



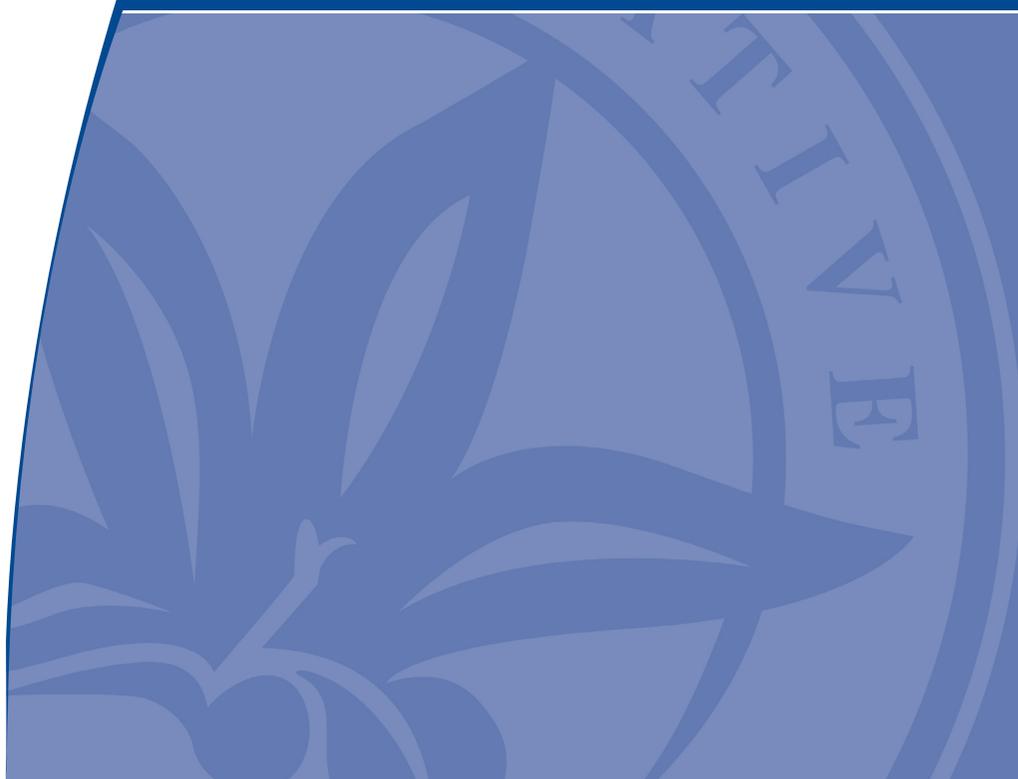
Debates

WEEKLY HANSARD
SEVENTH ASSEMBLY

Legislative Assembly for the ACT

5 APRIL 2011

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Tuesday, 5 April 2011

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MR SPEAKER (Mr Rattenbury) took the chair at 10 am, made a formal recognition that the Assembly was meeting on the lands of the traditional custodians, and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Dr John Buckingham
Motion of condolence

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for the Arts and Heritage): I move:

That this Assembly expresses its deep regret at the death of Dr John Buckingham, an outstanding surgeon who helped to save the lives of many Canberrans and who was renowned throughout Australia for his pioneering work in breast cancer surgery and diagnosis and tenders its profound sympathy to his family, friends and colleagues in their bereavement.

Mr Speaker, it was with sadness that we learnt some days ago of the death of Dr John Buckingham from pancreatic cancer. Dr Buckingham, who over the course of his professional life treated and tended thousands of Canberrans living with breast cancer, faced his own cancer diagnosis earlier this year phlegmatically and with characteristic realism and fortitude.

He was one of our city's eminent cancer surgeons for more than three decades and we are fortunate, as a community, that a man of his early and evident talents chose to spend his career here, when he might have had his pick of surgical posts anywhere in the world.

Dr Buckingham graduated with honours in medicine and surgery from the University of Sydney in February 1971. He trained in general surgery at the Mayo Clinic in the United States of America. In 1979, when Canberra's Calvary hospital first opened its doors, Dr Buckingham joined its staff as a consultant general surgeon.

During this time he became one of the first in his profession to demonstrate the value of CT scanning in the early diagnosis of appendicitis. From the earliest years of his professional life, John Buckingham was one who sought better treatments and greater hope for those in his care.

After some years, he decided to specialise in surgery for those diagnosed with breast cancer, and pioneered the sentinel node mapping technique, which enables better diagnosis of the possible involvement of lymph nodes in the care and treatment of those with breast cancer.

Doctors know that some cancers spread in a predictable fashion, first to the lymph nodes closest to the tumour—the sentinel node. If these nodes are free of cancer, there

is a better chance that the cancer has not progressed beyond its site of origin. Thanks to Dr Buckingham's pioneering work in this field, Calvary hospital became among the very first hospitals in Australia to undertake sentinel node biopsy.

Dr Buckingham was involved in the establishment of BreastScreen ACT, the local arm of a national screening program that aims to reduce breast cancer deaths through early detection before symptoms appear. Early detection has proved to be one of the great and life-saving advances of modern medicine. We know from research and experience that two-yearly screening of women aged between 50 and 70 can reduce deaths from breast cancer. More than half of the cancers detected through the breast screen program are small-diameter cancers, improving the chances of successful treatment and recovery and giving patients greater treatment options. John Buckingham was the designated surgeon for this wonderful and life-saving service from 1992.

The service he rendered the community where he chose to make his home was recognised in 2009, when he was named a local hero in the Australian of the Year Awards, and again in 2010, when Dr Buckingham was named the ACT's Senior Australian of the Year for 2010, both signal honours bestowed as part of the Australian of the Year awards program.

