



Debates

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Wednesday, 30 March 2011

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Wednesday, 30 March 2011

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

Youth justice system

MRS DUNNE (Ginninderra) (10.01): I move:

That this Assembly:

(1) notes:

- (a) that on 31 January 2011, the Human Rights Commission announced the details of its inquiry into the youth justice system in the ACT, including Bimberi Youth Justice Centre and Community Youth Justice, and a comprehensive human rights audit into conditions of detention in Bimberi Youth Justice Centre begun in accordance with a resolution of the Assembly made on 8 December 2010; and
- (b) the continuing matters of concern emerging during the process of the inquiry, including:
 - (i) the link between the sacking of a woodwork trainer at Bimberi and his complaining to the Human Rights Commission;
 - (ii) the concerns made publicly on 29 March 2011 by a former visual arts teacher at Bimberi; and
 - (iii) the Department of Disability, Housing and Community Services advising certain of its staff of the need for them to work out a strategy with departmental management staff if the Human Rights Commission approaches them for input to the inquiry process;

(2) expresses its concern about the continuing emergence of issues relating to the management and operations of the Bimberi Youth Justice Centre by the Department of Disability, Housing and Community Services; and

(3) calls on the:

- (a) Attorney-General to discontinue immediately the inquiry and human rights audit mentioned in paragraph (1)(a); and
- (b) Executive to appoint a board of inquiry, in accordance with the Inquiries Act 1991, to inquire and report by 30 June 2011, into the matters that currently are the subject of the inquiry and human rights audit mentioned in paragraph (1)(a).

Mr Speaker, before I begin, I seek leave to table the minutes of the Aboriginal and Torres Strait Islander Services team meeting of 2 March 2011.

Leave granted.

MRS DUNNE: I present the following paper:

Aboriginal and Torres Strait Islander Services—Team meeting 2 March 2011—
Copy of minutes.

Mr Speaker, members, we are here today in something that might seem like groundhog day because the Canberra Liberals will not give up on the young people who are incarcerated at Bimberi Youth Detention Centre, their teachers or their carers. We are here today because of the unfolding evidence about how the current review has been corrupted. We are here today because the Canberra Liberals believe that we need to put an end to that corrupted process, that discredited process, and start again with a proper judicial inquiry. We are here today because there is mounting evidence that the whole system has been corrupted. We are here today because we are seeing yet again the evidence of the Labor culture of cover-up. You want to cover up, to hide the truth, to obliterate and to distract people from what is actually going on at Bimberi Youth Detention Centre.

We know that we have a failed system at Bimberi, and the Canberra Liberals have spoken about that at length. We spoke about it and asked questions consistently through 2010 that culminated in December with our moving for a judicial inquiry. And what we have seen—and it was amply repeated yesterday—is a minister out of control, a government who has lost control of the Bimberi Youth Detention Centre. We have a minister who, for months, denied that there was anything going on. She eventually went to Bimberi without the media. She usually went to Bimberi with the idea of having a media stunt; so she would go there and talk about gardening or she would go there and talk about the barista course that might have run once.

But in November she went without media but she went with the admission that she was going there to cover her backside. And we know what happened at that meeting. When the staff told her how bad it was, she covered her ears and said, “La, la, la, la, I don’t want to hear.”

Ms Burch: Nonsense.

MRS DUNNE: We will come back to that, minister, a little while later and we will see just how much nonsense that is.

Mr Hanson: You are calling people liars, Joy. Be careful.

MRS DUNNE: You are calling people liars. And what we are seeing here are continuing breaches of security, kids on the roof on a regular basis. We are supposed to have fixed that but, again yesterday, we saw admissions that it is not fixed.

We have seen assaults on staff by inmates, on inmates by staff, and we have seen the very serious injuries after an MSS security guard was beaten with an iron bar. We

have seen the admissions of inadequate training of staff, inadequate equipping of staff. We heard yesterday the Chief Minister on radio saying that Bimberi has been reviewed to death. And we now know there are probably six or seven inquiries into Bimberi.

That is why we are here today. We want to bring it all together, give it to someone who has the trust of the community, who has enough gravitas in the community and enough powers to ensure that when we look into what is going wrong at Bimberi, the system, the process of looking into it, cannot be corrupted as it currently is.

I tabled these minutes earlier in my speech because they are so important. Page 3 of these minutes, the documentary evidence that we have received—and members of the media have received this as well—says that the system in relation to Bimberi is corrupted. It says in the minutes:

High probability that officers from our unit—

that is, the Aboriginal and Torres Strait Islander Unit—

will be approached to contribute to the review. Officers are urged if they are approached they consult with—

an officer—

to work out a strategy prior to responding.

We heard the Chief Minister spend 2½ minutes on ABC Radio trying to justify those words “to work out a strategy prior to responding”. He cannot justify those words, because they are clear documentary evidence that the system has been corrupted by the people who are supposed to be being reviewed.

Let us go to the mounting evidence about how corrupted this system has become. We have seen in the past two days people coming out of the woodwork, left, right and centre, to put their reputation on the line, to face harassment because they cannot be silent any longer. We need to ask these questions: if everything is so good, if everything is so open, if everyone is being so encouraged to go to the Bimberi review, why is it that so many people are coming out and telling the community that the system is corrupted, that the evidence has been tampered with and why would teachers out themselves and possibly face recriminations? The answer is: because everything is not fine in DHCS; everything is not fine in the Bimberi review.

I will go to some of the quotes that we heard yesterday. The teacher who wrote an open letter to the *Canberra Times* yesterday said she wrote the letter because she had become frustrated and concerned about the review process. She wrote:

Former colleagues ... in their new work places had been encouraged, or at least sort of guided, in the way that they should respond to their review by their supervisors.

It concerns me that I naively had believed that a human rights review would be independent from any influence from government.

So a teacher of long standing, a highly respected teacher, said that she was duped. She thought that, when we had a human rights inquiry, the government would not try to influence the outcome. She also wrote:

I would like to believe that the review process will be successful in bringing the truth to light ... but I'm not confident that adults and workers will freely contribute to that review.

She talked about the low morale at Bimberi. She talked about the mass exodus of youth workers from the centre, something that this minister has consistently denied. The Canberra Liberals have asked questions about staff turnover and the minister said, "No, there is nothing to see here." We know that they are constantly recruiting. We know that they never have enough staff, but this minister has constantly denied that there has been a mass exodus of youth workers from the centre. Then this teacher talked about, as a result of that, the centre managing on a skeletal staff very often.

In the letter she raised a number of questions for the Chief Minister to answer and she said she could have written 500 such questions, just from her own experiences. She said:

There were no protocols or procedures known to myself or the education staff as to how to report critical incidents in the Centre.

She approached a supervisor in education and said, in relation to a boy who was injured, "This is a mandatory report; we must mandate this; we have an obligation ... to do so," to which she was told, "It's not any of our concern." This is a problem. The system is so corrupted that people cannot speak out, not only on their own behalf but on behalf of the welfare of the people that they are charged with looking after.

In addition to all the comments made by this teacher in the *Canberra Times* and in her interview on radio 666 yesterday morning, we then had other people coming out of the woodwork spontaneously. Some of them I know, because many former staff and current staff speak to me and my office on a regular basis. Some of them I have never heard from before. One of them wrote an email to Alex Sloane, which Alex read on air:

Listening to—

the teacher, the email says—

today, I fully support her endeavour to bring the goings-on at the Centre to light. One week after I reported the safety issues and bullying—

at Bimberi—

to the Bimberi review team I was dismissed, with no reason given for working at the Centre.

I do not have confidence in the current situation. Staff will not come forward under a fear of dismissal.

Staff will not come forward, a former staff member tells us, because they fear dismissal. He continued:

I have written to Joy Burch but so far have not received a reason why I was dismissed.

We know that there has been duckshoving between Minister Burch and Mr Barr on that issue. He continued:

There is no concern about staff being told what to say to the Commission, the truth is we were discouraged by our managers not to attend review meetings.

This man has told everyone who cared to listen to 666 on Tuesday morning that he was discouraged, when he was a staff member, from meeting with the review team when they visited Bimberi. That is a corruption of the system. That is an attempt to tamper with evidence before a review. If we had a judicial inquiry today, the people who did that could be bought before that inquiry for contempt of the inquiry.

But what is happening here is yet another cover-up. When people spoke about these minutes, the Chief Minister fell over himself to say, "There is nothing to see here." The Chief Minister could justify this and the minister could justify this by saying it is clumsy wording. It is not clumsy wording. It is an attempt to get at people to make sure that they stick to the party line. It is a contempt of the process.

The Chief Minister and the minister herself are colluding in this by not distancing themselves from these processes. The more they tie themselves to these minutes and the more they deny the allegations of people who say that they were discouraged from attending review meetings—the more they do this—the more they make themselves part of this corrupted system. And this is why we are here today.

Let us go on. After that email was read and after the Chief Minister finished, another former Bimberi staffer rang 666 and went live to air to tell Alex Sloane that she had been stood down after she went to the Bimberi inquiry. She used to work at Bimberi; she does not work at Bimberi anymore. She was told by her current supervisor that she was not to approach the Bimberi inquiry. But she had already done so and she made it clear to her colleagues that she had already done so. After that she was stood down. This is a person who has been victimised by this government, by their officials.

These people are being victimised to send a message to everybody else: do not step out of line or you will be treated in the same way. People are scared for their jobs. They have children to feed, mortgages to pay, school fees to pay, groceries to buy. They cannot afford to lose their jobs. They cannot afford to be stood aside. And we will never get to the truth while people who work for this government are so intimidated. So the Canberra Liberals are here today to stand up for the welfare of the people who work there and for the welfare of the people who may have something to say about this whole process.

This is such an important process that I need to go back to the comments made by Ms Burch in her “la, la, la” thing. Again yesterday on 2CC, a caller rang Mike Welsh and Mike Welsh asked her:

The minister, Joy Burch, in front of the staff members making claims, put her finger in her ears and went “la, la, la, la, la” ...

The caller said:

I witnessed her doing that ... I can visualise it now. She turned her body away from us while she did that. She put her hands over her ears and went “la, la, la, la, I don’t want to know” ...

The minister came in here and for two days in a row said that did not happen. But a caller is prepared to out herself by going on air and saying, “Yes she did,” because they are so desperate. The caller continued:

We told her about the injuries on young people by staff—

Members interjecting—

MR SPEAKER: Order! Mrs Dunne, one moment please. Stop the clocks, thank you. Members, let us not get into unparliamentary language due to some of the comments being made across the chamber, thank you.

MRS DUNNE: We need to ask this question: why are people coming out? I think I should close with the comment from somebody who posted on the *Canberra Times* website yesterday:

Having worked at the old Quamby Youth Justice Centre a decade ago it is concerning that nothing has really changed. When staff members can’t get support from management on such vital issues the system has simply failed.

And the writer goes on:

Initiate a Judicial inquiry, clear out ineffective management and clean the place up!

Amen to that. “Hear, hear!” to the people of Canberra who are prepared to speak out and the say the system is broken, the system is corrupted, and we need a judicial inquiry.

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) (10.17): I will start at the very beginning: we will not be supporting Mrs Dunne’s motion.

Mr Hanson: Surprise, surprise!

MS BURCH: Yes, well, I just thought I would get that out of the way from the very get-go. This government is absolutely 100 per cent committed to assisting children and young people, particularly those vulnerable children and young people who reside at the Bimberi Youth Justice Centre. It is a high risk and challenging environment, and I would like to put on record early in this debate that I fully support the current staff, the teachers, the youth detention officers and those working with difficult young people to change their lives for the better. This is the mantra of this government.

We have been very clear that we support the inquiry, and we encourage all people with an interest to participate fully, openly and frankly. I will get to some of those comments in a minute. When things go wrong, there is no doubt that we need to learn from them and improve our services to these young people. But it is important that this learning occurs in a positive, safe and secure environment. I welcome the strong community interest in Bimberi, and I am committed to transparency. But it is a shame that the Liberal opposition continue to distract from or even, indeed, obstruct the process of improvement.

We put in place a Human Rights Commission review to conduct an inquiry into the human rights audits of the youth justice system. The government is cooperating fully with the Bimberi review, because that is the appropriate mechanism of change. I urge everybody to embrace the change.

The chief executive and I have announced that Disability, Housing and Community Services staff are to cooperate fully with the inquiry by providing information in an open and honest way. I understand the advice has been reiterated by senior executives to their staff on many occasions. We have demonstrated this cooperation by encouraging staff to participate in surveys, attend interviews, write submissions and attend the Bimberi review drop-in clinics. Every utterance from my office and from the department has been for staff to be supported to cooperate.

I refer firstly to the third matter of concern in Mrs Dunne's motion, which refers to the need for staff to work out a "strategy". The matter was raised in a newspaper article on Monday, 28 March, and I am assured that staff were not asked to collude before the inquiry. If that occurred, I would find it unacceptable. I have advice from the officer involved, in whom I have faith. This is an officer who has dedicated his working life to supporting vulnerable people, particularly now in the Aboriginal and Torres Strait Islander Services unit. In regard to the discussion around the Bimberi review, my recognition was that Baz indicated that he was advised by officers close to the review process that they believed members of the review team were interested in contacting ATSSIS to talk about the review. The offer was then made that, if staff wished to talk to the review team, they let their managers know so that strategies could be worked out in regard to how they may be supported and, given the very small numbers, to ensure minimal disruption to the work area. That is the advice that I have from those who were there.

Mr Hanson: Who cooked that one up?

MS BURCH: This is coming from people who were participating in that meeting. They have given me an absolute assurance. This is from the officer involved, and if you are calling that officer a liar, Mr Hanson, then put that on record now.

Mr Hanson: We're calling you a liar.

MR SPEAKER: Order! Ms Burch, one moment, please. Stop the clocks, thank you. Members, Mrs Dunne was heard in silence, and I expect Ms Burch to be extended the same courtesy. Mr Corbell.

Mr Corbell: On a point of order, Mr Speaker, Mr Hanson said that he was calling the minister a liar. That is unparliamentary, and I ask you to direct him to withdraw the comment.

Mr Hanson: Mr Speaker, I withdraw the comment.

MR SPEAKER: Thank you. For your information, Mr Seselja, that was what I was referring to before. Ms Burch, you have the floor.

MS BURCH: Thank you. This is from the officer to the executive and through to me:

On reflection, I believe the minutes could have been better written, in terms of some of the finer points. However, they were completed by an officer in good faith, who had taken minutes of a number of previous meetings. Minute-taking is not part of this officer's normal duty. I cleared the minutes on 11 March, prior to them being circulated to all officers ...

Not just to those who attended the meeting. In the absence of time I will not read it out, but I am more than happy to table the letter I have from the officer, Mr Neil Harwood, Director, Aboriginal and Torres Strait Islander Services, explaining the minutes and explaining the meeting. The opposition will not want to have a copy of these minutes, because they put paid to their notion. I table the following paper:

Aboriginal and Torres Strait Islander Services—Team meeting 2 March 2011 minutes—Copy of letter to the Chief Executive, Department of Disability, Housing and Community Services, from the Director, Aboriginal and Torres Strait Islander Services, dated 28 March 2011.

Section 9 of the Public Sector Management Act requires public employees to act with reasonable care and skill and to act with probity. As I have said, the message to staff has been to contact the executive responsible for business. The message also that we are putting out to staff, on top of the message to encourage them to participate, is that if they have any concerns, they should contact the senior executive responsible for business integrity risk. Staff should do that if they wish to discuss any concerns about giving evidence to the Bimberi team, including concerns that they are being pressured.

On the matter of the allegations regarding the woodwork teacher that Mrs Dunne spoke about, can I just say that Caloola was informed by the principal of METC—that is Mr David Bromhead—that they required another trainer following issues in relation

to supervision and safety issues in the woodwork workshop. DET had been very clear in its letter to the teacher and the Human Rights Commission that the request to remove that teacher had nothing to do with the attendance at the Bimberi inquiry.

Opposition members interjecting—

MS BURCH: They are now making allegations that officers in the Department of Disability, Housing and Community Services and officers in the Department of Education and Training are covering up and lying. Is that what you are doing? Shame, shame, shame on you.

The teacher commenced at METC on 22 November and was employed to work on Mondays, Tuesdays and Wednesdays. This year the teacher was given orientation to the METC site, when he came back and participated in three of the five days induction program in the week starting 21 January. He attended for three days. He was employed for three days. On one of these occasions he was spoken to in regard to the use of his duress alarm, as he indicated that he did not want to carry one on his person.

He was counselled on 24 February by Mr Watson, Mr Leper and Ms Warner. This was in relation to his supervision practices and an allegation of bringing contraband into the centre, securing waste materials and following centre protocols. DET formally wrote to the teacher on 10 March addressing his concerns and asking him to seek clarification in regard to the cessation of employment with Caloola. DET stated once that he sought clarification and would be able to discuss further concerns. DET also wrote to the human rights commissioner this week clarifying that his employment was ceased not as a result of him talking to the human rights commissioner.

Another comment Mrs Dunne has made is that a female called in and said that she had been stood down. “Stood down” were the words you used—

Mrs Dunne: The words she used.

MS BURCH: Well, you are putting it out there, Mrs Dunne. Can I say that I have on record that two staff have been stood down from Bimberi, and I made that point yesterday.

Mrs Dunne: She didn’t work at Bimberi when she was stood down, Joy, and you know that.

MS BURCH: Well, you used the words “stood down”. Two staff had been moved from Bimberi and located within DHCS to two sites. In late 2010 youth detention made a written complaint to the director of youth with comments about lack of respect by senior staff and derogatory, unprofessional remarks made to her about others. This officer was transferred to other duties at her own request. She is still in the employ of DHCS. There is no stand-down and there is no link. That move happened before the Human Rights Commission inquiry was even instigated.

I refer to the visual arts teacher allegations. Both the Chief Minister and I responded to the allegations from the former visual arts teacher in question time yesterday. I said yesterday, and I will repeat today, that those complaints around a child in fear of being raped and the use of language of “dirty, rotten whore” have not been raised with my office. Now that they have come forward, you can rest assured that they will be vigorously investigated and reviewed.

The Chief Minister referred to receiving a complaint from a teacher and the advice he sought as to whether it constitutes a public interest disclosure under the Public Interest Disclosure Act 1994. As I have said, these allegations will be investigated thoroughly in a process that provides procedural fairness.

But let me make this point clear to the public: the matter of assault which has been raised is being fully investigated by the Australian Federal Police. My advice from the department is that other allegations have been made by this individual that may not have been made before.

I express a concern about the notion of continuing allegations relating to the management of Bimberi. It is important to note that many of the issues, such as staff shortages, have been identified in the media and in the Assembly. Those issues are known to the department, and they are being responded to. Other issues have been raised for the first time through these forums and are being dealt with immediately as they arise. I recognise that the issues should be of concern to all of us. We should not be afraid of these issues being raised, but it is about how we then process those. There are inquiries with the human rights commissioner, independent bodies and the Commissioner for Children and Young People. They have full terms of reference, are in the middle of those inquiries, and those inquiries should and must be left to run their course.

The government is working hard to improve the services for young people at Bimberi. It has come a long way since the days of Quamby. Bimberi is a high risk environment which requires ongoing, sustained vigilance to ensure practice and procedures are appropriate, in place and monitored.

My department acknowledged this when they implemented a change management quality plan in November of last year, and this continues. The change management process has been achieved. The change management process addresses five priority areas. Achievements have been made, and many more are underway. If those opposite chose to speak to the Official Visitor and to the Public Advocate, they would note that positive changes have been made. But they choose not to talk to those people, because that is when they will hear stories of positive change. Challenges recognised still lay ahead, but positive changes have been made.

Communication has improved, service delivery standards have been reviewed with new debriefing practices introduced, more training on crisis intervention, improved access for children to mental health services and an increasing number of case conferences, with eight conferences held just last week. Training requirements for staff have been reviewed to ensure that all staff are, indeed, trained.

I am going to run out of time here, but let me say, as I did at the very beginning, I regard those people who choose to work at Bimberi as honourable people and I support them in their work. What has been said to me is that, following Mrs Dunne's continued allegations about Bimberi made yesterday, they now feel stressed and unhappy. They feel like they cannot stand up with pride and say, "I'm a youth detention worker at Bimberi." I want them to wake up of a morning and say, "I'm going to work today with pride at Bimberi Youth Justice Centre to make a difference to these young people's lives." The constant hysteria that comes from Mrs Dunne is not helping them to achieve that.

The roles of the Human Rights Commission and the Children and Young People Commissioner are defined in law. The commission has the powers to conduct a review and to investigate allegations arising from the review where victimisation has been alleged. The Bimberi review is underway by the right authority. The commission understands the human rights of young people in detention as well as the rights of staff. In December of last year we agreed to the Human Rights Commission undertaking the review of the commission. The Assembly should just allow the Human Rights Commission to complete the work that it has set out to do.

MR SESELJA (Molonglo—Leader of the Opposition) (10.32): Mr Speaker, the first question that we have to ask is this: if the minister is right and the process is working well, why are so many voices saying that this process is a sham? Why is it that these people would put themselves on the line, would come out publicly? We know the difficulty of taking on a government publicly, for public servants in particular. They do not do that lightly. They do not do that normally on the basis of a lie. They do it when they feel that they have no other option and that is what we are seeing here.

So we have on the one hand the minister saying, "No, there is nothing to see here. The process is working fine. Everyone has been told to speak freely." But we see the evidence pointing in exactly the opposite direction. We see the minute, the documentary evidence of this corrupted process—the documentary evidence that this process is a sham, that this inquiry has been prevented from doing its work and getting to the bottom of the issues at Bimberi.

We have heard it before, but I will repeat it again: what this minute says is that there is:

High probability that officers from our unit will be approached to contribute to the review. Officers are urged if they ... approached to consult with ... to work out a strategy prior to responding.

What other possible meaning could we put on a minute like that, other than that the government is keen to talk to people before they go and appear before the inquiry so that they get their lines straight? What other possible explanation is there? The only explanation we have had from the government is that it was a poor choice of words. I suppose it was a poor choice of words for the government. What we have here is someone finally putting in writing what we know is actually happening. That is the point here. It is not just the clear documentary evidence that makes it so clear that this

inquiry has been corrupted. It is the evidence of others. It is the evidence of former staff.

We have not heard any of that evidence discredited. We have not even heard the minister bother to say whether she is going to investigate those allegations. So let us go to those. Trish McEwan said that former colleagues:

... had been encouraged or at least guided in the way they should respond to the review by their supervisors.

This is other colleagues saying that they have been guided in the way that they should go when they appear before the inquiry. We have the minute that outs it. Maybe that is the only bit of writing that actually highlights this practice. Maybe that is the mistake that the officer made—to actually put it in writing. But we hear from Trish McEwan that in their workplaces they had been encouraged, or at least sort of guided, in the way that they should respond to their review by their supervisors.

She goes on to say, “It concerns me that I naively had believed that a human rights review would be independent from any influence from government.” Maybe in the end it was naive with this government. Maybe it was, but it was a reasonable thing perhaps for an individual to think that maybe the review would not be interfered with by the government, quite improperly, as we are seeing more and more evidence of.

Trish went on—this was on ABC yesterday—to say, “I would like him”—this is Jon Stanhope—“to ensure that if that is going to have any attempt of continuing, that every single person who is involved in Bimberi—their bureaucrats, their managers—have to ensure that anyone who has had contact with the centre or the youth justice system in the ACT should be able to speak freely and frankly and without concern for reprisals. I don’t know any more. I’m a bit doubtful about the whole process.”

Well might she be doubtful about the whole process when we see allegations of staff being moved on after making allegations, when we see evidence of staff being guided, we see documentary evidence that says they are developing a strategy. How could you have confidence? What is the minister going to do to investigate those claims? They are claims of a corruption of the process. She talks about one minute and she tries to explain it away. We have other allegations on radio yesterday saying that the process had been corrupted. What is the minister doing about that? Of course, nothing. She does not want to get to the bottom of it. She does not want to get to the bottom of it.

Then we had Dave Cavill saying, “I do not have confidence in the current situation. Staff will not come forward under fear of dismissal.” He goes on, and this is the key, another allegation, “There is no concern about staff being told what to say to the Commission; the truth is we were discouraged by our managers not to attend review meetings.”

They were discouraged from attending review meetings. So we have got the documentary evidence, which is now backed up by the witnesses. It is backed up by the witnesses. You cannot just explain it away. You cannot just explain it away.

Effectively, this minister will be calling each of these brave people who have spoken out liars. She will be calling them liars. What has she done? We will give her leave to speak again to tell us what she has done to investigate these serious claims. What kind of minister does not immediately institute an investigation into claims of a corruption of process as serious as this? Why does the minister not want to get to the bottom of it?

It comes back, I think, to that culture of cover up that we are seeing that comes right from the top. In reading Trish McEwan's open letter to the Chief Minister yesterday, there are so many things of concern in that letter and we do not have time to go through all of them. We did raise a number of them in question time yesterday and got, I think, a lack of genuine response. But what is apparent in Trish McEwan's open letter is the fact that she and others have been trying to get an outcome. They have been trying to get something happening and we see at every level they get let down by the government.

You can go through it. Originally, Trish went to Minister Burch. Of course, the complaints were ignored. She was referred off to the human rights commissioner. Mr Barr ignored the complaints. Then we had the judicial inquiry that was called for and that was watered down. Then the inquirer leaked personal information. The inquirer actually leaked personal information.

What kind of confidence can be had? She expresses her concern that the Attorney-General then went and made light of that letter. This was the Attorney-General. So you have got the minister in charge blocking her ears and not doing anything; you have got the education minister not taking an interest; you have got the inquirer leaking confidential information; and you have got the Attorney-General endorsing that leak, making light of that leak. What possible confidence could anyone have in a process that has become such a sham?

Mr Speaker, this does come back to a couple of fundamental questions, which is why there does need to be a full judicial inquiry. It comes back to the culture of cover up that is emerging by the day. The more this is talked about, the more people come out of the woodwork and talk about the fact that the process has been corrupted, the more we see that they have been guided in their evidence, that they have been asked not to go. We have got documentary evidence saying there will be a strategy. At every level we see inaction or we see cover up from this Labor government.

There is a culture across this government. We have seen it in health; we see it here again. It is a culture of bullying and a culture of cover up. They get it wrong; they bully staff and then when they get called on it, after initial denial from ministers, as is always the case, they then seek to cover it up.

We have seen it in health, Mr Speaker, and now we are unfortunately seeing it again. But it does come back to that fundamental question: if this process is really working well, if this process is really capable of getting to the truth, then why are so many people coming out and saying exactly the opposite. What do these people have to gain

in making up this information? What do people, these former staff, have to gain in telling lies and making such serious allegations? The fact that the minister has not bothered to even look at it shows how serious she is. We need a judicial inquiry that will get to the bottom of this issue once and for all.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (10.42): To say that it is disappointing to find ourselves again debating this motion is an understatement for two reasons—firstly, because there is significant evidence that the systems and protections in place for the young people in Bimberi are not what they should be and, secondly, because we have again been presented with a motion that is attempting to discredit the current inquiry process.

Let me say at the outset that I have full confidence that the Human Rights Commission inquiry is still the best path to resolve the issues currently facing Bimberi and the broader youth justice system. The decision to have the Commissioner for Children and Young People and the human rights commissioner undertake an inquiry and audit is still the best way forward and offers the greatest potential for meaningful change that will improve the workplace for staff and outcomes for children and young people who come into contact with the youth justice system. That, of course, means a better outcome for the whole community.

Thanks to the Greens, we have an inquiry that will report on staff levels, training and retention, security, the use of segregation and restraints on detainees, programs for education and training, health and wellbeing and rehabilitation, early intervention services, the effectiveness of diversionary strategies and the ongoing monitoring of recidivism, particularly for detainees in remand, through-care and after-care services provided to detainees and Community Youth Justice clients and, of course, any other matter that arises. We expanded a terms of reference that focused just on staff to include the whole juvenile justice system and, at the heart of all of this, of course, young people detained there or who are in contact with the Community Youth Justice service. Further, the human rights commissioner is undertaking a comprehensive human rights audit into conditions of detention in Bimberi and will report, of course, on 30 June.

In the past few days we have only further confirmed the need for the inquiry and urgent change. This is not about tinkering at the edges or just responding to particular incidents and particularly grave events. This is about properly understanding why so much has gone wrong and listening to the advice of independent experts as to what can be done to achieve the necessary change—change for the young people, the staff, the management, the department and ultimately the minister. I am encouraged that, despite the issues reported in the media, staff and ex-staff remain committed to this process. I encourage anyone who has an interest in the outcomes of this inquiry to continue to push forward and make their information known.

The youth justice system and particularly Bimberi are not working as they should. There can be no denying that significant measures need to be taken to address the array of problems currently being experienced and exposed. What the literature and research tell us is that detaining a young person, while not to be taken lightly, can be one of the most significant turning points where opportunities and supports can be put in place that ultimately provide for a change in behaviour.

There is no doubt that these young people present very challenging and difficult behaviours and no-one pretends that it is easy or that things will never go wrong. However, I think we have to be careful that we do not lower our expectations of what can be achieved or underestimate the unique opportunities that could be provided within the Bimberi facility to put a stop to the cyclical nature of the offending behaviours. These young people need our support to help them make change and the only way to do that is to acknowledge their strengths and skills and give them opportunities to master new skills, ideas, thoughts and behaviours as a new way of living.

The Inquiries Act process will not foster this type of approach. The current inquiry is the only way that we can have an independent and expert statutory authority review the situation within Bimberi and more broadly and report to the Assembly on their findings and recommendations and then have carriage of overseeing and monitoring the implementation of those recommendations and actions that will drive real reform.

In the previous motions on this issue I set out the relative advantages of the Human Rights Commission inquiry over the Inquiries Act process as I see them and I see no need to cover that ground yet again. However, I would make the additional observation that it is much more appropriate to have the skilled professionals within the commission, who have extensive experience working with children, talking to and engaging with the young people detained in Bimberi to find out what is happening there rather than lawyers examining them in a quasi-judicial setting. These young people already have a negative view of the statutory processes and an Inquiries Act process would do nothing to improve that. In fact, it could cause a lot of harm.

The key difference between the two mechanisms is that the current inquiry guarantees the privacy of, and offers an ongoing protection for, witnesses. An Inquiries Act inquiry compels witnesses without offering those protections. I have not seen any evidence to suggest that the need to compel witnesses is so great that we should sacrifice all the other benefits of the current inquiry.

In relation to the range of other incidents, I would make the following observations. The conduct of DHCS and their internal processes, the management and operation of Bimberi is concerning. All departmental staff, and particularly managers, should be acutely aware of the importance and sensitivity of the inquiry and the need for the utmost vigilance in ensuring that all staff feel they can participate honestly and openly.

In regard to the leaked minutes from a DHCS staff meeting, whilst I do accept that there was no intention on the part of the ATSSIS unit manager to do anything untoward, the fact that the minutes clearly give that impression to other staff who were not at the meeting and did not understand the context is concerning. I trust that the minister will now ensure that all managers are aware of their responsibilities and ensure that nothing like this happens again.

Similarly, the issue of the appearance of a reprisal against a staff member for giving evidence is also a significant concern. I doubt that this person was dismissed because

of their participation in the inquiry. However, I am very concerned that neither DHCS nor DET appear to have gone out of their way to ensure that that perception could not be created. There is new evidence or information that has been put forward by the minister in her speech this morning. It would have been very helpful if the minister and Minister Barr had, in fact, given us that information yesterday.

Anyone who believes they have been unfairly treated or discriminated against as a result of their participation in the inquiry should be encouraged to formally lodge a complaint with the human rights commissioner for formal investigation and assistance. Again, I reiterate that this is one of the significant strengths of the commission process.

There have been a number of other serious allegations of violence and bullying perpetrated both by and against staff and residents. One key issue that this highlights is that all staff need to be made acutely aware of their mandatory reporting obligations set out in the Children and Young People Act. They have an obligation to report suspected abuse to the chief executive of the department. This can be done through the child protection unit. It should also be noted that where a staff member is concerned that an alleged offence has not been followed up properly they can take that matter to the police.

Other process issues that are concerning relate to suicide prevention and case management practices. I reiterate the comments I made yesterday that the implications of the minister's statement to the Assembly are concerning. I found the references to working on establishing a vocational program for all young people, the implementation of suicide awareness training and case conferences for all sentenced young people by 31 March extremely concerning.

These few things I have pulled out are a bare minimum when we think about what young people in the youth justice system should have access to. This is youth work 101 and yet here we are decades later still trying to implement some of the most basic of youth work practice. This is a ridiculous situation that indicates to me we are placing young people into a lock and key culture where rehabilitation is considered last of all.

I think we all acknowledged that there remain cultural problems within some parts of the administration of Bimberi. I recognise that there are several new appointments and that these are an encouraging step towards changing that culture. But at the same time, after listening to the statement made by the minister on the Bimberi reviews into the incident on 5 February, I was despondent. I heard what I consider to be an appallingly poor reflection on the current situation within Bimberi.

Cultural change is always very difficult. The move into Bimberi was a chance to change, and that does not appear to have been as successful as expected. This only adds to the importance of this inquiry in achieving that change. The first step is to recognise the problems and ensure that everyone working there is aware that we know of the problems and that those staff who are not part of that culture are actively supported and significant measures are put in place to listen to any concerns as they arise and actively respond to any issues promptly.

The minister now needs to show real leadership. She needs to show that she and her department are committed to changing the practices at Bimberi, that they are not prepared to just accept that there are failures. They need to acknowledge those failures and openly work on ways to improve things.

Everyone knows that this is a very difficult area. We also know the importance of making the right decisions to prevent these young people from being caught up in the cycle of criminal behaviour. This cannot be overstated. The minister needs to be strong enough to accept the mistakes that have been made and be proactive in finding solutions and showing that she is serious about change, instead of just responding to particular incidents and trying to paint them in the best light possible.

The minister should write to every employee within DHCS to encourage participation in the inquiry and to ensure the employees have clear information about how they can participate in the inquiry. All employees should be comfortable participating in the inquiry. I am aware that the chief executive has written and the Executive Director of OCYFS has spoken to staff, but the minister must show leadership and write directly to people in her department.

Equally, she needs to ensure that there is a clear process for grievances to be aired, either to the commission or directly to her office, to ensure that there can be no allegations of impropriety by management or other employees of DHCS. Further, there needs to be no doubt that the minister will dismiss anyone found to have acted inappropriately.

The Children and Young People Commissioner is the independent authority that this Assembly has entrusted with the responsibility for protecting children and young people in our community and, most particularly, those children who come into contact with government services. The role of the commissioner is to consult with children and young people, resolve complaints and concerns about the services to them and to provide advice to government and community organisations in how to improve their service delivery.

An additional benefit of the current inquiry is that not only will it inquire into and report on recommendations for change within the youth justice system but also it is able to have ongoing oversight of the recommendations and their implementation. It is not something you get from a judicial inquiry; it is held and then it closes. In this case, the Children and Young People Commissioner and the human rights commissioner will be there into the future to ensure that whatever recommendations come out are vigorously followed and implemented.

All too often we see major pieces of work and research commissioned and recommendations made only to be put on the shelf and forgotten or not followed through. Bimberi and the youth justice system are too important for us to risk that type of outcome. It is critical that as part of this inquiry the commissioners will have a direct interest in seeing this work is followed up and real reform achieved for the staff and young people.

I think we are all aware of just how difficult and sensitive this inquiry will be and how urgent it is that we get it right. If we are really looking to improve and make Bimberi a safe place for everybody then we need to make sure this inquiry is able to do the work without political hindrance from the Assembly. The inquiry must be allowed to run its course and then analyse the outcomes.

The inquiry does not need members of this place taking pot shots as it ultimately distracts from the real issue. The real issue is that Bimberi is a closed community that sits behind 10-foot walls of cyclone fencing and barbed wire. We know that the young people in there often come from extremely disadvantaged backgrounds, which means they are very vulnerable. They lack social skills and emotional skills to help themselves become who they want to be.

It was, as I said earlier, the ACT Greens who broadened the terms of reference of the inquiry to include these young people. The argument that has been made that this is somehow a lower quality inquiry or a less robust inquiry is absolute rubbish, and we all know it. The Greens broadened the nature of this inquiry. We included young people and we included the whole youth justice system.

