by Benjamin Edols.

I want to congratulate all members of the Canberra Critics Circle this year, Anne-Maree Britton, Margaret Pierce-Jolley, Samara Purnell, Jennifer Gall, Helen Musa, Ian McLean, Clinton White, Bill Stephens, Stella Wilkie, Malcolm Miller, Glenn Burns, Alanna Maclean, Joe Woodward, Wendy Brazil, Frank McKone, Peter Wilkins, Kerry-Anne Cousins, David Broker, Yolande Norris, Anni Doyle Wawrzynczak, Diana Kostyrko, Annika Harding, Meredith Hinchliffe, Gia Metherell and Cris Kennedy.

I particularly want to pay tribute to Ian Meikle and *CityNews* for their sponsorship of the Canberra Critics Circle and for their commitment to ongoing sponsorship of the Canberra Critics Circle. I commend the circle for their work and look forward to next year’s criticisms.

Human rights—Iran

MS BRESNAN (Brindabella) (5.12): I would just like to speak briefly on the Association to Defend Freedom and Human Rights in Iran, which is an Australian organisation working to advocate for and assist people in Iran who are being persecuted in their country, whether that be due to their political or religious beliefs or for other reasons. They recently had a display in Civic and I met with a representative of the association.

The UN General Assembly’s Human Rights Committee has expressed deep concern about Iran’s use of practices such as stoning and public hangings. A resolution by the committee noted continued “torture and cruel, inhuman or degrading treatment or punishment” as well as “the continuing high incidence and dramatic increase in the carrying out of the death penalty in the absence of internationally recognised safeguards, including public executions”. The UN committee expressed particular concern at the Iranian government’s failure to conduct a comprehensive investigation into alleged human rights violations after the 12 June 2009 presidential elections.

The most recent campaign of the Association to Defend Freedom and Human Rights in Iran is to raise awareness of human rights issues for Iranian refugees in Camp Ashraf in Iraq. Camp Ashraf is home to 3,400 members of the Iranian opposition who have been subject to harsh conditions and restrictions for the past two years under the Iraqi forces. These conditions and restrictions include preventing access to medical services.

One such person who has had medical treatment prevented is Elham Fardipour, aged 44, who is suffering from thyroid cancer. She was not allowed to transfer to a hospital in Baghdad for urgent treatment, endangering her life. Many other ill and terminally ill people in Ashraf are facing a similar ordeal.

The association are asking for the United States and United Nations to intervene and end the restrictions on Ashraf residents, for US forces to assume protection of Camp Ashraf, as they did between 2003 and 2008, and for the UN Assistance Mission for Iraq to set up a permanent monitoring team to oversee the situation in Ashraf.

The association are asking for parliamentarians across Australia to support their cause and they have the support and signatures of many members already across the Liberal Party, Labor and Greens. I would urge all members of the Assembly to support the association. While our contribution as a territory is small and maybe somewhat limited in its influence, the association needs our moral support to continue to assist people suffering in Iran and Iraq and to show these people that the world does care about what is happening to them and to their country.

Palliative Care Society

MR HANSON (Molonglo) (5.15): On 11 November I attended the Palliative Care Society's annual general meeting at the Southern Cross Club. At the outset I note that it is actually the Palliative Care Society's 25th anniversary and I attended earlier this year the dinner that they held celebrating that anniversary, as did, I note, Annette Ellis.

Fifty-one people attended the AGM at the Orion Room at the Canberra Southern Cross Club and, apart from the normal business that was conducted at the AGM, there were two life memberships awarded at the meeting: one to Sister Teresa Hussey from the Little Company of Mary, who has served on the council since 2002, and one to Pat Hibberd, who has been the society's auditor for the last 25 years and has contributed numerous voluntary hours auditing the society's financial record. I congratulate them both on their life memberships. There were also thanks given to outgoing council members Sister Teresa Hussey and Marg Sharp.