In recent years Dr Buckingham was actively involved in teaching students from the ANU Medical School as part of the third-year surgical rotations at Calvary hospital. He was also involved in clinical-pathological correlation sessions with staff from ACT Pathology.

Earlier this year he was conferred with the title of Associate Professor by the ANU. At the same time a foundation fund was established by his colleagues which will perpetuate Dr Buckingham's memory through a prize awarded to the ANU medical student responsible for the most outstanding research achievement. The ACT government was pleased to be able to contribute \$10,000 to that prize and hopes that a new generation of doctors will be inspired by the prize and by Dr Buckingham's memory to strive for excellence and advancement.

Over the years Dr Buckingham also lent his expertise to the teaching of medical students based at Calvary hospital, as well as to the professional development of resident staff, surgical registrars, nurses and community groups such as Bosom Buddies.

He was not a doctor who insisted upon maintaining an intellectual or professional superiority to, or distance from, those around him. He was collegiate, a mentor to those rising through the ranks, and, to his peers, a colleague among equals. And for all of these, as well as for his patients, he was an inspiration.

In the final decade of his life, Dr Buckingham was as actively involved in research and publication as in any other period of his career. Over the course of his career, his research generated an impressive 22 publications in peer-reviewed journals, 14 abstracts and countless presentations at scientific congresses, two of which won awards.

Yet, as impressive as these professional accolades may be, they do not tell the full story of Dr Buckingham. That story can perhaps only be truly told by his 11,000 or so patients, mainly women. For these Canberrans, he was the doctor who could always squeeze in another appointment at the end of a day, or at the start of another, talk with a patient about his or her condition, and offer sober and compassionate counsel.

For his family, he was, of course, something else again—something that cannot be gauged or guessed at by the many who knew him in those other roles, but something profound.

Just 12 weeks ago, Dr Buckingham was diagnosed with pancreatic cancer. While friends, colleagues and former patients reacted with shock, Dr Buckingham accepted his lot, leaning on the same strength with which he had enabled so many of his patients to adjust to and accept theirs.

Dr Buckingham played an important part in the lives—and the deaths—of very many Canberrans. For very many, he delivered hope of a long and healthy future after diagnosis. But even for those to whom he could not offer longevity and good health, he could offer the ear and shoulder of one who understood their uncertainties and insecurities, and who helped them to live the rest of their lives to the full.

On behalf of the Legislative Assembly, I extend my sympathy to Dr Buckingham's wife, Sue, and to his family, his friends, colleagues and former patients.

Before concluding, I acknowledge that I knew John Buckingham, and knew him quite well. I thought he was a most wonderful man. John was one of those very rare people of whom it can be said, and I will read this in the form of a poem, that through his life and the way he lived his life, he showed us how to live, and in the manner of his death he taught us how to die. But it is a very high price to pay for that knowledge.

MR SESELJA (Molonglo—Leader of the Opposition): I want to thank the Chief Minister for those very moving words. I did not personally know Dr John Buckingham, but I am very pleased to join with the Chief Minister and others in the Assembly in expressing my condolences to Dr John Buckingham's family and friends.

Dr John Buckingham made an enormous contribution to Canberra, to health care and to his family. Dr Buckingham was known across the nation for his work in breast cancer surgery and diagnosis. In 1979 he joined Canberra's Calvary hospital as a consultant general surgeon, and remained there for many years. Under his guidance Calvary was among the first institutions to undertake sentinel node biopsy.

His work continued to include the establishment of BreastScreen ACT and he was one of the first to demonstrate the value of CT scanning in the early diagnosis of appendicitis. There is no doubt that his work has increased the life expectancy and quality of life of many in our community.

Dr Buckingham also demonstrated a strong commitment to education and training. He served as the National President of the Australian and New Zealand Chapter of the

American College of Surgeons. He was recognised by the Australian National University when awarded an honorary associate professorship at that institution. More recently, the ANU established the John Buckingham Research Project Prize, yet another testimony to this unique and special Canberran. Dr Buckingham was honoured by the broader community. He was named as an ACT local hero in 2008 and became the ACT Senior Australian of the Year in 2010.

It is also worth reading and putting on the record some of the tributes that have flowed to Dr Buckingham from a number of quarters: patients, former colleagues and, indeed, family members. We heard Dr Gillespie, a colleague, say:

He was very popular with theatre staff, he took an interest not just in their professional development but he knew them as people and friends, he was interested in their families and how their personal lives were going and I'm sure he had many of them as patients.

Iain Dunlop from the Australian Medical Association said:

He's left a lasting clinical legacy in the way that he treated his breast cancer patients with dignity and compassion and with the best of the scientific techniques.

Denise Kraus said—and I think these tributes were common:

Dr Buckingham had spent his last weeks peacefully and surrounded by loving friends and family. He was absolutely devoted to his family and children. He was basically a very humble man who believed in doing the right thing. Family, religion and work were his three pillars.

I was particularly touched by recalling the interview that Dr Buckingham gave to the *Canberra Times* last month, where Dr Buckingham said he had no regrets about his life and felt no anger about his diagnosis:

“You have to accept your diagnosis—my faith tells me I've got to accept it,” he said.

A lifelong Catholic, he said he strongly believed in an afterlife.

“There has to be something beyond the door—there has to be,” he said. “I'm Catholic, but I'm a great believer in the universality of religion, and one of the fundamental things I believe is that there's life after death.”

For those of us who share that faith, we do certainly join with Dr Buckingham and we accept that. But what speaks to me about that is the quiet acceptance from Dr Buckingham of a life cut short. Dr Buckingham contributed so much in his time on earth, packed so much into what was a relatively short life and, whilst it is tragic that he was taken before his time, we can pay tribute to the amazing contribution he made and the amazing dignity and grace he has shown, even in his final days.