I will be monitoring the inquiry. We need to see ongoing reform. We need to make sure that we focus on positive rehabilitation of young people to break those cycles of poverty, dysfunction and criminal behaviour, because all of these children deserve our support to reach their potential. The Greens will not be supporting the motion to rescind the current inquiry. I have an amendment that I have circulated that provides a much more constructive way forward. I move the amendment circulated in my name:

Omit all words after “That this Assembly”, substitute:

“(1) notes:

- (a) that on 31 January 2011, the Human Rights Commission announced the details of its inquiry into the youth justice system in the ACT, including Bimberi Youth Justice Centre and Community Youth Justice, and a comprehensive human rights audit into conditions of detention in Bimberi Youth Justice Centre, begun in accordance with a resolution of the Assembly made on 8 December 2010; and
- (b) that a number of very serious allegations have been made concerning:
 - (i) specific incidents at the Bimberi Youth Justice Centre; and
 - (ii) impropriety by the Department of Disability, Housing and Community Services in administering the facility;
- (2) expresses its concern about the continuing emergence of issues relating to the management and operations of the Bimberi Youth Justice Centre by the Department of Disability, Housing and Community Services, particularly:
 - (a) inadequate suicide prevention training for staff;

- (b) inadequate case conferencing for residents, their families and community sector organisations; and
 - (c) the apparent failure by management to ensure all staff are fully aware of their mandatory reporting obligations;
- (3) maintains its confidence in the Human Rights Commission inquiry as the best means of resolving the issues at the Bimberi Youth Justice Centre and improving the youth justice system; and
- (4) calls on the Minister to:
- (a) immediately ensure all staff are made aware of their mandatory reporting obligations;
 - (b) encourage all staff (both present and former) and members of the community to make full and frank contributions to the Bimberi inquiry; and
 - (c) take the strongest possible disciplinary action against anyone found to have attempted to in any way pervert the inquiry.”.

Once again, this is a robust inquiry. There are protections that are afforded people who participate that are not afforded to people under the Inquiries Act. The Inquiries Act compels people to participate against their will.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (10.58): The government believes that this inquiry is the most appropriate course of action to get to the bottom of what the problems are at the Bimberi youth detention facility. The government will not be supporting the amendment put forward by Ms Hunter today because we believe that this inquiry should be allowed to run its course.

The government is committed to a detailed examination by independent statutory office-holders as to the issues that are arising in relation to the management and the provision of services in our youth detention facility. That is why we supported the motion; that is why we were prepared to have an independent commission look at the conduct and the operations of our youth detention facilities—because we want to make sure that any problems are identified and that recommendations are made so that they can be fixed. That is Labor’s position.

We have heard from those opposite that the inquiry is inadequate, that people are not given appropriate protection and that people are allegedly being intimidated or prevented from providing information to that inquiry. There has been a range of allegations made, and the government believes that the best way for those issues to be addressed is through the inquiry process. But you would think that there is no protection afforded to those individuals under the human rights inquiry process.

I would simply draw to members' attention the provisions of the Human Rights Commission Act itself. That does provide protections to people who give information, evidence or assist the commission in its functions, including this inquiry and the human rights audit being conducted by the human rights commissioner. I draw to members' attention section 98 of the Human Rights Commission Act entitled "Victimisation". Under that act, a person commits an offence if they seek to cause detriment to another person who has made a complaint under the act, who has given information or produced a document or other thing to a person exercising a function under the act or has given information, produced a document or other thing or answered a question as required under the act.

That is a very strong protection. It is a protection where someone convicted of victimising under this act can face a fine of 50 penalty units or a maximum of six months imprisonment. So this is a very serious provision designed to protect the commission in the exercise of its functions and designed to ensure that people can give evidence and information and assist the commission in the course of its inquiry.

For those opposite to suggest that this is a toothless inquiry, for those opposite to suggest there are no protections available—

Opposition members interjecting—

Mrs Dunne interjecting—

MR ASSISTANT SPEAKER (Mr Hargreaves): Order, members! Mrs Dunne!

MR CORBELL: to people who make and assist the commission in its inquiry is just false. It is just false.

Mr Smyth: It has been corrupted.

MR ASSISTANT SPEAKER: Order!

MR CORBELL: There are protections, and the process should be allowed to run its course.

If the commission believes that it is being hindered in the course of its investigation, it has recourse. In particular, it can have regard to section 98 of its own act and refer matters as it believes appropriate. So let us put that issue to bed. This is not a toothless inquiry. This is an inquiry with protections.

Mr Smyth: No, no. I just said it has been corrupted.

Mrs Dunne: It has been corrupted by you—

MR CORBELL: Are those opposite suggesting that officers of government departments are deliberately putting forward approaches or suggesting courses of action that could potentially be in breach of the act? Is that what they are suggesting?

Opposition members interjecting—

MR ASSISTANT SPEAKER: Order!

MR CORBELL: Is that what they are suggesting, Mr Assistant Speaker?

MR ASSISTANT SPEAKER: Order! Minister, please resume your seat. Stop the clock. Members of the opposition will desist and I caution members of the opposition about the quality of their interjections. The minister in fact said a moment ago that this inquiry is not corrupted. Mrs Dunne, you indicated across the chamber that it was corrupted by the minister and I will ask you now to stand and withdraw that comment.

Mrs Dunne: I am not entirely sure I said it; if that is what you think I said I withdraw it, Mr Assistant Speaker, but I will check the record.

MR ASSISTANT SPEAKER: Mrs Dunne, this is not a negotiation.

Mrs Dunne: I've withdrawn it.

MR ASSISTANT SPEAKER: You withdraw it or you do not—no qualifications, full stop.

Mrs Dunne: I've withdrawn it.

MR ASSISTANT SPEAKER: Good. Now I am cautioning you. I am going to be very vigilant about those sorts of things.

Mr Smyth interjecting—

MR ASSISTANT SPEAKER: Mr Smyth, please do not invite me to warn you. I do not want to do it, so please do not invite me to do it. Minister, the floor is yours.

MR CORBELL: Thank you, Mr Assistant Speaker. Are those opposite suggesting that officers of the Department of Disability, Housing and Community Services are deliberately seeking to breach the provisions of the Human Rights Commission Act?

Mr Smyth interjecting—

MR ASSISTANT SPEAKER: Order!

MR CORBELL: Is that what they are suggesting? The fact is that, if such an offence has been committed, there are protections in relation to those individuals giving evidence—

Opposition members interjecting—

MR CORBELL: and the matter can be investigated through the appropriate channels by the commission and with reference to the appropriate authorities if that is indeed what is required. But the government is confident—

Opposition members interjecting—

MR ASSISTANT SPEAKER: Order! Members have their chance.

MR CORBELL: that the department and its officers have acted appropriately, and the minister has outlined very clearly the circumstances that lead the government to have that confidence. First of all, it is extremely clear that at no time has the minister or her chief executive at any time suggested anything other than to say that staff should fully participate and should give whatever information they believe they have available to them to the inquiry to assist the inquiry in its investigation. There have been repeated all—

Mr Smyth: Spin. It is just spin.

MR CORBELL: No, it is not spin.

Mr Smyth: Yes, it is spin—spin.

MR CORBELL: It is documented evidence, because—

MR ASSISTANT SPEAKER: Please stop the clock. Mr Smyth, I asked you politely and I asked you not to invite me to warn you. I accept your invitation. You are now warned. Minister, you have the call.

MR CORBELL: It is documented evidence. On 28 January, on 4 March, on 25 March, there have been written circulars to all staff, encouraging them to contribute to the review by providing a submission or participating in the other mechanisms provided by the review. There has been written advice to the youth workers at the justice centre encouraging their full participation in the review, encouraging them to provide written submissions, and the department has written to all staff, encouraging them and their community partners to attend the review team's drop-in clinics.

So at no time has the minister or her senior executive team done anything other than what is entirely appropriate: to say to staff they should participate, they should make submissions and they should provide whatever information they believe should be provided to the inquiry.

We have three allegations in Mrs Dunne's motion, the first of which relates to the alleged link between what Mrs Dunne alleges is the sacking of a woodwork trainer at Bimberi and his complaints to the Human Rights Commission. The minister for education has already clarified yesterday in question time the circumstances relating to that particular individual and the minister has said, quite unambiguously, that there is no link. There is no link. The minister has said that very clearly.

Mr Barr: In Doszy's supplementary to me yesterday.

MR CORBELL: If they have evidence to the contrary, let them put it forward.

Mr Barr: Don't you pay attention to your own questions?

MR CORBELL: But there is no link. There is no link.

MR ASSISTANT SPEAKER: Minister, excuse me a second. Stop the clock. Minister Barr, I cannot ask the members of the opposition to cease being unruly if you are going to help them out. Minister Corbell, the floor is yours.

MR CORBELL: Thank you, Mr Assistant Speaker. The second allegation is in relation to the concerns raised by the former visual arts teacher at Bimberi. These concerns raised by that teacher are why this inquiry is occurring. That is why we are conducting this inquiry—to understand what these issues are—and I would draw to members' attention the fact that that teacher has said in her open letter in the *Canberra Times* yesterday:

... the current inquiries are the best chance we have to shine a light into all the dark corners of Bimberi, systematically address the abuses and problems that exist and to answer some compelling questions.

So the teacher herself has said that this inquiry by Mr Roy, by the Human Rights Commission, is the best chance we have to get to the bottom of this—and the government agrees. So why do the opposition continue with their attempt to undermine this inquiry?

Finally, we have the allegations in relation to the so-called coaching of staff by officials of the department. The minister has already tabled a detailed letter outlining the circumstances of the meeting in question and why matters were phrased in the way that they have been. It is quite clear that at no stage was any attempt made to coach staff—only to provide staff with avenues for support in what can be a daunting and difficult exercise for public servants.

There are no grounds to change the process of the inquiry and the government will not be supporting the amendments from the Greens today. (*Time expired.*)

MR SMYTH (Brindabella) (11.09): Mr Corbell read a selective quote that the government has latched onto from Trish McEwan. But he failed to read the other bits by Trish McEwan. She said: "I have hopes for this inquiry. I thought we'd get into all those dark corners." But what did she go on to say? She said: "It concerns me that I naively had believed that a human rights review would be independent from any influence from government." Let me read that again: "It concerns me that I naively had believed"—"I had believed"; so obviously does not have that belief now—"that a human rights review would be independent from any influence from government. And that is why I have always supported the review."

That is why. But now she admits that she was naive. She goes on to say, "I am still encouraged, and I would still like to believe, that the review process will be successful in bringing truth to light at the centre, but I'm not confident that adults and workers will freely contribute to that review." Why not? Because it is being influenced by the government.

She finishes by saying: "I don't know anymore. I'm a bit doubtful about the whole process." Why? Because the process has been corrupted. I interjected, "Spin," and Mr Corbell said, "No, no; it's not spin." Let us go back to 2003. Mr Corbell found himself in enormous trouble when, with respect to his own department, ACT Health, during budget estimates 2003—you will remember this document, Mr Hargreaves—people were told, and it actually says, "Take on notice what you can't or don't want to answer." This is the form of this government: "Don't answer the question."

You have to go back to this: why do we have the current review at all? And the reason is that Mrs Dunne moved a motion to set up an inquiry. It is the Canberra Liberals that have been the only party concerned, right from the start, about getting to the bottom of this. And we are now concerned that we will not get to the bottom of this because of the corruption of the process and the unethical, undue, unnecessary influence that is being brought to bear on people.

Trish said it herself: "I'm not confident that adults and workers will freely contribute to that review." We heard from Dave: "Staff were discouraged to attend review meetings." And we had this from the minutes: "We will work out a strategy to assist you in answering your questions." I note that the minister tabled the letter but there was an attachment. Attachment A is a copy of the agenda and minutes of the meeting. Where is the attachment, minister? Why didn't we get the full document that you were given instead of just the covering letter?

Mr Corbell: The truth is out there, Brendan. The truth is out there.

MR ASSISTANT SPEAKER (Mr Hargreaves): Order!

MR SMYTH: Simon, do you have a problem?

MR ASSISTANT SPEAKER: Mr Smyth, I do not need any help, thank you.

MR SMYTH: The ministerial code of conduct says:

Being a Minister demands the highest standards of probity, accountability, honesty, integrity and diligence in the exercise of their public duties and functions.

You have to ask the question: have we received that from Minister Burch in regard to this? The answer simply is that no, we have not, because when Ms Burch had these issues first brought to her attention by Trish McEwan, she was told to go somewhere else. "Don't talk to me. I don't want to know." Then we have the extraordinary account of Ms Burch covering her ears, turning away from the meeting and going, "La, la, la." It is something that she denies, but members at that meeting, people who were there, say, "This is what happened."

This minister cannot be believed. Because this minister is in charge of this area and because this minister continues to behave in the way that she is behaving, I do not

believe that we will ever get to the bottom of this. You only have to look at the lack of diligence on behalf of the minister: “Don’t talk to me. Go to the human rights commissioner.” “La, la, la.” She told this place and she told the committee hearings that the roof had been secured; that the young people could not get on the roof. Yet yesterday, again in the report, she said, “Efforts have to be made to secure the roof.”

We were told that there were no hired security staff at Bimberi: “No staff there. No, we fixed that problem.” Not true. We were told that there were all of these beautiful facilities to benefit these children; they were not being used. And we cannot keep staff and we cannot get staff. This is worse than Quamby. That is what one person said yesterday—one person who knew the old Quamby. And you knew the old Quamby, Mr Assistant Speaker. This is worse than Quamby. The government have set up and run a brand-new facility that is worse than the facility that they set out to replace.

Members interjecting—

MR ASSISTANT SPEAKER: Excuse me. Members will desist. Both sides of the chamber will be quiet, please. Mr Smyth has the floor.

MR SMYTH: The Treasurer interjects, “We spent money.” That is the measure of this Treasurer: “I can spend money.” But what about getting results for the young people at the heart of this? And that is not what we are getting. I had great hope after I heard Ms Hunter’s speech yesterday. She said some really interesting things:

And I guess some of the information or the recommendations that have come out of that review really are quite startling ...

Well, yes, they are. She then said:

This really needs to be rectified, and rectified quickly ...

Yes, it does. Ms Hunter goes on to say:

It does make me wonder what was in place before that to ensure that staff knew of all the policies and procedures. I mean there is talk of a six-week induction process. But, come on, that is hardly adequate.

And she is right. But I see this morning that the position has softened, and it is a shame. She really did speak the truth yesterday when she heard what the minister had to say and she responded and she saw what was wrong—the suicide prevention that is not there and the training opportunities that have been forgone. This is a disaster that is unfolding right before our eyes. And it is a shame that the Greens have no credibility on this issue because it has been the Liberals and Mrs Dunne that have been driving this issue, not the Greens.

Ms Hunter this morning started by saying that she has full confidence that this is still the best way forward, thanks to the Greens—this is the only way forward. It is not the only way forward. There is another way forward. There is a better way forward. We now get conflicting stories from the minister, we get conflicting stories from her

colleagues who seek to support her, we get conflicting stories out of the public service about what is going on, and we get conflicting stories from people who have had the courage to come forward and tell the truth about what is truly going on. The only way now to get to the bottom of this mess and actually build a system that serves the community and those that are unfortunately caught up in that system is to get right to the heart of this matter. And the only way to do that is through the inquiry that Mrs Dunne proposes today.

The problem with all of this is the spin from the government and the inability of the minister to control her portfolio. That is what is at the heart of this. This is a minister who is not up to the job. Perhaps you should be back in the ministry sooner rather than later, Mr Assistant Speaker, because—

MR ASSISTANT SPEAKER: Careful what you wish for, Mr Smyth.

MR SMYTH: the minister is not interested in this portfolio, and she has displayed that. We know her level of interest. Her level of interest is simply the photo op: “Let’s arrange some photo ops for the minister.”

There has been a corruption of the process; there is a cover-up going on. The workers are being intimidated and we can see that by the number of people that are coming forward and have said, honestly and openly—and we on this side of the house honour the courage of those who have come forward and we respect their courage, and the people who have been genuinely affected by this from the staffing perspective who complain coincidentally lose their jobs. It is quite amazing.

The woodwork teacher has a letter of commendation from the minister for education. He makes a complaint and suddenly everything that he has done actually was not true. So was Mr Barr ill-informed? Does Mr Barr still stand by his letter of commendation? I expect Mr Barr to speak, and speak to that letter of commendation. I assume it was given honestly. I assume that was the purpose of the letter. “This bloke did a good job; thank you, well done.” But in doing a good job and bringing to the light of day and to the attention of the community that things were wrong, he got sacked. We see that people have been identified after they talked to the commissioner. We see the Attorney-General releasing people’s names because he thought somebody knew—whether he thought they knew or not, he did not have the right to make that happen. He did not have the right to do that.

It is most unfortunate that we get the spin from the government. It is most unfortunate that we have the corruption of the process. It is most unfortunate for those that used to have jobs that, coincidentally, if you help, you get sacked or your supervisor is made aware of the fact that you have complained. Indeed, I spoke to one staffer who was told at their induction: “Don’t trust anybody. Don’t tell anybody anything because it all goes back to the bosses. And if the bosses find out, woe betide what will happen to you.” That is what is being told to people in their induction into this service: “Keep your mouth shut. Don’t talk to anybody. Don’t trust anybody.”

Then, of course, we see the catastrophic failure of the systems that have been put in place, or in this case have not been put in place, or indeed put in place and then not

followed. Some of these were covered in the statement by the minister yesterday. But the statement just reads like an indictment of the failure of the minister and the department to make this place secure for those that work there and for those that are held there.

It is a damning indictment. It is an indictment that says that what we need is the inquiry that Mrs Dunne puts forward. And we will pursue this because it is worthy of a full inquiry. It is worthy of this place saying that we do take this far more seriously than we are currently taking it.

MRS DUNNE (Ginninderra) (11.19): The Canberra Liberals will not be supporting Ms Hunter's amendment today. I think that it is very disappointing—and Ms Hunter is obviously feeling the pain of this issue; she has come very late to this; and this is an area where I think that she feels that she has some special knowledge; and I think that that is the case—that what we are seeing, with the performance of the Greens in relation to the whole issue of Bimberi and youth justice and the problems that we have encountered here, is that they have been too close to the government for so long that they cannot extract themselves, even when the evidence is mounting, the information is mounting, that the system is broken, not just that Bimberi is broken, not just that the inquiry, the review, is being corrupted by the influence of people inside the system but everything else that has happened. The statement made yesterday by the minister in relation to the MSS security guard, more than anything else, shows just how broken Bimberi is.

Ms Hunter's comments yesterday and her speech today are in fact a speech in favour of the motion moved by the Canberra Liberals. She knows how broken this system is but she cannot extract herself. She has relied on the government to tell her that everything is all right at Bimberi. She has taken the briefings and she admitted yesterday that she was misled by those briefings. Now she has to extract herself. But she is so tied to the amendment that she put forward—she is committed to the people in the inquiry—that, in doing so, she cannot actually extract herself and take away the personal involvement and look at the facts clearly and honestly.

As to the people involved in the inquiry, there is a substantial team, some of whom I know by reputation, some of whom I know personally. There is no doubt, for instance, that, when the art teacher was on 666 yesterday morning, she said she had a high level of regard for the people who are conducting the inquiry. But it is clear, and it is increasingly clear, that they will not be able to get to the truth because the system is being nobbled.

We need to go back to the first debate we had about this. Ms Hunter, Ms Burch and in fact the commissioner at the time said, "Don't you worry, we have all the powers we need." That is not quite the case. The Canberra Liberals tend to get criticised for making FOI requests. The Canberra Liberals made an FOI request into the process of establishing that review. That review was set up by this Assembly on 8 December. Admittedly, there were the Christmas holidays but it took about six weeks for the minister to sign off on the commission because there were pages and pages, backwards and forwards, of correspondence between the commission and the Department of Justice and Community Safety about how the powers were not quite

right. And there was concern that if the commission were set up under particular sections of the act they would not have the powers that they needed to conduct the inquiry. The papers are quite clear.

So we have had this backwards and forwards process, and that is just one of the things that are wrong with the system. But the main thing that is wrong with the system is the corruption of the process. You can put out all the staff bulletins you like covering your bases, spinning, as Mr Smyth said quite accurately, to show that you are going through the motions but, when staff are threatened with losing their jobs, they will not turn up. And this is what we have seen.

There is a high correlation and coincidence between the events of the woodwork teacher going to the inquiry and the inquirer saying to him, “We can’t wait until June to act on some of the things that you have talked about. We have to do that now”—and to their credit, those things were done—and in ensuring that those things were done it became abundantly clear who had made those complaints. It became abundantly clear that the woodwork teacher had gone to the inquiry. And he did not make any secret of it, because he is passionate about services for young kids at risk.

Mr Barr knows that, because Mr Barr gets emails from him on a regular basis. I get emails from him on a regular basis about the things that worry him, how he would like to make life better for kids and the programs that he has in mind. He was passionate. He did not make any secret of it. But it was not very long after that that they asked him not to come back.

Let us listen to what the caller said on 666 yesterday. She referred to a staff member using excessive force and she wondered why that staff member had not been stood down. The interviewer said, “Have you referred this matter to authorities at Bimberi?”, to which she said:

No you don’t do that. I’m in another area at the moment, but my manager was told he wasn’t allowed to report to the review. That was a couple of weeks ago. He had all intentions to report ... but was told that he wasn’t. I have confidence in the people doing the review—

again “I have confidence in the people doing the review”—

but I don’t have confidence in the outcome—I don’t know whether the truth will come out. I have been stood down—

a couple of weeks after she found out her manager was told not to report to the review—

I think it’s because of my involvement with the review.

Alex Sloan asked her, “You feel you have been punished for that?” She replied:

Yes. Definitely.

Here is another person who has come out to say: “I have been stood down. Somebody else has lost their job.” I have lost track of the number of people who now think that they have lost their job because they went to the review.

This is the problem. Ms Hunter knows in her heart of hearts that this is the problem. She says in part 4 of her amendment to my motion that there are real problems. But there is nothing in her amendment that makes the government do this. She wants the government to ensure all staff are aware of their mandatory reporting obligations. But we know that they will not do anything about that. She wants them to do all these things but there is nothing in this amendment that will make them do it.

At the same time, she maintains her steadfast confidence in the human rights inquiry and says it is the only way to go. It is not the only way to go. There are people in the community who have confidence in the team that the Human Rights Commission has put together but they still have concerns that the Children and Young People Commissioner is part of the problem. He has been visiting Bimberi for the two years it has been in operation, and they are not satisfied that, when issues were raised with him, he took them up actively enough. And on one occasion that we all know about, he divulged the identity of the person who had complained to him to that person’s supervisor.

The Chief Minister fell over himself yesterday saying it was unwitting. The commissioner knows the powers that he has under the act. He knows the responsibilities he has under the act. This was not unwitting. At least, it was reckless, because he should know the powers under his act. If he does not know the powers under his act, he should not be in operation.

We are not talking about the fact that he presumed that I knew this person’s name. That was not the real offence. The real offence was that, when she went to the Children and Young People Commissioner, the next thing she knew was that her supervisor had known that she went and spoke to him.

Mr Corbell: There is no evidence.

MRS DUNNE: There is clear evidence that the commissioner told her supervisor enough for her supervisor to work out that she had been to the commissioner, and that is where the victimisation started for her. In addition to that, we have a litany of victimisation—the woodwork teacher victimised, somebody who rang up out of the blue yesterday to confirm that she had been stood down and she believed that she had been stood down a couple of weeks after she went to the review—and the same person reporting that her immediate supervisor had been told not to go to the inquiry.

We cannot support Ms Hunter’s amendment today because it deflects from the real issue that this process has been corrupted. (*Time expired*)

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (11.30): I rise briefly to respond to a couple of issues that have been raised in

the context of the debate. Firstly, in relation to an allegation that has been made and repeated by the Leader of the Opposition in relation to an alleged lack of response to an approach from the visual arts teacher to me in December last year, I received an email from the visual arts teacher on 3 December. That teacher also contacted the Chief Executive of the Department of Education and Training, I believe, on 5 December.

Responses were provided to the teacher on 6 and 9 December from the chief executive and me, respectively. A meeting was convened between the teacher, a union representative and the director of Aboriginal and Torres Strait Islander Education and Student Support on 9 December. So within six days of receiving the email and within four business days, such a meeting was convened, with a particular discussion on training in mandatory reporting and disclosure, amongst other issues.

The teacher also, in her email to me, expressed some concern about an op ed that was published in the *Canberra Times* on 30 November by Mr Jeremy Boland and I indicated in my response to the teacher that the views articulated by Mr Boland in his op ed to the *Canberra Times* were his opinion and were not my views and did not reflect the views of the Department of Education and Training. I indicated in that response to the teacher that a meeting would be arranged with Dr Collis. That occurred on 9 December, within, as I say, six days of receiving the email. Other correspondence between the teacher concerned and the chief executive also led to that meeting being convened.

Yesterday in question time, Mr Doszpot, I believe, asked a series of questions initially to Minister Burch that in fact reflected portfolio responsibilities of mine in relation to the woodwork teacher. I indicated yesterday—and I stand by that—that I note the goodwill and intent of the woodwork teacher. I also note, though, as many people have observed in this debate, that working in that educational environment is complex and challenging and that the best of intent and goodwill around education do not necessarily translate into a safe and secure environment for everyone within the context of that work environment.

While these matters are clearly regrettable—and I am concerned that the reputation and the good work of that particular woodwork instructor have been brought into this place—I recognise that that is beyond my control and I do not believe it appropriate to be discussing the circumstances surrounding that in this place. I think a sufficient level of detail has been provided and, as I indicated in my answer yesterday, I think what is most important is that the offer that has been made on a number of occasions by Mr Bromhead, the manager of student wellbeing and behaviour support in the department, to meet with the woodwork teacher to go through in some detail these issues is taken up. I said yesterday that offer is made in very good will and I hope it is taken up.

As Mrs Dunne has indicated, I correspond regularly with this trainer on a number of issues across a range of my portfolio responsibilities. So I know him reasonably well and I do not for a minute doubt his goodwill and his desire to assist. But unfortunately, in some contexts—

Mr Doszpot: Who sacked him, Andrew?

MR BARR: I have responded to that.

MR ASSISTANT SPEAKER (Mr Hargreaves): Stop the clocks. Mr Doszpot, please do not continue. I do not want to have to do to you what I have had to do reluctantly with Mr Smyth. Please do not force me. Mr Barr.

MR BARR: I sometimes wonder what is the point of question time. I responded to these specific questions yesterday. You specifically asked me, Mr Doszpot, whether the matters related to the woodwork teacher's involvement in the inquiry, and I specifically said no. You asked me what had occurred and I indicated in my response to your question yesterday who was involved in making that decision around approaching Caloola, who is the employer, not the ACT government. The individual in question has, I understand, alternative employment within Caloola; so no job has been lost. He is working in a different environment. I responded to those questions yesterday.

But it would appear that, in all of the tension of question time, no-one listened at all. Perhaps we can all have cause to reflect on the theatre of question time and whether in fact anyone ever listens to answers to questions. But that is a matter for another day.

In all of this, I think it is important that we focus on improving education and training opportunities within Bimberi and, with that in mind, the focus of the Department of Education and Training has been on increasing opportunities and increasing staffing and resources within that centre to ensure that those opportunities are available. That has involved a recruitment process for an Indigenous liaison officer. It has involved increasing the number of staff and the breadth and diversity of training programs.

Let us not forget in this context that this is a challenging environment, with changing student numbers, a variety of students who have a wide range of capabilities. Some come with no functional literacy. So we have individual learning plans and a real focus on literacy and numeracy. But there is also sometimes limited time that the staff within the education centre have to work with those students. This is not like any other school environment. This is not like any other training environment. And in that context, there are enormous challenges around translating good intentions into good outcomes. And that is our focus in education and training, recognising the complexity of the challenge.

I think, importantly, out of all of this, regardless of the political agenda that people are pushing through this—and let us be frank, that is what a lot of this is about this morning; it is all about politics; everyone knows that; let us not try to pretend otherwise—there are a group of people in education and training particularly focused on ensuring that the quality of those education and training opportunities within that centre is of the highest standard and that we do ensure that there are appropriate programs in place. That is my focus and I believe firmly that that is the focus of the Department of Education and Training.

MR SESELJA (Molonglo—Leader of the Opposition) (11.38): Just to respond briefly to some of what Mr Barr had to say, it is worth going back to what Trish McEwan actually said in her open letter to the Chief Minister:

I also sought assistance from Education Minister Andrew Barr because I believed that Bimberi would operate within the overarching legislation, policies, guidelines and management plans that guide ACT schools and I thought Mr Barr would have an interest in monitoring these at the centre.

Presumably, from the tone of what Ms McEwan is writing, she does not believe Mr Barr had an interest in monitoring these at the centre. She went on, and this is the part that Mr Barr addressed:

Teachers were despondent when criticised by Official Visitor Jeremy Boland in *The Canberra Times* in November for “not trying hard enough”, and the silence from our managers and from Mr Barr suggested that our leaders also believed it was our fault.

Mr Barr has just got up and said, “Well, yes, and I said that those weren’t my views.” That was the level of going in to bat for these teachers working in difficult circumstances. There was not a public commendation. There was no press release saying: “Our teachers are trying hard. They are doing their best in very difficult circumstances.” It was, “Well, they’re not my views.” But he was not prepared to go and fight for them. That is the frustration that has been expressed here by Trish McEwan. She felt that the minister responsible for Bimberi had no idea and was not prepared to act and that the minister for education was not putting up a forthright defence of teaching staff within Bimberi. She also said, as I discussed earlier, that the Attorney-General and others have let them down.

Across the board we see the attitude of this Labor government. It is not to try and protect those who are trying to do work in difficult circumstances. There is a lot of rhetoric about that. But when staff are publicly criticised, the best the education minister can do is to say to them, “Oh, well, they’re not my views.” That is perhaps at the heart of why Trish McEwan feels that the education minister was not fair dinkum in going in to bat for her and her colleagues.

There was a quote that I did not get to read earlier. Paragraph (4) of Ms Hunter’s amendment is instructive. It calls on the minister to:

- (a) immediately ensure all staff are made aware of their mandatory reporting obligations;
- (b) encourage all staff (both present and former) and members of the community to make full and frank contributions to the Bimberi inquiry; and
- (c) take the strongest possible disciplinary action against anyone found to have attempted to in any way pervert the inquiry.”.

I think that is an acknowledgement that we have a problem. There is an acknowledgement in Ms Hunter's amendment. Why would we have to have something like that? Is it because this many voices are not likely to be wrong? Is it because we have seen documentary evidence? We have heard from Trish McEwan. We have heard from Dave Cavill. We have heard from this other caller, a former staff member at Bimberi, on ABC yesterday as well, who said: "I'm in another area at the moment but my manager was told he wasn't allowed to report to the review. That was a couple of weeks ago. He had all intentions to report but was told that he wasn't. I have confidence in the people doing the review, but I don't have confidence in the outcome. I don't know whether the truth will come out. I have been stood down. I think it's because of my involvement with the review." That is further evidence that the review cannot get to the bottom of it. This caller is saying that, even with the best will in the world from those investigating, they are not going to be able to get to the bottom of it because they are being told not to cooperate.

Ms Hunter feels it necessary to put in her amendment the taking of the strongest disciplinary action. The reality is that the best way to ensure that that occurs is to have a full judicial inquiry. We are seeing Ms Hunter inch towards this position where she is acknowledging that there is a serious problem with the inquiry. Otherwise, why would you bother putting a provision like that in your amendment? But she is not prepared to do the work to put in place the parameters that would give the protection, that would give the confidence and that would send a clear message to anyone who is seeking to corrupt this process that that is unacceptable and that they will be held to account using the full force of the law if necessary. That admission in Ms Hunter's amendment goes to the heart of why we need a judicial inquiry.

Is it really the position of the Labor Party and the Greens that all of these people who have come out publicly are all liars? That is the only conclusion we can draw. If they are not liars and if any of them are telling the truth—I believe they are—then these are serious allegations. They are the most serious allegations in relation to an inquiry. We have heard four different ways now—and counting—on how this message has been delivered. These are the most serious of allegations, and no-one on that side seems to be taking them seriously.

Has the Attorney-General launched an investigation? Is the Attorney-General concerned about alleged breaches of the Human Rights Act? He talked about the sections. Will he use his powers and his resources to ensure that there is a thorough investigation? So far the answer is no. They are going to let these allegations go, because the government do not want to get to the bottom of it. It is not in their interests to discover that this inquiry may be dodgy, that it has been perverted and that it has been corrupted by the discouragement in a number of ways for staff to speak to the inquiry and to speak out.

Mr Assistant Speaker, we will not be supporting this amendment, and I think the amendment itself highlights the problem. It highlights the fact that there is some substance to these claims. This many people would not be putting themselves on the line to speak publicly if there was not some truth in those allegations.

We again call on the government to investigate those claims, because they are of the most serious nature. Several allegations have been made about officers perverting the course of this inquiry. We can see now why they do not want a judicial inquiry, because the consequences would be far greater. Nonetheless, it is incumbent upon this government to show that they take this seriously and for the minister and the Attorney-General to launch inquiries into these most serious allegations. We will not be supporting Ms Hunter's amendment.

Question put:

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

Ayes 4

Ms Bresnan
Ms Hunter
Ms Le Couteur

Mr Rattenbury

Noes 11

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

Mr Hanson
Mr Hargreaves
Mr Seselja
Mr Smyth
Mr Stanhope

Question so resolved in the negative.

MRS DUNNE (Ginninderra) (11.50): It is interesting to speculate on the motivations of the government not supporting Ms Hunter's amendment. They say they have confidence in the human rights inquiry but, at the same time, they are not prepared to support a motion that says so. You have to ask where the Greens will go now, because it is now clear that the government is not concerned about the fact that they have not been doing adequate suicide prevention training of staff in Bimberi and that there has been inadequate case conferencing for residents. The government will not express concern about these matters, even though the minister admitted to these things in her statement yesterday.

It is also clear that the minister does not want to ensure that staff are made aware of their mandatory reporting obligations. She does not want to encourage staff, both present and former, to make full and frank contributions to the inquiry, and she does not want to take the strongest possible disciplinary action against anyone who attempts to pervert the inquiry. It is going to be a real test for the Greens, and this in some way is what this whole motion and this whole issue are about.

We see at every level of this process a culture of cover-up by ACT Labor, and it has been brought into stark relief this week by the exposure in the *Canberra Times* of the minutes that I tabled earlier today. It has been brought into stark relief by the open letter, a plea—they were the words used by the writer—to the Chief Minister to ensure that there was an open, frank inquiry into Bimberi. The person who wrote those things then went on ABC radio to say, "Perhaps I was naive to expect that a human rights inquiry would be free from government interference." She then went on to say that she doubted now the efficacy of the situation.

Then we had other people coming on, one after the other, to tell their stories about how they lost their jobs, how staff were discouraged from being involved in the process, how other people were stood down, how their supervisors were told not to go: "We don't care whether you want to go. You're not to go."

Where does this leave the Greens, who say that they are motivated by concerns for the young people? I do not doubt Ms Hunter's concerns and her commitment to having an effective youth corrections system. The things that Ms Hunter spoke about in her speech are the things that we should be all aspiring to obtain in this Assembly for those vulnerable young people. We should be using the opportunities afforded by them being in this extraordinarily expensive building with these extraordinary facilities to help turn their lives around.

But what we are seeing is that when people go to the minister, she stops her ears, she turns away and says: "La, la, la, la, la. I don't want to hear." Can you visualise that, Mr Speaker, that someone who has been elevated to the position of care in this community, someone who has been made a cabinet minister in the ACT government, could be so unprofessional as to turn her back on people who are telling her the things that worry them and make them wake up at night? She turns away from them, stops her ears and says: "La, la, la, la, la. I don't want to hear."

This government's response to this motion today is another "La, la, la," moment. They do not want to hear the teachers or the youth workers who have been told not to go there. They do not want to hear about the people who have lost their jobs and do not have an explanation. They do not want to hear about the people who believe they have been stood down because they went to the inquiry.

The Attorney-General accused us of saying that the inquiry is a toothless tiger. We did not say the inquiry is a toothless tiger; we said the inquiry has been corrupted, and we stand by that. The inquiry has been corrupted. It is an indication of how much corruption there is in the process that the Attorney-General points to the powers in the legislation. There has been evidence presented here today and on radio that that process has been corrupted. He is the minister responsible for that legislation, and he points to the powers in the legislation. But has he done anything to ensure that this system is not failing? Has he done anything to investigate these allegations? Has he done anything about that, or has he just had a quiet conversation with the commissioner?