There were then elections for positions on the council and six people nominated: Professor Valerie Brown, John Hanks, Peter O'Keeffe, Richard Hall, Jo Spencer and Andre Poidomani, and I congratulate all of those members of the Palliative Care Society for putting their hands up for a position on the council.

Ian Meikle, of *CityNews* fame, was the guest speaker for the evening. He spoke on managing the media and it certainly was a fascinating and entertaining oration.

It has without doubt been a difficult period for the Palliative Care Society, dealing with the whole Calvary sale fiasco and the involvement of Clare Holland House in that proposal, and I commend the Palliative Care Society and its members for the role that they played in, I think, bringing the end to what was a very shabby element of that proposal. I commend them on their community spirit in what was a very difficult time for the Palliative Care Society. Hopefully that is all behind us now and the Palliative Care Society certainly will continue, as it did through that period, to focus on its core business.

I would like to thank the society's patron, Mrs Shirley Sutton, and the society's executive—David Lawrance, the President; Bob Lloyd, the Vice President; Bernie Ayers, the Treasurer; and Linda Denman, the Honorary Secretary—and all of

the members of the society for the important work that they do, helping people at the end of their lives to end their lives with dignity and with the least suffering possible.

Schools—volunteers

MR DOSZPOT (Brindabella) (5.18): In my capacity as shadow education minister I had the pleasure of accepting an invitation from the committee of the School Volunteer Program ACT Inc to attend their end of year celebration on Thursday, 25 November 2010. The end of year celebration was to recognise the contribution of the many volunteer mentors this year that work with the School Volunteer Program and have done so for a number of years.

The School Volunteer Program started from very humble beginnings and has now something like 200 people from the community, former teachers and retired people who assist with mentoring young children in many of our government schools throughout the ACT.

The patron for the School Volunteer Program is Major General Michael Jeffery, our former Governor-General, and he addressed the gathering at the school and spoke about the work that the School Volunteer Program volunteers provide. He said they

... provide a wonderful service to our young by committing time, friendship and interest, to improve scholastic outcomes, increase self esteem and develop a greater intergenerational respect, benefiting not only the individuals involved but the wider community. For our dedicated mentors, the personal satisfaction of positively influencing our youth is both tangible and long term.

Major General Jeffery spoke about encouraging members of the community, schools and businesses to actively support the School Volunteer Program, and it is a very worthwhile endeavour for all concerned.

I would like to echo what Major General Jeffery has said and I would like to offer my personal thanks, and on behalf of the community, for the wonderful selfless work that people like Jennifer Muir, Mal Ferguson and around 200 volunteers contribute to the many government schools around the ACT. Those schools and the children are the beneficiaries of the mentoring and the assistance that are provided through the selfless work by so many people in our community as school volunteers to assist the School Volunteer Program in the ACT.

I commend them again for all the work that they do. Hopefully the government will see fit to give them a little bit more support than they received this year. They are very much in need of some facilities at the moment, somewhere where they can meet and somewhere where the volunteers can get together, and I will be talking to the minister for education about hopefully getting a little bit of support for their activities.

I would just like to close by commending again the work carried out by the School Volunteer Program ACT Inc.

Question resolved in the affirmative.

The Assembly adjourned at 5.21 pm.

Schedules of amendments

Schedule 1

Plastic Shopping Bags Ban Bill 2010

Amendments moved by the Minister for the Environment, Climate Change and Water

1

Clause 2

Page 2, line 3—

omit clause 2, substitute

2

Commencement

- (1) This Act (other than section 7) commences on 1 July 2011.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

- (2) Section 7 commences on 1 November 2011.

2

Clause 100 (3) (b)

Page 6, line 6—

omit clause 100 (3) (b), substitute

- (b) contain the following statement:

‘The ACT Government will ban the supply of lightweight checkout style plastic shopping bags, starting on 1 November 2011.

Alternative shopping bags are available from this retail outlet.’; and