Finally, to his wife, Sue, his children James, Peter, Kate and Michael, and to his friends and colleagues, on behalf of the Canberra Liberals and myself, I extend my sincere and genuine condolences.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens): Dr John Buckingham, who was recognised for his significant contribution when announced as the 2010 ACT Senior of the Year, will be remembered for his skill and meticulous clinical follow-up for the many women suffering from breast cancer. He was a skilled practitioner who provided excellent clinical care. Dr Buckingham's clinical skill was obviously very important but he provided more, so much more, to Canberrans, particularly women with breast cancer, for many years. He was very well loved and will be remembered for his compassion and gentleness, for supporting the women he cared for on their journey.

Compassion and humility are, sadly, sometimes missing from modern medical practice in a system that is often placed under considerable stress. Those who experience serious illness or are diagnosed with a life threatening condition like cancer are understandably usually very fearful. The care they receive and the understanding of their practitioner can make a world of difference as they face surgery and sometimes invasive treatment. Dr Buckingham certainly provided that support.

Dr Buckingham retired in early 2011, once he was diagnosed with pancreatic cancer. Before this time, he was the National President of the Australian and New Zealand Chapter of the American College of Surgeons. Dr Buckingham studied general surgery at the Mayo Clinic in the United States. He came to Calvary hospital when it opened in 1979 and this is where he stayed. He was the designated breast screen surgeon, overseeing others providing breast cancer surgery. He established the lymph node biopsy, or sentinel node, technique in the ACT, something that eased the suffering of many women, as only one or two lymph nodes are removed rather than 20 to 30. When many nodes are removed, a patient has a lifelong risk of lymphedema. Lymph node biopsy prevents this.

Earlier this year Dr Buckingham was to take part in a lengthy radio interview about his work and life. His illness prevented him from participating, but the segment went ahead and was filled with callers who had worked with him or had been cared for by him. What was very clear was that his kindness was infectious and seemed to reach everyone he met. Dr Mouradi, a local anaesthetist, called Dr Buckingham "a unique human being in every respect". He was someone who treated everyone with care and compassion, but also a clinician of great skill. He said he had never seen a patient of Dr Buckingham's returning for follow-up surgery. Dr Mouradi said Dr Buckingham would even take note of a patient's financial situation, never turning anyone away.

Bethel Holly was also interviewed. She is a breast cancer nurse. She said he was a very inspiring man and a role model who always worked above and beyond what most considered usual care. She simply stated that he devoted his life to the people he cared for and improving the quality of clinical services. A patient of Dr Buckingham, Colette, said she was diagnosed with breast cancer a couple of days before Christmas. There were no spare appointments, so Dr Buckingham came in for a 7 am meeting

with both Colette and her husband to help her understand her diagnosis, giving her information and support.

Dr Buckingham's wife, Sue, worked in his office for many years. Those who saw him as a doctor note that it was very much a team effort and her support was so important.

The Breast Cancer Network estimates that, in 2011, 14,300 women will be diagnosed with breast cancer. Breast cancer is the most common form of cancer in women and the survival rate is good, with 88 per cent surviving five years after diagnosis. This was another feature of Dr Buckingham's fine care—his follow-up over the years with survivors of breast cancer. Many recount their visits with great fondness, swapping stories of travel, music and family. Sometimes this attachment from a practitioner can be seen unfavourably, but I believe this level of connection makes all the difference when providing health care.

Dr Buckingham was certainly with the people he cared for. He gave them considerable skill, but he also gave to them the everyday man, showing that he was like them. It is this very ordinary quality that Dr Buckingham gave freely that made him an extraordinary human being.

Over the last week there have been many stories from work colleagues and those he cared for, expressing their sadness at his passing, but overwhelmingly honouring him as an exceptional doctor and human being.

Soon after his diagnosis in February, the John Buckingham Research Project Prize was set up by the Calvary hospital and the ANU, an annual prize for a top research project by a first-year or second-year medical student. I hope that Dr Buckingham's skill and kindness inspire many students into the future.

Dr Buckingham loved musicals, travel and long-distance walking. He was a supporter of the Carlton Football Club, the Raiders and the Brumbies. He is survived by his wife, Sue, children and grandchildren. The ACT Greens also support this condolence motion this morning for a wonderful Canberran.

MS GALLAGHER (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations): I join with other Assembly members to express my condolences on the sad loss of Dr John Buckingham and I certainly extend my condolences and my thoughts to his family during what is a very sad time. As we have heard from the Chief Minister, Dr Buckingham's successes are impressive and, through his work, he touched the lives of thousands of people and saved the lives of many people in the ACT. His dedication to breast cancer and continued work in this area were recognised around the country.

As the Chief Minister said, Dr Buckingham's work was recognised in 14 published abstracts and 22 publications in peer-reviewed journals. His reputation of being the father of breast screening and breast surgery in the ACT was a well-deserved accolade that he earned after many years of dedication and commitment. Dr Buckingham contributed extensively to medical students based at the Calvary hospital as well as

installing lasting contributions to surgical registrars, nurses and many cancer advocacy groups.

During his career at Calvary hospital, he had many impressive highlights and achievements. He was a general surgeon from 1979 until 2011 and, between 1979 and 2001, Dr Buckingham dedicated his work to the public hospital. From 2002 until 2011, Dr Buckingham was a specialist breast cancer surgeon for Calvary Private Hospital.

In 1991, Dr Buckingham was a member of the advisory committee that set up the breast screening program. This achievement has impacted on the lives of many women across the ACT and from surrounding New South Wales. He also established the ACT breast cancer treatment group, with the help of Jenny Brogan. This group was established to look at issues surrounding the management and treatment of breast cancer within the local environment. This initiative aimed to improve breast cancer treatment and thus reduce the number of deaths from breast cancer and to improve the quality of life for those diagnosed with breast cancer.