The commissioner himself should be concerned. On Monday he was reported in relation to the minutes as being completely unconcerned. He should be concerned. He should be concerned when he reads that it is possible that people who come before him and his working group to give evidence have worked together with their supervisors to formulate a strategy about that evidence. He should be concerned. He should be looking into this.

The commissioner should be looking into all the allegations. I have written to him in relation to Mr Cavill and his concerns, and the commissioner has written back and said that it will be investigated under various aspects of the legislation and it will be looked into as part of the Bimberi inquiry. I thank him for that. But there are now

other accusations. Mr Cavill has also made the allegation that he was discouraged from going to the commissioner. Other people, other callers, have said that they were discouraged, their supervisors were discouraged and that they believe they are being stood down as a direct result of going to the inquiry.

I put out a call—because I do not think the Attorney-General is going to do this—to present staff of Bimberi and past staff of Bimberi who are afraid or feel that they have been victimised to come to me, come to my office, and I will take those matters up with the commissioner. If the commissioner does not hear from these people, he cannot use his powers under the act. He cannot take action or refer this matter for investigation. There are offence provisions in the act, but if these people are so intimidated that they will not go to him, how will he ever know?

The Canberra Liberals will stand behind anyone who wants to make a clean breast of this and wants to come forward. We will support them in the same way that we have supported Mr Cavill and the other people who have come to us. I made a commitment that if there are issues that they are concerned about, my staff and I will deal with it as sensitively as we have dealt with everything else. Come forward, let us know and we will help you get justice for yourself and for the people you have been charged with caring for.

It is a sorry day, but it will be a strong test for the members of this Assembly when we vote on this. Will we allow this government to continue the corruption of this process or will we have a clean slate? Will people be able to come forward in a way where their jobs will not be put at risk so they will not have to worry where their next mortgage payment is coming from? What happens to those people who have been stood down or asked not to come back to Bimberi on very spurious grounds?

This is a test for ACT Labor. Will they put an end to the culture of cover-up that we have seen in Bimberi? Will they expose everything that has happened, not just at Bimberi but in the department, since the inquiry has been set up to the cleansing effects of daylight through a judicial inquiry? Will Ms Hunter and her Greens colleagues join with us and ensure that there is no cover-up? Will they join with us and ensure that the young people, who we should be most concerned about, will have a prospect of a bright future and that the people who are charged with teaching them and caring for them are not in fear of losing their jobs?

Question put:

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

The Assembly voted—

Ayes 5

Noes 10

Mr Doszpot
Mrs Dunne
Mr Hanson
Mr Seselja

Mr Smyth

Mr Barr
Ms Bresnan
Ms Burch
Mr Corbell
Ms Gallagher

Mr Hargreaves
Ms Hunter
Ms Le Couteur
Mr Rattenbury
Mr Stanhope

Question so resolved in the negative.

Taxis—wheelchair accessible

MS BRESNAN (Brindabella) (12.03): I seek leave to move the amended motion circulated in my name.

Leave granted.

MS BRESNAN: I move:

That this Assembly:

(1) notes:

- (a) that for many people with disabilities, Wheelchair Accessible Taxis (WATs) are their main source of transportation;
- (b) that access to transportation is an important element to ensuring social inclusion;
- (c) that in March 2000 the ACT government released An Action Plan for Accessible Public Transport in Canberra, which recommended that the level of service for WATs should be at least equivalent to that of taxis for ordinary telephone bookings;
- (d) that the ACT government has commissioned reviews into WATs in 2000, 2005, 2007 and 2010;
- (e) that long waiting times and lack of vehicle availability continue to be a problem for WATs patrons, despite the information and recommendations from previous reviews;
- (f) that a large number of current WATs are smaller vehicles which are unsuitable for the majority of wheelchairs, and that these vehicles subsequently transport few passengers with wheelchairs; and
- (g) that the current large number and level of WATs subsidies has not resulted in a reliable service;

(2) calls on the government to:

- (a) undertake a cost analysis of the current subsidies compared to the cost of a dedicated service with salaried drivers;
- (b) develop a plan to introduce a dedicated WATs service with salaried drivers that would only service people with disabilities who need WATs;
- (c) develop a timeline for the introduction of the dedicated WATs service, and targets for timeliness and satisfaction with the service; and

(d) report back to the Assembly by June 2011.

The Greens are seeking to move this motion regarding wheelchair accessible taxis because we believe people who require their use have been poorly serviced for too long. I quote the Advocacy for Inclusion's budget submission:

Transport is possibly the biggest single barrier to people with disabilities engaging with the Canberra community. Many people with disabilities live in isolation and poverty due to an almost complete incapacity to reliably leave their homes."

Here in the ACT those people with disabilities who rely on wheelchair accessible taxis, or WATs, have seen review after review conducted over the last decade, with little improvement in their ability to access the service. It is an essential service because it provides for people's social inclusion through their ability to attend employment and education, visit family and attend social activities.

In May 2010, the WAT Consortium made a very strong submission to the taxi review. It argued, quite rightly, that for the ACT government to facilitate the human rights of people with disabilities a radical new WATs service was needed. The consortium put forward two preferred models, which included the preferred model for a not-for-profit WAT service delivered by ACTION with salaried drivers—existing WATs would be phased out as the current licences expired—and a compromise for a centrally managed WAT fleet outside the existing taxi network, using dedicated WAT drivers.

The Canberra Taxi Industry Association—CTIA—suggested a model based on the WAT service in Geelong, where all plates are held by a single network. All WAT operators have to be a member of a single network, which is responsible for the management of the WAT fleet. One organisation is responsible for the operation and management of the fleet. Wheelchair jobs have priority. If a driver does not turn up for bookings promptly, they are investigated, counselled and ultimately asked to move out of WATs if they cannot be trusted.

While the ACT government has contracts with private operators to deliver WAT services and offers a number of subsidies, we know many drivers pursue more profitable runs, leaving WATs users underserved. To give just one example, my office was recently advised of a man and his carer having to wait eight hours for a WAT to arrive. This issue of what fares a WAT driver decides to take is impacted by their ability to earn a living, given the high costs associated with running a taxi in general.

According to the government's discussion paper from April 2010, there are 25 WAT taxis operating in the ACT and 26 licences. In July 2009, the community sector advised me that, of the 26 licences, only 17 were being used and 11 did not fit electric wheelchairs, leaving only six WATs operating that could service electric wheelchairs. WAT users also advised that if they were to be assured of a service, they would contact a preferred driver and make a booking with them outside the booking system.

Part of the problem with bookings is that many WAT drivers do not necessarily want to do WAT work, or they pick an able-bodied client over a WAT client. There are dedicated WAT drivers who are a WAT driver because of the service they provide to people with a disability, and customers report that there are very good drivers. Yesterday I received a glowing report from a woman who noted there were key drivers who knew how to make the system work for her.

A successful WAT service is very much about the dedication of the drivers. Perhaps the answer lies more in employing drivers that want to provide this essential service, who pride themselves on providing this service and who can earn a living through this work. Having spoken with the Geelong taxi service, it was quite clear over the phone just how dedicated the operators were to people with disabilities. Geelong is cited as having one of the better WAT services in Australia.

The most recent ACT taxi industry review report, while it recommended against completely adopting the suggestions of the WAT Consortium or the CTIA, has some very instructive information when you consider the viability of operating a WAT. It notes that the total estimated operating costs by PricewaterhouseCoopers amount to around \$101,000 per annum and that a typical WAT gross fare earnings of \$127,000 per annum, excluding lift fees, is shared with the operator. The estimated net income of a single median WAT is \$24,000 per annum, which is shared between the operator and the drivers.

This shows how difficult it is for a driver to earn a living. Over the years various incentives and lift fees have been introduced and there are discussions in the review, once again, about needing to look at other incentives to make WATs work. This raises the questions—are we going to need to increase and introduce more incentives, and will this actually make a difference, when it has not in the past, or should we move to another system which may cost more but will provide certainty of service and also allow drivers to maintain a living and stay working as a WAT driver? Driver retention is another key issue.

The taxi review notes that it believed it would be costly for government for ACTION to take on the responsibility for delivering a WAT service, which was the favoured recommendation by the WAT Consortium, and that it would be unlikely to be a cost-effective way of achieving WAT service improvements. It is also important to note with regard to this point that the taxi review did not undertake a detailed financial assessment of this model.

A compromise was for a centrally managed WAT fleet outside the existing taxi network, using dedicated WAT drivers. The government's discussion paper from April 2010 also notes that, of the operating 25 WATs, only eight had carried out WAT work in excess of 20 per cent of their total jobs and 10 WATs recorded WAT work at less than five per cent. The remaining WATs tended to have about six per cent of their total jobs as this work.

The paper said that WAT drivers did limited WAT work because, despite the subsidies, WAT jobs are not as financially rewarding as non-WAT jobs, there are long

delays in receiving payments through the taxi subsidy scheme and some drivers either do not like WAT work or feel that their training is lacking, especially in loading, securing and unloading clients. I have been told that some of the current drivers are supportive of moving towards a new model of operating WATs and are starting collectively to talk about what type of scheme they would like to see up and running and how they could be a part of it.

At the moment the government's solution is to issue four new wheelchair accessible taxi licences and establish a central booking system. Of the submission received, I do not believe they recommended that new licences be issued. In fact, the PWC report of May 2010 indicated that, from consultation with groups representing people with disability and submissions to the discussion paper, the situation can be improved, not necessarily by increasing the WAT fleet size but by better utilisation of the existing WAT fleet.

I note the PWC report did recommend a central booking system, but it did also say that if the central booking system was unsuccessful the government should move to provide a more operational role in managing the WAT fleet—for example, using the model proposed by the WAT Consortium. As noted earlier, this model requires the ACT government to provide a not-for-profit WAT service through the existing ACTION bus system to remove viability issues for WAT operators and drivers and ensure a focus on passengers with disability.

Salaried drivers would work regular shifts as part of the ACTION WAT team, providing better career options and remuneration for WAT drivers. There would be a minimum number of WATs on stand-by to provide capacity to the system promptly if required. Passengers would use an ACTION bus ticket or a swipe card system, overcoming problems with the existing paper-based taxi subsidy scheme. The Greens believe that consideration should also be given to a not-for-profit organisation running the WAT fleet, which would be determined through a tender process. This would also potentially address some of the concerns which exist with ACTION taking over the WAT service.

Going back to the 2005 WAT review, the previous minister, Mr Hargreaves, stated in this place that the ACT government had agreed with all of the 39 recommendations. This included the introduction of micromanagement by taxi networks. The 2005 report also said that if a 2008 review showed that micromanagement by the networks had been ineffective, the department of urban services was to investigate the feasibility of other options for the management of wheelchair accessible public passenger services. Recommendation 15 from the 2005 review called for a single micromanaged network, and recommendation 29 called for a separate booking number for wheelchair hirings to be mandated through the taxi network service standards and staffed appropriately.

Unfortunately, the central booking service that was introduced in 2007 proved unsuccessful after just three months, despite the government allocating around \$100,000 for this service. It is worth acknowledging that the primary reason that the disability community accepted the notion of more micromanagement was because

they thought they would get a new and better service that was more dedicated to them, but that has not eventuated.

I understand the government hopes to have the tender for the new centralised booking service out by July, but there are strong concerns about who will be the successful tenderer and run the service. People are also concerned, quite rightly, about past failures. We have already been through the process and examined the limited success of micromanagement.

Given the situation has not improved for WAT users, it is time to consider a new strategy that will deliver an improved service for WAT users and not go back to the strategies that have failed in the past. It is time to recognise that WATs are an essential service required by people with disabilities and, no matter how many more subsidies are put in place, committed drivers are required, which is why we believe salaried drivers should be the prime consideration.

In the WAT Consortium's submission to the taxi review it argued that a large number of funds and subsidies are already being spent on the WATs industry and that the amount of funds to be spent on the new WATs central booking service is up near \$400,000 per annum. The main impediment to the government taking on a new type of WAT model is funding, but large amounts of money are already being spent on a system that is not working.

What is required, and what the WATs Consortium had originally asked for, is a comparison of the funds that are already being expended and what it would take to get a new system with salaried drivers. Funds currently being spent include public holidays subsidies, costs of compliance checks, administration of the taxi subsidy scheme, micromanagement grant paid to the network operator, concessional licence subsidies, lift fees and vouchers.

As an aside, I note there are also problems with the roadworthiness of many WAT vehicles. In Queensland, WATs use large taxis that accommodate up to two people in electric wheelchairs. In the ACT, many of the vehicles are much smaller and sometimes unsafe. I have been told that recently a man in a wheelchair broke his nose and jaw because there was a metal bar that sits in front of the person in the wheelchair.

People with disabilities have also commented that the steps they have to take to receive taxi vouchers have become more difficult. People can request more vouchers when their quota is filled but then they can only get books of 10 and they have to be reassessed. They believe the department is over-assessing and complicating the lives of people who require the vouchers.

The PWC report recommended that the government remove the voucher cap and increase the level of subsidy to bring the ACT taxi subsidy scheme on par with other Australian jurisdictions and assist passengers with disability to undertake more trips and enjoy greater mobility. The government said in its response to PWC that, while it agrees with those recommendations, it is all subject to the 2011-12 budget process. I do hope this is addressed as soon as possible, even if we do move to a new model of WATs.

To conclude, we essentially have a situation with the current WAT system where an essential community service is being run on a for-profit basis and this creates an unworkable situation. It is time to move beyond strategies which have been trialled and failed and look to a different system which will provide a workable system for people with a disability and drivers.

I have proposed in my amended motion that a feasibility study be done prior to a plan being developed, which would include an examination of funds currently directed towards subsidies and other related fees to show how a service with salaried drivers would compare to what is currently directed towards WATs. As I have already said in my speech, it should be noted, again, that under the current proposal of developing a centralised booking system, it will cost, I understand, around \$400,000 per annum. As I have already noted, a further examination of subsidies and fees has already been foreshadowed. I have also proposed a new reporting date of September 2011. I commend my motion to the Assembly.

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) (12.18): The government, as members know, undertook a comprehensive review of the ACT taxi industry just last year aimed at providing more efficient, responsive and viable taxi operations for Canberra. Indeed, I released the full report and the government's response to that report just a couple of months ago. Among the primary motives for this review was the government's determination to address concerns raised by Canberrans who depend upon wheelchair accessible taxis, the very issue of the subject of this motion today.

The government accepts that WAT services in this town are not as good as they should be. As Minister for Transport, I receive representations from people whose only realistic public transport option is the WAT service, expressing their frustration at its poor performance. Their frustrations range from missing appointments due to the failure of booked services to materialise to waiting in the cold or the dark for a taxi after a night out. Some people are even reluctant to go out at night because they feel that they cannot trust the WAT service.

The government is frustrated too. We accept that this situation is unacceptable and we are frustrated on behalf of all Canberrans who depend on the WAT service in order to participate fully in the life of this community—their right. Perhaps most frustratingly, it seems that the quality of the sector has not improved despite all of the government's attempts to drive improvement from the outside over a number of years. Before I outline what steps the government will implement to improve WAT services as a result of the 2010 review, I will briefly acquaint the chamber with what has been attempted.

In her motion Ms Bresnan refers to reviews commissioned by the government in 2000, 2005, 2007 and 2010. The inference, and I am sure it is not intentional, is that all we have done is to commission reviews. In fact, we have over time made significant and

substantial reforms, the aim of which has been to improve the quality and responsiveness of the WAT service to those Canberrans who need it most.

In 2007, for example, we funded the network to help them better manage WAT bookings, work that benefited both WAT users and WAT operators and drivers. Regrettably, one network declined this offer of assistance. Another accepted it and, for a short time, was able to deliver a vastly improved service. Sadly, the network did not demonstrate a continuing commitment to the level of micromanagement that we know is required to deliver satisfactory WAT services, and funding was, consequently, withdrawn.

Other initiatives the government has implemented to improve WAT availability include incentive payments for drivers on certain holidays or significant family days, such as Christmas, Easter, Mothers Day, Fathers Day and Anzac Day. In addition, the lift fee paid to ACT taxi drivers for a WAT job is the highest in Australia. The lift fee for late-night trips has been doubled in an attempt to ensure that more drivers are willing to keep their WATs on the road after hours.

This is essential if WAT users are to be genuinely able to engage fully in the social life of their community—going out to dinner, clubs, movies, a show or even, indeed, simply to visit family. The smaller WATs—the ones Ms Bresnan refers to as being unsuitable for the majority of wheelchair users—were introduced in 2007 following a request by the wheelchair accessible user focus groups to do so.

The government believes in consulting the community. In this instance, the consultation with the target groups showed overwhelming support. It was their recommendation that we introduce single-capacity vehicles into the WAT fleet, as long as customers with larger wheelchairs were not disadvantaged. The introduction of single WAT vehicles was designed to deliver a more comfortable ride for wheelchair users.

The current WAT fleet contains 10 large WATs capable of carrying at least two wheelchairs and 15 of the smaller Tarago WATs. In spite of the range of measures which have been put in place over recent years to improve WAT services, the government remained unsatisfied. That is why, when I ordered a comprehensive review of the industry last year, WATs were highest on the agenda.

The review was managed by the Department of Territory and Municipal Services, which engaged PricewaterhouseCoopers to provide independent expert analysis and advice. PWC has previously conducted reviews of the Victorian and New South Wales taxi arrangements and was well placed to provide expert advice on current taxi arrangements and to recommend options for change.

PWC consulted closely with representatives from organisations representing Canberrans living with disabilities and surveyed the satisfaction levels of WAT users. It found that customers would make greater use of WATs if their reliability and availability could be improved and if the network booking service could be rendered more reliable.

Several possible reforms were proposed by stakeholders. While some disability organisations did favour a dedicated WAT service operated by ACTION, other stakeholders believed that better management practices and improved booking arrangements would lift performance to a satisfactory level. PWC noted that in no other jurisdiction does a government agency deliver WAT services.

It identified arrangements in Victoria and South Australia as possible models for the ACT. In both states strong, centralised WAT booking arrangements ensure that WAT operators are required to give priority to WAT jobs. They are not permitted to solicit standard taxi work, as a number of ACT WAT drivers appear to do.

After evaluating the various proposals put forward to the review, PWC recommended that a centralised WAT booking service based on the Adelaide model be established, modified to take into account requirements peculiar to the ACT. Work is already well advanced on implementing this recommendation. Consultation will occur in the coming months with the users of WAT services to ensure that we make use of their experience, knowledge and needs in designing a system that will work.

We will also consult with the taxi industry to ensure that operators, drivers and networks contribute to the development of a workable scheme. Once the scheme has been fully scoped the government will seek expressions of interest from those interested in supplying the service. It is expected that changes will need to be made to the Road Transport (Public Passenger Services) Regulation to support the new arrangements, particularly on the enforcement powers, to ensure that WAT operators give priority to WAT work.

I expect that the new booking system will be operational before the end of this year. The release of additional WAT plates, which was announced in response to the taxi review recommendations, will be timed to ensure that new WAT operators are subject to the new arrangements.

It is proposed that this new model should be piloted for two years, with a review after 18 months. Features of the scheme will probably include a single phone number and 24-hour, seven-day service; all calls for WATs to be automatically transferred to the WAT booking service; intensive management of all WAT jobs and drivers to ensure that service delivery standards are met; monitoring individual WAT performance and sanctions for WAT drivers who reject jobs; micromanagement of drivers to ensure adequate coverage especially for night shifts and public holidays; a higher late-night lift fee; and a small fee paid to the service provider for each WAT job delivered under the target response time.

There will be regular reporting to the taxi regulator on key performance indicators. The government will pursue a range of other measures to improve the performance of the WAT service. These include improved driver training and information to help operators and drivers operate efficiently and understand their obligations, a formula for WAT licence allocation which considers aged population, taxi usage and waiting time data and the release of four new WAT licences, boosting the size of the fleet to 30.

From 1 July, new WAT vehicles will be required to be able to carry a minimum of two people in wheelchairs. The government is sensitive to the fact that WATs have greater capital and operating costs than standard taxis. To address this, the government will reduce the discounted WAT licence fees even further and provide start-up funds for new, larger WATs.

The WAT licence lease fee for a smaller WAT will drop from \$3,000 to \$1,000 and for larger WATs from \$1,000 to \$100 a year. A \$5,000 subsidy will be provided to assist operators with the purchase and modification costs of a new WAT with the capacity to carry at least two wheelchair passengers.

The taxi subsidy scheme administered by the department of housing and community services helps Canberrans with a severe disability by subsidising the cost of taxi transport. The government has agreed in principle to consider options to further improve affordability. Options to be considered include raising the subsidy, increasing the number of trips available under the scheme and converting the paper-based voucher system to a smart card system.

I am optimistic that the changes the government has agreed to and the commitment of a substantial amount of new government expenditure will deliver improvements to WAT performance. In the unlikely event that these changes do not lift WAT performance to a satisfactory level, the government will consider other approaches to the provision of transport services for wheelchair users, including options involving a higher degree of government management of these services.

If we ever reach that point, Ms Bresnan's proposal for more detailed costing of the introduction of a WAT service with salaried drivers may have a place. Indeed, I think it is fair to say that Ms Bresnan's proposed approach, which calls on the government to undertake a cost analysis of current WAT subsidies compared to the cost of a dedicated WAT service with salaried drivers, and then to develop a plan to implement such a service, is a little unorthodox.

The government prefers to take an evidence-based approach. Ms Bresnan's motion before the Assembly today completely ignores the investment that a number of hard-working and committed WAT operators have already made. I have absolutely no doubt of Ms Bresnan's desire to improve WAT services. I am very aware of her commitment to this particular issue and the energy that she has devoted to it.

However, I do not support the approach she takes today to this complex issue. I do think it is unfortunate, in an environment where the government over the last year has commissioned an external expert review associated with detailed, ongoing, genuine consultation with all sectors of the community, has received a report, has had the report assessed, has consulted on the report, has prepared a government response, has consulted on the government's response, has initiated activity, has begun the steps for the implementation of that response, to find a motion in the Assembly today, some two months after the government has announced its response, simply seeking to say, "We think you are wrong and we are calling on you to change an agreed approach on a way forward before it has even commenced."

As I say, I understand Ms Bresnan's commitment to this particular issue and to these constituents and I commend her for that. But I do not think that the motion today should be given any support in an environment where the government has already announced a response on the basis of rigorous review and investigation and detailed consultation. The Assembly today is seeking to suggest that the government should not even commence the response that it has announced, a response based on over a year of consultation and over a year of assessment by experienced consultants in the particular area.

I find it, I must say, rather strange to suggest that despite the consultation, despite the review, despite the expert evidence, despite the detailed consideration, despite all of our experience and the evidence of our attempts over the last 10 years, we should not even try to implement the fruits of all of that work. I commend Ms Bresnan for her interest in the issue. We do not believe at this stage that there is any sense in simply rejecting the report that was received, resiling from an announced government response or approach and essentially starting again because Ms Bresnan thinks it is a better idea, even though her idea is not based on any evidence and she cannot produce any evidence.

In fact, she is calling on us to do another review, a cost-benefit—another investigation. After impliedly criticising government for investigating or over-investigating this issue for the last 10 years, today she moves a motion which requires a further investigation to see whether or not there is a better way than the way that we have announced as the way forward—a way forward which we have indicated we will thoroughly review in 18 months. Subject to that, were it not successful, we have indicated, and would have always been prepared to indicate, that we will consider then again all options including that favoured by Ms Bresnan.

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

Sitting suspended from 12.31 to 2 pm.

Questions without notice

Bimberi Youth Justice Centre—inquiry

MR SESELJA: My question is to the Minister for Children and Young People. Minister, you and your colleagues have claimed vehemently that all staff, whether past or present, as well as the general community, are free to provide frank and fearless contributions to the Bimberi inquiry, and yet people are telling the opposition, and have stated publicly in the media, that they are fearful of the recriminations that might be visited upon them if they do contribute. Indeed, one person on ABC radio yesterday stated, "My manager was told he wasn't allowed to report to the review." Minister, how could a positive message expressed as vehemently as you claim translate into a message of fear and cover-up at the front line?

MS BURCH: I thank the opposition for their continued interest in Bimberi today. Our messages have been clear and you were right to repeat them for me; thank you,

Mr Seselja. The department, the executive, right through to all management, is saying “participation and contribution in a frank and fearless manner”. The correspondence has gone out in January, early March and at the end of March. Indeed, just yesterday staff were reminded of our interest in having them be part of this discussion and inquiry. Indeed, part of the messaging yesterday to all staff was that they were engaged to be frank and fearless in their advice to the Bimberi review team. The message also encouraged staff to contact the senior executive responsible for business integrity risk if staff wished to discuss any concerns about giving evidence to the Bimberi review team, including if staff felt pressured.

My message is clear. I say it to you; I say it to each and every member of this community who comes forward and participates. If I have any notion, any evidence, indeed I implore you, if you have evidence, to come to me, to come to the executive, to go to the Bimberi review team and provide that, because I will not tolerate anybody who does not allow staff to participate in an open and frank manner.

MR SPEAKER: A supplementary question, Mr Seselja?

MR SESELJA: Minister, given that the message clearly is not getting through, what will you do to allay staff and former staff’s fears of appearing before the Bimberi inquiry?

MS BURCH: I have been on media. I have been on TV. My every public utterance and statement has been about my imploring and urging staff to participate. We have put in again—I repeat what I have just said. We have advised staff that there is a senior executive responsible for business integrity and risk. Staff can go to them. If staff think that their management or other staff are prohibiting them from participating, I want to know; my executive want to know.

MRS DUNNE: A supplementary question, Mr Speaker.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, what is your plan of action against any ACT government employee who gives another employee any message other than that which you and your colleagues claim to have sent forth?

MS BURCH: There are clear guidelines about behaviour under the Public Sector Management Act, but I would personally take a very, very dim view of any staff member that is doing anything to prohibit or obstruct a contribution to this review.

MRS DUNNE: A supplementary question, Mr Speaker?

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, there have been a number of allegations aired in the media. What have you done to investigate those allegations?

MS BURCH: I am speaking regularly and often and firmly with my executive. They are briefing with me on a daily if not twice daily basis. They are doing what they can to get to the bottom of this. At no point has anyone brought any issues of obstruction or difficulty from staff to management.

Energy—policy

MS HUNTER: My question is to the Minister for Energy and is in regard to the sustainable energy policy and weathering the change action plan 2. Minister, on 9 March 2011 you informed the Assembly in question time that the government had delayed the release of the energy policy until the release of action plan 2, which you indicated would occur in the first half of this year. In the climate change annual reports hearing last November, you said that public consultation on action plan 2 would be undertaken in the first quarter of 2011. Minister, given consultation for action plan 2 is now overdue and has still not started, are you confident that the government can meet the deadline of releasing action plan 2 before the middle of 2011?

MR CORBELL: The government is cognisant of the need to have regard to developments at a national level. The most significant of these has been the federal government's announcement that they intend to legislate for a carbon price as part of a national response to greenhouse gas emissions production obligations at some stage this year or early next year, and we do anticipate the federal government will announce a carbon price at some point this year, although the exact timing is yet to be advised by the federal government. So it is, I think, important that we are cognisant of that development. It does have implications for the territory's response to meet its own greenhouse gas emission targets and must be taken into account. Therefore, the government will do everything possible to meet the time frame that has been outlined.

However, we equally recognise the need to make sure the policy is contemporary and has regard to the timing of the carbon price. Indeed, it may be the case that a federal government announcement on a carbon price will impact on the time frame for the completion of action plan 2 and the consultation on action plan 2. These are matters at this stage that we must keep under review and make sure that we are able to provide a timely and contemporary draft document for community consultation which has regard to developments at a national level.

MR SPEAKER: Ms Hunter, a supplementary question?

MS HUNTER: Thank you, Mr Speaker. Minister, will evaluations of action plan 1 be used to develop action plan 2, and what recent evaluations have taken place?

MR CORBELL: My department does undertake a process of evaluating the success or otherwise of measures that were outlined in action plan 1 and they will be taken into account in the development of action plan 2.

MS BRESNAN: A supplementary question, Mr Speaker?

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Minister, will action plan 2 incorporate sustainability targets and programs for the new sustainable transport action plan, and is the transport plan being held up by the development of action plan 2?

MR CORBELL: No, the development of action plan 2 will include a component that deals with the greenhouse gas emissions reductions that are available as a consequence of the government's sustainable transport plan. The sustainable transport plan has targets within it in relation to modal shift that equate to certain reductions in greenhouse gas emissions, and those outcomes envisaged in the sustainable transport plan will be taken into account in the development of our overall greenhouse gas reduction strategies.

MS LE COUTEUR: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Ms Le Couteur.

MS LE COUTEUR: Thank you. Minister, in the development of the energy policy, have departmental staff contacted any of the 35 individuals and organisations that made submissions for further information?

MR CORBELL: I do not know, Mr Speaker. I would have to take the question on notice and advise the member.

Bimberi Youth Justice Centre—inquiry

MRS DUNNE: My question is to the Minister for Children and Young People. Minister, in the last 48 hours three people, all with connections at Bimberi, have spoken out over the corruption of the review process. These have included comments such as: "I am doubtful about the whole process", "the truth is we were discouraged by our managers not to attend review meetings" and "my manager was told that he wasn't allowed to report to the review". Minister, are these staff telling lies when they report these things to the media?

MS BURCH: People can make comment to the media if they want. If they have accusations that need exploring, they need to bring them to me, to my office, to the department, to the human rights commissioner. They have not brought these allegations to my office in any way, shape or form. Since the allegations have been raised, more than publicly, the department is looking—it looked all yesterday and the day before yesterday—and it cannot find any evidence of that. As I said here yesterday, today, and I will continue to say, if there are any staff within DHCS that are in any way intimidating, bullying, harassing staff so that they are not able to participate, I will take a very dim view and I will take appropriate action.

MRS DUNNE: A supplementary question.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, are you satisfied that all these claims have been investigated and will you table for us the results of those investigations of these claims?

MS BURCH: I thank Mrs Dunne for her question. As far as I am aware, not one of the claimants making these allegations has put their name to it. I have had information brought to me courtesy of Mrs Dunne that staff have been stood down. That is, indeed, wrong—absolutely wrong. Staff have been moved from Bimberi at their own request, and those movements occurred in November last year, before this motion for the inquiry even came to this Assembly. We have discussed, I think, quite extensively here the former woodwork teacher and his views, and I think we have responded to those.

MR SPEAKER: A supplementary question, Mr Seselja?

MR SESELJA: Thank you, Mr Speaker. Minister, why would these staff speak out publicly if everything is, as you claim, running satisfactorily with the investigation?

MS BURCH: I do not think I am able to put myself in the mindset and the mind of people who are making these comments. I have been very clear in what our processes are and I have encouraged people to come forward. Again, I say that I encourage those people. Indeed, if you know of these individuals, if you know of the circumstances of which they are being harassed and bullied, then you are obligated, indeed, to bring them forward.

MR COE: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Coe.

MR COE: Minister, do you believe when people raise concerns in the media it is a shape or a form of bringing it to your attention?

MS BURCH: I would have thought people put things in the media they want to draw attention to very broadly, myself included.

Planning—Hawke review

MS LE COUTEUR: My question is to the Minister for Planning and concerns the changes to the ACT executive structure and administration arising from the Hawke review. In his report Dr Hawke said:

... the current arrangements in relation to land and planning are, at best, hindering if not actively obstructing and frustrating achievement of the Government's priorities.

Is government land release an example of a government priority that has been frustrated, or what would examples be, and how will the proposed changes fix or streamline the current process?

MR BARR: Those are administrative matters that are the responsibility of the Chief Minister.

MR SPEAKER: Ms Le Couteur, a supplementary question?

MS LE COUTEUR: Yes. Minister, are the proposed changes to planning consistent with your mantra of keeping the politics out of planning?

MR BARR: Yes, Mr Speaker.

MR SPEAKER: A supplementary question, Ms Bresnan?

MS BRESNAN: Thank you, Mr Speaker. Minister, what changes will need to be made to the Planning and Development Act and the Financial Management Act to implement the proposed changes to the ACT government structure? When will they be implemented?

MR BARR: That is also a matter still subject to some consideration as the finalisation of these arrangements has not yet occurred. Obviously, I will have some input in relation to the planning aspects but it is a whole-of-government reform and it is one quite rightly being led at the chief ministerial level.

MR SPEAKER: Yes, Ms Hunter, a supplementary?

MS HUNTER: Minister, what sustainability and affordability criteria or guarantees will be built into any new planning system? I understand that might be your portfolio.

MR BARR: That is a hypothetical question and that is seeking an announcement of government policy. But there are no proposed changes to the planning system. The Hawke review talks about changes to the administrative structure within government.

Bimberi Youth Justice Centre—personal duress alarms

MR SMYTH: My question is to the Minister for Children and Young People. Minister, yesterday in your ministerial statement you talked about a range of improvements you are implementing at Bimberi, including the issuing of personal duress alarms. Minister, can you now confirm that all staff—including youth workers, teaching staff and MSS guards currently engaged to work at Bimberi—have been issued with duress alarms and can you confirm that the alarm system is fully operational at all locations within the centre?

MS BURCH: Again, I thank those opposite for their interest in Bimberi. It is my understanding that duress alarms are part and parcel of the tools of equipment provided to all staff, including the teaching staff, and that the security system is operational. I made mention yesterday that we have also conducted a security review and the finding of that review is that we had robust and rigorous security systems in place.

MR SPEAKER: Mr Smyth, a supplementary question?

MR SMYTH: Indeed, Mr Speaker. Minister, have there been any times in the past when any staff—including youth workers, teaching staff and MSS guards—have been working at the centre without first being issued with personal duress alarms? If so, will you table a report that outlines those instances and the reasons therefor?

MS BURCH: It is policy that all staff are issued with duress alarms. It is clear that for MSS staff—I think I made mention of this yesterday—in particular who may be unfamiliar with the facility, there is a checklist, a sign-off list, which they go through citing that they understand the policies and procedures in place and where they take possession of the equipment required under our policies, including duress alarms.

Mrs Dunne: A point of order, Mr Speaker.

MR SPEAKER: Ms Burch, one moment, thank you. Stop the clocks.

Mrs Dunne: Mr Speaker, the question was quite specific. It was not about the policy; it was about whether there have been any incidents where a duress alarm has not been issued.

MR SPEAKER: Yes. Minister, the point of order is upheld. If you could answer the question, thank you.

MS BURCH: It is my understanding that it is issued at the point of issue. As I think I stated this morning, there was an incident where staff were spoken to because they did not feel they wanted a duress alarm.

MRS DUNNE: A supplementary question, Mr Speaker.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, why did it take the incident that occurred on 5 February and the Keating report on that incident to convince you that the need for Bimberi workers to be issued with personal duress alarms was a critical safety and security factor for those workers?

MS BURCH: Bimberi continues to be of interest.

Mr Seselja: It's a supplementary. What did you expect?

MS BURCH: It is very good; it is very good for you. Duress alarms have been issued. I understand, from some advice, that with some of the duress mountings we have had to replace some of the mountings; there is certainly that. But staff are issued with duress alarms. It is part and parcel of the security and the equipment that are issued to work there.

MR SPEAKER: A supplementary, Mrs Dunne?

MRS DUNNE: A supplementary question, Mr Speaker. Minister, will you now listen to the concerns of Bimberi workers about their safety or will you continue to cover your ears and say, “La, la, la, I don’t want to know”?

MS BURCH: I always have the safety of staff to the forefront of my mind; I also have the safety and wellbeing of the young people there. I will say that I admire the youth workers that choose to work in Bimberi.

We have recruited 20 new youth workers since November of last year. I think that is a fantastic effort and a response from the Canberra community that they have an interest in working in our youth justice system in a complex and challenging environment. I think I also said yesterday that we were over-recruited. So we have now seven additional youth detention officers that we can put to rostering. That is a good outcome.

I admire the staff of Bimberi. I think each and every one of them does an extraordinary job each and every day. And it is unfortunate that you come here with allegations of bullying, unsubstantiated. You are not prepared to give me the names. I am imploring you to give me the names, the evidence, so we can, indeed, explore and deal with this. There has not been one sacking as a result of this.

Human Rights Commission—privacy policy

MR DOSZPOT: My question is to the Attorney-General. Attorney, is it the policy of the Human Rights Commission to respect the privacy of individuals and the confidentiality of information those individuals give to the commission? And, attorney, are those policies fundamental to the success of the work of the Human Rights Commission?

MR CORBELL: I sense a trick question coming on, Mr Speaker, but I would simply state that the Human Rights Commission treats the privacy and confidentiality of all matters raised with it appropriately and according to its stated policies.