Dr Buckingham cared for 11,000 patients during his time. He was a respected practitioner who, when you listen to and talk with his patients, went the extra mile to spend time with them and provide them with comprehensive and explanatory care. An example of this is the overwhelming response I have received as health minister, since Dr Buckingham's unexpected resignation due to ill health just three months ago, from many of his patients. Dr Buckingham's patients are expressing how much they value his care and how they are all feeling the gap created by his departure.

He was not only respected and recognised for his work with BreastScreen and surgery but he was a well-respected surgeon who dedicated much of his time to teaching students from the ANU Medical School.

He was also a doctor who believed wholeheartedly in treating the whole person and not just the site or specific diagnosis of their illness. And many patients will talk extensively around how interested he was in all aspects of their life when understanding and considering treatment options and the best way to support them and their family through that.

I attended Dr Buckingham's funeral yesterday at St Christopher's where he achieved the honour of having standing room only at his funeral. Hundreds of people packed into St Christopher's to listen to stories from his brother, David Buckingham, who gave a very moving and at times very funny eulogy—a speech really which can only be given by those who knew and loved him deeply.

He spoke of Dr Buckingham's great loves, his family, and particularly discussed and talked about his partnership with his wife, Sue. He spoke of 38 years of lives truly intertwined, his love of his children, his love of his faith and his love of his work. He spoke of his childhood antics, his passion for medicine and the very early decision he took as a young person to become a doctor. He spoke extensively of his generosity, not just to his patients but this filtered through to his family, and the time he gave to others to listen and to care about them.

Many patients spoke to me after the funeral. Many talked about how lost they feel without him and how sad they are he has gone. One woman in particular said she did not realise that he was married to Sue, even though Sue and John worked together, but she thought he must have been a very nice boss because he was always talking about taking his receptionist out to lunch. And she spoke about how he always fitted in a new patient at the end of the day. When she got her diagnosis, she went in at 4.30 for her first appointment and she said she did not leave there until seven, until he had answered all of her and her husband's questions or exhausted all their questions and provided them with all the information they needed. I think that is the story that we will keep hearing from people who knew and loved Dr Buckingham.

It is with great sadness that he died early and I certainly acknowledge the efforts he went to in providing such a wonderful service to the people of Canberra. I know his family will miss him deeply and I have also asked that ACT Health and Calvary, in partnership, come up with a lasting way, in addition to the research prize, to remember Dr Buckingham and the efforts he went to in providing a wonderful service to the people of the ACT.

MR HANSON (Molonglo): First, I commend the Chief Minister for bringing this motion forward and I certainly acknowledge the fine words that have been spoken by the Chief Minister; by the Leader of the Opposition, Zed Seselja; by the Greens convenor, Meredith Hunter; and by Katy Gallagher. And I am particularly pleased to hear that she will be looking, with the department, at recognising a lasting way to recognise the contribution that John Buckingham has made to health in the ACT and to our broader community.

John Buckingham died at the age of 63, which is too young, and it is a terribly sad loss. He is survived by his wife of 38 years, Sue, and his four children and his very many friends.

John Buckingham was clearly a very popular man. He was a well-respected surgeon and a very well-respected member of our community. He was well known across Australia for his work in breast cancer surgery and diagnosis. In 1979 he joined Canberra Hospital. He joined as a consultant general surgeon and had remained there ever since.

John Buckingham was named as the ACT local hero in 2008. He was named ACT Senior Australian of the Year in 2010. And that was for his work in recognising lymph node involvement with breast cancer diagnosis. He was one of the first to demonstrate the value of CT scanning in the early diagnosis of appendicitis and was involved in the establishment of BreastScreen ACT.

John Buckingham served as the National President of the Australian and New Zealand Chapter of the American College of Surgeons and was highly respected for his work. He was seen as a compassionate and warm-hearted surgeon and a doctor whose caring nature shone through. And we have heard some great stories today, particularly some of those personal ones from the minister.

One of his colleagues, Dr Michael Gillespie, who is also a well-known surgeon in this town, is quoted as saying to the ABC:

He was very popular with theatre staff, he took interest not just in their professional development but he knew them as people and friends, he was interested in their families and how their personal lives were going and I'm sure he had many of them as patients.

John Buckingham was also dedicated to education and training, and that was reflected in the establishment of the John Buckingham Research Project Prize at the ANU. He was also awarded an associate professorship by the ANU.

Every year in the ACT, 200 new cases of breast cancer will be diagnosed in women and one new case in men. In 2008, the Australian Institute of Health and Welfare report predicted that there would be an increase of 22 per cent in the number of all cancers being diagnosed in the ACT each year. And Dr Buckingham's research is invaluable in ensuring that these cancers are detected early, which significantly increases the chances of survival for breast cancer sufferers.

Although John Buckingham has left us, his legacy remains. Many women are alive today because of John Buckingham, and his legacy means that many women who are diagnosed with breast cancer, who would otherwise have died, will now live.

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

Justice and Community Safety—Standing Committee Scrutiny report 35

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

Justice and Community Safety—Standing Committee (performing the duties of a Scrutiny of Bills and Subordinate Legislation Committee)—Scrutiny Report 35, dated 4 April 2011, together with the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

MRS DUNNE: Scrutiny report 35 contains the committee's comments on 21 pieces of subordinate legislation, one government response and proposed amendments by Mr Rattenbury to the Courts Legislation Amendment Bill 2010. The report was circulated to members when the Assembly was not sitting. I commend the report to the Assembly.

Alexander Maconochie Centre—review Papers and statement by minister

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and

Emergency Services) (10.29): For the information of members, I present the following papers:

ACT Corrective Services and Alexander Maconochie Centre—Reviews—

Independent Review of Operations at the Alexander Maconochie Centre—ACT Corrective Services, prepared by Knowledge Consulting—

Report, dated 12 March 2011.

Appendices, dated 12 March 2011.

Provision of Specific Consultancy Services to Review ACT Corrective Services Governance including in relation to Drug Testing at the Alexander Maconochie Centre, dated 1 April 2011.

Motion (by **Mr Corbell**), by leave, agreed to:

That the papers be authorised for publication.

MR CORBELL: I move:

That the Assembly takes note of the papers.

Mr Speaker, today I bring to the attention of the Assembly two reports on the Alexander Maconochie Centre. In October 2009 the government committed to undertake a review of the Alexander Maconochie Centre after 12 months of operation. In February 2010 the Assembly also passed a motion calling on the government to conduct such a review. As I reported in August last year, the government engaged an independent reviewer, Knowledge Consulting, in April to conduct the review. Knowledge Consulting specialises in consulting in the field of corrections. The Managing Director of Knowledge Consulting, Mr Keith Hamburger AM, headed the review. Mr Hamburger spent nine years as the Director-General of Corrective Services in Queensland. Other members of the team provide expertise in a range of relevant areas, including health, security, nutrition and financial matters.

Mr Speaker, since the time of commissioning the first report, members would be aware that I became aware of a matter about drug testing of detainees on their admission to the AMC. I was advised that information about urinalysis testing of detainees on their admission to the AMC was wrong. I took immediate action to disclose this matter to the Assembly and I also took action to have the matter investigated—as a good, open and accountable government should do. As a result, I again engaged the services of Mr Hamburger's firm to investigate this matter.

In relation to the first report, the report on the review of operations at the Alexander Maconochie Centre, the government welcomes the report. It is substantial, comprehensive and thorough and has been prepared based on wide consultation both within government and externally. Detainees of the AMC too have been consulted. The report makes 192 findings and 128 recommendations. The government accepts the overall direction of this important report. I am pleased to say that Knowledge Consulting has made many positive findings. The report acknowledges that establishing a correctional centre presents many challenges. As the report states, the

enormity of this challenge should not be under-estimated given the inherently highly complex, problematic and at times dangerous nature of correctional centres.

The report finds that the AMC has fared favourably when compared to the commissioning of other new prisons. Newly commissioned prisons often face serious incidents, including riots, unnatural deaths in custody, infrastructure failures and other matters such as detainee-lit fires. No such events transpired in the post-commissioning phase of the AMC. Nevertheless, the AMC is a very difficult and complex operation and, as we all know, it is a new and challenging experience for the ACT. Nevertheless, Mr Hamburger has concluded that in many areas the development of the AMC accords with best practice. This is an endorsement of the effective work of ACT Corrective Services and its staff.

I am pleased to say that the report acknowledges that the AMC has a strong basis for a culture that protects the human rights of detainees and delivers best practice rehabilitation programs. The report states that there is a shared commitment between ACT Corrective Services leadership, including staff representatives, through their union, independent scrutiny agencies and community agencies to the aims of the AMC, and that this is a unique achievement in a corrections organisation in Australia.

The legislation, policies, procedures and plans for the AMC support and facilitate the delivery of best practice corrections outcomes aimed at achieving supported reintegration of detainees into the community. The report also concludes that detainees are better for their correctional centre experience and that overall the system provides them with the tools and training they need to assist them to maintain a law-abiding lifestyle on release.

The report concludes that there is a strong commitment to achieve a culture that delivers initiatives to create best practice in corrections and commends the AMC's induction processes, the case management approach, the suite of programs for detainees, the therapeutic cottage and the transitional release centre models as well as accommodation, equipment and staff training.

As is to be expected, the report also identifies a number of areas requiring attention. These include governance, recording and reporting systems, the staff roster, options to deal with accommodating different classifications of detainees as their numbers fluctuate, enhancing detainee access to counselling, the complexity of the detainee disciplinary process and issues related to detainees' food choices, such as increasing the range of foods available.

This report will be a key resource for the government in further strengthening the performance of our corrections centre. I am determined to maximise the benefits we gain from this report. For this reason, I am announcing today that I am establishing a task force to advise the government on its response to this forensic analysis and to oversee implementation of agreed action.

The task force will comprise both public service and community members. It will be chaired by Ms Bernadette Mitcherson, the new Executive Director of ACT Corrective Services. It will include as its members the Superintendent of the Alexander

Maconochie Centre; Mr Jeremy Boland, the Official Visitor to the AMC; Mr Fred Monaghan, an elected member of the ACT Indigenous Elected Body with responsibility for Justice and Correctional Service issues; and Mr Simon Rosenberg of Northside Community Service.

The task force will in the first instance advise the government on the report's recommendations. It will also oversee the implementation of those recommendations accepted by the government. As some will take longer than others to address, I have requested my department to support the task force in developing a prioritised implementation program, planning how both the short-term and longer term matters will be addressed. Once advice has been received from the task force, I expect to bring the government's response to the report to the Assembly in June this year. Thereafter, it is my intention to report back to the Assembly on a six monthly basis on progress against the areas identified for improvement and other issues arising from the report.

Corrective Services is a highly complex, inherently difficult, often controversial and always sensitive area of community safety. Alongside the positive areas and those requiring attention identified by Knowledge Consulting, I am pleased to see in the report the statement by reviewers that, overall, staff can be proud of their efforts in what has been a very difficult environment.