MR SPEAKER: A supplementary, Mr Doszpot?

MR DOSZPOT: Attorney, given that the Children and Young People Commissioner could unconsciously and accidentally, as the Chief Minister described it on ABC radio on 29 March, talk about an individual to that individual’s workplace supervisor without that individual’s knowledge or authority, how is it that the same commissioner could make assumptions about that individual’s identity when communicating with an MLA?

MR CORBELL: The Children and Young People Commissioner did not disclose the identity of the complainant to that person’s supervisor. It is quite clear that that did not occur, Mr Speaker. In relation—

Mrs Dunne interjecting—

MR CORBELL: The commissioner did not even indicate that the complainant had approached the commissioner to that person's supervisor. There was no conversation to suggest that the commissioner disclosed that person's identity through their supervisor. It is wrong and misleading for those opposite to suggest otherwise. It shows the very loose grasp of the truth that those opposite are pursuing in relation to this matter.

In relation to the second matter, it is quite clear that the commissioner acted in good faith and in accordance with his understanding of what information was known to Mrs Dunne in relation to the identity of an individual and that any disclosure was inadvertent—unfortunate but inadvertent—and not of a nature that compromised that person's ability to give information to the commissioner.

MR SMYTH: A supplementary question, Mr Speaker?

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Attorney, why did you insult the willingness of the Trish McEwan to contribute to the Bimberi review process by publicly excusing the commissioner for his breaches of her privacy when she had good reasons for quite specifically asking him not to?

MR CORBELL: I do not believe that I insulted anyone, Mr Speaker, and I think it is wrong of those opposite to suggest otherwise. This was an interaction between the commissioner and the complainant. The commissioner worked very closely with the complainant to get his best understanding of how that person wished their information to be dealt with, and I believe at all times he acted accordingly and appropriately, given his understanding of the situation.

MR SMYTH: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Thank you, Mr Speaker. Attorney, will you now apologise to Trish McEwan and others who now are reluctant to tell their stories to the Human Rights Commission's Bimberi inquiry and, attorney, will you table the apology of the Children and Young People Commissioner to Ms McEwan which the Chief Minister yesterday, in his ABC radio interview, indicated had been given?

MR CORBELL: I am sorry; I missed the last part of your question.

MR SMYTH: Will you table the apology of the Children and Young People Commissioner to Ms McEwan which the Chief Minister yesterday, in his ABC radio interview, indicated had been given?

MR CORBELL: I would have to ask the commissioner in relation to that correspondence. It is not my correspondence; it is the commissioner's. But I am happy to seek the commissioner's views on that matter.

The government treat these issues seriously but we also believe it is important to stand by our statutory officers and the work that they do. They are independent statutory officers acting in good faith to perform their functions under the act that establishes their office. The commissioner has not acted in a manner which has compromised his inquiry or compromised the information given to him by his complainant. The government reaffirms its complete confidence in Mr Roy to conduct this inquiry. He has all the powers and all the resources he needs to do this work, and we believe we should allow that process to run its course.

Bimberi Youth Justice Centre—lockdowns

MR COE: My question is to the Minister for Children and Young People. Minister, what is the government's policy on the amount of time juvenile detainees should remain in their rooms each day at Bimberi, and do those policies vary according to the age of the detainee? What is the maximum number of hours on any one occasion that Bimberi residents have spent in lockdown since the opening of Bimberi?

MS BURCH: On the question of lockdown, as I mentioned yesterday, there has been no lockdown for this year. It is my understanding that young residents there sometimes used lockdown, are put in isolation in their rooms as a matter of risk management. There are sometimes operational prompts to do that. It is for poor management and noncompliance. They are short periods, usually 30 to 60 minutes. I think I went to this yesterday. When we were experiencing some staff shortages to cover staff lunch, young children were put into lockdown, for want of a better word—I am sure we should find a better word for it, but “lockdown” will do—and programs continued but not all children had access to programs over all those full hours.

You asked the question about what is the longest lockdown. It is my understanding that the longest lockdown was in January of 2010, when there was a breach in process, and I think you would understand and appreciate the need for that. Young people are secured in their cabins about 7.30 and released in the morning of that day. In March of last year a female resident was secured from about 12.30 until about 3.30, and again I think this was around a behavioural or management matter, and then resecured at about 4.30 for a release at about seven. So these are not long, but they are a management tool of Bimberi for a range of reasons, for risk management but also sometimes operational. They are not ideal; they are used as a last resort, and I think that is as it should be, as a last resort.

MR SPEAKER: A supplementary question, Mr Coe?

MR COE: Yes, Mr Speaker. Minister, since Bimberi opened on how many occasions have Bimberi detainees spent more time in their rooms on any one day than the government's policy provides and have there been occasions when that situation has extended over multiple days?

MS BURCH: That level of detail I will have to come back with but, as I have indicated, there has been no lockdown this year. I have some information about a

number of incidents. It does not appear that they are long but I am quite happy to come back with that information.

MRS DUNNE: A supplementary question, Mr Speaker?

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, will you table in the Assembly by the close of this sitting period a schedule covering the period since Bimberi was opened of the days on which one or more detainees of Bimberi have spent more time in their rooms than the government's policy would provide, together with the reasons for each such occurrence?

MS BURCH: I think that goes to part of my response to Mr Coe's question. I have said that I will take advice and come back with the information that I can on the level of lockdown.

MRS DUNNE: A supplementary question, Mr Speaker?

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, will you answer Mr Coe's question about what is the government's policy in relation to people remaining in their rooms at Bimberi?

MS BURCH: Our policy on lockdown is that we recognise that it is a method of last resort, but there are times when, in the management of the risk and the operations of the centre, it is applied. To minimise the potential negative impact on young people secured in their rooms, every effort is made to limit that.

The lockdowns are undertaken under the provisions of the Children and Young People Act 2008 and the policies, procedures and reasons for safety, security or maintenance of the good order of the facility. Every effort is made to ensure young detainees are only subject to periods of time secured in their rooms where necessary and for the periods to be of the shortest possible time.

Transport—greenhouse gas emissions

MS BRESNAN: My question is to the Minister for Transport and concerns greenhouse gas emissions from the ACT transport sector. The government has committed to reducing the ACT's greenhouse gas emissions by 40 per cent on 1990 levels by 2020. The transport sector currently produces about one-quarter of all ACT emissions. Minister, by what percentage does the government intend to reduce transport emissions over the next nine years and have you specifically modelled how transport policies will achieve this target?

MR STANHOPE: I will have to take that question on notice, Mr Speaker. I do not have that detail.

MR SPEAKER: Ms Bresnan, a supplementary.

MS BRESNAN: Minister, are your current targets for modal shift in transport specifically tailored to the 40 per cent emissions reduction target? If not, on what basis have modal shift targets been developed?

MR STANHOPE: I think the previous answer, having taken the question on notice, will have to apply to this as it is directly related to the question. In relation to the targets more generally of course, the government has in place a whole range of strategies, most particularly in relation to fuel efficiency within our fleet, to deal with the need for this community to attain the challenging targets which we have established, acknowledging of course that no community or jurisdiction will be able to achieve the overall reductions in greenhouse gas emissions without national leadership.

I am very pleased with the national leadership which the Prime Minister and the current federal government are showing. I am quite distressed at the tactics adopted by the Liberal Party in relation to the urgency and immediacy of climate change and the challenge it presents.

Ms Bresnan, I will take the question on notice. I think we do all need to acknowledge that until the Liberal Party actually manages to claw its way into the current century and accept evidence based on science in relation to climate change then we really are going to have a major challenge, as a nation, in meeting this most significant challenge. The Liberal Party, a party of deniers, refuses to accept science in relation to climate change, refuses to grapple with the most urgent issue facing the nation and the world.

MR SPEAKER: Yes, Ms Hunter, a supplementary question?

MS HUNTER: Thank you, Mr Speaker. Minister, given the need for modal shift and the expected growth of Canberra's population to over 400,000 by 2018, how are you ensuring that people in the new suburbs of Canberra can access public transport?

MR STANHOPE: Mr Speaker, the government are seeking to ensure equitable access to public transport by all Canberrans through unprecedented and historic levels of investment in public transport. We have seen over the last few years the highest ever level of investment in our network and in infrastructure designed to enhance the network. We see it across the board in relation to essentially an all-of-system investment in infrastructure, most particularly dedicated lanes, most particularly the most significant investments, new arrangements and rules in relation to cyclepaths and footpaths, so the mandating in relation to all new roads of the construction of a cyclepath as part of a particular project.

There is currently an unprecedented level of investment in public transport in the ACT both in an operational and a capital sense. Through that, we seek to ensure that there is equitable access to public transport across the territory, acknowledging that there is still much to be done in relation to achieving our sustainable transport targets and achieving the modal shift that we know we must achieve.

We have made very good progress, most particularly in relation to walking and cycling. Currently, we have amongst the highest levels of walking and cycling to work of any city in Australia. We still do not match some other cities in relation to public transport and we are, of course, committed to our targets. I have every expectation that we will meet them, but I do not deny the depth of the challenge in ensuring that we do achieve that modal shift from motor car to bus.

MS LE COUTEUR: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Ms Le Couteur.

MS LE COUTEUR: Thank you. Minister, in your assessment of transport emission reductions, how are you factoring in induced emissions—that is, the concept that when you build new road infrastructure that this actually encourages more and longer car trips and thus increases greenhouse gas emissions?

MR STANHOPE: In a formal sense, Ms Le Couteur, I cannot answer the question. I will take advice on it. It is obviously an active issue and an issue for consideration, as is, of course, the need to ensure that we do have a road network—a transport network—that meets the needs of the city. Of course, we adopt, as I am sure you would applaud, a triple bottom line assessment of these issues. We are very much concerned about meeting all of the needs of all of the people in relation to their daily lives, including, of course, their need for us to act responsibly in relation to greenhouse gas emissions.

But we are also conscious of the economic importance of ensuring a road network that is as efficient as it can be in terms of the economic advantages and, indeed, the economic costs that would bear through an inefficient road and transport system. We look at a suite of issues as we consider investments in road infrastructure, including the economic impacts of not investing. They are able to be assessed through economic modelling and they are severe. Roads that choke throughout the day have a very high quantifiable cost to the economy. Road networks that do not work have a very significant social impact on a community. We are mindful of meeting the community's expectations in relation to their capacity to move easily throughout the city.

We do not deny, Ms Le Couteur, the obvious environmental costs of continuing to build roads at the expense of encouraging public transport, but it is a question of balance. There is a whole range of levers that governments have. One of them is, essentially, to reduce demand by making a system that does not work particularly well at a certain level. Another, of course, is to continue to deal with the issue of paid parking.

Minister for Health—statements

MR HANSON: My question is to the Minister for Health. Minister, on 10 March, Mr Doszpot asked you a question without notice in relation to your statement of

8 March when you said, “I will never, ever, ever tell a lie.” In a supplementary question you were asked:

Minister, would you table for the Assembly any document relating to the purchase of Calvary hospital which was released to the electorate prior to the election of 2008 despite the fact that you had a draft heads of agreement that you were trying to have signed with Calvary hospital?

You answered:

Talk about rewriting history! I was not attempting to have rushed through a heads of agreement. LCM—

Little Company of Mary—

at the time requested that a heads of agreement be signed so that discussions could continue through caretaker ... You can scabble around and try and trip me up on this, Mr Hanson—but you won’t find anything.

Minister, do you stand by your answer to the Assembly?

MS GALLAGHER: Yes, Mr Speaker.

MR SPEAKER: Mr Hanson?

MR HANSON: Minister, on 20 August 2008 you wrote to the chair of Little Company of Mary about your proposal to purchase Calvary hospital. In that letter you said—

MR SPEAKER: Mr Hanson, there is no preamble on a supplementary question.

MR HANSON: You said:

... I propose that LCMHC and the ... Government enter into a Heads of Agreement ... my preference is that the Heads of Agreement be signed by that date.

MR SPEAKER: Mr Hanson!

MR HANSON: Minister, the question is: how do you reconcile your answer that the Little Company of Mary was seeking a heads of agreement be signed before the last election with your letter that clearly shows that it was you who was seeking a heads of agreement be signed before the caretaker period?

MS GALLAGHER: Because there were ongoing and frequent discussions with Little Company of Mary Health Care where this was discussed at length. Indeed, the letter signed in August was after detailed discussions with Little Company of Mary.

MR SPEAKER: Mr Smyth?

MR SMYTH: Minister, will you apologise to the Assembly for misleading, and explain why it was that in an answer relating to your assertion that “I will never, ever tell a lie” you did in fact tell a lie?

MS GALLAGHER: I have not misled the Assembly, Mr Speaker.

MR SPEAKER: A supplementary, Mr Smyth?

MR SMYTH: Minister, will you now retract your statement made on 8 March 2011 that “I will never, ever, ever tell a lie ... and I have often paid the price for being incredibly honest, but I will continue to do so, because it is the right thing to do”?

MS GALLAGHER: There is no need for me to withdraw any of my statements.

Construction activity

MR HARGREAVES: My question is to the Chief Minister. Chief Minister, this morning you released the latest Canberra construction snapshot. What does this say about the ACT economy?

MR STANHOPE: I thank Mr Hargreaves for the question, and I must say I was very pleased today to see the content of the latest Canberra construction snapshot. It reveals that construction activity in the ACT, which of course is a very important measure of the health of this particular economy, is increasing. Indeed, it is at historically high levels.

The snapshot reveals that in the ACT there is in the order of \$7.3 billion of activity currently underway and, through an assessment of projects that we are aware of and developments that have been foreshadowed, there is in the order of just over \$10 billion worth of construction activity forecast into the future. These are very good signs of just how robust that particular sector of our economy is, and the consequent reflection of the strength of that through construction in our overall economic strength.

The indicators at the moment in relation to our economy really are quite remarkable. The ACT, over almost this last year, has been able to boast—

Members interjecting—

MR SPEAKER: Order! Chief Minister, one moment. Mr Hanson, Ms Gallagher, please take the conversation outside if you wish to continue it. The Chief Minister is answering a question.

MR STANHOPE: All of the indicators that are current in relation to the ACT, including, of course, the headline assessment most particularly by CommSec that we do enjoy the strongest economy in Australia, are supported by a very stable and very low trend unemployment rate at now just 3.5 per cent, extremely high participation rates at 73 per cent, a participation rate that is in the order of eight per cent above the

national average. With respect to some of the indicators and issues in relation to job ads, vacancies, the fact that there is still pent-up need and demand for jobs reflects a skill shortage in some particular sectors, with job ads in the ACT trending much higher than in the rest of Australia. Indicators in relation to housing finance, most particularly, unsurprisingly, are way above the national average, with housing starts in the last measured quarter I think being in the order of 50 per cent higher than the national average or 50 per cent higher than the next highest jurisdiction in Australia. Indeed, it is the only jurisdiction in Australia to show a significant increase.

The importance of that, of course, is reflected in the snapshot, with the snapshot revealing that whilst there are a number of very large individual projects, led by the new ASIO building—and a fine building, in my estimation—on Constitution Avenue, the new dam, massive investment in health infrastructure, over \$400 million of current expenditure in schools, it is underpinned by over \$1.2 billion worth of housing-related construction activity, a quite remarkable level of current activity within the housing sector.

To summarise, the snapshot reveals a very strong and healthy ACT economy—in fact, currently the strongest in Australia. All of the indicators reveal that, not just this historically high level of construction activity. What I think is particularly satisfying and pleasing, whilst it cannot be measured exactly, is the level of construction activity in the pipeline anticipated over the next few years.

MR SPEAKER: A supplementary question, Mr Hargreaves?

MR HARGREAVES: Thanks very much, Mr Speaker. Chief Minister, why do we actually need a snapshot like that?

MR STANHOPE: The snapshot is a—

Mr Coe interjecting—

MR SPEAKER: Mr Coe, order! One moment, Chief Minister. Stop the clocks, thank you. Mr Coe, the volume of your interjections is particularly unhelpful. I ask you to constrain yourself.

MR STANHOPE: Thank you, Mr Speaker. The Canberra construction snapshot is a very important resource. It is an important tool. It is highly regarded and anticipated, most particularly by the development and construction sector here within the ACT. It is looked forward to, it is welcomed, and it is used by the sector in their planning around workforce needs and their capacity to actually manage their workloads and to anticipate future work.

It is in that sense that it has a great utility. It is, as a snapshot, a signal to the industry and to the rest of Australia that the ACT has a strongly performing economy and there are real opportunities here, not just for local companies but for major national and, indeed, latterly, international companies. We are attracting a level of attention from national developers and international consortiums in relation to the opportunities that are represented here within the territory.

You can understand that when we are producing a table that shows that over the last two years alone the level of construction activity has grown from \$4.7 billion to \$7.3 billion. Even with that historically high level of construction activity, you can anticipate another \$10 billion worth of work going forward. You can understand why finance companies, financiers and major international developers in construction-oriented companies would be interested in that and the value and worth of a snapshot such as this to the ACT.

MS LE COUTEUR: Supplementary, Mr Speaker?

MR SPEAKER: Yes, Ms Le Couteur.

MS LE COUTEUR: Chief Minister, in your answer you indicated that construction was the heart of the economy. When will you start moving the ACT economy to a green economy?

MR STANHOPE: It is a very significant part of our economy. I think the heart of the ACT economy in fact is the business of government, Ms Le Couteur, not construction activity. The two are related, but the heart of this particular economy is government and the business of government and administration. But construction activity has been a very important part of the spike in activity and is responsible for the fact that we now have the strongest economy.

I think you are aware, however, Ms Le Couteur, and I do welcome the question and the opportunity, that the government have as part of the partnership that we enjoy with the Greens actively pursued a green economy, that we have commissioned very highly regarded expert advice. We have commissioned reports. We are looking seriously and genuinely at the steps that we can take to progressively move towards a more environmentally friendly or sustainable business and environment and we continue to look forward to your assistance in doing that.

MR SPEAKER: A supplementary question, Ms Hunter?

MS HUNTER: Minister, what steps are you taking to ensure that workers who are coming from interstate to work on these large-scale construction projects have access to safe and affordable housing?

MR STANHOPE: Thank you, Ms Hunter. It allows me an opportunity again to repeat that the ACT has the most advanced, the most rigorous affordable housing strategy of any jurisdiction in Australia. It is beginning to show quite significant signs of making a real difference in relation to the availability of affordable housing within the ACT.

I can use just by way of an example the subject of, I think, your question yesterday. This is the only jurisdiction in Australia where a certain percentage of all new housing is mandated to be affordable. Just over this current year, mandating that 20 per cent of all greenfield developments, being house and land combined, be valued at less than

\$328,000 will deliver just in this one year when that housing is delivered 1,000 units or thereabouts of housing in the ACT valued at less than \$328,000.

It is very interesting to look at the statistics of the last three years. It is hard to get them published but it is interesting to look at the number of houses sold in just, say, the last two years valued at under \$10,000, the number of houses that are exchanged, the number of houses that are bought not just through new estates but are actually bought from existing stock. Thousands of houses are bought and sold each year. In fact, I think the latest number from memory is that over the last year, over the last 12 months, 6,000 houses in the ACT were bought for less than \$400,000.

Median house prices have increased, and they have increased quite significantly. The top end of the market is incredibly strong. We have moved from a situation now where there are whole streets full of million dollar houses. It is actually distorting some of the information available, most particularly in relation to the number of houses at the lower end that are still available. (*Time expired.*)

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

Supplementary answers to questions without notice

Climate change—policy

MR CORBELL: Today in question time Ms Le Couteur asked me, in relation to the sustainable energy policy, whether my department had contacted any of the organisations that provided submissions to the draft policy.

I can advise Ms Le Couteur that receipt of the submissions was acknowledged by email. Further contact would only have been made if the submission was unclear or required further discussion. As submissions were self-explanatory, this was not required.

Climate change—community grant round

MR CORBELL: Yesterday in question time Ms Hunter asked me a series of questions relating to the 2010 community climate change grant round. In particular, Ms Hunter asked me about the six-week period that she believes should apply in relation to grants and the fact that applications are only available for a four-week period.

I can advise Ms Hunter that I put out a media release on the community climate change grants program and the fact that the application process was open on 4 March this year. The grants were also advertised in the newspaper on 5 March. Applications were due on 31 March. Given that there were no major public holidays, it is my view and the government's view that a four-week application period is a reasonable one.

The department has received a number of inquiries and has already received one application in response to the advertisement for applications. The government would like to assess the applications in a timely way so as to be able to make these grants moneys available. Potential applicants have not expressed any concern to my

department about the time frames at this stage. If, however, an applicant is concerned about the time frame, I would urge them to contact my department to negotiate an extension. If there are broader concerns with time frames, the government and I would be happy to consider an overall extension.

Ms Bresnan also asked me a follow-up question in relation to this matter and asked me why the grant guidelines say that applications with high salary components will not be considered. Ms Le Couteur asked me a similar question. I can advise those members that, while the government recognises that staffing can be an important component of delivering project outcomes, other activities and associated costs are also important in engaging the community to help reduce greenhouse gas emissions.

The guidelines do not set a limit on the salary component, and the level of salary in applications will be considered in the context of achieving the project's objectives stated in the application guidelines as being one or more of the following: to reduce greenhouse gas emissions in the community through, for example, community engagement, development of education projects, behaviour change around energy efficiency and waste reduction; promoting the adoption of emissions reduction technologies; supporting or complementing ACT government or community activities relating to climate change and emissions reduction; and contributing to the ACT's greenhouse gas emission reduction targets.

It is expected that applicants include appropriate staff time and costs associated with project proposals. The government will consider the reasonableness of costs for all activities in assessing these proposals. These application guidelines align with the guidelines that already exist in other government grants programs such as the ACT environment grants programs. The government is not aware—or I am not aware, I should say—of any complaints in relation to the guidelines for those programs.

Answers to questions on notice

Questions Nos 1492, 1493, 1494

MR HANSON: Mr Speaker, I seek an explanation from the Minister for Health understanding order 118A. Questions numbered 1492, 1493 and 1494 appearing on the notice paper in my name have not yet been answered and the 30-day period has expired.

MS GALLAGHER: I am just having a look at what those questions relate to, because I have certainly signed off a number of questions on notice during the last two days, so they either should be with you or heading to you very shortly if they are the same ones that line up with that.

Mr Hanson: The cheque is in the mail.

MS GALLAGHER: Yes.

Taxis—wheelchair accessible

Debate resumed.

MR DOSZPOT (Brindabella) (2.56): Ms Bresnan's motion is a serious and highly charged issue, that being reliable and dependable transportation for individuals with disabilities. It touches on a fundamental aspect of life that many tend to take for granted, mobility, which has implications on how we live our lives, interact with our communities and make a living.

It is to this effect that the Disability Discrimination Act 1992 states:

People with a disability have a right to obtain goods and use services and facilities in the same way as people without a disability.

This is an issue that we take seriously, and, having spoken to members of the disability community regarding this matter, the general consensus is quite unanimous: under the present government's watch, service levels are poor, unreliable and untimely, not to mention the fact that there is a perceived lack of understanding by some WAT drivers of the requirements of their passengers.

In fact, we were told recently of a situation whereby a visually impaired member of our community with a seeing eye dog was refused service by a taxi driver because the driver had no "animals on board" policy. It just so happens that seeing eye dogs were not exempt from this. The subsequent outcome of this was that my constituent, with no other transportation alternatives, had to miss his meeting and resorted to making a private booking with a known driver to attend a rescheduled meeting.

This is a scenario that gets played out over and over again in our city. I saw this play out when I hosted a wheelchair-bound work experience student in my office in 2009. I saw firsthand how this student was dependent on a known driver to provide reliable transportation. I saw how this student had to make travel arrangements outside peak travel times due to service availability constraints. The logistics and planning that this very capable young man and his family had to go through to ensure that he made it to work were extraordinary, and being flexible with this individual's work hours was the least that we could do.

Off the back of the government's taxi industry review recommending a centralised WAT booking system, Ms Bresnan's motion as it stands seeks to whitewash the government's position as it will, in essence, commit this Assembly down the path of a dedicated WAT service in the ACT. It calls on the government to conduct yet another cost analysis or feasibility study of their proposed dedicated WAT model, yet the emphasis of this motion is on agreeing to come up with a plan and a time line for a rollout of this service.

What we have here is a call for a government commissioned report as a *fait accompli* to the Greens' agenda to introduce a dedicated WAT service. In other words, regardless of the findings of a cost analysis or feasibility study, in the mind of Ms Bresnan this motion is a done deal.

The price tag for the government's engagement with PricewaterhouseCoopers as the financial consultants to review the ACT taxi industry cost taxpayers approximately

\$111,000. Is Ms Bresnan proposing another round of such costs to Canberrans? And how will a dedicated WAT model be deployed? What guarantees will Ms Bresnan's motion give to the disability community that all who want, not just need, transportation on a "ready to travel now" basis can get it?

Drilling down to a more practical level, how will drivers be engaged? What salary levels will be provided? Will this dedicated model provide to Canberrans with disabilities, and their families, a better deal? What is the evidence? And, if this initiative were to fail, how much would it cost Canberrans to fix it? What risk management measures will be in place should such a scenario play out?

It is one thing to think up the idea, as the Greens have done. It is another to implement it and make it work. Perhaps it would have been more appropriate for the Greens to push for a feasibility study prior to or even during the PWC review. That said, at present, agreeing to Ms Bresnan's motion and such ill-thought-out amendments is not one of our options. This is, after all, the same Greens party that supported the government's efficiency dividend initiatives to axe support services for our public school system last year. This is what happens when you run interference for the government: you forget to hold them accountable. And we cannot be a party to this.

We are not defending the government's position in our response to this motion, but we are bringing to the table salient considerations. Perhaps in the emotive haste of this motion the potential knock-on effects and the best interests of the disability community have not been properly considered. In short, what we are saying is that, unless the Greens can bring to light more evidence of the viability and sustainability of what is being proposed, this Assembly needs to make its decision based on concrete proof that members of our disability community will not in effect be let down by this motion.

Having fought hard for the rights of people with disabilities over the course of my time here in the Assembly, having seen the daily trials that these individuals have to go through, I will not toy with their lives on motions that are ill thought out. It would be impertinent to do so.

Given the finite resources that government budgets have and the consequent cost-of-living pressures encountered by our community as a result of the ACT Labor-Greens alliance, we need to approach the issues in this motion pragmatically to get the best outcome for the disability community. Unfortunately, lacking hard evidence, Ms Bresnan's proposal cannot make such guarantees.

We need to step back for a moment from the idyllic normative illusion of what the Greens are painting for us in this motion today and tally this up with the realities of limited resources and mounting cost pressures for all Canberrans, especially members of the disability community.

The changes that this motion calls for are not well constructed and have the propensity to abort other committed initiatives that may be in the pipeline, while disregarding the inherent public costs that are at play. Under such circumstances, we the Canberra Liberals find it hard to support this motion. It is big on promise but lends

no evidence to guarantee that these promises will be delivered to the people most affected by the inadequacies of the present WAT regime under the leadership of what is in essence an ACT Labor-Greens alliance.

The disability portfolio is an important portfolio and one which directly affects the lives of many Canberrans. As such, it is one that should not be treated as a political football to be kicked about for political gain. More hard work must be done to address the needs of the most vulnerable members of our community. Given the reasons already outlined, unfortunately this Greens motion is not it.

We will monitor the Stanhope government's initiatives for their proposed centralised booking system in the months to come and hold them accountable to their promises of a more responsive, equitable, sustainable and user-friendly WAT system. Therefore, we will not be supporting this motion today.

MS BRESNAN (Brindabella) (3.04), in reply: I will close. I have to say I am quite disappointed, particularly with Mr Doszpot, his speech and what he has said in that speech. Quite clearly, as I have outlined in this motion, the proposal which has come forward and which is part of this motion has actually come forward from the disability sector. It has come forward from the WAT Consortium. It has come forward from groups like Advocacy for Inclusion. It has come forward from people who used to be on the Disability Advisory Group. It has come forward from people who are actually in the disability sector, who use WATs and who are experiencing great frustration day after day at not being able to use WAT services. The frustration, as my motion indicates in the noting, is that there have been a number of reports that have come out and each time the report has come out with the same solution, despite the fact that that solution had been tried before and had not worked.

This was an opportunity to actually do something different. We have got the PricewaterhouseCoopers report in which they have said, "We are not going to go with the WAT advocacy, what the WAT Consortium has put forward. We are not even going to go with what the CTIA has put forward, the Canberra Taxi Industry Association." What they have put forward is more than what the government has come up with. They have not even gone with that. They have basically said, "We will try the centralised booking service. It has failed before. That is okay. We will try it again. And then in 18 months time we might look to do something different." Again, we are going to go through a process where we have spent quite a lot of money, we have gone through a report, we have spent quite a lot of money to implement something that may not work, that has actually failed before, but then we will try to do something different. The disability sector is experiencing great frustration at what has come out in that report.

Yes, as Mr Stanhope said, the government undertook a review. But people with a disability were hoping for a much better outcome and were very disappointed. I think we saw that in the media from groups like Advocacy for Inclusion. Instead, they got more of the same, a recommendation that has already been trialled and failed. The government has indeed tried reform. But, as the Chief Minister himself noted, it has not led to improved services.

The minister has said, “We have the highest lift fees in the country,” which is something I was very much aware of. But again, this goes to the fact that this has not had an impact. We have got the highest lift fees in the country. It has not had an impact on the level of service given to people in the disability community. Presumably that is why other jurisdictions like Adelaide, like Geelong, have tried to do something different and in fact have been shown to have some of the best WAT services in the country, because they have tried something different. That is what we are actually suggesting here.

I do appreciate that the government has tried different strategies. But again, these have not worked, and we need to acknowledge that they have not worked. And the taxi review itself actually says that, which I think is why disability groups were very disappointed that it came out with basically more of the same.

As Mr Stanhope outlined again, along with the central booking system, there will be more subsidies and fees. So we are going to be putting in place more subsidies and more fees. Again I ask the question: how long are we going to keep doing the same thing, and spending a lot of funds along the way, before we actually move to trying a new service, which is what the disability sector is calling for?

The Chief Minister said that I referred to some vehicles as unsafe. In fact, it is the disability sector which is saying that these vehicles are unsafe. The anecdote which I referred to, the story of someone having their nose and jaw broken, was from the disability sector. They told us that. And we have heard a number of other stories where people have felt unsafe because the vehicles are not accommodating the right wheelchair. As I said, I was merely quoting these groups when I outlined that story.

I was also surprised to hear the Chief Minister say that we ignored the commitment of WAT operators when I actually acknowledged that there are many good drivers out there who are very dedicated. I also outlined the CTIA’s submission and how difficult it is for drivers to make a living. I could easily have said that, after this consultation and this expert report and we have gone through this process, the government has come up with a solution that has been trialled and failed before, something I have already pointed out.

Mr Stanhope also said I was saying that I think what has been put forward is a bad idea. That is not what we are saying. Again, I say this is the disability sector and people who use WATs coming out and saying this. We have had so many stories come to us about this, saying that we have not moved forward, we are spending more money on something that has not worked before, and people with a disability are getting increasingly frustrated that they have to now wait at least two more years before they get a definitive solution to address the problems with the WAT service. So they have got to wait more time. When we get to two years time, then we might try something different. Instead, we are going to keep going with what we have tried before and has failed.

That is why they are getting frustrated. That is why we are getting frustrated and we are getting frustrated on their behalf. That is why we put forward this motion.

I will note again, as I did in my previous speech, that the PricewaterhouseCoopers report did not cost and analyse the proposal that was put forward in the WAT Consortium submission to the tax review. That is why we ask for the feasibility study, as this work has not been done. The work has not been done. The feasibility study on that proposal was not done, and it states that in the report. There has been no analysis of what is currently being spent on subsidies and other fees. That is the thing. We have not done an analysis of that. As I keep restating, yet again we have got a proposal to increase or put in place more subsidies and more fees.

We do not have any analysis of how much putting in a centralised booking system before has cost the community. We have got those monetary costs but again we do not know what it is costing the disability community in time in terms of their not being able to attend appointments, go to social functions, being left for hours and hours waiting for a WAT service. We do not know the cost of that. That is something you cannot put a monetary value on. We can put a monetary value on some things such as subsidies. That analysis has not been done. But we cannot put a cost on what it is actually doing to the disability community. As I have already said, we have a proposal that will spend more on subsidies. It is going to spend more on subsidies plus spend over \$400,000 on a central booking system. That is a lot of money to be doing something.

Mr Doszpot talked about evidence. We have evidence that that thing has not worked before. We have got that evidence. It did not work before and yet we are going to pour more money, hundreds of thousands of dollars, into something that has not worked before. Where is the good practice in that? There is no good practice in that at all.

Mr Doszpot was saying that this is the Greens' agenda. This is not the Greens' agenda. What we are putting forward today came from the WAT Consortium which involves representatives across the disability sector. It also takes up issues that have been put forward by the Canberra Taxi Industry Association. I actually spoke to representatives yesterday and they said, "We have differences about the idea of salaried drivers but what we want is something different. We do not care how it is done but we need a centralised system that separates WAT taxis from the general system." They are concerned also that the centralised booking system is actually going to work. Again, they know that it has not worked before.

What we are actually putting forward is not the Greens' agenda. It is what has been put forward by the disability sector and people from the Taxi Industry Association. So it is vastly incorrect to be saying something like that and quite insulting to the disability sector as well, I think.

Mr Doszpot talked about guarantees. What guarantees does the current government propose to offer to people with a disability, given it has failed in the past? What guarantees does it give to them that, if you put in place something that has failed before, you are going to say to them, "This time we are going to make it work. We are going to put in place more fees. We are going to put in place more subsidies. They have not worked in the past either but we are going to do that again"? There are no

guarantees in that, whereas what we have put forward, that form of system, has actually worked in other jurisdictions.

We are putting in place things that have failed before. They have failed before but we are going to do it again. There are no guarantees for people there. Again, how much more is putting in place more and more incentives going to cost the disability sector? We have done no analysis. PricewaterhouseCoopers did no analysis of what all those incentives will cost the community and did no analysis of what was being put forward by the WAT Consortium. We have got nothing on that. It is really disappointing that the report did not come out with that or did not consider a particular recommendation from a key group and did not do any costings on that.

I am very disappointed that we have not received support on this, particularly from Mr Doszpot. There is a lot of frustration in the disability sector about this. They are going to continue to be frustrated because we are going to have more of the same. I suspect that two years down the track we are going to go down this track because what we put in place is not going to work. I hope I am proved wrong and it does work, but I suspect that it is not and that we are going to spend a lot of money on something that did not work in the past and we are going to have to go down this track where we try something different because people with a disability, frankly, are not getting an adequate service. It is an essential service for them and, again, we are going to have a solution that is not going to provide them with something which is crucial to their lives, to live a free life, to be a functioning member of the community.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 4

Ms Bresnan
Ms Hunter
Ms Le Couteur

Mr Rattenbury

Noes 11

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

Mr Hanson
Mr Hargreaves
Mr Seselja
Mr Smyth
Mr Stanhope

Question so resolved in the negative.

Motion negatived.

Health—performance reports

MR HANSON (Molonglo) (3.18): I move:

That this Assembly:

(1) notes:

- (a) that in the Minister's Foreword to ACT Health's ACT Public Health Services Quarterly Performance Report December 2010, the Minister claims that the report shows that the increased investment in the Territory's public health services is working to provide better access to care;
 - (b) that the Quarterly Performance Report December 2010 shows that:
 - (i) elective surgery waiting times have deteriorated across all three categories;
 - (ii) the proportion of Category 1 "urgent" patients who have their surgery on time has deteriorated;
 - (iii) the number of patients waiting longer than a year for elective surgery has increased;
 - (iv) the proportion of patients who have had their elective surgery postponed has increased;
 - (v) the percentage of Emergency Department presentations seen on time has deteriorated across four of the five categories;
 - (vi) 6 030 patients presenting at Emergency Departments did not wait for treatment, an increase of 14 percent from 2009-10; and
 - (vii) the Emergency Department access block did not meet targets and had deteriorated for mental health clients;
 - (c) that throughout the extensive Minister's Foreword, and her accompanying press release, the Minister did not make mention of any deterioration in performance measures, despite the report showing that more than half of the performance categories measured have deteriorated; and
 - (d) that the Minister's claim of the report showing better access to care is false, uses selective data, and is intentionally misleading; and
- (2) calls on the Minister for Health to:
- (a) acknowledge that access for patients seeking elective surgery and Emergency Department treatment has deteriorated;
 - (b) acknowledge that a significant proportion of other outcomes measured in the report have also deteriorated; and
 - (c) provide a more accurate and honest summation of public health services in the Minister's Foreword to ACT Health quarterly performance reports and accompanying press releases.