Mr Speaker, as mentioned in the report, a number of prisons commissioned in Australia over the period 1992 to 2005 have had significant problems in the immediate period post commissioning, involving multiple deaths in custody, riots, fires and major structural failure. I am pleased to say that none of this has occurred in relation to the AMC.

I would now like to turn to the second report I have tabled today. This report is the review of ACT Corrective Services governance, including in relation to drug testing at the AMC. Members will recall that I commissioned this report following advice being given to me that I had been provided incorrect information by Corrective Services in relation to urinalysis on admission procedures at the AMC.

While the government welcomes this report, it also confirms that I and the government were totally misinformed on this matter and that there were significant organisational governance failings that allowed this to happen, albeit without any staff member having deliberately set out to provide incorrect information. This report provides the government with an independent and unbiased account of what went wrong in relation to this matter and what needs to be done to set things right. In order to address this, I have tasked the AMC task force to advise the government on an appropriate response for this report as well.

In conclusion, Mr Hamburger's report concludes that the establishment of the AMC has been a unique challenge because the ACT is a one correctional centre jurisdiction, having to accommodate all classifications of detainees within a single facility. Despite these challenges, it is encouraging that the review has concluded that a number of significant outcomes have been achieved and that these provide a foundation to enable the AMC to reach its potential as a world-class facility for the rehabilitation of

offenders with a strong focus on human rights. The government remains committed to this outcome and the report will be a key contribution to achieving that outcome. I commend the reports to the Assembly.

MR HANSON (Molonglo) (10.39): Obviously, having just received this report, it is difficult to go through it in detail, but certainly a cursory glance indicates that there are some pretty damning findings in the Hamburger report. I think that Simon Corbell's claim that, because it was not a disaster in the first year, it should somehow be commended, that because we did not have too many deaths in custody and we did not have a riot we should be commended—

Mr Stanhope interjecting—

MR SPEAKER: Thank you, Mr Stanhope.

MR HANSON: What the finding goes on to say is that to date it has not delivered to the standard required. Being mindful of the way that this government has recently spun its reports, and certainly we have seen that from the health minister and no doubt we will see it from Simon Corbell today, I think members of the Assembly and the broader community would be very aware—as Simon Corbell is out peddling this in the media and making his speeches in the Assembly and elsewhere—that this is not a good report. I can see quite clearly that the findings—

Mr Stanhope interjecting—

MR SPEAKER: Mr Hanson, one moment, please. Stop the clock, please.

Mr Stanhope interjecting—

MR SPEAKER: Mr Stanhope, Mr Corbell was heard in silence and I expect Mr Hanson to be extended the same courtesy.

Members interjecting—

MR SPEAKER: Order. I have made my position clear. Mr Hanson has the floor.

MR HANSON: Thank you, Mr Speaker. Going through these findings, fundamentally the report is saying that to date the AMC has not delivered to the standard required. There are numerous other failures in here that are being addressed and I think that many of them are problems that we are already aware of. It is worth reminding the Chief Minister, who has been interjecting, that the report notes that the current capacity of 300 beds leads to challenges in separating and segregating detainees, which places constraints on the delivery of services to detainees and the management of the safety and security of the correctional centre.

I think it is worth reminding the Assembly that it was the Chief Minister who said that he would move from a 374-bed facility, which he had promised, to a 300-bed facility, because of budget constraints, and that this would meet the territory's needs. It was this government that said that this would meet the territory's needs for, I think,

25 years. But what we are finding out today in the Hamburger report, as I think we probably guessed earlier when we saw the capacity constraints, is that the Chief Minister's decision—Simon Corbell's decision—to reduce the capacity that was planned for the centre from 374 beds to 300 beds has led to a situation that places constraints on the delivery of services to detainees and the management of the safety and security of the correctional centre.

I am sure that there are many other issues that we will address, and I will go through this report in detail to look at them, but I want to make it very clear that Simon Corbell should not go out today lauding the Hamburger report as a glowing endorsement because, quite clearly, from just the most cursory viewing of the findings and recommendations, it is anything but.

MS BRESNAN (Brindabella) (10.43): I would just like to make a statement on the report. Obviously, as Mr Hanson said, this is a very detailed report and we will be going through it. We will just note that it is good that this report did not get leaked. That has been a positive with regard to this. There are a couple of points. Obviously, I have only had a quick look through, but the report notes that, while there are some operational shortcomings, there is evidence that the human rights culture is being adhered to. That is a good thing to see, because obviously it was set out from the start that it would be a human rights compliant prison. So it is a positive to see that is one aspect that has been adhered to.

The report notes, as Mr Hanson has said, in terms of the pre-commissioning stage that some of what was translated in that stage has not come through, that the vision objectives have not come through in the first 12 months of operation. That is one of the concerns that have been expressed to us by various community organisations and groups that are associated with the prison and run services there. In particular, the report makes note of counselling services. Again, that is one of the specific concerns that have been raised with us.

This is a very detailed report. I have not presumed that I have obtained all the knowledge in just a few minutes from reading this report. We will go through it. I thank the minister for tabling it today and for having an independent review, which I think is a positive thing. We will be going through the various pieces of information which have been put here and, I am sure, commenting on that.

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for the Arts and Heritage) (10.45): I will not take the time today to debate the detail of the report, other than to say that it is important to put the report into some context—the Alexander Maconochie Centre has been open for just on two years. It is a new prison.

It is the first time this jurisdiction has had a prison and it was always obvious in relation to an undertaking of this magnitude, of this order and, to be honest, of this difficulty that the creation, the construction and the delivery of a major, state-of-the-art, world standard prison and its management would be an undertaking

of major order. But it was an undertaking that we did not shirk. Of course, we are not naive as a government. We understood the hurdles that would need to be jumped. We understand and have always understood the difficulties—not just the political difficulties but the practical difficulties—inherent in managing a major correctional facility, a prison.