On 17 March this year the health minister released the ACT public health services quarterly performance report dated December 2010. At the same time she released a

press release titled "More elective surgery, busy emergency department and Walk-in Centre success in quarterly report".

The minister's foreword to the quarterly report is quite extensive, and both the foreword and the press release present a very positive view of health outcomes here in the ACT. In fact, there is not one single negative statement in either document. The minister's foreword starts with the statement:

The ACT Public Health Services report for the first six months of 2011 shows that the increased investment in the Territory's public health services is working to provide improved access to care.

It then goes on to list a number of statistics which are selectively cherry picked from the report to back up her claim that the report shows, using her words, "the increased investment is working to provide improved access to care". But the question is whether her claim is true or false, because if you read the report in detail it is very clear that the increased investment is not working and access to care is generally deteriorating.

I do not deny that there are positive results and there are negative. But across the board, when you compare the minister's statement with the facts in the report, it is quite clear there is a discrepancy. And what it shows is that the minister's claims are false. She has cherry picked only the statistics that support those claims, and it has been done quite clearly, intentionally, to mislead the public and to deceive them into believing that the public health system is actually providing better access to care than is the reality.

I think people do expect a little bit of gloss from ministers and from politicians, but they also expect a minister to be fundamentally honest with them and not to deliberately attempt to deceive them in such a blatant way. I have reviewed the outcomes in the report that relate to access to care, and this is what I have found.

Firstly, when it comes to elective surgery, people are waiting longer across the board. For category 1 patients, urgent cases who are meant to have surgery within 30 days, the waiting time has increased by one day from the same period last year, and the number of patients who are receiving their surgery on time has dropped four percentage points from 93 to 89, and this is a decline from 95 per cent in the previous year.

For category 2 semi-urgent patients who are meant to be seen within 90 days, there has been a deterioration of two days since last year, and a deterioration of 11 days since 2007-08, and for category 3 patients this has been even more stark; they are waiting 43 days longer than last year. So across the board it is all longer waiting times for elective surgery. Access to care is not improving, the median wait time has deteriorated seven days since last year, and the proportion of patients who have had their surgery postponed has increased since last year. The number of patients waiting longer than one year has also increased by nearly 100 from last year. Last year, 645 people were waiting longer than a year; now it is 739. So in what sense is access to

elective surgery improved? In what sense is it working as the minister would have us believe?

The truth is that in many cases, as the report shows, access has not improved; it has worsened. The minister's defence on this is to point to the fact that more surgery was done this year than last year, and she will no doubt go to great lengths to say: "Look, we are doing more surgery. That is the reason." But you have got to recall that last year a lot of surgery was cancelled because of the swine flu epidemic. So you need to look at what is then a big increase since the year before, when we had normal rates of surgery, and you will see that over that two-year period we have actually only completed an extra 230 additional surgeries.

We have got 5,000 people waiting on the list, and over 700 have been waiting over a year. The minister's big claim is that since a couple of years ago we have done 230 extra surgeries. But that is not really filling the demand, and that is the point. She will try and relate it compared to last year but she will probably forget to make the point that, "Yes, well, we actually cancelled a whole bunch of surgeries last year, so excuse the figures."

Let me now turn to emergency departments. Category 1 patients are required to be seen immediately. That continues to be so, and that is what I would expect. But, if you look at all other categories, you see a deterioration, a worsening. So for category 2, with emergency treatment to start within 10 minutes, the percentage of people seen on time has gone from 82.5 to 80.2, so a 2.3 per cent deterioration. For category 3, meant to be seen within 30 minutes, the percentage of people has worsened from 60.8 to 55.6, so that has gone down 5.2 percentage points—and it is 20 percentage points below target, I will point out.

For category 4, semi-urgent patients who are meant to be seen within 60 minutes, the percentage of people seen on time has worsened by 3.8 per cent this year; it is now 52.9 per cent, which is 17 per cent below target. I note also that it is actually a target that has been reduced. The target was 75 per cent until a couple of years ago; it is now 70 per cent.

Category 5 has got worse again. I note that that is another target that has been reduced. The target was for 85 per cent to be seen on time; it is now 70 per cent to be seen on time. But fewer of these patients were seen on time as well, with a 1.2 per cent deterioration. So across all categories, except for the immediate, there has been a deterioration, a worsening. They did not improve.

What is the most staggering of all the statistics is the number of patients who did not wait for treatment; that is people who essentially gave up waiting for treatment. This number increased by 14 per cent this year. It is now a staggering 6,030 people, which is 753 people more than last year. Back in 2005-06, the "did not wait" figure was 2,000. That is an increase of nearly 4,000 people a year since that period. So, since the minister has been in office, since she has been the minister, that is a 300 per cent increase in people that are giving up on our emergency departments. And she has the audacity to claim that there is improved access to care.

As to access block, there are some mixed results. There are some good results. There are some bad results. We are still not meeting targets, but there have been a couple of improvements overall. I acknowledge those. I welcome those. But for mental health patients access block has worsened dramatically, from 19.2 per cent to 33.8 per cent. That is a 14.6 per cent deterioration; it is almost a doubling of the time that mental health patients are waiting, and it is twice the target of 15 per cent.

The minister is saying that the walk-in centres are a great success. But I question by what measure she is assessing that; I would be interested to hear in her speech if she moves on from just the detail that is provided in her press release, because a big part of the rationale for them was to take the pressure off the emergency departments. But what we see in fact is increased pressure on emergency departments. More than ever people are going there and 6,000 people are not even bothering to wait. So how is she boasting in the context of this report that the nurse-led walk-in clinics are a success? I note that she is saying that before the evaluation is even reported, unless she has got a copy of that and I do not.

Elective endoscopies are another area where we have seen mixed results. Category 1 patients are waiting 11 days less and category 2 are waiting eight days less, but category 3 patients are waiting 162 days longer. So, if you are waiting for an endoscopy, you are waiting 162 days longer if you are in category 3 than in this period last year.

Breast screens are another area of concern. The proportion of women who wait 28 days or less from their appointment to the date of the breast screen has improved 40 per cent last year, but it is down 62 per cent, I note, from 2007-08, and the number of women who receive an assessment within 28 days is also down 11 per cent this year.

Radiotherapy is another area of improvement, and again I welcome that. The percentage of patients treated within required time frames has gone up, and I do welcome that. But let us just remember what a low base we are coming off, with patients like Vesna Nedic, and you will recall that.

Ms Gallagher: For God's sake!

MR HANSON: The minister says, "For God's sake." I am welcoming it. If you listen to what I said, I am acknowledging in my speech that it is a good result. I acknowledge it. I welcome it. The point I am making is to recall a couple of years ago when we did have some appalling results there.

Dental waiting times are going well and patients are being seen on time generally across the board, and I welcome that. Aged care and rehabilitation services are a mixed bag. I am concerned that the length of stay is increasing by nearly 10 days, but it does seem that that is due to the complexity of cases and I would be interested to find out more about that. Patients, on the other hand, are waiting slightly longer for aged-care assessment team assessments but there is a slight improvement in the rate of discharge plans.

For mental health clients, there is a small reduction in the 28-day unplanned re-admission rate. But of real concern is that the proportion of clients that are discharged with completed outcome assessments has dropped 12 per cent since last year, and this seems to be a trend.

So it is quite clear if you look at the report, and I acknowledge the good points in the report, that there are some really bad outcomes as well. For the minister to come up with her findings and to say that access to care is improving, and not to raise a single negative outcome in either her press release or in her foreword to the report, is fraud. She understands her portfolio very well. She has been the minister for five years, so this is not an accident. She did not put out that press release and then say: "Oh, I forgot to mention elective surgery. I forgot to mention emergency departments." She knows what she is doing, and what she is doing is deliberately trying to present a far more flattering view of the health system, the public health system as is reported in that quarterly report, than is the reality.

There is no other way to read that. There is no other interpretation. What we have got here is the reality that, if it were not for the opposition in this place publicly explaining to the public and explaining to members that there is a problem and that the gloss that the minister is putting on it is not the truth, we would never know. Is that appropriate? I do not think it is. I do not think it is appropriate for the minister to continually mislead the public in the manner that she is doing and I think that the public expect government ministers to present a true picture of the state of the health system, not a false view—and that is what the case is.

Mr Stanhope: It's in the report, isn't it?

MR HANSON: The report is presented by ACT Health, Chief Minister. The foreword is presented by the minister. ACT Health have done their job very diligently and I commend the staff and I commend the executive. What I have a problem with is the minister's foreword and the press release that have twisted the report and have changed the statistics in that report. That is clearly what has happened and we are at a point now where quite clearly the minister cannot be trusted by the public. She is not being truthful about the state of the public health system. She is twisting the statistics.

We know this is a minister who deliberately covered up the bullying review into Canberra Hospital and this is also the minister—and this is extraordinary in question time—who said, "I will never, ever tell a lie." Then, when I asked her a question, she said in this Assembly, and she continues to say in this Assembly, and I will say it again:

Talk about rewriting history! I was not attempting to have rushed through a heads of agreement. LCM at the time requested that a heads of agreement be signed so that discussions could continue ...

But the letter that she wrote to the Little Company of Mary before the election quite clearly says something different. She lays out the whole proposal—purchasing the hospital and selling off Clare Holland House—and says:

Should the Board be supportive of this proposal, I propose—

not the Little Company of Mary; she has completely twisted it around—

that the LCMHC and the ACT Government enter into a Heads of Agreement. To enable further development of the proposal—

that being her proposal—

past the commencement of the Caretaker period, which takes effect from 12 September 2008, my preference—

the minister's preference, not Little Company of Mary's—

is that the Heads of Agreement be signed by that date.

She has said that in the Assembly twice. She has been given the opportunity to retract it and to say: "Yes, I got it wrong. Sorry about that. I got it wrong, I inadvertently misled the Assembly." But twice she has said: "No. Little Company of Mary wanted it. They wanted a heads of agreement. Little Company of Mary wanted it done by a heads of agreement." And this letter proves conclusively that that is not true.

I think what we are seeing is example on top of example on top of example of where this minister is misleading not only this Assembly but the public at large. So what I have called for in my motion is for the minister to be honest, for the minister to be accurate—when she provides her reports and her press releases and her forewords, to be honest and accurate with the public—and I do not think that is too much to ask.

MS GALLAGHER (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (3.33): I note how Mr Hanson finished his address to the Assembly. I do not think that the government has any problem with agreeing that information to the public must be accurate. I think that is something that we should extend to all members of this place, because I do not think it is something that is observed in many of the media releases that I have seen issued from Mr Hanson.

The government will not be supporting this motion. I think it is interesting that Mr Hanson's main gripe about this report seems to be the fact that he has had to read it. That seems to be the main problem, that he was not spoon fed every element of the information in this report, that lo and behold on a Friday Jeremy Hanson had to do some work. He had to read the report, a report where we, the government, issue all this information that is put on the website. There are links to the report provided. There is a media release alerting people to the fact that this report exists. Every quarterly report contains information where some indicators improve and some do not.

Mr Smyth: But you did not mention any of the ones that did not.

MS GALLAGHER: And that was the case with every health report that you put out, Mr Smyth—that your government put out. That is the case because when you are reporting on a health system, every quarter you are going to see big fluctuations, particularly in the ACT where some of your numbers are not big.

I think Mr Hanson went to the mental health access block issue. Quite frankly, I would prefer that people remain in the mental health assessment unit for as long as they need whilst their treatment plan or discharge plan is being organised. We have opened a new six-bed unit in the emergency department. The operation of that for the first year is informing us about what the needs of that client group are. There is no way from my reading of the data that we are ever going to be able to achieve a 15 per cent access block target with that client group and that performance indicator—

Mr Hanson: You said it had improved, Katy. You did not mention one negative outcome. This is the point. It is about the spin.

MS GALLAGHER: Madam Assistant Speaker, I listened to Mr Hanson—

Mr Hanson: No, you did not. You were heckling, both of you. Both of you were heckling.

MS GALLAGHER: I listened to Mr Hanson and I think that this continued interjecting from him, whilst we expect it, is unfair.

Mr Hanson: It is not continued—

MADAM ASSISTANT SPEAKER (Ms Le Couteur): Mr Hanson, please be quiet.

MS GALLAGHER: The mental health access block in the mental health assessment unit needs to be reviewed, because people are coming in and they are needing to stay longer as decisions are taken about whether they are transferred to the PSU, transferred to Calvary or whether they go home. There is absolutely no way we are ever going to achieve a 15 per cent access block target with that client group. That does not mean that people are not being seen, as Mr Hanson would like you to believe. In fact, in his—

Mr Smyth: That is not what he said.

MS GALLAGHER: Yes, in his address he said “waiting to be seen”. Access block is not about waiting to be seen. People are being seen and they are staying longer in the mental health assessment unit. That is a clinical decision and it is a decision that I support. It is not people waiting to be seen; they are being seen. They are not able to be discharged in the time that we have set and in the numbers that we have set to achieve that target. That target does need reviewing, just as we have a different—

Mr Hanson interjecting—

MS GALLAGHER: That is just for those that need to be admitted to TCH, to ward 2N or to be discharged home.

Mr Hanson interjecting—

MADAM ASSISTANT SPEAKER: One moment. Mr Hanson, this is not a conversation.

MS GALLAGHER: But some of them may spend more than eight hours waiting for those decisions to be taken. I have an amendment which I can circulate. Do I need to seek leave to circulate?

MADAM ASSISTANT SPEAKER: No.

MS GALLAGHER: I circulate the amendment in my name. That amendment does not seek to remove any of Mr Hanson's concerns—actually, it might. Sorry, I do not have another copy. Could someone get that back to me as soon as possible?

MADAM ASSISTANT SPEAKER: Ms Gallagher, you may wish to move the amendment.

MS GALLAGHER: I move:

Omit all words after “That this Assembly”, substitute:

“(1) notes:

- (a) that, in the Minister's Foreword to ACT Health's ACT Public Health Services Quarterly Performance Report December 2010, the Minister states that the report shows that the increased investment in the Territory's public health services is working to provide increased access to care;
- (b) the Quarterly Performance Report December 2010 shows that:
 - (i) over the most recent quarter, elective surgery median waiting times have increased across all three categories;
 - (ii) the proportion of Category 1 ‘urgent’ patients who have their surgery on time has reduced;
 - (iii) the number of people accessing elective surgery at ACT public hospitals to the end of the second quarter of 2010-11 was 5 476 which was 14% above the 4 820 reported for the 2009-10 same period last year and 252 above target to the end of the December 2010;
 - (iv) the number of patients waiting longer than a year for elective surgery has increased, however the number of long wait patients had decreased from 2 223 to 2 006 over the same period in 2009 10;

- (v) the proportion of patients who have had their elective surgery postponed has increased by 0.5% and shows that the main reasons for postponement were due to the need to treat more urgent patients;
 - (vi) the Emergency Department has seen a 4% (1 992 presentations) increase in presentations to the end of the second quarter in 2010;
 - (vii) the percentage of Emergency Department presentations seen on time has deteriorated across four of the five categories in the December quarter;
 - (viii) Category 5 presentations to the Emergency Department has exceeded national benchmarks with almost 77% of this cohort seen on time even with the 11% increase in Category 5 presentations;
 - (ix) 6 030 patients presenting at Emergency Departments did not wait for treatment, an increase of 14% from 2009-10;
 - (x) the Emergency Department access block did not meet targets and had deteriorated for mental health clients;
 - (xi) Australia's first public, nurse-led walk-in centre has provided assistance to more than 9 055 patients to December 2010; and
 - (xii) bed occupancy rates have now reached 83% which is below the long term target of 85% and public bed numbers will reach 912 by the end of the 2010-11 financial year;
- (c) that from the 55 indicators contained in the quarterly report, that 52% show improvements from last year, 33% show a decline from last year, 4% show results lower than last year but better than the national target results and 11% are not performance measures and simply include activity changes; and
- (d) that the reason for the decline in median waiting time is explained in the quarterly report and is due to the extra focus that has been placed on undertaking extended wait patients;
- (2) notes that emergency surgery at Canberra's public hospitals has increased by 13% over the last three years; and
- (3) calls on the Minister for Health to:
- (a) continue to provide accurate and consistent reporting of public health services through the timely release of the ACT Health quarterly performance reports; and
 - (b) report to the Assembly by the first sitting week in August on possible alternative indicators, including, where feasible, outcome measures, to enhance public reporting on health services in the ACT."

The amendment seeks to provide some balance to what Mr Hanson's motion seeks to do. I note that in Mr Hanson's motion he has accused me of not talking about the negatives in the report. I notice that in his motion he does not talk about one positive. Not one positive appears in your motion, Mr Hanson; so what you are accusing me of doing, you are doing exactly the same thing.

Mr Hanson: No, I am not. You heard my speech. You heard my speech.

MS GALLAGHER: Exactly. You have—

Mr Hanson: You heard my speech.

MS GALLAGHER: Indeed, in your motion I think you say that there were more areas where the indicators deteriorated than improved. That is not true either. More than half of the indicators in that report showed improvement. In access to care, those statements are correct. More people were seen at the emergency department, more people had elective surgery, more people got access to radiation therapy services. All of that is true in this report.

What this report shows is that demand continues to grow and more people are being seen. The median waiting time is not a measure of access to care. That median waiting time is going to get worse. It is going to get worse and worse as more people get access to their surgery. That is what Mr Hanson just fails to understand in terms of my comments around access.

Mr Hanson: You got caught.

MS GALLAGHER: More people than ever before in this reporting period, more people than ever before—

Mr Hanson: And the list is longer than ever before.

MS GALLAGHER: Madam Assistant Speaker, Mr Hanson is constantly interjecting "sprung, wrong, got you" in the aggressive way that he continues—

Mr Hanson: Aggressive? I hardly think so, Madam Assistant Speaker.

MS GALLAGHER: Yes, Mr Hanson, you do not need to shout to be aggressive and I can and I am trying to respond to the motion at hand, not assisted by his usual constant, nasty approach across the chamber, Madam Assistant Speaker—

Mr Hanson: Tell the truth then, Katy.

MADAM ASSISTANT SPEAKER: Mr Hanson, please, this is not—

MS GALLAGHER: Mr Hanson hopes that people do not hear him behaving in this way and he needs to be called on his behaviour. He needs to be called on his behaviour which is completely unacceptable in this chamber.

Of the 55 indicators in this report, 29 of them showed improvement with 18 showing areas where there had not been improvement. But in many of those areas there are reasonable, logical, rational reasons for that deterioration. Yes, I would love to circulate a quarterly report where every indicator improved but that is not going to happen. It is not going to happen when the health system is under the pressure that it is under. Every quarterly report is going to show improvements in some areas and deteriorations in others. That is the nature of the health system and dealing with the demand that we are seeing.

Indeed, one doctor resignation or a doctor going from full-time to part-time work can affect the indicators in this report. I honestly think that we need to continue to look at the indicators that we report against and look at ways that we can improve them to provide the opportunity for those reasons to be examined. For example, I met with some emergency surgeons the other night and they put to me: “Why does everyone carry on about elective surgery? Why is it? Why is anyone not caring about the emergency work that is done in our hospitals? Why is the public commentary always on elective surgery when we need the focus to be on emergency surgery?”

In this reporting period there has been a significant increase in emergency surgery. That is what I am talking about in access to care—more people getting access and all of their needs being met in one way or another in a triaged way. Yes, the most urgent get seen first and then you work down through the categories. That happens in the emergency surgery, the elective surgery and the emergency department. That is the way that all health systems manage the demand that they are seeing. All of that shows increased access to care.

Yes, there are improvements that are required. If you went back and saw how many comments I have made about the need to improve access in the category 2 and 3 areas in elective surgery and categories 3 and 4 in the emergency department, I think you would find that I have spoken more about that than any person in this place.

I have acknowledged the areas that the health system needs to improve. But I think it is also fair that as Minister for Health I am very clear that our health system is doing a remarkable job here and the people that work in our health system are delivering that for the ACT community. I have no problem standing up, explaining that and honouring the work that they do and acknowledging the work that they do. That does not mean that we do not have to improve—and constantly improve.

But I am not going to be told by Mr Hanson what I can put in a media release. I am not even going to be told by you what I can put in a foreword. I do not seek to tell you what you can put in your media release, Mr Hanson. Nor do I seek to influence what Ms Bresnan puts in her media releases. In fact, I do not even require that your media releases are ever factual. They rarely are. But do you see the government moving a motion seeking to influence the content of—

Mr Hanson interjecting—

MADAM ASSISTANT SPEAKER: One moment—

Ms Gallagher: the information that you provide to the community—

Mr Hanson interjecting—

MADAM ASSISTANT SPEAKER: Mr Hanson, please be quiet. Ms Gallagher, please continue.

MS GALLAGHER: My amendment seeks to provide a balance and a context to the report. It seeks to explain and acknowledge that medium waiting times have increased. It acknowledges that there are areas for improvement. But it also says that 2,000 more presentations have come to the emergency department in the first six months. It also acknowledges that we are removing long waits from the list. If you are removing long waits from the list, your medium waiting time is going to get worse. That does not mean that less people are getting access to your health services. It means your removals from the list have been for patients who have been waiting for care longer than they should have. That does not mean access has not improved. Not one of the comments in my foreword is incorrect. The report provides all of that information to the community.

I drew the attention of the community to the report's release. It is placed on the website so that people know that it is there and can have a look at it and see all of this information. I am not sure we have got all of the performance indicators right in here. I think there is probably more that we should report against. Indeed, this is the first time that we have included data around the walk-in centre. But I think we need to have information in there around emergency surgery. One emergency surgery can take up two theatres for 10 to 14 hours.

When you are looking at increases in emergency surgery by 13 per cent, as we have seen, is there any surprise that there is pressure on the elective list? This is why the decisions about what we do about our future health services are so important. We need to free Canberra Hospital up to be the emergency trauma centre for the region. I do not believe that Canberra Hospital should do much, if any, elective work in the future under a health system that we build. I believe that we need to take that out of its responsibilities because the emergency work is so great. That is why some of the decisions about the future of the health system are so important.

This report also notes the extra beds that have come on. It has taken us, I accept, a number of years to replace the 114 beds that Mr Smyth's government removed from the system.

Mr Smyth: It is not true. You cannot mislead the Assembly.

MS GALLAGHER: I have tabled it in here. I have tabled it in here. I have not misled the Assembly.

Mr Smyth: You show which budget we pulled them from.

MS GALLAGHER: I have tabled the bed data—

Mr Smyth interjecting—

MADAM ASSISTANT SPEAKER: Mr Smyth!

MS GALLAGHER: Mr Smyth, I have tabled the bed data in this place twice—

Mr Smyth interjecting—

MS GALLAGHER: to show where the beds were removed and when they were removed. Yes, it has taken a long time. We have replaced those beds. Indeed, now we have 912 beds for our acute system to manage. What do we see from those acute beds? We see that our bed occupancy rates have, for the first time, gone below 85 per cent and are now within the AMA target. This is because of the investments and that improves access to care for Canberrans.

Mr Smyth interjecting—

MS GALLAGHER: In all of this report, yes, there are areas to improve. There will always be areas to improve in the health system. But my comments about improving access to care or increasing access to care are correct, and nobody can prove that otherwise. Yes, there is more work to be done. I look forward to working with Assembly members as we continue to improve our hospital system. I think it is time that we had a look at our performance measures and worked out ways to better report and report more fairly about the performance of the health system to provide that information to the community. That is work that I undertake to do.

But, whereas I have not spoken about the negatives, Mr Hanson, I note your motion does not even go to one positive, which is more than half of this report.

Mr Hanson interjecting—

MADAM ASSISTANT SPEAKER (Ms Le Couteur): Before we continue, members, can I just remind you of the need to hear the person who is speaking in silence.

MS BRESNAN (Brindabella) (3.48): I acknowledge Mr Hanson's motion today that seeks to provide an update on the state of the ACT health system with a focus on elective surgery and the emergency department. There is truth in the statistics that Mr Hanson lists, particularly in relation to subparagraph (i) of his motion, and there is also truth in his subparagraph (ii) in that the minister did provide a somewhat glossy foreword to the quarterly report as well as a somewhat glossy media release. But there is something else to this debate: Mr Hanson's interpretation of the statistics is dramatised, I have to say, to some extent, because there are other important statistics that he has not listed.

It seems that, just as the minister is willing to gloss over the good stuff in the report—I am sorry; gloss over the bad stuff in the report, I should say—Mr Hanson is willing to gloss over the good stuff and that the truth is somewhere in between. These battles make it hard, I think, to get the truth out to the public. While elective surgery waiting

lists are a very important issue and a very important part of the health system, I acknowledge what Ms Gallagher has said in that there are other equally important issues which do not get the attention they should.

I am concerned that, while matters like elective surgery and the emergency department are important, there are other areas within our health system which are neglected. These are areas which do not provide an easy number or an easy figure to quote and they do not make for easy headlines. We note there are a number of areas here. Ms Gallagher has said that when she has been to the emergency department they express some frustration about the focus being on elective surgery. I acknowledge that frustration. It is a frustration which I also feel because there are other important health issues which I do not think receive the attention that they should.

For example, preventive health measures are a much harder thing to communicate and to show a target or a number for, but they are really important. They take in things like health and fitness and addressing obesity, which has a big impact on diabetes. That is just an example. As well, of course, there is mental health—something which I often talk about. It is a really key area but, again, it is not something which necessarily gets the big headlines or the attention. Aged-care services is another one. Measures such as rehabilitation and step-up, step-down facilities are really important parts of the health system. There is ambulatory care as well. I know that is something which the ACT does particularly well. I acknowledge the frustration but, again, I acknowledge, as Mr Hanson's motion does, that these figures around elective surgery are not particularly good for the ACT. We have to acknowledge that. Paragraph (1)(a) states:

... that in the *Minister's Foreword* to ACT Health's ACT Public Health Services *Quarterly Performance Report December 2010*, the Minister claims that the report shows that the increased investment in the Territory's public health services is working to provide better access to care;

This is a factual statement. It is a statement which is taken directly from the report. Paragraph 1(b) states:

that the Quarterly Performance Report December 2010 shows that:

- (i) elective surgery waiting times have deteriorated across all three categories;

There have been increases in waiting times across all the categories. That is actually a fact which we have to acknowledge. That statement is true. Looking at page 7 of the quarterly report it is also fair to say, as I have already said, that the number of elective surgeries being performed has also increased. That is also a factor which needs to be acknowledged. The government makes it clear via this quarterly report and the report to the Australian government for the national elective surgery waiting list reduction plan that there is a focus on removing patients who have had the longest wait. I can see how this would affect the waiting list statistics.

The Greens, for example, have a specific interest in shared waiting lists for doctors. This is an issue on which consumers agree. I also imagine that this has an impact and is a factor which affects waiting lists also. Again, we need to acknowledge that there

are these other issues impacting on these waiting lists. We also support the removal of long-wait patients. That is something which will address waiting lists. Paragraph (1)(b) states:

that the Quarterly Performance Report December 2010 shows that:

- (ii) the proportion of Category 1 “urgent” patients who have their surgery on time has deteriorated;

This again is true. Paragraph (1)(b)(iii) states:

the number of patients waiting longer than a year for elective surgery has increased;

Again, this is a factual statement and it is borne out in the statistics in the report. Paragraph (1)(b)(iv) states:

the proportion of patients who have had their elective surgery postponed has increased;

This is a true statement, and I agree with it. It also says on page 6 of the report to the Australian government that the number of people waiting longer than the recommended waiting times for surgery in the ACT dropped by 21 per cent over the 2010 calendar year. I guess there is some confusion possibly caused by these different reports on that statistic. I think it actually depends on what statistics you are pulling out.

Another point which Mr Hanson has not reflected on is the levels of demand for elective surgery, why they are increasing and the impact of factors such as an increase in presentations to emergency last year because of the swine flu. This has an impact and, again, we have got to acknowledge that there are these impacts. Paragraph (1)(b)(v) states:

the percentage of Emergency Department presentations seen on time has deteriorated across four of the five categories;

This has occurred, but it is also, again, true to say that there has been an increase in presentations. A more useful measure here would probably be how many patients have experienced a deterioration in their illness which threatened their life because of their wait. That would actually give you a better picture of whether the health system is having an impact on people’s lives.

The Greens are interested in seeing outcome measures pursued, as we believe they are more telling than outputs or just a number. Outcome measures give a greater meaning to the statistics and tell you whether or not a patient is getting better because of the service. Paragraph 1(b)(vi) states:

6 030 patients presenting at Emergency Departments did not wait for treatment, an increase of 14 percent from 2009-10 ...

This is true and it is reflected on page 19 of the report. It may be that that is also telling in that there are many people presenting to the emergency department who may not need to be there. There are limited resources in the health system and, unfortunately, not every presentation can receive immediate attention.

What we really need in the ACT is more GPs, quite obviously, to attend to those less urgent cases. I acknowledge that the nurse practitioner walk-in clinic is an excellent initiative. I note that in my amendment. I believe it is something we should acknowledge. Those sorts of initiatives will have an impact on waiting times. Paragraph (1)(b)(vii) states:

the Emergency Department access block did not meet targets and had deteriorated for mental health clients;

Access block in particular does raise more of a concern than some of the other statistics do. I do not think we have talked about this for quite some time. It is one of those things we need to have more discussion about. Paragraph (1)(c) of the motion states:

that throughout the extensive *Minister's Foreword*, and her accompanying press release, the Minister did not make mention of any deterioration in performance measures, despite the report showing that more than half of the performance categories measured have deteriorated ...

It is true that the minister did not mention the areas of deterioration, but I do not agree fully with the statement “the report showing that more than half of the performance categories measured have deteriorated”. When we looked at elective surgery and the emergency department, we took the performance measures to be about fifty-fifty. When we examined all of the measures for all of the quarterly report we took it as being just over a 50 per cent—something more like 55 per cent—improvement and a 45 per cent deterioration. Some performance measures are more important than others, or more high profile than others, and the analysis of the performance measures could probably do with some weighting. This is about looking at accurate statistics. That is why I have mentioned outcome measures. Paragraph (1)(d) of Mr Hanson's motion states:

that the Minister's claim of the report showing better access to care is false, uses selective data, and is intentionally misleading ...

We obviously have different views on this across the Assembly. The statistics are not false, but there is selective data—just like there is, I think, in the motion. I will be moving an amendment that reflects this. The government talks about doing record levels of surgery. I imagine people would expect that to be the obvious case: as the population increases, as does income to government. It is the job of the government to look at this.

I do not think the minister was intentionally intending to mislead any more than Mr Hanson was. We could have an argument about that. I do not think the minister has been trying to intentionally mislead with those statements. Mr Hanson has left

things out of his motion, but I do not think he is intentionally trying to mislead either. I do not believe that is something we should be including. When looking at the bigger picture of the Health portfolio, it is misleading of the Liberals to just focus on elective surgery and the emergency department, and it is also misleading of governments to just focus on hospitals. One of the things you could use as an analogy is that people are essentially arguing about the state of the ambulance at the bottom of the cliff but they are failing to look up at the fence that is preventing people from falling over.

If we really want to make a difference to the health outcomes of the ACT people, we must start talking about the social determinants of health. We know that people on low incomes are much more likely to die young, suffer greater burdens of disease and have problems accessing health services. This is where improvements can and should be made.

Paragraph (2) calls on the Minister for Health to acknowledge that access for patients seeking elective surgery and emergency department treatment has deteriorated. The Greens agree with this clause. The minister needs to acknowledge the problem, but it would be even more helpful if the government could explain exactly why they believe the problem exists.

Paragraph (2)(b) calls on the minister to acknowledge that a significant proportion of other outcomes measured in the report have also deteriorated. As I previously stated, the Greens have assessed the quarterly report as more half and half, so it depends how one defines the term “a significant proportion”. Perhaps it would be better if the motion stated, “We call on the Minister for Health to acknowledge those other outcomes measures in the report have deteriorated.” I will be moving an amendment later which I think will achieve more of a balance.

Paragraph (2)(c) calls on the Minister for Health to provide a more accurate and honest summation of public health services in the minister’s foreword to ACT health quarterly performance reports and accompanying press releases. The Greens agree with this request. The foreword and media release are quite glossy and provide a one-sided view. The minister suggested we are trying to say that all press releases should be included. We are not saying that at all. It is actually just about those that accompanied these particular reports. I think that is a fair request.

I previously mentioned outcome measures. The amendment I propose will include that. Outcome measures are a really important thing that we should start looking at. As I said, when you just have a number it does not really tell you whether people are getting better—what the health system is doing to help people get better and if it is delivering good outcomes. This is something which a lot of different groups are calling for. When we look even at emergency department waiting times, it does not tell you much about the patient who went through there and whether it is a good thing to actually get somebody through in four hours. That is a debate to have. As I said, I have an amendment to Ms Gallagher’s amendment to Mr Hanson’s motion. I move the amendment circulated in my name:

Omit all words after “notes”, substitute:

- “(a) that in the Minister’s Forward to ACT Health’s ACT Public Health Services Quarterly Performance Report December 2010, the Minister claims that the report shows that the increased investment in the Territory’s public health services is working to provide improved access to care;
- (b) the Quarterly Performance Report December 2010 shows that:
- (i) over the most recent quarter, elective surgery median waiting times have increased across all three categories;
 - (ii) the proportion of Category 1 ‘urgent’ patients who have their surgery on time has reduced;
 - (iii) the number of people accessing elective surgery at ACT public hospitals to the end of the second quarter of 2010-11 was 5 476 which was 14% above the 4 820 reported for the 2009-10 same period last year and 252 above target to the end of December 2010;
 - (iv) the number of patients waiting longer than a year for elective surgery has increased, however the number of long wait patients had decreased from 2 223 to 2 006 over the same period in 2009 10;
 - (v) the proportion of patients who have had their elective surgery postponed has increased by 0.5% and shows that the main reasons for postponement were due to the need to treat more urgent patients;
 - (vi) the Emergency Department has seen a 4% (1 992 presentations) increase in presentations to the end of the second quarter in 2010;
 - (vii) the percentage of Emergency Department presentations seen on time has deteriorated across four of the five categories in the December quarter;
 - (viii) Category 5 presentations to the Emergency Department has exceeded national benchmarks with almost 77% of this cohort seen on time even with the 11% increase in Category 5 presentations;
 - (ix) 6 030 patients presenting at Emergency Departments did not wait for treatment, an increase of 14% from 2009-10;
 - (x) the Emergency Department access block did not meet targets and had deteriorated for mental health clients;
 - (xi) Australia’s first public, nurse-led walk-in centre has provided assistance to more than 9 055 patients to December 2010; and
 - (xii) bed occupancy rates have now reached 83% which is below the long term target of 85% and public bed numbers will reach 912 by the end of the 2010-11 financial year;
- (c) that throughout the extensive Minister’s Forward, and her accompanying press release, the Minister did not make mention of any deterioration in performance measures;

- (d) that from the 55 indicators contained in the quarterly report, that 52% show improvements from last year, 33% show a decline from last year, 4% show results lower than last year but better than the national target results and 11% are not performance measures and simply include activity changes; and
 - (e) that the reason for the decline in median waiting time is explained in the quarterly report and is due to the extra focus that has been placed on undertaking extended wait patients; and
- (2) calls on the Minister for Health to:
- (a) acknowledge that waiting times for patients seeking elective surgery and Emergency Department treatment have deteriorated;
 - (b) acknowledge that other outcomes measured in the report have also deteriorated;
 - (c) provide a more accurate and honest summation of public health services in the Minister's Forward to ACT Health quarterly performance reports and accompanying press releases; and
 - (d) investigate developing outcome measures to be reported in annual and quarterly reports, and report back to the Assembly by the first sitting week in August 2011."

MR HANSON (Molonglo) (4.01): The opposition will be supporting Ms Bresnan's amendment. Essentially, what it does is incorporate into my motion some of the positive outcomes from the report, and I have no concerns with that. I have not denied that there are positive outcomes in the report and, indeed, I welcome those positive outcomes. The concern that I have had has been the one-sided cherry picking spin that is being conducted by the minister to present a false view to the public through her press release and her minister's foreword, not with the fact that there are not some both good and bad outcomes in the report. That is the point. I think that it is unnecessary, given the intent of this motion, to put some of those statements in there but, having said that, I am comfortable because it does in the main achieve the intent of what I am trying to get through here.

Ms Bresnan has also put in an extra clause that the government would be required to investigate developing outcome measures to be reported in annual and quarterly reports. I think that that is appropriate also. I think that it is worth while having a look at what further outcome measures could be measured. I indicate that the opposition will support Ms Bresnan's amendment to Ms Gallagher's amendment.

Ms Bresnan's amendment to Ms Gallagher's proposed amendment agreed to.

Ms Gallagher's amendment, as amended, agreed to.

MR HANSON (Molonglo) (4.04): In closing the debate, I thank members for their contributions today. Our health system is not all good and it is not all bad. I think that there are mixed outcomes. I think there are some tremendous professionals working

very hard at the front line of health—nurses, doctors, allied health professionals—and doing their utmost in our health system. I think there are some fantastic administrators and executives in our health system working hard.

There is no doubt that there are great pressures on our health system. We have increasing demand. We recognise that. When we look at the results in our health system, we see some good results. But, as we saw in the quarterly report that was released in December, we have also seen some very poor results. It is important that the public rely on their ministers, their representatives in this place, to provide them with an accurate summation of what is happening in their health system. It behoves those ministers to provide the public with that accurate summation. In this case, and indeed in the forewords in previous reports that the minister has provided, it is quite clear that the minister has not done that.

I am comfortable with the result that we have achieved today. I believe that it makes the point that the minister needs to be more accurate. She needs to be more accountable for the information that she provides to the public. I think that we have achieved that through the motion. I think other elements have been incorporated. I thank the Greens for their support of this motion and what they have achieved today. In conclusion, I remind the minister, when she provides her next quarterly report and her foreword with that, to make sure that it reflects what is in the report and does not mislead the public.

Motion, as amended, agreed to.

Seniors—support services

MR HARGREAVES (Brindabella) (4.06): I move:

That this Assembly:

(1) acknowledges:

- (a) the work of the Council of the Ageing (ACT) highlighting the importance of seniors in our community and their work in coordinating the 2011 Seniors' Week celebrations from 20 to 27 March 2011; and
- (b) the value of positive ageing initiatives such as ACT Seniors' Week to increase community inclusion and participation;

(2) encourages discussion and action to address the issues faced by seniors, including action by individuals, communities, organisations and governments; and

(3) notes:

- (a) that seniors in the ACT are supported through a range of measures, including recognition of the role of the Commissioner with responsibility for services for older people under the Human Rights Commission Act 2005; and

- (b) that the holding of an Older Persons' Assembly in September 2011 will further recognise the valued status of seniors and provide useful discussion to guide the way ACT Government and government funded services that support seniors are accessed and delivered.

In the wake of Seniors Week, I would like to call on this Assembly to acknowledge the importance of seniors in our community. It was our seniors who established the city and the community that we now enjoy and they continue to contribute and participate in the community as family members, friends, neighbours, community volunteers and workers. This spirit of ongoing contribution that is exhibited by seniors was well articulated by the Roman writer Seneca who wrote in about 50 AD:

Retirement should be of such a nature, that however insulated a man keeps his leisure, he must be willing to be of service to individuals and to mankind by his intelligence, his voice and his counsel.

I wish to acknowledge the good work of COTA (ACT), particularly Paul Flint and the executive and Elizabeth Grant who has led COTA very well for a very long time. And I recognise their work in coordinating the 2011 Seniors Week celebrations from 20 to 27 March 2011. This longstanding community organisation has been leading Seniors Week celebrations for over two decades. This year they organised the inclusion of over 120 events over the week, including a seniors expo which attracted over 150 stallholders.

Other events were the second grand party in Glebe Park, which offered live entertainment and fun-filled activities for seniors and their families. Indeed, I did not see Ms Bresnan there doing a Bollywood demonstration, but I would have welcomed it because it would have been wonderful. I played guitar there to see whether I could shock the socks off people, and I did.

But I need to recognise the work of the Department of Disability, Housing and Community Services Office for Ageing in coordinating all this activity, in particular Lindsay Burge, who is ubiquitous around these sorts of activities.

The *Life's Reflections* photographic exhibition was again hosted at the Canberra Centre and, as always, displayed photographs that promoted positive and active ageing, intergenerational relationships in our community and Canberra as an age-friendly city.

Seniors Week is about celebrating our seniors, being mindful of their important place in the community. It is also an opportunity for seniors themselves to explore new community groups, make friends, find volunteering opportunities or just find out about local services. I would like this Assembly to acknowledge the value of positive ageing initiatives such as ACT Seniors Week and I call on this Assembly to encourage discussion and action to address issues faced by seniors.

While recent statistics reflect that Canberra is a healthy place to live, with the highest average life expectancy in Australia, there is still much we need to do as individuals for our health and independence. And it goes without saying that the ACT

government, through the ACT Office for Ageing, is committed to the promotion of active lifestyles and positive community connections.

Since the launch of the ACT strategic plan for positive ageing 2010-14: towards an age-friendly city in December 2009 by my colleague Ms Joy Burch, the Minister for Ageing, the government has launched a new information portal, seniors information online, as part of a response to concerns from seniors that they could not locate the information they required. Further, for the last two years the Chief Minister's Department has worked closely with the Canberra Museum and Gallery to hold exhibitions to celebrate the lifelong contributions of the Canberra gold award recipients, an exhibition that celebrates some of the community groups that have brought together people in ways that enrich Canberra through their contribution to sport, culture and community involvement and in doing so made Canberra the city it is today.

As a Labor government, we have improved the accessibility of public transport and in order to provide convenient and cheaper bus travel for seniors we recently introduced a combined ACT seniors myway card which included an early bird offer of \$10 worth of preloaded bus travel. This initiative follows on from the introduction of free bus travel, the ACTION gold card, for our over 75s, a fantastically popular reform in public transport introduced while I was minister responsible for transport in 2008. In fact, nearly 9,000 gold cards have been issued since its introduction in July 2008. The Stanhope Labor government has been really pleased with the response from ACT seniors to these initiatives. Anecdotal reports about the seniors myway card from COTA (ACT) and staff from our ACT government shopfronts and libraries confirm that seniors are very pleased with the combined card.

The ACT seniors grants and sponsorships program continues to support and encourage social inclusion and participation of older people in our community. In October 2010, 13 projects were funded, including a program to connect school children with seniors in aged-care homes and a grant to stage the second grand party in Glebe Park.

The Stanhope Labor government's construction of almost 300 older persons dwellings as part of the nation building and jobs plan will deliver increased housing supply, good planning outcomes, urban infill on previously underutilised sites and provide an opportunity to address public housing supply issues which arise from the dual challenges of an ageing tenant population and high levels of underutilisation across the ACT portfolio. The construction program will also provide older public housing tenants with attractive and modern supportive housing options which promote positive ageing in their community.

These homes are typically two bedrooms, with an oversized single garage. To further enable older clients to age in place, some of the units have a third bedroom so that a live-in carer can also be accommodated. The homes are very energy efficient, achieving a minimum six-star rating, with many at 6.5 or seven stars. They have gas heating, with the majority with solar-boosted gas hot-water systems, features that make them very attractive for older Canberrans. Indeed, there is one person

transferring to the newly constructed dwellings who had been residing in a three-bedroom home for over 60 years, a win-win for all concerned.

In support of ACT seniors clubs, a new Tuggeranong seniors club will be built this year at a cost of \$1.5 million. This will be an excellent asset for the Tuggeranong community.

Further, ACT Health has been active in promoting the get healthy information and coaching service to encourage people to stay physically active as they age.

The Department of Land and Property Services has been working with Communities@Work on the 50s-plus network, a project in Weston Creek, to determine what services people aged 50 and over need to live comfortably in their own homes and what activities they would like to enhance their quality of life. Land and Property Services is finalising universal design guidelines to facilitate the better design of housing to meet people's changing needs as they age, so that they can more easily age in place.

We need to treat our senior citizens with more dignity and respect and, as a government and as a community, continue to work in an effective and productive partnership for seniors to improve their quality of life and to make Canberra a leading age-friendly city.

I also recognise the ongoing role of the commissioner for health services who has responsibility for services for older people under the Human Rights Commission Act 2005. Under the act, the commissioner for health services can investigate complaints regarding all services provided in the ACT specifically for older people or their carers—for example, a service that provides home help, personal care, home maintenance or modification, food services, respite care, transport, assessment or referral to support needs, education, information services, case management, recreation, advocacy, community access, accommodation support, rehabilitation or indeed employment services.

On 17 November 2010, to encourage public discussion on seniors issues, this Assembly passed a resolution to support the establishment of an older persons assembly to be convened for one day at the ACT Legislative Assembly, with all motions and recommendations responded to by the ACT government within three months. This older persons assembly is being planned for September 2011. This assembly will be informed by an age-friendly survey and the assembly will in turn inform the ACT government's next positive ageing action plan in which we will seek to develop initiatives across government and the community.

As stated in the Canberra plan: towards our second century, this government's vision for Canberra is a city recognised throughout the world as a truly sustainable and creative city, as a community that is socially inclusive. And today I call on the support of this Assembly to create a city that is also recognised as an age-friendly city.

MS BRESNAN (Brindabella) (4.16): I would like to thank Mr Hargreaves for raising this subject in the Assembly today. The contribution of seniors to our community is

invaluable, and organisations such as COTA reflect that. I would like to take this opportunity to remind those present that the older persons assembly was an idea put forward by the Greens. I tabled the older persons assembly motion on 16 November last year, and I am very pleased to see that the government has fully embraced this proposal. I am very much looking forward to participating in the event in September, and I hope to see all members participate in this.

I would just like to note that Neal from the Assembly's education office said that they received quite a bit of interest in the older persons assembly proposal at the Seniors Week expo, so that is good. I know that the Ministerial Advisory Council on Ageing is working very hard on the older persons assembly as well, and a number of members have spoken to me about it at various events. It is good to see that this is being embraced, and I think it will be a really wonderful event for the ACT.

It is hoped that the information presented to the Assembly will be noted and that it will lead to real outcomes for older people in our society. This is something I reflected on in my original speech on the older persons assembly, but I would just like to go back to the comment made by Alex Fergusson, a member of the Scottish parliament, at the opening of their Older People's Assembly to show what Mr Hargreaves has said in his motion today and what our older persons assembly will bring to the ACT:

The challenge, I would suggest, is not that our population is ageing but that as a society we have perhaps not given enough thought to the positive aspects an ageing population can bring. Nor have we given enough thought to its particular needs or even considered how to capitalise on the skills and experience an older society undoubtedly possesses.

It is absolutely critical that older people are empowered with a strong voice today in order to ensure that our services and policies tomorrow are fit for purpose. As of 2010, almost 16 per cent of Canberra's population was over 60 years. Seniors form a large and very important part of the ACT community. In Anglicare's state of the family report, the author stated that the ageing society is seen as a problem, whereas perhaps we need to look much harder at the positives that older people can bring to our community. As I said, organisations like COTA and the activities that they run, such as the University of the Third Age, show what a positive contribution older people make.

We have an ageing population which is generally healthy for longer with more leisure time as a result of longer retirement and a large amount of education and experience. Many older people feel that they would like to give back to the community, and it is a fact that the vast majority of volunteer organisations would find it hard to function without the time and effort provided by the older members of our society. Their accumulated skills and knowledge are truly invaluable.

Organisations such as Council on the Ageing are enormously important in promoting the rights and wellbeing of all older people. They provide avenues for volunteering, opportunities to socialise and representation to governments on all aspects of life as seniors. COTA were involved in starting what are the best-known programs for older Canberrans—Meals on Wheels, Home Help Service and Carers ACT. I am sure

everyone will recognise those names. COTA also promote the positive aspects of ageing and the contributions that older Australians make to the wider community.

Encouraging our seniors to remain active and engaged with the community improves their health outcomes and self-esteem. Obviously, this is a win for the seniors themselves, but it is also a win for the community at large. Not only are health costs lower, but the expertise and wisdom acquired over lifetimes is still available and still being used for the common good.

Many of the things that older people need to help them to continue to be productive members of society are provided by community organisations. Those who are looking for opportunities to contribute, for example, have access to a network of volunteering organisations through COTA. For those who want to help but do not know where to start, this is a valuable resource. There are many volunteering opportunities available, from helping primary school children with reading to assisting those even older citizens who live in residential aged care. COTA also provide a seniors information line to advise on services available to older people and a housing options adviser. Through surveys and focus groups they have identified gaps in services and policies, and lobbied on behalf of seniors to have these omissions corrected. Without them, the debate in the ACT would be much less informed.

Another area in which community groups make a valuable contribution is in the provision of educational resources. Lifelong learning is an important element in mental health indicators and ageing. Opportunities to learn new skills or to extend previous learning must meet certain criteria to be accessible to seniors: it must be affordable, since many retirees have limited disposable income; it must be flexible, since health and transport problems might make it difficult to attend regular classes; and non-traditional formats such as online learning can allow people to study at the time and place they choose.

There are many courses like these available in Canberra, often run by community organisations. As I have already mentioned, the University of the Third Age is one of the best known, offering courses on a wide variety of subjects to people aged over 50. The teachers of these courses are often seniors themselves, generously sharing a lifetime's accumulation of knowledge with others.

Another organisation which Mr Hargreaves has mentioned is Communities@Work. They run several initiatives, including computer workshops for older people, and their wonderful program Super Grans, which links young families struggling with budgeting and time management with carefully picked older volunteers who share the tricks and tips of household management that they have learned over the course of many years. I think this is a wonderful example of how we can use the knowledge that older people have to serve the community.

There are also several very successful community programs for seniors in Brindabella that are co-coordinated with Communities@Work. The Tuggeranong Men's Shed, a group I have spoken about previously, allow older men to maintain social contacts by doing rather than just talking. They are an extremely important group in terms of mental health, because we know that men engage differently with the health system.

The men's shed concept is a wonderful one and should be very much supported by everybody.

Also we have the Tuggeranong 55 Plus Club. They run a huge number of activities, including a book club, exercise classes, bush walks and excursions. As we know, they recently turned the sod on the new site at Lake Tuggeranong. It is wonderful that they will have their own site, because it will allow them to expand the activities they currently run and will provide them with a wonderful venue to run the activities they already do.

Social inclusion is particularly important when it comes to people's physical and mental health, particularly for older people. Providing transport for those too frail to drive or travel by public transport is one of the ways that Communities@Work contributes to the wellbeing of seniors in our community. Transport programs provide transportation for older people who cannot access public transport, allowing them to do their shopping and to attend appointments and social events.

Specifically referring to ACT Seniors Week, it really is very much a celebration of the initiatives which we see and a welcome recognition of the vital role the Council on the Ageing and all the other community groups play in promoting the important place of older people in Australian society. Along with a number of other members here in this place, I attended the COTA Seniors Week breakfast. This is an event that I have attended for the last few years. It is a wonderful start to Seniors Week, and they always have fantastic speakers at these events. The speaker last year was Dr John Buckingham, who passed away recently. I would like to acknowledge, as Ms Gallagher did yesterday, that he was, of course, the ACT's nomination for Senior Australian of the Year last year. He was an absolutely wonderful person to hear speak, and my thoughts go to his family and friends on his passing. He made just an outstanding contribution to the ACT community, and it is very sad that he is no longer with us. His contribution helps to show the positive contribution older people make to our community and continue to make.

Again, I thank Mr Hargreaves for bringing this motion here today. Seniors Week is a really important event on the ACT calendar. The older persons assembly will be an excellent addition to activities for older people. I hope all members will attend and that the outcomes contribute to and are considered in the way policy is developed. I will be there, and Ms Burch has indicated she will be there. The Older People's Assembly in Scotland was extremely successful and made a great contribution to government policy and debate. I am absolutely confident it will do the same thing here in the ACT.

MR SESELJA (Molonglo—Leader of the Opposition) (4.26): I thank Mr Hargreaves for bringing this motion forward. The Canberra Liberals will be supporting the motion. There is nothing in the motion that we could disagree with, but I foreshadow that I have circulated an amendment which I believe would add to the motion. But we are happy to support every one of the clauses put forward by Mr Hargreaves.

The motion talks about the work of the Council on the Ageing. I note Paul Flint is with us here today, and I acknowledge his great work with COTA as well as that of

Elizabeth Grant as President of COTA. Those of us who attended the Seniors Week breakfast were made to feel very welcome, but we also saw the wonderful work that is being done for seniors here in the ACT. We are very happy to acknowledge the work of the Council on the Ageing, highlighting the importance of seniors in our community, their work to acknowledge the value of positive ageing, to encourage discussion and action to address issues faced by seniors, and the provision of support for seniors. Those are all worthy sentiments we agree with.

The reason I will be adding to the motion, though, is because all of these things, as important as they are, are only a part of the story for seniors. It is my contention and the contention of the Canberra Liberals that there is a disproportionate impact on seniors of government policies, particularly when government policies fail. Seniors bear the brunt of that. It is worth having a debate about that. We often hear from the Chief Minister how affordable it is to live in the ACT. Ask someone on a pension, whether that be an age pension or whether that be a public service pension, whether they agree with that. For many people who are struggling to pay rent in the ACT, where we have very high levels of rent for our seniors, they very much feel that higher cost of living.

The high cost of electricity and the increases that we see as a result of government policies, such as the feed-in tariff, impact on seniors. Public transport is another. If you talk to seniors, if you talk to older Canberrans, many of whom rely solely on our bus system in order to get around, you learn that the lack of adequate public transport options affects seniors greatly.

The Council on the Ageing survey conducted in 2008 found that: 34 per cent of those surveyed had adjusted their diets to cope with rising food costs by buying less, buying cheaper, or changing staples; 57 per cent of respondents were from a single-person household; 22 per cent of homeowners envisaged having to move from their home because of rising costs, and then we get into issues around the high cost of moving as a result of very high rates of stamp duty; 14 per cent of homeowners believed that rising costs would prevent appropriate maintenance and repairs; 46 per cent of homeowners are concerned about meeting their commitments; 15 per cent have ceased private cover because of cost; 31 per cent do not have private health cover; 13 per cent have reduced or stopped medical treatment because of rising costs; seven per cent do not take medicine or take less because of costs; 47 per cent were fully self-funded; 32 per cent received a part Centrelink pension; 12 per cent received a full Centrelink pension; and nine per cent received a DVA entitlement.

Those figures are quite stark, and that is why I will now move the amendment circulated in my name:

Add, after paragraph (3)(b):

“(c) that ACT Government policy failures have a disproportionate impact on the standard and quality of life of senior Canberrans; and

(4) calls on the ACT Government to ensure that it takes into account the impact on seniors of all its policy decisions.”.

The reason I am moving this amendments is that, although the support that is given directly through Seniors Week and other things is important, the far more important aspect from our perspective in relation to the impact on seniors is the overall performance of government when it comes to services. It is seniors who feel it, whether it is housing affordability, cost of living, public transport, and particularly in areas like health.

In our health system at the moment it is many seniors, as Mr Hanson would know, who are on our elective surgery waiting lists. They are having to wait a long time, often with very painful conditions, because our health system is not performing up to scratch. I have some specific figures in relation to seniors. In 2009-10, one of the key indicators for health—improving hospital access times for persons aged over 75 years—had a result of 41 per cent of those aged 75 years or more waiting more than eight hours from commencement of treatment in ED to admission to a ward.

These are the areas of government service delivery that impact directly on our seniors—when they cannot get into a ward, when they cannot get the treatment they need as quickly as they need it, when they cannot catch a bus when they need it, when they cannot afford to pay the rent because this government has not managed its land supply or any of the areas of the planning system to ensure that there is more affordable product on the market for renters.

The opposition are very happy to support all aspects of Mr Hargreaves's motion. But my amendment is important because it tells the other part of the story—that is, that seniors do feel it. The amendment calls on the government to be cognisant of seniors in developing its policies. When we look in recent times at some of the policies that have put upward pressure on the cost of living, I am not sure the government have been taking account of seniors. I do not believe that has been the case. It is certainly not demonstrated through the kind of policies that have been pursued.

I will pay tribute to some of the organisations that do a lot of great work for our seniors. There are far too many to mention, because any number of charities work with seniors. There are specific seniors organisations. I am particularly familiar with Woden Seniors and the wonderful work they do. Anne Murray, the president, does a sensational job, and I pay tribute to the wonderful work they do in building a community.

We also have groups like the University of the Third Age, Probus, the Association of Independent Retirees, and any number of other organisations, including the Older Women's Network. I pay tribute to them, because many of these community organisations make the lives of seniors better by providing support, fellowship and, in some cases, very practical levels of support that are very necessary.

I commend my amendment to the Assembly. I commend Mr Hargreaves for bringing forward the motion. We are very happy to support the motion, but we believe it should be added to, to take account of the real cost-of-living pressures, in particular, on seniors and the real impact of failures in government service delivery. Let us acknowledge that that hurts our seniors more than many other parts of the community.

MR HARGREAVES (Brindabella) (4.35): I wish to speak to the amendment, not to close the debate. This side of the house will not be supporting the amendment, essentially on two grounds. The first one is that it is disappointing that some part of the chamber would seek to introduce a little gratuitous politicking into this particular exercise, and I do not think it is particularly helpful or necessary to trot out a campaign slogan “cost-of-living increases”, which is the Liberal Party’s federal campaign slogan. That just diminishes the position of those opposite, for which I have a certain sadness.

I have to say that I was kind of hoping that we would be, at this particular time of the year, celebrating the contribution of seniors in the ACT, organisations that support our seniors and people like Chin Wong from the elder Chinese community, and not trying to use the motion for one’s own political gain. Certainly that was not my aim.

The other reason why I would want to oppose this amendment is that both 3(b) and 4 are wrong. The seniors in this town feel the effects of the affluence or otherwise of this town in much the same way as the rest of us. I do not think it is valuable to suggest that the government’s so-called policy failures have a disproportionate impact on the standard and quality of life of senior Canberrans. I do not think it is disproportionate at all, and I do not accept the word “failures”. Indeed, if Mr Seselja is talking about the gold card being a policy failure, if he is talking about the support we have for and the ongoing partnership we have with COTA as a failure, if he considers having the Ministerial Advisory Council on Ageing a failure or if he considers having the strategic plan which was done by the older community themselves and not done by the government at all as a failure, I would argue that they are not.

The supposed additional paragraph (4) calls on the government to ensure that it takes into account the impact on seniors of all of its policy decisions. Firstly, the government does that. I need to put on the record that, when I was the Minister for Ageing, in fact we did the strategic plan for older people. And the way in which we went about that was that we asked COTA and the Ministerial Advisory Council on Ageing.

I acknowledge Paul Flint in the gallery today. I would also acknowledge the work of Alan Hodges, who chaired MACA. Those folk actually conducted roundtables of older people who compiled the strategic plan for themselves. It was a people’s initiative. It was not something which government guided, let alone directed. It was done entirely by the older community themselves on the basis, as I indicated at the time, that we, the government, needed those folk to tell us what was needed. They did, and we have used that as a guiding principle in our policies going forward.

It is with sadness that I stand here to address this amendment tonight. I would rather that I did not have to do that. I cannot see why the opposition could not have been a tad more gracious.

MS BURCH (Brindabella—Minister for Disability, Housing and Community Services, Minister for Children and Young People, Minister for Ageing, Minister for Multicultural Affairs and Minister for Women) (4.39): I absolutely agree with

Mr Hargreaves that it is most unfortunate that Mr Seselja and indeed those opposite, in what should be a straightforward opportunity to comment on the contribution of senior Canberrans, politicised it to the negative. But I thank my colleague Mr Hargreaves for bringing on this motion in the Assembly. I do apologise for not being here in the early minutes of the debate but I was indeed having an interesting conversation with the Official Visitor about Bimberi.

In 2009, as Minister for Ageing, I had the pleasure of launching the ACT strategic plan for positive ageing 2010-14: towards an age-friendly city. This plan brings to fruition the work of John Hargreaves that he commenced and that he championed and, as he has well and truly explained, championed in partnership with older Canberrans.

The strategic plan is a whole-of-government framework to address the needs of an ageing population. It was developed in partnership with the ACT Ministerial Advisory Council on Ageing and involved extensive community consultation and has provided the government with priorities for action in regard to our ageing population. And, of course, we are all ageing.

Goals include the need for better communication of information to seniors on such matters as services, entitlements and community organisations and groups and the need for more activity options in retirement. In this regard, our seniors clubs play an important part in the social wellbeing of our seniors and in 2008 it was the ACT Labor government that made a commitment to build a new Tuggeranong 55 Plus Club. I look forward to opening the new facility later in the year. And it was only within the last month that members of this Assembly had the pleasure of being there when Mr Hargreaves and I turned the sod for that construction.

Last year Canberra was accepted into the World Health Organisation's global network of age-friendly cities, joining other cities such as founding members, including New York, Manchester and Brussels. Canberra is the first and only jurisdiction in this country to be a member of this network. And it puts paid to Mr Seselja's comments that we are policy failures. Membership of that global network of age-friendly cities, which clearly cites that it is auspiced by the World Health Organisation, shows that we are on the right track.

The global network aims to service a mechanism to link cities and to ensure that the label "age-friendly city" reflects a common global understanding—cities that encourage active ageing by optimising opportunities for health, participation and security in order to enhance quality of life of people as they age. An age-friendly city can also be described as an inclusive and accessible urban environment.

As part of this network membership and to further the goals of the ACT strategic plan of positive ageing, we are now about to undertake an age-friendly city survey to get a baseline measure of the lived experience of older Canberrans. It will look particularly at areas of outdoor space and buildings, transportation, social participation, respect and social inclusion, civic participation and employment, communication and information, and community and health services.

The results of this survey will inform the planned ACT older persons assembly scheduled for 30 September. It will further recognise the valued status of seniors and provide a useful discussion to guide the way the ACT government can enhance its funded services that support senior services that are delivered.

Another way in which the government has sought to give older Canberrans a greater voice has been through the ACT Ministerial Advisory Council on Ageing. Through regular meetings, they provide a very useful resource for government, and I acknowledge and recognise the council's work.

The government also works in close partnership with the senior peak bodies, senior organisations and a diverse range of individuals to address the ageing issues and improve services and formulate positive ideas. And I recognise in the audience today Paul Flint, who is on the executive of COTA, the Council on the Ageing, and I commend the work that they do. Paul and his team have put on, again, a very successful and extraordinarily diverse Seniors Week. I think at the expo at the bus stop market there were over 100-plus stalls. I heard it was one of the biggest that you ever had. The contributions to that market came from not only government organisations but also recreational group service providers and other broad ranges of groups that all go to serve and provide activities, recreation and services for older Canberrans.

This government also works to progress the strategic plan for positive ageing and to meet our obligations with cross-government and community representation. This group will meet regularly and serve as a think-tank to channel reports on progress and to share and facilitate initiatives.

If I can go back to the older persons assembly, I know that COTA is involved in that planning. It is being chaired by Marion Reilly from the Ministerial Advisory Council on Ageing, but certainly COTA has a significant role to play in that planning and progress. And I am sure Marion keeps you very busy, Paul, on the task.

In this work, the government recognises the need for better engagement with the business sector, which makes a significant contribution to community life. While much needs to be done to build stronger partnerships between the business sector and the community and government sectors, I am heartened by the example of the *Life's Reflections* photographic competition where businesses have consistently shown a commitment to the cause by promoting positive images of our seniors and their value in the place and our community. And the local business community provides that support through direct sponsorship. Again, I crossed paths with Paul last night at a function where we celebrated *Life's Reflections* opportunities and the commitment by the local business sector.

Also earlier this week I made comment about mature age employment. Before I go to that, though, I also would like to note the grand party in the park. It was on, I think, a weekend or so ago, and I have to say I probably missed the highlight of that weekend where Mr Hargreaves and some colleagues entertained the folk there. That was part of Seniors Week.

Mr Hargreaves made mention of the gold card. That is a great contribution. The access to transport during Seniors Week would have facilitated access to many of the services.

Recently I made comment about the ACT government's initiatives to support mature age employment in the ACT public sector. And that included introduction of grandparental leave, introduction of mature age allowance and a range of flexible working arrangements such as carers leave, working from home provisions, job sharing arrangements, purchased leave and health and wellbeing programs.

Other relevant government initiatives include the return-to-work nurses program and the proposed adult apprenticeship arrangements. We have also, through the council, put out a guide to engaging with seniors as customers and as employees. So this is work on the table that we are doing to support our older Canberrans.

We recognise that seniors are not a homogeneous group but are in fact a group between two generations, the first being born before the First World War and then baby boomers born after the Second World War. And they are a diverse group in age, country of birth, cultural traditions, level of education and social and economic status. As a government, we therefore need to be sensitive to this diversity and respond appropriately as another sign of our respect for individuals and their needs as they age.

Simone de Beauvoir, in her 1970 book *The Coming of Age*, wrote that the way in which a society behaves towards its older people reveals the truth about its principles and aims. I assert that those principles and aims do and must stand up to the challenge. I believe that through the work this government has done and my predecessor has done, and through groups such as COTA and the Ministerial Council on Ageing, with our strategic plan for positive ageing, we are going to those ideals indeed.

MS BRESNAN (Brindabella) (4.49): I will speak very briefly to Mr Seselja's amendment. The Greens will not support it. Mr Seselja did not speak to my office at all about this. He did come over and speak briefly to me about it but I basically saw it about 20 minutes ago. While I do agree that government needs to take into account the impact on seniors of all its policy decisions, I do take Mr Hargreaves's point that this was an opportunity to celebrate Seniors Week and the work that COTA does. I guess it is an opportunity for everyone in the Assembly to agree to that and take it in the spirit in which this motion was meant to be taken. So we will not be supporting this amendment.

Question put:

That Mr Seselja's amendment be agreed to.

The Assembly voted—

Ayes 4

Noes 9

Mrs Dunne
Mr Hanson
Mr Seselja

Mr Smyth

Ms Bresnan
Ms Burch
Mr Corbell
Ms Gallagher
Mr Hargreaves

Ms Hunter
Ms Le Couteur
Mr Rattenbury
Mr Stanhope

Question so resolved in the negative.

Amendment negatived.

MR HARGREAVES (Brindabella) (4.53): To close the debate, I thank members for their support and the gracious way in which they have copped the numbers.

Motion agreed to.

Childcare—West Belconnen

MRS DUNNE (Ginninderra) (4.53): I move:

That this Assembly:

(1) notes:

- (a) that the ACT Government's 2010-11 Budget carries a commitment to spend \$4 million to upgrade a portion of the former Flynn Primary School, which will accommodate a childcare facility of approximately 110 places;
- (b) that on 29 June 2010, the Minister for Disability, Housing and Community Services announced that the new centre would be occupied through the amalgamation of Alkira and Gumnut Place childcare centres, which between them carry approximately 100 places;
- (c) that, accordingly, the Government's \$4 million investment will yield only about 10 new childcare places for West Belconnen;
- (d) that Alkira and Gumnut are to vacate their current premises at the end of 2011; and
- (e) that works have not yet begun at the former Flynn Primary School in relation to the upgrade program;

(2) expresses its concern that:

- (a) the upgrade works will not be completed with sufficient time for Alkira and Gumnut to establish their childcare facilities prior to commencement of operations in 2012;

- (b) there is no contingency plan in place to enable Alkira and Gumnut to continue operating in their current premises until the Flynn facility is fit for occupancy; and
 - (c) accordingly, there is likely to be considerable disruption to the operations of Alkira and Gumnut and the families who use their services when the move to Flynn is to take place; and
- (3) calls on the Minister to, by the end of this sitting period:
- (a) table in the Assembly the final:
 - (i) upgrade plan;
 - (ii) plan of works;
 - (iii) current budget; and
 - (iv) works timetable; and
 - (b) brief the Assembly on:
 - (i) the financial and other assistance the Government is providing to Alkira and Gumnut for the amalgamation and the move to Flynn;
 - (ii) the Government's contingency plan for the continued operations of Alkira and Gumnut at their present premises in the event the works timetable is not met; and
 - (iii) what other action the Government is taking to address the continuing shortage of places in West Belconnen in particular and Canberra in general.

I am pleased today to raise with the Assembly the important issue of childcare in west Belconnen because this is an issue of considerable concern to the families and the childcare providers in my electorate.

We need to have a little bit of history about childcare in west Belconnen and a little bit of history about some of the other activities of the Stanhope government to put some context around why this is an important motion. In the 2010-11 budget the ACT government made a commitment to spend what seems like a very large sum of money, an extraordinary amount of \$4 million, to upgrade a portion—only a portion—of the former Flynn primary school so that it would accommodate a childcare facility of somewhere in the vicinity of 110 places; I have been to meetings about the development of this and that is still uncertain.

A little later, in June 2010, the minister for community services announced that the new centre would be occupied through the amalgamation of the Alkira childcare centre and Gumnut Place childcare centre. You will recall that the plight of Gumnut was an important matter in 2009 when they were threatened to be thrown out on the

street, and it was only through the intervention and the hard work of the Canberra Liberals that they received a reprieve and that the government started to take their concerns seriously.

On the subject of Gumnut, a really good justification has still never been given to this place or to the Gumnut childcare centre for why they have to move out of their current premises in the first place. It really boils down to, it seems, that Mr Barr would like part of his preschool back. There is no indication that there is a real demand for those places for preschool. But we know that there is a demand for those places for childcare.

As we approach the 10th anniversary of this tired old Stanhope government, we need to look back on their record and the context in which they have administered capital works programs. So, before I turn to my concerns about the upgrade of Flynn primary school, let me draw to your attention a few of the examples of failed policies from this tired old government.

At the outset, major projects in the planning stage can have great potential. However, implementation is one of the most important aspects of the policy process—and this is something this government struggles with. Take the hideous debacle that is the GDE. This was a major infrastructure program. It was promised when Mr Smyth was the Minister for Urban Services to build a four-lane road, two lanes in each direction, for around \$60 million. I cannot quite remember the figure and I do not want to—

Mr Smyth: Fifty-five.

MRS DUNNE: Mr Smyth reminds me it was \$55 million.

Of course we saw what happened with that. There were attempts by various federal members to interfere in the operation of the ACT government and change the route. There was a commitment by Mr Corbell to not only change the route but deliver it on time and on budget. We did not start to build the road until the road was supposed to have been completed. It was completed in 2004, but it was one lane in every direction, by which time the cost of the GDE had rocketed to something in the vicinity of \$120 million.

We have to remember that the then head of urban services had told us that he had done the work, they had done a traffic survey and it would be a great road 22 hours a day. Almost immediately, the Stanhope government went through a phase of saying, “No, no, it’s going to be a good road,” and then, with a hint of being gazumped on policy, they back flipped on this issue. And today still, in 2011, seven years after this road was supposed to be completed, the people of Gungahlin and Belconnen are confronted with a traffic snarl every day. And the cost is three times more, and counting, than was originally proposed. The GDE is a car park for several hours in the morning and afternoon, depending on which direction you are going.

This is the sort of background that we have when we are talking about building capital works. We have had a range of cost blow-outs in almost every project that you could imagine. The dam, the Murrumbidgee pipeline, Bimberi youth detention centre, the

prison, the hospital car park—everywhere you turn, there has been cost blow-out after cost blow-out. The Alexander Maconochie Centre has a long list of failures attached to it. Some of the faults that were identified have still not been rectified. There was an election stunt in 2008 involving the Alexander Maconochie Centre.

Then when we move into health we had the debacle of the cost of the hospital car park and the failure of the government to buy the Calvary hospital, because, of course, we did not need to. But we have not progressed on how to integrate Calvary hospital and manage Calvary hospital two or three years down the track. The government have failed.

Like their state and federal colleagues, the Labor machine churns out trademark, sloppy, ill-thought-out policy on the run without a thought to the bottom line. Spending is without a thought to the bottom line, which is why I have serious concerns about this so-called investment of \$4 million; investment is what the minister calls it. Many people that I have spoken to in the childcare area are very concerned about the government's proposal, which will only produce, by the minister's own reckoning, about 10 new childcare places for west Belconnen. With a cost of \$4 million, for every new childcare place there will be a government investment, for want of a better word, of \$400,000—so the most expensive childcare places I can imagine.

Recently I had the privilege of visiting Baringa childcare centre in Belconnen, which has recently had an upgrade, for which they are very grateful, and I pay tribute to the minister and the department for the upgrade at Baringa. It is a picture. It is fabulous.

Ms Burch: Money well spent.

MRS DUNNE: And it is money well spent; at \$375,000 for an additional 35 places, that is just slightly more than \$10,000 a place.