In the context of the debate that we are having in relation to corrections, it is worth reminding ourselves of what the position, the landscape, in the ACT would be had we not taken government, had the Liberals taken government. The Belconnen Remand Centre would still be operating, Quamby would still be operating and we would still be transporting our prisoners to Goulburn jail. That was the Liberal Party's position—and remains the Liberal Party's position as far as I am aware—in relation to corrections and corrections policy. It is worth repeating: the Liberal Party's position on corrections is that the Belconnen Remand Centre was fine—as far as the Liberals are concerned, fit for purpose.

I still remember Brendan Smyth on the site of the Alexander Maconochie Centre waving a placard. I still remember; we all remember it. It is there in the media, in print and on television: Brendan Smyth waving a banner. "Put the property values of the people of Jerrabomberra above corrections in the ACT" was Brendan Smyth's position on the Alexander Maconochie Centre, reflecting the Liberal Party's position about Alexander Maconochie.

The Liberal Party's position, in relation to what it is that we are seeking to achieve is (1) the Belconnen Remand Centre was fine; and (2) we did not need a prison of our own. In other words, we would have been better protecting and maintaining the property rights of the residents of Jerrabomberra. And they were quite comfortable with the transportation of ACT prisoners to Goulburn jail. That is the Liberal Party's position.

But we did not adopt that attitude. We were prepared to invest in this very important area. We were determined that we would establish, here in the ACT at the Alexander Maconochie Centre, world's best practice and Australia's only human rights compliant prison.

Mr Seselja: And you failed, dismally.

MR STANHOPE: And we are well on the way. Read the report. When you get the chance to read the report—

Mr Coe interjecting—

MR SPEAKER: Order!

MR STANHOPE: When you get the chance to read the report, when you go to Hamburger's—

Mr Coe interjecting—

MR SPEAKER: Order! Chief Minister, one moment please. Stop the clocks. Mr Coe, we will not have a running commentary from you on this debate. You will have a chance to speak in a moment if you wish. I asked for Mr Hanson to be heard in silence and I do not expect Mr Stanhope to be interjected on through his speech either.

MR STANHOPE: When you do go to the report you will see, if you read those parts and do not just skip over them, that they actually represent the facts and represent the extent to which Mr Hamburger acknowledges that the fundamentals being established at Alexander Maconochie Centre set the Alexander Maconochie Centre up with the capacity in the future of representing best practice in relation to corrections. That is the underlying finding—acknowledging, of course, that there are a whole range of areas in which improvement, as always, can be made. Of course, there is no service delivery by government anywhere where there is not room and capacity for improvement.

This is a new prison. It is something that we have not done before. We do not have a long history of management expertise, of corporate history or knowledge, in relation to the running of prisons. We have never done it. As a jurisdiction, we have done it now for two years and it has been a sharp learning curve for the territory and for staff involved. But go to the report and the underlying, fundamental findings and basis are that Alexander Maconochie Centre is well positioned, albeit with the need to address a range of issues identified by Mr Hamburger, to represent best practice corrections policy and delivery in Australia, which is what we set out to do.

We never imagined we could do this from day one. It would have been absolutely remarkable, as Mr Hamburger concludes, to think that from day one, as a new jurisdiction, managing its first-ever prison, we could have achieved that from the outset. But we are well on the way. The fundamentals are good, the staff are excellent, the philosophy and the policies represent best practice within Australia and we will meet our aspiration and our hope in relation to the Alexander Maconochie Centre.

But read the report faithfully—and I hope it is reported faithfully, unlike the draft Burnet report, which has just been outrageously reported in terms of the misinformation and the misunderstanding about what is a finding and what really is just an off-the-cuff remark or comment without any evidence or any substantiation, reported as fact. We are getting to the point now where throwaway off-the-cuff remarks are being reported seriously by the *Canberra Times* and the ABC as findings of fact when really they were uninformed, unsubstantiated, non-attributed comment.

This is a good report. Through its commissioning, of course—and I think we should acknowledge this—the attorney acknowledges our absolute determination to understand the fundamentals of the management of Alexander Maconochie. There was a preparedness to be open and transparent.

The attorney commissioned this report in a determination to be open, to be transparent and to be well informed in relation to the issues which a government should be informed about, should be transparent about and should be open about in relation to

the management of as difficult a policy as corrections policy is. The attorney is to be commended for that.

MR SMYTH (Brindabella) (10.52): It would appear the Chief Minister has a short memory because I think it was this place that ordered these inquiries to occur. The minister for corrections stands up and says, “I did the right thing; I went out and got a report.” My memory is that it was, of course, instigated by the opposition, through pressuring the government over their numerous failures—and that started with the marvellous pre-election opening of the Alexander Maconochie Centre, which was nothing more than a stunt, and culminated in a tripartisan report from a committee that had less than favourable outcomes for the minister.

That is what led to these reports being tabled here today. It is all well and good for the minister for spin to stand up and say, “I’ve done the right thing.” He was dragged kicking and screaming to this outcome. And you know how bad the outcome of the report is when the Chief Minister stands up and cannot defend his minister. He hoes straight into the Liberal Party—there are no words of support at the start to support the minister. All he can do is go on the attack. He does not talk about the report. No, no, no: “Let’s change the subject; we’ll get stuck into the Liberal Party because clearly that’s what the Liberal Party are here for.” So the minister will cherry-pick the good bits. The Chief Minister does not want to talk about either the report or seriously supporting the Attorney-General because I think he knows he is between a rock and a hard place.