Actually, Mr Smyth asked a question about the new childcare centre at west Belconnen and it is \$400,000 for a new place. It is \$40,000 for each of the places, but it is \$400,000 for each new place. By contrast, Alkira got 35 new places for \$375,000 or approximately slightly more than \$10,000 a place.

Ms Burch: Baringa.

MRS DUNNE: Baringa; that is what I said.

Ms Burch: No, you said Alkira.

MRS DUNNE: Did I? I do apologise. I meant Baringa—a fabulous, really great refurbishment. The children, the workers and the management there are overjoyed, and I am sure the parents are as well. This is the sort of service that the people of Belconnen should be getting, but I do not think it is the sort of service that the people who send their children to Alkira and Gumnut, and their staff, are getting at the moment.

We are in a situation where Alkira and Gumnut have to vacate their current premises by the end of 2011. As yet, not a sod has been turned, not a door has been moved nor a lick of paint put on the Flynn premises; in fact, the plans are not available. I have been concerned about this for a long time and I had a site visit, thanks to the minister and her staff, on 23 February, when I was told that plans were two weeks away; they would be ready in two weeks and the DA would be lodged. But that is not the case. We are almost in April and that leaves us eight months for the government to complete its upgrade works.

Based on the government's previous record on capital works, I am very doubtful indeed that this will be sufficient time for Alkira and Gumnut to establish their facilities in time for the commencement of operation in 2012, which is what they were promised. I am concerned because there is no contingency plan in place to enable Alkira and Gumnut in particular to continue operating in their current premises until the Flynn premises are fit for occupancy—not just fit for occupancy but ready, sparkling and new and ready for occupancy by our children.

The disruptions to be faced by Canberra families, Belconnen families, currently using Alkira and Gumnut will be as they were in November 2009 when Minister Burch sent Gumnut a letter telling them to vacate by the end of 2011. Minister Burch even added insult to injury when she said to Gumnut in the letter, "I wish you every success in finding alternative accommodation." As I have said before, that thoughtless and careless approach was finally reined in and the minister was forced to take a more active interest, but only because of the active interest of the Canberra Liberals, and particularly Mr Coe and me, who represent the people of Belconnen.

What will happen to the children this time in these facilities if there is no place for them, and what will the flow-on effect be to their parents? What will happen to the staff if the facilities are not ready as promised by the end of this year? We already know that there is a critical shortage of childcare places in Canberra, so we have to work now and act now to ensure that these families have secure placements in the future.

Quite frankly, I do not have faith in this government. I do not have faith that they are up to ensuring that there are contingencies in place and I do not have faith that they will be able to deliver this on time—and hopefully on budget because it is an extraordinarily large budget. To illustrate why I have grave concerns about this commitment the government made, let me draw your attention to a comment made during question time on 30 June last year. The minister was asked how many new places would be created through this commitment and the minister responded:

I think I have indicated that the new figures this morning from the department have indicated an additional 530 childcare places coming on in the next 12 months.

Where are these places? And these 110 places are part of that 530. We are now in March, nine months down the track, and there have been some additional childcare places, but not 530. I am concerned that staff at centres, and families, are in a situation

where we will never get ahead of the game. We saw the comments by Ms Brodtmann, the member for Canberra, in the federal parliament last week. She too expressed concerns about the long wait lists in the ACT and the need for us to do something about that. She told stories of people having to put their children on wait lists possibly before they are born. I was speaking with a childcare provider recently who said that she receives about two phone calls a day from people that she has to turn away because she cannot provide services.

There is no way of accurately determining where we are and what is the pent-up demand for childcare—because there is no centralised waiting list; an idea that has been pooh-poohed by the minister but, interestingly, the Chief Minister has taken on board and thought was an idea with merit. Of course it is an idea with merit; it was one that was suggested by Mr Seselja and me.

So here we are, almost a year from the original announcement to refurbish Flynn primary school, we are eight months from D-day when the kids are supposed to occupy this new childcare centre, and we do not have plans. We, the Canberra Liberals, have grave concerns about the minister's capacity to deliver.

So my motion here today calls on the minister, by the end of the sitting period, to table in the Assembly the final upgrade plan, the plan of works, the current budget and a work timetable and to brief the Assembly on the financial and other assistance the government is providing to Alkira and Gumnut for amalgamation and the move to Flynn, the government's contingency plans for the continued operation of Alkira and Gumnut at their current premises in the event that the works timetable is not met, and other action the government is taking to address the continuing shortage of childcare places in west Belconnen in particular and Canberra in general.

We know that Minister Burch has no capacity to answer most of these questions, especially the last two, because she does not know where the demand is. Minister Burch has spent a lot of time with bandaid fixes and she spent a lot of time last year crowing about her achievements. She had ticked off, she said in here, because she had delivered something for Gumnut. But that tick is a contingent tick because at this stage there is no place for Gumnut to move to.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (5.09): I thank Mrs Dunne for bringing on this motion today. Again in this place we are discussing childcare and its importance to many Canberra families. This time it is the families of west Belconnen, although it was, as Mrs Dunne mentioned, not that long ago when we were talking about Gumnut in relation to childcare.

From my discussions with a number of constituents there is considerable need for childcare places in west Belconnen. Currently, there are waiting lists in most centres. The Baringa centre in Spence has just increased by 30 places. After four years of lobbying, the project is finally completed. This is good news. But despite now having 110 places, the centre still has a large waiting list. Two other centres, Alkira and Gumnut, provide care and Alkira with 70 places is currently housed, as we know, in unsuitable accommodation. Of course, it did need to relocate. Gumnut, as we know, is a small community-based service with 35 places.

Currently, working families in west Belconnen are scrambling. They are changing their working days and juggling with family support or other providers in order to participate in employment and have secure care for their children. I understand that a parent would find it very difficult, if not impossible, to find childcare across five days in west Belconnen at the moment.

In some circumstances, of course, this is causing hardship and stress. This is not how childcare should be. I believe that after months of negotiation between providers and the department a decision was made in less than a week, despite providers participating in discussions for months.

It was only after frustration reached a peak and a public meeting was planned that the minister sprang into action and made a decision to expand Baringa and to amalgamate Gumnut and Alkira services, accommodating them at the former Flynn school site. Interestingly, it was in that former debate over Gumnut having to move out of Evatt preschool that I remember recommending that the Flynn site might be a possibility for Gumnut.

I am pleased to hear that Alkira and Gumnut are working positively and looking towards the future. They are excited about the new location. This is the way forward for committed community providers and I thank them for their professionalism and the service they provide. I simply want to question the forward planning of the department at this point and a lack of response to the families of west Belconnen, particularly when it comes to before and after preschool options.

Whilst in discussion with local constituents, it became fairly clear that the department and Ministers Burch and Barr are out of touch with what is happening on a day-to-day basis with families in west Belconnen. These families do not appear to be listened to. In recent discussions with Baringa childcare centre I was informed that as a direct result of the needs of families, Baringa tried to negotiate with the education department to provide a before and after service for families utilising Spence preschool.

There is a real need for this sort of childcare as preschools obviously provide a program only between 9 and 3 pm. Currently, for working families that need to access before and after preschool care they are required to pay for a place at a long-day care centre in order to access care for a short time in the morning and the afternoon. Baringa made formal and repeated representations to the minister to utilise the preschool facility—this is Minister Barr—for before and after preschool care to avoid these huge costs to parents and to free up places for those needing childcare across the day.

A full day of care for a preschool child costs \$80. Before and after preschool care is around \$15. Even if parents use both before and after preschool care they can save close to \$50 a day. Minister Barr was contacted, as the appropriate minister, and no response was received. The principal or head teacher responsible for Spence preschool was then contacted and no response was received. So again an approach was made to Minister Barr's office. Finally some action occurred.

I understand that an officer from the Department of Education and Training visited the site. But from there, nothing; and that was 12 months ago. I think that families in west Belconnen would be interested in saving \$50 per child per day, and perhaps even more interested to know that Minister Barr and his departmental officers have simply not responded. This obviously is not an important enough issue in their book.

I find it very puzzling that the department and Minister Barr do not see this as a very easy way to provide a valuable service, something that would cost the territory nothing. In fact, if Baringa rented the premises it would actually provide some revenue while making parents' lives easier and address the need for extra places. There are 10 places between Baringa childcare centre and Spence preschool and it is a very easy task for the minister to action this. Yet the lack of action makes the lives of some of these families in west Belconnen more difficult and expensive than necessary.

We hear time after time from the government how important childcare is. We hear statistics and projections and about the need for national standards. But on a day-to-day basis what we find is that there does not seem to be a plan in place to meet the demand. There does not seem to be a willingness to respond positively and flexibly when providers show great initiative and put forward an innovative way to establish a service that meets the needs of parents and their children.

The Greens are very supportive of public preschools and will support their full utilisation. In Canberra, by the time a child reaches preschool age many families have both parents in paid employment. Without before and after preschool care options it can limit the choices for many families who would like their children to attend their local preschool. Quite often this is because it assists that transition from their preschool into kindergarten and into their neighbouring school. Currently, as I mentioned, Spence preschool operates only two days per week. I asked the minister to investigate the approach by Baringa and, in fact, the need for before and after preschool care, not just for parents in west Belconnen but across the territory.

I turn to Mrs Dunne's motion. In respect of paragraph (1)(c), the Greens do not agree with the way that that has been worded—that there are only 10 places as a result of the \$4 million investment. Our view is that it is true that amalgamating those services and setting them up at Flynn will only take that number from 96 to 110 but I think it is also fair to say that if Alkira did not have new premises that would be a loss of places there and if Gumnut did not have another location to set up that would also be a loss of those places. In other words, Alkira would be a loss of 70 places and Gumnut would be a loss of about 35 places. That was really why we did not agree to the inclusion of paragraph (1)(c).

I would at this point in my speech seek leave to move my amendments together.

Leave granted.

MS HUNTER: I move:

- (1) Omit paragraph (1)(c).

(2) Omit paragraph (1)(e), substitute:

“(e) the design and planning work, including a heritage strategy that has been done;”.

(3) Insert new paragraph (1)(f):

“(f) that construction works have not yet begun at the former Flynn Primary School; and”.

(4) Insert new paragraph (1)(g):

“(g) the decision of the ACT Civil and Administrative Tribunal in Taglietti and Ors v ACT Heritage Council (Administrative Review) [2011] ACAT 14;”.

(5) Omit paragraph (2)(a), substitute:

“(a) there is now approximately only eight months to complete the significant renovation works;”.

(6) Omit paragraph (2)(c), substitute:

“(c) there will be considerable disruption to Alkira and Gumnut, and the families who use their services, if the Flynn site is not ready by 1 January 2012; and”.

I have had some discussions with Ms Burch’s and Mrs Dunne’s offices. Mrs Dunne’s motion is an important one. This is an important issue. I still have a child in after-school care, but I certainly remember 18 years of childcare and the stress that can place on you if you cannot access places. This was the case particularly with my first child where I had him in two separate childcare centres for a period of time. It was very stressful trying to get through that period. Mrs Dunne mentioned that many families are actually putting their names down on lists before their child is born. That was very much my experience. It saddens me that it is still happening to parents out there.

At that time as soon as you were pregnant it was basically a case of putting your name down on lists because it could take 12 to 18 months, or however long, to be able to access childcare. It does sadden me that 18 years later this is still the case and that it has not been given a higher priority at the federal level and also at state and territory government level. We know that many families, particularly in the ACT, have both parents working or if it is a single parent family, that parent is working. That ability to be able to access quality, affordable childcare is just so essential to be able to participate in the workforce.

As I said there have been discussions with Ms Burch’s office and Mrs Dunne’s office. My amendments are really about clearing up some things and making some small changes to Mrs Dunne’s motion. For instance, one of my amendments is around design and planning work, including a heritage strategy. That has been done. That

would be omitting part of Mrs Dunne's motion—paragraph (1)(e). Really, that was trying to get a little more detail in there.

It is also necessary to be clear about the fact that construction work has not started out at Flynn primary and that there is now only approximately eight months to go to complete what could be significant renovation works and what we suspect will be significant renovation works. My last amendment again is around considerable disruption being caused to the families that use Alkira and Gumnut if the site is not ready by 1 January.

I agree with Mrs Dunne. It is important we ensure that this is going to be up and ready so that there is a smooth transition for these families. It is going to be a bit of a disruption. There have been families who have been taking their children to Gumnut in Evatt for many years. This will be a difficult period for them. We need to make sure that that transition is as smooth as possible.

My understanding of the Alkira building is that in fact it will be a great positive for the children who access that childcare to be able to access a state-of-the-art, high-quality facility, but even so there will still be some transition issues for those families. Therefore, it is essential that we see that government is on the ball, that government is going to deliver this work and that those places and that childcare centre is going to be up and running in time for early 2012.

It is essential, as I said, that we make sure this is a stress-free, smooth transition. We need to make sure that this work is done and we also, as we have talked about in this debate, need to make sure that we have a plan forward for how we are going to meet the demand for childcare places.

Some of it will be long-day care. Some of it will be for shorter times—casual types of arrangements, as in less than part-time arrangements. Some of it will need to be in family day care, some will be in centre-based care, but we need to make sure that we have a variety of options available for families so they can look at those options and make the right choice for their children. It is about supporting families in this town. We know the importance of doing that.

I hope that Mrs Dunne and Ms Burch have considered the amendments I have put forward and will support those amendments. Once again, I thank Mrs Dunne for bringing this motion on today.

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) (5.23): The motion by Mrs Dunne regarding the Flynn school site brings an opportunity for me to talk about the progress that we have been working through. I met with Alkira and the Gumnut childcare centres on 2 February, and I made this government's commitment to them perfectly clear. The construction of the Flynn site will be complete by 31 December this year, and today's motion by Mrs Dunne really could have been dealt with if she had just asked the question. But asking a straight, simple question is not something that Mrs Dunne is apt to do. Had Mrs Dunne asked during question time whether the

Flynn site would be ready by the end of the year, I would have said yes. I would have said that DHCS is on target to complete the works on time, and I would have reaffirmed this government's commitment to accommodate these centres in Flynn in time.

Let us recount some of the recent history of this development. When I announced in last year's budget an investment of \$4 million to find accommodation solutions for Gumnut and Alkira, those centres warmly welcomed the news. In fact, the headline of the *Chronicle* was that "Childcare providers are overjoyed with their new home".

I agree that it is a challenge to achieve this work in the time we have. It is a challenge to achieve the adaptive reuse of a purpose-built building, a reinforced concrete building. It is a challenge to bring together two independent childcare providers and a long-term viable organisation to continue to serve the childcare needs of the community. It is a challenge to respect the design and visual qualities of a building and the moral rights of its architect as substantial modifications to the building fabric are carried out. It is a challenge to include the broader Flynn community to deliver improved community services in the face of disruptive and legal actions of one small group. However, these are challenges that are worth facing to achieve better childcare in west Belconnen.

The tenders have already been called for the project manager who will manage the construction of the childcare centre. I understand that those tenderers are due to be inspecting the site this afternoon and are examining existing buildings and site works. Within the next few days, the development application for the external works for Flynn childcare will be submitted to ACTPLA. Within the next two weeks, the project manager will be confirmed, and by mid-April, or thereabouts, the project manager will be commencing work on a range of internal works that can proceed prior to developmental approval.

Mrs Dunne is aware of some of these challenges and actions, as she has attended public meetings in which we have engaged with the community. She has inspected the buildings and has seen first-hand the challenges they represent. Again, I am happy to offer her briefings as we continue through the months ahead.

The time challenges facing the Flynn precinct have been recognised from the outset. Our childcare providers, such as Noah's Ark at Rivett and groups such as the ACT Playgroups Association at Cook have moved into new accommodation in refurbished school buildings. In fact, more than 40 community organisations and service providers are currently occupying the completed regional community facilities constructed by this government. The Flynn refurbishment has been held up by appeals and objections by a small group of people. This stands in stark contrast to the completed refurbished work at Cook, Holt, Weston and the Chifley regional community hubs.

That said, the government is responding to the time challenges to ensure a good outcome for the young families at west Belconnen. Flynn primary school was subject to applications for listing on the ACT heritage register. The application was refused by the ACT Heritage Council and their refusal upheld by ACAT. Notwithstanding this,

the government recognises the building has some architectural qualities and visual values to the local community.

To this end, an independent heritage adviser has been appointed to assist in the process. In addition, the architect for the childcare centre has been working with the original architect about the proposed changes. I am advised that he supports the designs to be submitted to ACTPLA, and in this process it is important to ensure that moral rights issues under the Copyright Act are satisfactorily addressed and do not delay the project.

Regular meetings have been held with the Flynn Community Group. Briefings have been held with service providers and peak bodies in Belconnen, and public representations have been made. The views expressed in these meetings have been considered in the development of plans. I can inform the Assembly that the good progress has been made possible because of the willingness of the staff and parents associated with the two childcare centres working cooperatively with the project team and the architects. Their input into the layout and features of the childcare centre has been critical in reaching this stage. They and I both recognise the importance of starting works as soon as possible.

The principal assistance being provided to Gumnut and Alkira is the provision of modern, well-provisioned, secure accommodation on a scale that underpins their ongoing operational and financial viability. This is the support they need. This is the point that does not seem to be appreciated by Mrs Dunne. It is important that we not only add new childcare places but we also support existing childcare places and childcare operators whose small size or ageing premises make it difficult for them to respond to the new national standards.

Mrs Dunne has also asked about contingency planning for the continued operations of Alkira and Gumnut in the event that there are delays. Working through the stimulus funding for housing, the last nine months with the rain have reminded us that the construction process is subject at times to unforeseen interruptions and delays. But as I have committed to the good folk of Alkira and Gumnut and as I will commit here, everything in front of me assures me that we will finish to completion and have Gumnut and Alkira moving in at the end of the year.

Also we have been asked about upgrade plans and for plans of works to be tabled in the Assembly. For the information of members, I table the following paper:

Flynn Childcare Centre—Functional design brief—Part Block 7 Section 18, Bingle Street, Flynn ACT, prepared by the Department of Disability, Housing and Community Services in conjunction with Philip Leeson Architects, dated 10 August 2010.

I understand that copies are coming through. These documents will soon be on public record. Once the ACT Planning and Land Authority has checked the development application documentation, plans will be available to all members of the public on the planning authority's website as part of the consultative process.

I will continue to work to improve services for the community and, in this case, to improve the childcare services for the community of west Belconnen. The opposition has asked what the government is doing to increase childcare places in west Belconnen and in Canberra. I am glad Mrs Dunne brought up her one childcare policy, which is a centralised waiting list. It is one concept that has been resoundingly rejected by those I have talked to in my regular conversations with operators and parents.

Mrs Dunne: But not the Chief Minister.

MS BURCH: Well, he has rejected it, Mrs Dunne, and you know that. It is unclear how removing choice from parents about which childcare centre they send their children to could increase childcare places. I note that, despite my asking Mrs Dunne in this chamber previously to table the detail of this policy, she has not done so. I have checked the Canberra Liberals website for the policy, or any childcare policy, and there is nothing for anybody to see or know. If indeed, Mrs Dunne, you have a robust policy, why do you not share it with the rest of us and table it?

Mrs Dunne: We did, during the budget debate, Joy.

MS BURCH: Well, no, you did not. You said you had a list. You said it was costed, and I have not seen a single pen to paper since. Why? Because there is no childcare policy from the opposition, which is why they go to baseless activities about grants not going far enough or this work not being good enough. I would have thought, given Mrs Dunne's interest in Gumnut, that she would have been supportive of them having a purpose-built building, but not so.

In contrast, the ACT Labor government has been active in increasing childcare places and investing in centres that are needed most. We have licensed an additional 666 places in 2009 and over 526 in 2010. Just last week I announced the government will strengthen its commitment to improve the accessibility of childcare in the ACT through the new childcare grants. All non-government childcare centres will be able to apply for \$10,000 in childcare grants to a total funding pool of a quarter of a million dollars.

These funds can be used towards infrastructure costs, including planning and design, equipment and fit-outs. One of the key criteria in applying for these grants is for centres to maintain or increase childcare places using the funding. This has been welcomed by the childcare centres, and will both strengthen the capacity of childcare centres to provide extra places and meet the national quality standards for early childhood education and care at the same time.

I am also happy to announce, as has been mentioned here, that the recent construction of work at Baringa childcare centre in Spence is now complete. The new part of the building will provide space for an additional 24 babies in the west Belconnen area. This government is also planning work to meet the future needs of childcare within the ACT. We will be soon opening the west Belconnen child and family centre, which will provide support to families also in that area.

Mrs Dunne made mention of Ms Brodtmann's comments, and I thank Mrs Dunne for drawing my attention to that. Ms Brodtmann went on to say in her speech:

... I would also like to commend my ACT Labor colleagues for the work that they have been doing on child care. Since the ACT Labor government was re-elected in 2008, an additional 1,200 childcare places have been licensed, bringing the total to a historic high of more than 15,500 places. There are now 245 childcare service providers, employing about 2,200 staff. A number of centres opened last year and more are expected this year. So there have been major developments on the childcare placement front here in Canberra over the last three or four years, and I commend my ACT colleagues for the work that they have been doing in that area.

She went on to say:

We are deeply committed to rising to the challenge of costs of childcare and doing all we can to assist those families and ensure their children have access to high-quality and affordable child care—child care where the teachers of the children are actually professionalised and committed to quality education.

We are committed to ensuring that families have the flexibility to choose the work-life balance that best suits their families—whether that be through the eradication of antifamily workplace legislation or the introduction of Australia's first paid parental leave scheme or, in this case, enhancing access and affordability of child care.

Mrs Dunne interjecting—

MS BURCH: She also went on to say—

MADAM ASSISTANT SPEAKER (Ms Le Couteur): Mrs Dunne, please let Ms Burch speak.

MS BURCH: She also went on to remind us all—I do not have the exact quote here—of the federal Labor government's investment in the childcare rebate, which has just about doubled, up to \$7,500. That is a far better effort than what the Liberal government has ever put in place for the childcare sector. This government recognises that quality, accessible and affordable childcare is vital to the ACT community through supporting workforce participation and providing children with valuable education.

As to supporting the training of the childcare sector, not only are we increasing childcare places, but we are committed to supporting training for childcare workers. I recently visited CIT at Woden and was pleased to learn that this year's enrolments are approximately 250 for a certificate III, and approximately 350 are enrolled to attain their diploma and advanced diploma certificates. I remind those opposite that the diploma and advanced diploma are fee-waived training. That means free training for the childcare sector.

The government's childcare grants and upgrades at Flynn and Spence, our commitment to increasing childcare places and to supporting training and

professionalising the workforce show our commitment to increasing the accessibility of childcare in west Belconnen and right across Canberra.

MRS DUNNE (Ginninderra) (5.38): The Canberra Liberals will support the amendments circulated by Ms Hunter. We could nitpick, but they keep the thrust of and highlight the important issues in this motion, and I am happy to have them incorporated into our motion.

Amendments agreed to.

MRS DUNNE (Ginninderra) (5.38): This is an important motion, and Ms Burch really needs to learn a few more debating tactics. A little bit of grace from time to time would serve her well. This motion was brought forward because of concerns in the community, and the concerns arose out of attending public meetings about this and having a briefing on the site and asking questions about the time lines for building this. Everybody admits that these are extraordinarily tight time frames, and they have already slipped. I was told at the briefing that the DA was to be lodged a fortnight after that meeting. That was some time last week, as far as I can tell. The DA should already be lodged. We have already missed one of the milestones.

That is why I have brought this matter to the attention of the Assembly here today. We have an extraordinarily large investment of ACT taxpayers' money, and we have a whole lot of people—about 105 children—dependent upon these places. Their families, their teachers and their care providers are all dependent upon this coming together. I am quite concerned that the minister says it is all going to be finished by 31 December, because they expect to be moving in at the beginning of January.

There is no contingency there. Over the Christmas holidays, it is all going to be tidied away and suddenly, after the Christmas holidays, this is going to be a fully functioning childcare centre. There is no contingency in that timetable for them to move their equipment in, to take the stuff from Alkira and Gumnut and actually move it across Belconnen into the new facility. This is why we have brought this matter to the attention of the Assembly. This is why we have asked that the plans and the scheduling be made available so that there is a works timetable so that we know when things are happening.

I put on the record now that if we get a works timetable that says the plumber is going to start work on 5 May and he does not get there until 10 May, I will not hold the minister to account for that. What we want is a works timetable with milestones in it so that we know this is how we are going to get to the end phase. We want to be able to do that. The minister needs to come back from time to time and tell us whether they are on track to meet that commitment, because these are important commitments for the people of Belconnen.

The ACT government under Jon Stanhope has an appalling track record of delivering things on time and on budget. This is an extraordinarily large budget for childcare places. As a result, we are going to keep this government to account on this.

It was interesting that Ms Burch has to cast around to blame people. This was not a blame-game motion. This was about keeping us informed. But Ms Burch could not resist playing the blame game and casting aspersions upon the Flynn community groups and talking about them as unrepresentative and all of these sorts of things. It is just the standard behaviour from the Stanhope government. If people disagree with you, it is all right to slag off at them. Well, it is not all right as far as I am concerned.

These people are my constituents and they have exercised their legal rights. The government may not like it, but they have exercised their legal rights. They are entitled to do that and they are entitled to do so with respect from this minister and this government and from everybody else in this Assembly. Just because this minister or Mr Stanhope may not agree, it is not their prerogative to badmouth them in this place.

Ms Burch needs to learn a few more tactics. She needs from time to time to recognise when she is complimented. She was complimented on the work that was done in relation to Baringa. It is an extraordinary refurbishment. It is fabulous, and everyone who works there is overjoyed. We should be congratulating the people who worked hard—and that includes the management of Baringa—to get that refurbishment, which is great. I visited Baringa the other day with one of my staff who is a pretty discerning consumer of childcare services, and she was just blown away. As a result, I know she has recommended Baringa to other people. I do not know that that is going to be much help because they have a fairly long waiting list, but somebody might luck it in one day.

What we are doing today is saying that we are looking forward to this happening. We are looking forward to it happening on time and on budget, and we will be watching to ensure that that happens. If there are any problems, we expect the minister to come in here and tell us and also tell us what contingency arrangements will be in place if they do not meet the timetable. That is what all this is about; it is keeping it all out there in the open so that everybody knows what is happening. I commend Ms Hunter for her support and the grace with which she supported this motion, and I commend the motion to the Assembly.

Amendments agreed to.

Motion, as amended, agreed to.

Lake Burley Griffin—maintenance

MR RATTENBURY (Molonglo) (5.45): I move:

That this Assembly:

(1) notes:

- (a) the importance of Lake Burley Griffin, its natural and environmental value and its cultural and recreational value to the citizens of the ACT;

- (b) the importance of the lake as a venue for water based recreation and primary contact activities such as rowing, kayaking, triathlon and dragon boat racing;
 - (c) the importance of the iconic values of the lake for Canberra residents and national and international visitors as a centrepiece of the national capital and a hub for tourist activity;
 - (d) the increasing number of events being cancelled due to closure of the lake resulting from poor water quality;
 - (e) the range of problems impacting on water quality in the lake including the discharge of treated sewage into the Molonglo River, recent sewage spills from both Queanbeyan and Fyshwick sewage treatment plants, the presence of contaminants in storm water run-off including faecal matter, and the presence of carp;
 - (f) the differing views among agencies and experts about the primary causes of poor water quality, and the best means to improve the situation; and
 - (g) the potential for effective management of the lake to be impeded by the numerous overlapping jurisdictions responsible for land management of its catchment, including the ACT Government, the New South Wales Government and the National Capital Authority; and
- (2) calls on the Minister for the Environment, Climate Change and Water to:
- (a) direct the ACT Commissioner for Sustainability and the Environment to investigate the state of Lake Burley Griffin including:
 - (i) causes of poor water quality and lake closures;
 - (ii) potential solutions to addressing the causes of poor water quality, including possible resource implications of these solutions;
 - (iii) any structural or jurisdictional changes that may improve water quality management for the lake; and
 - (iv) the implication of these findings for the ACT's other major recreational waterways, such as Lake Ginninderra and Lake Tuggeranong; and
 - (b) report to the Assembly by 30 September 2011.

The matter I have brought before the Assembly today is one that is dear to the heart of many Canberrans, and that is the issue of the health of Lake Burley Griffin. The reason I have brought forward this motion today is that it is clear that the iconic feature of the city and centrepiece of the national capital is not quite as we would want it to be. It may look fine from the surface but what is going on underneath is quite a different story. If we remember that this waterway is one that was artificially

created at the beginning of this city's history for our amenity and our recreation then I believe it is beholden on us as a community to look after it to the best of our ability. We must also recognise that this central feature of our urban landscape actually sits on the Molonglo River. We are a river city, not a lake city, and we must not lose sight of that.

Lake Burley Griffin is an integral feature of the urban landscape of Canberra. It is a place for Canberrans and visitors alike to come together, socialise, access our great cultural institutions, take a quiet stroll, cycle or jog. The work Christmas barbecue by the lake is a great Canberra tradition that I am sure we have all partaken of at some point. Paddlers and rowers can be seen out on the lake every morning and sailors and tourists take to the water across the weekends. Our lake is an important place for people living in an increasingly urbanised environment to find some time out and some space.

It was once a common sight to see people swimming in the lake on a hot summer afternoon, but over the years this has been less and less commonplace. I can well understand why. The bad smells and slimy algae make the water less than inviting, and the regular closures do not inspire confidence in the safety of the water. But what a shame that swimming in the lake is not something that is considered a recreational option by all the people of Canberra. It would be wonderful to see more Canberrans enjoying this body of water so that people can not only have picnics on the lake shore but also accompany them with a swim in the lake. If we had confidence in the quality of the water then I am sure we would see this happening.

It is important to note the contribution that a healthy lake makes to the economy and vibrancy of the city by supporting recreational activities such as kayaking, as well as organised sports such as rowing, triathlon and dragon boat racing. I believe that Mr Barr is at the dragon boat racing this afternoon. Local clubs use the lake for training and to hold local, regional and national events. The guidelines used to determine closures in the lake changed in 2009 to allow "non-contact" activities to continue while the lake is otherwise closed. But the reality is that if water quality in the lake continues to degrade, these events will simply move elsewhere. Certainly, anecdotal evidence suggests that this is already happening.

Members know, of course, that I am an active triathlete. The quality of the lake has certainly had an impact on the community that I operate in. We have had events postponed, events cancelled and events changed. Anecdotally, our numbers seem to be dropping for some of the national events we hold. I think that is because the reputation is getting around that Canberra is not a reliable place to come to and have a race. You have trained for many months to do your event and you do not want to see it being cancelled or postponed at the last moment.

Of course, a healthy lake is not just about delivering a good quality public amenity for us humans and our pursuits. It is crucial to remember that Lake Burley Griffin is part of the Molonglo River system. It has biodiversity values both above and below the water level and should not be left as a breeding pool for weeds and feral species. The environmental issues surrounding the lake are symptomatic of the entire Molonglo River corridor. Weeds such as willows, which strangle the flow of the river, are also

seen around the edge of the lake. Instead of just being stocked with native fish we have such high levels of carp in this part of the river system that we could hold an annual “carp out” event to try and remove them. Is this really the best environmental management we can offer?

We need to understand the lake in the context of its catchment, the land that captures the rainwater that drains into the waterways that feed the lake. The lake as designed provides an essential ecosystem service. It improves water quality downstream by retaining water which is slowly released into the river. Sediments and nutrients settle to the bottom of the lake. But how much pollution can this lake deal with? Something is telling me that it has simply had enough.

Our city has become more urbanised and the areas of non-porous surfaces such as roads and car parks have therefore increased. So instead of soaking into the ground and being filtered through the earth, more water is flushed directly into the stormwater system. That stormwater brings pollutants such as dirt, fertilisers, oil and animal faeces into the waterway and, ultimately, the lake. Pollutants increase the level of nutrients, primarily nitrogen and phosphorus from detergents and fertilisers, which in turn encourages the growth of algae and bacteria. To make things worse, the carp, those wonderful feral beasts, have been accused of stirring up the nutrients at the bottom of the lake and making the water quality even worse. We must not forget about the sewage plants which, even when operating to the highest current environmental standards, are also a significant source of nutrients.

Nutrients are a key contributing factor for the growth of blue-green algae, as well as light, warmth, still water and low flows. While they are a part of the natural system, blue-green algae can out-compete other species of algae and in bloom conditions can produce toxins. Government alerts warn that some susceptible people may experience symptoms such as skin irritation, flu-like symptoms or gastrointestinal illness. Then there is the impact on dogs, which seem to suffer even worse than humans when it comes to blue-green algae.

What about other bacteria? It seems that even moderate rain events lead to short-term spikes in faecal contamination in the lake, as rain washes animal faeces from the catchment. The National Capital Authority are not clear how much of this is from dogs or from waterbirds. At higher concentrations, this faecal contamination can be a risk to human health, and high levels have led to lake closures five times over the past five years.

This faecal contamination is picked up by the water quality testing conducted by the NCA under ACT health guidelines for recreational water quality, using intestinal enterococci which is the World Health Organisation’s preferred indicator of faecal pollution. The NCA currently conducts tests and reports on water quality in the lake in accordance with the approved Australian water quality guidelines. Physical, chemical and biological parameters are reported annually. Microbiological monitoring samples are also taken weekly in summer months at a number of beach locations. Algae is monitored visually every week and samples are taken on a monthly basis.

When blue-green algae and bacterial levels reach threshold levels, the lake is closed for primary contact use, which is essentially swimming, either at specified locations or in its entirety. It is not just swimmers that are at risk. Even walking past the lake can be potentially hazardous during algal blooms and there have been times when the Captain Cook memorial has been turned off because of the public health risk posed by the inhalation of jet water which can be spread by the wind. Who would have thought that going out for a Sunday stroll could be so fraught with danger?

I can tell members that I have met with a number of experts in regard to the lake and I hear a different story about the fundamental causes of the problem. I have had some tell me it is about the inflows to the lake—that levels of salts and nutrients from washing detergents, fertilisers and wastes are too high. I have had representatives of the National Capital Authority tell me it is a legacy issue and that what is in the lake causing problems has actually been there for decades and gets stirred up when the flows and the temperature increase. I have had people tell me that the carp can be removed, either through netting or through changing the water levels at strategic times in the breeding season. People have put forward a range of techno-fixes for the algae, everything from ensuring the phosphates stay at the bottom right through to draining the lake and scraping it clean. Now, that would certainly be an event.

I would like to share with members some contact I have had with various authorities in regard to the recent flood events in December 2010 that led to the closure of the lake. Extreme inflows of rainfall led to the accidental discharge of sewage into the lake from both the Queanbeyan and Fyshwick sewage treatment plants. I think it is symptomatic of the problem I am trying to demonstrate here today as, when I wrote to the agencies responsible for managing the treatment plants asking for more information about these incidents, I received some very interesting and diverse responses. Clearly, there are very different perspectives on what the problems are, who is causing them and whose responsibility it is to fix them.

At the Fyshwick plant that processes Canberra's sewage, the extensive rainfall that fell between Friday, 3 December and Sunday, 5 December 2010 led to increased flows of 10 times the average. Two lagoons overflowed and partially treated effluent was released into the Molonglo River. The Lower Molonglo Water Quality Control Centre also experienced difficulties in dealing with the abnormal inflows at that time. According to the operator, ActewAGL, this is the first time such a breach has happened in the past 20 years. The NCA, ACT EPA and ACT Health were immediately notified, and the plant will continue to operate with lagoons at lower levels until embankment strengthening works are completed.

However, according to the NCA, "The most significant pollution event that weekend was the release of approximately 50 million litres of partially treated sewage from the Queanbeyan sewage treatment plant due to the collapse of a retention pond wall." The NCA also notes that there were minor spills at both Queanbeyan and Fyshwick, but firmly places the blame on the Queanbeyan plant as being the major source of sewage in the flood event of that weekend.

The failure of a 50-year-old embankment at the Queanbeyan plant led to a breach which, according to the Queanbeyan City Council, contained “treated sewage of a quality that is suitable for discharge”. They also said that it was extremely unlikely that the spill solely contributed to the closure of the lake, because of their claim that the sewage was already treated, in small quantities and highly diluted by stormwater. They in fact suggest that the lake closure was due to polluted stormwater or sewage discharge from the ACT sewage treatment plant at Fyshwick.

It is worth noting that the Queanbeyan City Council was recently prosecuted by the New South Wales EPA in the Land and Environment Court of New South Wales for water pollution caused by multiple incidents of sewage discharge going back to 2003. While the plant may be responsible for processing the waste of the good people of Queanbeyan, it is in fact wholly located within the ACT. I understand that the ACT EPA is currently investigating the December flood events, as well as ways to bind the Queanbeyan City Council to improve the reliability of their plant.

Queanbeyan City Council suggest in their letter that if the ACT government appreciates the benefits for Canberra not having sewage effluent being discharged into the lake they might like to joint fund any upgrades that might improve environmental outcomes at the Queanbeyan plant. The letter I received from the Queanbeyan City Council also points to some other potential problems for the lake, and I quote from their letter:

While it is convenient to use Queanbeyan as a scapegoat for such events, it is widely understood that pollution controls around Lake Burley Griffin are ineffective or non-existent and the lake becomes highly polluted after rainfall.

While we are concerned about the discharge of human sewage into the lake, we must remember that these were extreme weather events. Cross-border sensitivities aside, Queanbeyan City Council make a relevant point, as it turns out that in the week or so prior to the flood that flushed human waste into Lake Burley Griffin the lake was already closed due to high levels of bacteria, most likely as a result of one of those short-term spikes that are associated with rainfall events.

The differing views among agencies and experts about the primary causes of poor water quality and the best means to improve the situation are a cause for concern. That is why I have moved this motion today and why I believe we need an investigation by the ACT commissioner for the environment. It is increasingly clear that our ability to effectively manage the lake is impeded by the numerous overlapping jurisdictions responsible for land management of its catchment. The ACT government, the Queanbeyan City Council and the National Capital Authority are all important players in this debate.

One of the key reasons to refer this issue to the commissioner is that, while obviously not a water scientist herself, she can facilitate a process that will hopefully bring together the views of scientists and policy makers to determine where to next. As I have shown in the snippets of the evidence that I have provided from these various letters, there is not a clear understanding of or a clear agreement on what the problems

are. I think having a single expert body examine this is an important step in coming up with the answers, because once we agree on what the problems are, we can then start to talk seriously about the solutions.

It is worth saying at this point that I am aware that the NCA have undertaken some work on the lake quality issue, but we have not yet seen any clear indication of what they will do. It may well be they will need to allocate some significant resources to remedying this problem, but there is no point spending money to fix the problem if we do not remedy the underlying causes. I hope that out of the investigation by the commissioner we can see some very clear ideas as to what needs to be done and how that can be addressed, particularly across the jurisdictions.

I welcome the feedback that I have had from members on the motion. I understand there will be some amendments and I appreciate the spirit of those. I think they are not in conflict with the intent of what we are trying to achieve here. I think we all recognise the need to do something about the lake. We recognise what an important asset it is to the people of Canberra. The important thing now is to get on and actually make something happen. I think for too long we have identified and recognised the problems, but we simply have not got things moving. That is what we need to do. I commend the motion to the Assembly.

At 6 pm, in accordance with standing order 34, the debate was interrupted. The motion for the adjournment of the Assembly having been put and negatived, the debate was resumed.

MRS DUNNE (Ginninderra) (6.00): Mr Speaker, I move the following amendment circulated in my name to Mr Rattenbury's motion:

Omit paragraph (2), substitute:

“(2) calls on the ACT Government to:

- (a) work with the relevant NSW State and local government agencies and the National Capital Authority to develop an action plan for improvements to the quality of water flowing into Lake Burley Griffin;
- (b) table the action plan in the Assembly by the close of the last sitting period in the 2011-2012 financial year; and
- (c) report the progress of the development of that action plan by the close of the last sitting period in 2011.”.

I thank Mr Rattenbury for moving this motion today. I think it is an important issue. The quality of the lake is an issue that has occupied me from time to time over the years I have been a member of this Assembly. It is the case that we are less likely to see people swimming in the lake and there are issues for those who conduct water sports.

I recall the occasion whilst dragon boating that Mr Smyth and I were speared by a group of grammar girls who thought that would be quite fun. We ended up in the lake.

I did wonder at the time about the quality of the water. We did survive. We are still here today and no ill effects, really. It is also true that we often walk our dogs in the area. Being the sorts of dogs they are, they do like to swim and often show particular enthusiasm to swim in Lake Burley Griffin. But I would not dare let my dogs swim in Lake Burley Griffin for the same reasons. Blue-green algae has a worse impact on dogs than it seems to have on people.

So I welcome this motion that has been moved here today. I welcome the spirit of the conversation, as Mr Rattenbury said, about dealing with this. I do not have a problem with the concept and I do not have a problem with the premise that there are issues in relation to the state of the water. But Mr Rattenbury has touched on my concerns as well, unwittingly. There are people already who have responsibility in this area and they are, in fact, listed in Mr Rattenbury's motion.

The New South Wales government, or at least the Queanbeyan City Council, has responsibility in this area, as do the ACT government and the National Capital Authority. I have a problem not with the concept of commissioning the commissioner for the environment to do the report, but I think that there has to be cross-border, cross-jurisdictional agreement that this should happen for it to be effective. At this stage I do not think that we can see ourselves in a position to commission the commissioner to do a report unless there is sign-off by the other jurisdictions.

I do not believe that there has been that sign-off at this stage. Therefore, I have moved the amendment that has been circulated, which calls on the government to work with the relevant New South Wales state and local government agencies as well as the National Capital Authority to develop an action plan for improvement. That may or may not involve the commissioner for the environment, but we actually have to have everybody in the one room, reading from the one page and being at one on this.

This is an important issue. I think it is important that we make progress on this and perhaps we should be looking to use the winter months to make progress so that the lake could be more inviting for next summer. While I commend Mr Rattenbury for the motion, the spirit and the overall concept, I do not believe that we are in a position where we can unilaterally have the commissioner undertake this investigation without the sign-off of the other jurisdictions.

Without the sign-off of the other jurisdictions, we could not put into effect anything that the commissioner might suggest. At this stage, therefore, I suggest to the Assembly that my way forward is a superior one, but it does not rule out the involvement of the commissioner for the environment.

MR ASSISTANT SPEAKER (Mr Hargreaves): Chief Minister, do you wish to speak to this amendment or are you moving your own? Your own amendment is consequent on Mr Rattenbury's motion. It hangs on whether Mrs Dunne's amendment is successful or otherwise. It may be better if we deal with Mrs Dunne's amendment and then come back to yours.

Mrs Dunne: How about you speak to the amendment and then we give you leave to speak to yours if mine does not succeed?

Mr Stanhope: All right, yes.

Mrs Dunne: We will give you leave to speak again, Jon.

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) (6.04): I am grateful for Mrs Dunne's offer. I will speak to the amendment, Mr Assistant Speaker. Actually, the government accepts the wisdom of the need for us to better understand some of the impacts on our lakes, most specifically in this instance Lake Burley Griffin.

As members have acknowledged and as Mrs Dunne has just indicated, her amendment is driven very much by the obvious fact that the ACT government does not administer Lake Burley Griffin. Indeed, there are a number of jurisdictions, including of course Queanbeyan with the sewage treatment plant immediately upstream of Lake Burley Griffin on the Molonglo River. It creates complexity.

Indeed, the ACT government, in considering this motion, was affected by the very same consideration that Mrs Dunne has drawn attention to. I anticipate the amendments that I do propose to move. At one level, they are also designed to deal to some extent with the same issues—not perhaps as bluntly as Mrs Dunne has—and are influenced by the same consideration.

I believe it is appropriate we recognise that there are overlapping jurisdictions. Indeed, the ACT government is not responsible for Lake Burley Griffin—for its management. Indeed, whilst we work cooperatively with the NCA in relation to joint management and whilst ACT government agencies such as the Environment Protection Authority are utilised by the NCA in determining water quality, we do also believe that some of those issues need to be taken into account.

Having said that, however, I do not think anything Mr Rattenbury has said today can be gainsaid, criticised or contradicted. Everything he said I think is reasonable. It is based on our own experience. It is based on concerns that I believe we all have about the quality of water in Lake Burley Griffin and, indeed, in our other lakes. It may very well be that through an investigation and the gathering of an evidence base—indeed, through generating contact between the respective jurisdictions—that will assist us in better management.

These are difficult issues. Many of the issues we have faced in recent times are a direct result of major flood incidents. But then again, those major flood instances have shown and have caused overflow issues not just at the Queanbeyan sewage works, I have to say. In recent times—I believe in 2010—there was an overflow from the Actew-managed Fyshwick sewage treatment plant. So it is not just Queanbeyan. Indeed, the Actew Fyshwick plant has also suffered an overflow event, which obviously raises questions about its capacity and the need for us to deal with that.

There is an interesting and overlapping range of issues. We saw highlighted just this week an issue of an exotic lily that has gained a foothold in the Jerrabomberra wetlands. There are issues in relation to water quality generally, the level of nutrients, where they are coming from, the control and management of upstream rivers and all watercourses. There is an issue around exotic plants and their impact. One of those exotic plants is the willow. There are weed and tree management issues. There is the issue of the extent of nutrients and how they find their way into the lake.

There is, interestingly, also the capacity to deal with carp. An issue that I have discussed even in the last year with Territory and Municipal Services is whether there is not an approach that is not as resource intensive as some of the suggestions that are made in relation to how best to control carp. I have had conversations with Professor Tony Peacock relating to his interest in the CRC on feral species—I wish I could remember the correct name. I have had an interesting conversation with both him and the combined fishing clubs of the ACT. Interestingly, they have indicated that they would be prepared to work with the government and with the CRC on an approach to deal with the level of carp infestation in our waterways. These are issues that would certainly benefit from an airing and from a review by the commissioner.

I will complete my remarks, rather than repeat the arguments and concerns expressed by Mr Rattenbury, by noting, as I said earlier, that I think we all share a level of concern. I do not disagree in essence with anything that Mr Rattenbury has said in support of this particular motion. I have indicated that I have some amendments.

I do understand the thrust of Mrs Dunne's amendments but I do not share the level of her concern that even without that cross-institutional or cross-border relationship or cooperation that the commissioner could not, if asked, deliver a very good report that would provide an evidence base that would be very useful in our future management of all our lakes, not just Lake Burley Griffin.

I would like to think that the NCA, who do have ultimate authority—this very much goes to Mrs Dunne's issue—would be similarly grateful for the work that the commissioner could do. At one level, I think it is fair to suggest that we are probably doing the NCA's work for it to some extent. In latter years I have adopted more and more a particular view in relation to our relationship with the NCA and the cross-over responsibilities. It is that we have reached the stage in our development where we cannot afford not to engage where the issues go to the nature and the quality of our city. We cannot all the time say that it is not really our responsibility. It is our city; it is our waterway; it is a major recreational resource for us. It is not what it should be. It is in the interests of all Canberrans that we do what we can.

I acknowledge the good sense of the motion. I think it is a very worthwhile motion with a very worthwhile suggestion. The government is prepared to support it but would prefer to support it in terms of the amendments which I will move in a moment. With great respect, Mrs Dunne, the government will not support your amendment, although I do understand it. I will be moving amendments in a moment.

MR RATTENBURY (Molonglo) (6.13): I will speak briefly to Mrs Dunne's amendment. Whilst the Greens will not be supporting it, I do understand where it has come from. In listening to Mrs Dunne's comments, I think it is a bit of a chicken and egg exercise. Do we go out and do the research and understand the problem and then seek to get all the parties on board to fix it or do we seek to get all the parties on board and then go and work out what we need to do? I think you could take either approach.

I think that the ideas that Mrs Dunne has suggested are quite worth while. I think that something we want to keep for later is how we are going to engage the different jurisdictions. It is obviously something I touched on very much in my comments around the challenges of the three jurisdictions essentially and how they all work together.

Just briefly on the commissioner for the environment, I think that the brief of the commissioner makes her well equipped to deal with this cross-jurisdictional thing in the sense that the commissioner's style is perhaps a cooperative and collaborative one. We see that already the commissioner's office does things like the regional state of the environment report. The commissioner works across the 17 jurisdictions in the Australian capital region to produce work. I think on that basis the commissioner is well equipped to deal with the different entities. My impression from the conversations I have had, particularly with the NCA, is that I think they would be quite open to this sort of approach and, hopefully, quite willing to share the information and the research that they already have, which should enhance the work of the commissioner.

Amendment negatived.

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) (6.14), by leave: I move the amendments circulated in my name:

(1) Omit paragraph (1)(d), substitute:

“(d) the number of events being cancelled due to closure of the lake resulting from poor water quality;”.

(2) Omit paragraph (1)(f), substitute:

“(f) the complexity of the multiple factors affecting water quality in the lake;”.

(3) Omit paragraph (2)(a), substitute:

(a) direct the ACT Commissioner for Sustainability and the Environment to investigate the state of the watercourses and catchment for Lake Burley Griffin, including:

- (i) possible improvements for managing water quality and the appropriateness of the current protocols for lake closures;
- (ii) identifying the causes of lower water quality, including possible resource implications of addressing them;
- (iii) jurisdictional implications for water quality management of the lake; and
- (iv) the implication of these findings for the ACT's other major recreational waterways, such as Lake Ginninderra and Lake Tuggeranong; and".

I have said all I need to say in relation to this particular issue. I think the case is made. This is a good, sensible motion and the government, with these amendments, is happy to support it.

MR RATTENBURY (Molonglo) (6.15): The Greens will be supporting these amendments. Having had a discussion with Mr Corbell's office particularly on these matters and having looked at the amendments, we believe that they are very much in the spirit of what we intended. In a number of places they clarify and improve the proposal we put forward. On that basis we will support them.

I particularly note—Mr Stanhope picked up on this—the potential opportunities for our other waterways such as Lake Ginninderra and Lake Tuggeranong, which do suffer contamination problems at various times. This investigation may produce opportunities to understand those waterways better. That is part of the government's amendments and I welcome them.

Amendments agreed to.

MR ASSISTANT SPEAKER (Mr Hargreaves): The question now is that the motion, as amended, be agreed to. I call Mr Rattenbury, who will close the debate.

MR RATTENBURY (Molonglo) (6.16): Just briefly in closing, I would like to thank members for their support for the motion today and for the discussion we have had. We have all touched on the fact that this is a very important issue for Canberrans. Already today, I have had a couple of emails based on the media reports of people coming along and starting to tell their stories of their concerns about the lake. There are many user groups out there. I have spoken to a number of them. They involve literally thousands of Canberrans and the activities they like to participate in.

Mrs Dunne's earlier comment that she would not even let her dog swim in the lake sums up the scale of the challenge that we face. I think we have got a lot of work to do and we need to be very focused on addressing this so we can tackle this very major challenge.

The lake is an important asset for Canberra. I note that there is also a Facebook group that exists out there. Perhaps members could look it up on their laptops in the chamber

when they have a spare moment. There is a Facebook group that actually says, “I want the ACT government to fix the lake so I can swim and fish in it.” It has over 100 members now. There are all these little pockets of Canberra that really appreciate and understand this problem and they are looking for us to fix it.

I thank members for their support. I look forward to the report from the commissioner. I think it will give us a strong foundation to move forward and get on with the job of getting our lake fixed and making it the jewel in Canberra that it should be.

Motion, as amended, agreed to.

Adjournment

Motion (by **Ms Burch**) proposed:

That the Assembly do now adjourn.

Scripture Union ACT

MR SESELJA (Molonglo—Leader of the Opposition) (6.18): I want to make mention of a couple of things this evening. One was the opportunity to attend, along with colleagues such as Alastair Coe and Steve Dospot, the Scripture Union ACT regeneration dinner. It was a very well-attended event. There were about 500 people at the Hellenic Club. The Scripture Union ACT regeneration dinner is about supporting the chaplaincy program in the ACT.

The chaplains do a fantastic job in providing pastoral care in schools right across the ACT, and the Scripture Union is a major provider of these chaplains. So I wanted to acknowledge the wonderful work done by Scripture Union and the work that is done, particularly by the chaplains. Some of the stories we heard at the dinner about the difference that these chaplains make were quite significant. They are often dealing with kids who are going through a very difficult time and need someone to lend them an ear, and the chaplains provide that. So I think it has been a great success.

This was a Howard government initiative and, to the Gillard government’s credit, they have maintained it. I think that is something that is worth continuing to maintain. I think it has been a very successful program and I know that many of the school communities who have received those chaplaincy services are very grateful for it.

We were treated to a talk from Dr Michael Carr-Gregg, one of Australia’s pre-eminent adolescent psychologists, and I have got to say that I found him to be a very engaging speaker and someone who was very good to chat to as well. Cameron Semmens, a performance poet, was the MC and he provided a lot of entertainment on the night. We were also welcomed by the CEO of Scripture Union ACT, Craig Webber. I would like to thank all of them for the great work that they do.

I am not sure whether I will be able to read all of this extract but I was handed this by Sue Jordan from St Johns Care. This is an extract from their newsletter that she was keen to promote:

I am sure that some of you think that I carry on a little too much about the homeless situation in the ACT. Until you work in a job like mine, the 'Homeless of Canberra' are an invisible population, that most do not know that they exist. But unfortunately they do. The other day I was going through the stats for SJC for January and February of this year and one of the stats that leapt off the page was the number of homeless people we had seen. We normally [have] the homeless more than once in [a] month, as they are always in need of extra support. Sleeping bags and clothes, particularly shoes and socks get wet in the rain and need to be replaced, and of course they can only carry a small amount of food at one time. You would be surprised by the number of casseroles we reheat for the clients in a week. Back to the stats. In January we saw eight different homeless people, February we saw fifteen and already this month we have seen twelve. The numbers just continue to grow.

In November the ACT Government established First Point. "First Point is to provide a single access point to the ACT Homeless ensuring that clients do not have to make multiple calls to get the services they need. The service will place clients in accommodation and support vacancies in the ACT homelessness service system as well as facilitate access to other support mechanisms such as financial material aid".

The people who are running First Point are good people and they are trying to do the best possible with the resources they have, but recently they released a report to say that they have not been able to provide accommodation for twenty couples with children (of which three families are in cars); five couples (no children but maybe pregnant); twelve men with children; one hundred and eight women with children; sixty four single men; forty eight single women; eleven young men under eighteen years; and one young woman under eighteen.

I can assure you that this is just the tip of the iceberg. People who are new to Canberra are not even eligible to go on the waiting lists. Winter is just around the corner. I worry about what is going to happen to those who have no accommodation. They may be invisible but they are there.

My wish list for this week: Shelter for the Homeless, packets of cup-a-soup, tinned meat dishes and casseroles and tinned spaghetti.

Many Thanks,

Sue Jordan, Director.

I wanted to get that on the record and to pay tribute to Sue Jordan and all the other people at St Johns Care who do that work and all of the other people, whether it be St Vincent de Paul or any number of charities in the ACT, who do an extraordinary job working on homelessness, working with homeless people and working to provide the kind of the support that they need for what is a hidden problem but, unfortunately, a bigger problem than we would like to be the case.

MR ASSISTANT SPEAKER (Mr Hargreaves): Before we continue, Mr Coe, I noticed just a moment ago that you seemed to be checking a voicemail message on

your mobile phone. It was audible from here. Could I please encourage you to do that outside the chamber in future times. That practice is frowned upon.

KidSafe ACT

MR COE (Ginninderra) (6.24): Thank you, Mr Assistant Speaker. I rise tonight to put on the record my support for and my congratulations to an organisation called KidSafe, which is part of the Child Accident Prevention Foundation of Australia. They are one of the leading non-profit, non-government organisations which are dedicated to reducing the number of injuries and the number of deaths which are caused on our roads, especially those relating to people under the age of 15 years. Their mission is to make a safer world for kids by leading in the promotion of action to highlight and to minimise the unacceptable level of risk and consequence of injury to children in our adult-focused world.

In the ACT we have got a particularly active branch of the Child Accident Prevention Foundation of Australia, KidSafe ACT. They really are punching well above their weight and making a great contribution to our community. They run a shopfront, a mobile restraint fitting service. They have a community talks program, a capsule and car booster hire service, a restraint fitting service, a free checking service and a free telephone information service. In addition to all that, they do a lot of research and just general advocacy to support improvements in this area of road safety.

They also run a number of programs as part of their active outreach work. They include the pre and primary school road safety program and the primary school water safety pilot program, which is run in conjunction with the Royal Life Saving Society. They have got a fantastic website, which I encourage everyone to visit at www.kidsafeact.com.au. They have got the mobile restraint service in Dickson, Queanbeyan, Gungahlin and Tuggeranong.

They have got a shopfront and they have a got a great suite of television commercials on Prime TV. They have got a family day care and childcare guideline redevelopment program and they have published a considerable amount of material such as this brochure titled "Carrying Children Safely in Cars". It is good, practical, tangible information which I do encourage everybody to look up and to publicise as widely as possible. I seek leave to table that document.

Leave granted.

MR COE: I present the following paper:

Carrying Children Safely in Cars—Copy of KidSafe brochure.

Of course all these organisations do run on a skeleton budget. I would like to put on the record my thanks to Eric Chalmers, the executive officer, and all the volunteers and staff that make the organisation actually get off the ground on a daily basis. It is also worth noting that Eric Chalmers was a Churchill Fellow in 2009 and did considerable research in Germany, Austria, Switzerland, the United Kingdom, the United States and New Zealand with regard to road safety initiatives. We really are

very fortunate to have that kind of knowledge base in the territory, advising policy makers at both the territory level and at a federal level. I understand Eric sits on a number of standards committees and makes a considerable impact right around the country with regard to road safety.

I would like to thank the sponsors which make it all possible, namely, NRMA Insurance, Prime, First Choice Dry Cleaners, ACT Health, Healthpact and the NRMA Road Safety Trust. I would also like to encourage Canberrans to consider making a contribution. It is tax deductible, it will help promote safety and it will lead to a reduction in the number of deaths and injuries on our roads which are avoidable. Again, I would like to put on the record my thanks and congratulations to KidSafe ACT for all the good work they do in the territory.

War memorials

MR RATTENBURY (Molonglo) (6.28): I would like to speak about a public meeting that, with my colleague Ms Le Couteur, I attended last Wednesday evening at the Albert Hall. This was a meeting to discuss the memorials to World Wars I and II that are proposed to be built at the end of Anzac Parade, on Rond Terrace, right on the edge of the lake shore. It was a well-attended public meeting. More than 200 Canberrans were present at Albert Hall.

It was a very passionate evening, addressed by quite a group of eminent speakers. At the end of the evening three motions were all passed unanimously. They were that the memorials be opposed, that the NCA undertake better consultation on the proposal and that a delegation be sent to discuss the matter with the Prime Minister. I was one of the people who were invited to speak at that meeting and I would like to share with the Assembly some of the comments I made at the meeting because, even though this is very much to be determined by the NCA and is now a federal matter, as local representatives, I think it is important that we express our views.

I do not believe the memorials are an appropriate addition to the landscape. I think that the war memorials on Anzac Parade are already powerful testimony to the sacrifice of generations of Australians in war. Situated as they are along the axis between Parliament House and Mount Ainslie, the prominence of those places reflects the gratitude that we as a nation have for those who have served our country. They are a memorial to those who have made the ultimate sacrifice of going to war, fighting, and many not coming home. And I believe we should demonstrate that gratitude. But that does not mean that every memorial is appropriate, nor is the size of the memorial necessarily representative of the size of our gratitude.

In looking into this issue, I was interested to discover that the Australian peacekeeping memorial on Anzac Parade has not yet been funded or constructed. In terms of telling the whole story of Australia's contribution in theatres across this planet, it strikes me as being a far greater priority to direct resources to ensuring the peacekeeping memorial goes ahead, and that is something that people who have funding for the current proposal might like to consider. To my mind, an essential reason for recognising those who have fought for this country is to remind us of the horrors of war, to ensure we never commit ourselves to such a venture without an eye

to history and an eye to the alternatives to war. I think a peacekeeping memorial is a vital ingredient in that story.

The particular memorials that have been proposed also intrude into the recreational area and open space around the lake and move outside the area commonly recognised as the ceremonial area to honour Australia's participants in war. The lake shore is used by many, as we have already talked about earlier this evening, and for a whole range of reasons—runners, walkers, people kicking around a football or people simply looking for a bit of open space or perhaps enjoying the vista on that part of the lake. I believe the intrusion of these memorials stands to interfere with all of these activities.

Canberra's beauty in part lies in its simplicity. The way that the Griffins moulded our city into the landscape really is a joy. The lines, the vistas, the sense of fit make this city a treasure, and we must guard against seeking to overcomplicate it, to clutter it, or perhaps even to love it to death. The size, location and messages contained in these memorials, certainly to my untrained and amateur eye, go against these very ideals.

I would simply like to conclude by observing that, whilst I am sure and confident that these memorials were imagined in good faith by those that have put them forward and whilst the message they seek to bear is one of great importance, that message is already well represented on our national stage. These memorials are, in light of that, unnecessary and I think would intrude into the fabric of our landscape in a way that is entirely unwelcome.

Minister for Health—statements

MR HANSON (Molonglo) (6.32): I would just like to touch on an issue that was covered in question time and later in the debate on the quarterly report, and that is the issue of Ms Gallagher's honesty. I particularly reflect on the question that was asked by Mr Doszpot on 10 March, and this related to Ms Gallagher, who had made the comment a couple of days previously:

... I will never, ever, ever tell a lie ...

As I covered in question time, I then asked a supplementary question of the minister with regard to her having written to the Little Company of Mary before the last election asking that they sign a heads of agreement and get that done essentially before the caretaker period. The minister in her response accused me of rewriting history and said that she was not the one that was trying to have a caretaker agreement signed. She said:

I was not attempting to have rushed through a heads of agreement. LCM at the time requested that a heads of agreement be signed so that discussions could continue through caretaker.

She then went on with some other facts and then said:

You can scabble around and try and trip me up on this, Mr Hanson—but you won't find anything.

As you will recall from question time, I asked her again about this issue, and she continued to say, “No, it was the Little Company of Mary,” despite the fact that I had provided quotes from a letter that she wrote on 20 August 2008, before the election, which makes it quite clear that that was not the case.

I will go through the letter in some detail, because it is quite contradictory to her statements now on two days here in the Assembly. It is quite clear that the proposal for the redevelopment of Calvary or the purchase of Calvary was hers. It says:

I would like to propose a different agreement.

That is, to the current arrangements. She then goes through the proposal:

The ACT government wishes to acquire ...

The ACT government wishes to call for tenders ...

The ACT government would like to grant a Crown lease over CHH—

Clare Holland House—

to LCMHC.

That is, Little Company of Mary Health Care. And so on and so forth. She then goes on to the next steps. She says:

I note that it is your intention to have this matter formally raised at your next Board Meeting which I understand is to be held on 21 August 2008.

Should the Board be supportive of this proposal, I propose—

very clear—

that the LCMHC and the ACT government enter into a Heads of Agreement. To enable further development of the proposal past the commencement of Caretaker period which takes effect from 12 September 2008, my preference—

again, not Little Company of Mary’s but the minister’s preference—

is that the Heads of Agreement be signed by that date.

And so on. And she concludes:

Thank you again for considering this proposal, and please do not hesitate to contact me ...

And so on. So I am at a loss to understand how it is that in 2008 the minister wrote to Little Company of Mary Health Care asking that they enter into a heads of agreement—this was her proposal—and asking that it be done by a certain time frame, which was prior to the caretaker period on 12 September.

But in the Assembly in the last sitting week and in this sitting week she has said to the Assembly something quite contradictory, which I have quoted before, and that is that it was the Little Company of Mary that was pushing for a heads of agreement and the Little Company of Mary head pushing that that be signed before the caretaker period.

So the minister needs to clarify that issue, and until she does so I will be keeping on this point because it is very difficult for me to understand how she has not misled this Assembly. I do not understand how that is, or whether the letter that she wrote in 2008 was not correct. One of them has got to be wrong. It is difficult to understand which one it is. Maybe she did not think that I had a copy of this letter. Maybe that is the issue. Maybe she thought that she could rewrite history. She has accused me of rewriting history. Perhaps it is the minister who has rewritten history.

I will continue on with this issue, and I and my colleagues will consider what action we will take within the Assembly, but I give the minister—I believe she is away on a pair, but her staff may be listening—the opportunity to come down here and at the earliest opportunity tomorrow correct the record, because if she does not then, as I see it, it is difficult to conclude other than a mislead of the Assembly.

Molonglo Reach—access
Raize the Roof ball
OzHarvest trivia night

MR ASSISTANT SPEAKER (Mr Hargreaves): I call Mr Smyth, and you have waited patiently.

MR SMYTH (Brindabella) (6.37): I have waited patiently, and indeed, Mr Assistant Speaker, if we are talking about waiting patiently, I will start with that I am currently waiting patiently for an answer from the Chief Minister, Mr Stanhope, on a constituent matter that I wrote to him about on 27 February this year.

It was a representation from the waterskiing community about access to Molonglo Reach. The lady who wrote on behalf of the community had been advised that the Molonglo was to be cleared by the end of January this year. Here we are at the end of March and it is not cleared, so I wrote to the Chief Minister on 22 February asking what progress was happening and if indeed it was unable to be cleared in time for at least part of the waterski/wakeboard season perhaps consideration might be given to other areas. I have not had a response to that.

On 22 March I wrote again saying I had still got no response from the Chief Minister. I notice in this morning's *Canberra Times* in the "Capital briefing" column that there is a small snippet headed "Water-skiing closed" which reads:

The Molonglo Reach water-ski area will remain closed until the end of the water-ski season in April."

Clearly, those that waterski are very limited by the amount of space that we have for them. It is unfortunate that the season is now completely lost. But it is interesting that

the Chief Minister does not have the courtesy to write back so that I might inform my constituents of the outcome of my inquiries on their behalf. It is unfortunate, and I look forward to getting an answer and a reason perhaps. Here is the Chief Minister. Perhaps he could tell us now. It is very pleasing that the Chief Minister has come in.

The waterskiing community is not very big but it is a very active community in the ACT, and they are limited by the space that they have on Molonglo Reach. It would be interesting to see if the Chief Minister has a recollection of whether or not he has signed the letter and to hear whether or not something can be done for the community. There is still a month or so to go, and it would be nice to at least give them some activity. The problem for us is if they do not ski here they will drive their cars down to the coast or to other places like Burrinjuck and do their skiing there. That money is not then in the ACT economy, which is most unfortunate.

On two other areas of interest, I would like to mention the Raize the Roof Ball. Raize the Roof is an organisation of just two young Canberrans and their friends who are endeavouring to raise enough money for activities in the ACT in the area of child welfare, as well as setting up an orphanage in Botswana, of all places. The two young people who set it up, the Dal Cortivos, actually live next door to His Excellency the High Commissioner of Botswana and, having had conversations with them and now having been to Botswana themselves, and South Africa, they understand the plight of many of the children there that are orphaned, and I would commend them.

They had a ball earlier this year. It was reasonably well attended. I think I was the only politician from the Assembly. Indeed, they announced that Ms Burch was to be on the head table, but unfortunately Ms Burch did not make the night, which was a shame because the seat next to the high commissioner remained empty all night. It is important when we support these charities that they do get the full support of the Assembly. It is unfortunate when there are empty seats at tables.

A couple of days after that, another worthwhile charitable event, fundraising event, was held, and that was the OzHarvest trivia night. I know Mrs Dunne has spoken about this. She likes a good trivia night, and I indeed shared the table with Mrs Dunne and other members of the Liberal Party. Indeed, I welcome some members of the party here this evening from the Gungahlin branch. You are more than welcome to your Assembly. It is good to see you here.

The trivia night was to raise funds for the notable charity OzHarvest. OzHarvest, for those that do not know about it, redistributes food that might otherwise end up at the tip. Again, Ms Burch was announced as being on the head table, but unfortunately for all of us we again missed out on Ms Burch's company. It is unfortunate when charities believe they have a minister attending and the minister does not turn up. Things crop up, but I see a pattern here. I have been to a number of functions where Ms Burch does not turn up, even though she is expected and it is within her portfolio responsibilities.

It was a great night—very interesting trivia. It was the most specialised trivia night I have ever been to. All of the questions were about food—the production of food, types of food, sorts of food. It was pleasing. The Liberal Party table was in front of

some of the food providers, so that kept us happy, and I think at the end we beat the lawyers table, which is always pleasing.

It was a great event and it will be on again next year. It was great to see so much support for an organisation like OzHarvest. OzHarvest is truly helping to reduce waste to landfill but, more importantly, it is putting fresh food, particularly vegetables and fruits, on the tables of people who might not necessarily get them in their diet in the ordinary way. I commend OzHarvest and support of OzHarvest to the Assembly.

Visitors

MR ASSISTANT SPEAKER (Mr Hargreaves): I would like to recognise the presence in the gallery of the Gungahlin branch of the Liberal Party. You are most welcome to your Assembly.

Adjournment

Molonglo Reach—access

Minister for Health—statements

Members—attendance at functions

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) (6.42): I do not speak often in the adjournment debate, but I will respond in the first instance to Mr Smyth's concerns about a response to a letter on waterskiing in Molonglo Reach. I signed the letter, I think, on Monday, Mr Smyth. I am truly surprised that you have not received it but, now that you have aired it, I will correct the record that the response has been signed and provided.

The undertaking is far more significant than was initially thought. All of the surface logs and debris have been cleared, but there is quite significant subsurface waste and logs that are difficult to identify and difficult to find. Indeed, TAMS now believes it has no option but to hire sonar equipment in order to ensure that there are no submerged logs. It is going to be a quite long and expensive exercise, and it is going to be technically difficult to do a full underwater search of all of those areas where waterskiing takes place. I am sure you can understand why it is important that we be careful and prudent. That is the reason for the delay. But the letter is, as they say, in the mail.

I will just take this short opportunity to respond also to what is a quite grubby and unnecessary continued attack by Mr Hanson on Ms Gallagher. It is quite cowardly in the context that Mr Hanson knows that Ms Gallagher is not in the building. She is on a pair and out of the building. Standing up today and repeating allegations that were made in question time and fully answered in question time really is incredibly grubby.

Opposition members interjecting—

MR ASSISTANT SPEAKER: Order! Members of the opposition will keep their comments to themselves.

MR STANHOPE: Allegations were made today in question time directly to the Deputy Chief Minister and she responded in full to those allegations. She is not here in the building now. Mr Hanson, unhappy with the answers that were provided in full, comes down here and, in his usual sneering, grubby way, repeats them in the absence of Ms Gallagher when she is not here to again defend herself, when she is not here to respond again in exactly the terms that she responded earlier today.

That is a sign of the lack of integrity of this man, this grubby little man—his lack of integrity, his lack of substance, his lack of character.

MR ASSISTANT SPEAKER: Please resume your seat, Chief Minister. Stop the clock. Mr Hanson, on a point of order.

Mr Hanson: I ask you to rule on whether “grubby little man” is unparliamentary, Mr Assistant Speaker.

MR STANHOPE: Well, it’s true.

MR ASSISTANT SPEAKER: Chief Minister, please. Firstly, I will take some advice from the Clerk on the term. I also suggest that neither side of the chamber is really contributing to the reputation of this place as a mature Assembly. I ask you to consider yourselves a bit more. Chief Minister, I will have to ask you, please, to withdraw the term “grubby”. It has been ruled out of order in the past.

MR STANHOPE: Just the word “grubby”? I withdraw the word “grubby”. I will conclude on just one further remark about this sort of puerile, petty, childish outing of a minister or a member who does not attend a function after having accepted. I guarantee that I attend in an official capacity more functions than anybody in this place, and I have an absolute legion of examples when each and every one of you opposite was acknowledged as having accepted an invitation but you are absent—sometimes all of you. Now, if you want to establish a practice in here where those of us that do attend—and I always, always, always attend, having accepted an invitation, so I am always there and I know who is not—

Opposition members interjecting—

MR ASSISTANT SPEAKER: Order, members! That will do. The next person gets warned. The next one will go. Mr Smyth, you could be on a holiday tomorrow.

MR STANHOPE: I am more than happy to develop a convention that when I am at a function and you are acknowledged as having attended and you are not there, for whatever reason—it may be that the reason is legitimate or understandable or explicable—I am more than happy to come into this place and table that fact every single time, if that is what you believe is appropriate. It is childish; it is puerile; it is pathetic. I cannot understand why you as mature politicians in this place believe it is

appropriate behaviour for an opposition to be engaging in that petty, mindless point scoring against other members of this place. So if that is your game, I can play it and play it in ways in a way that will embarrass each of you at least every week.

MR ASSISTANT SPEAKER: Order! The time allotted for the debate has expired.

Question resolved in the affirmative.

The Assembly adjourned at 6.49 pm.