The defence for the minister seems to be there were no serious incidents; therefore it was okay. Finding 12 on page 31 says:

That notwithstanding there were no serious incidents that resulted in serious injury, loss of life or significant infrastructure damage and a number of good performance outcomes were achieved, the AMC suffered a range of operational deficiencies during the first 12 months of operation that resulted in less effective service outcomes and loss of reputation for ACT Corrective Services ...

Basically, we got through by the skin of our teeth and it was luck more than good management. The next finding, finding 13, says:

That ACT Corrective Services does not have quality recording and reporting systems in place for key performance data. This shortcoming will, if not addressed quickly, result in ongoing flawed decision-making and accountability problems...

“Ongoing flawed decision-making and accountability problems.” So what we have is an institution that is being run based on flawed decisions because they do not have the data to back up what it is they are doing. Recommendation 1 says:

That ACT Corrective Services take urgent action to implement quality recording and reporting systems for key performance data.

Findings 14, 15 and 16 all look at the first year; look at the lack of continuity and experience—they had to bring people in from the outside to help them through that first year. Finding 17 says:

That the AMC is now at a critical point in its history. The AMC has negotiated its first year of operation without a disastrous incident. However, to date it has not delivered to the standard required by its ambitious vision and objectives.

It is not delivering. That is Keith Hamburger's assessment of this minister and his AMC: "However, to date it has not delivered to the standard required by its ambitious vision and projects." Go to simple things like rosters. Finding 18 says:

That during the first 12 months of AMC operation the staff rostering arrangements did not facilitate the efficient and effective delivery of services within the centre.

This minister could not even get the staff roster right. That is how badly this place is being run. Mr Hanson alluded to finding 21 and read it out:

That the current capacity of 300 beds leads to challenges in separating and segregating detainees which places constraints on the delivery of services to detainees and the management of the safety and security of the correctional centre.

A note to this finding says:

... steps have been taken to provide relief from overcrowding and new accommodation proposals are being developed.

This thing is only two years old and already we are looking at new accommodation proposals being developed. So not only is it not delivering; we actually now find that the government, through not delivering what they promised, a 374-bed facility, is now faced with having to develop new accommodation. It reeks of Gungahlin Drive—we will build half a road and come back. Well, here we have got a 300-bed facility and now we are already coming back less than two years after its opening. It is interesting that in recommendation 3 on page 34, the report recommends:

That ACT Corrective Services expedite preparation of a case for consideration by the ACT Government for increased accommodation at the AMC that will allow for appropriate secure and safe placement and segregation of detainees within the facility ...

If you read that, that would allow for appropriate, secure and safe placement. Therefore, we do not have appropriate security, we do not have safe placement and we do not have the safe segregation of detainees within the facility. What this government has built is not appropriate, not safe and not secure, by that simple recommendation.

Yet again, at a time when cost-of-living pressures are hurting all people in the ACT, the ACT taxpayer is now going to have to fund these new proposals that increased accommodation be put into the AMC. And it is much more expensive to put new accommodation into a prison once it is built, particularly when we could have had that accommodation in the first place.

No, the problem is that what we have is, right from the start, a minister who is incapable of running a prison system; a minister who did not do the job; a minister who could not get the money out of cabinet; a minister who did not build what was promised. He said he lived to a budget. That was his outstanding achievement: “I’ll live to a budget.”

Now what we have got is the case, as outlined by Hamburger, where we actually do have a place that is not safe, that is not secure, that does not have appropriate segregation and that now needs increased accommodation. At the end of the day, we will read this report and we will read it in great detail, as we always do. I recall it is the government that does not read reports before they are released. But, just looking through the recommendations and looking at what has been said, the assessment is that because there have been no serious incidents it has been okay—

Mr Hanson: No disasters. There have been serious incidents but no disasters.

MR SMYTH: Sorry, that is right; no disasters—the AMC suffered a range of operational deficiencies in its first 12 months. You did not get the roster right; you did not get the accommodation right; you did not get the segregation right; you have not got it right from the start.

No doubt we will follow this up, Mr Speaker; it is an interesting report. I hope people do read it. I hope people read it all because this is an important facility for the ACT. It costs ACT taxpayers a lot of money to run every year. It has cost a lot of money to set up. Quite clearly, it is recommended that proposals be put together for more accommodation so it will continue to cost the ACT taxpayer in the future.

You have to remember this is the minister who has basically lost every portfolio that he had. He was health; he was education; he was planning—I think he has just about had them all. The problem is that the people of the ACT end up paying for Simon Corbell’s mismanagement of everything that he touches.

MR SESELJA (Molonglo—Leader of the Opposition) (11.00): Whilst we are still making our way through this report, I think it is worth noting—and I did not hear this in the minister’s speech—some of the really serious findings in this report. And it is worth highlighting one that I do not believe has been highlighted yet in this report. It is on page 77, finding 20. Finding 20 on page 77 says:

That until such time as AMC’s operating model, which is best practice, is functioning effectively there will be a raised level of potential risk to the safety of staff and detainees within the AMC. Insufficient general counselling services for detainees is another critical issue that has been addressed elsewhere that impacts adversely on staff and detainees’ safety...

I repeat:

That until such time as the AMC's operating model ... is functioning effectively there will be a raised level of potential risk to the safety of staff and detainees within the AMC.

It is no surprise, I think, that the minister did not highlight that particular finding, the fact that there are ongoing risks to staff and detainees because of this government's mismanagement of the prison. What we heard from the minister, and the tenor of what the minister had to say, was effectively, "We should just be grateful that the place has not burnt down." That is effectively the message we are getting from the minister. Yes, there are lots and lots of problems, and we have seen from the Burnet report just how significant those problems of leadership and management are within this prison.

But what we get in this detailed report which we are going through is the concern—and this concern has been expressed, and it is often dismissed by this government—over staff safety. And the fact that the minister has attempted to skim over that or not mention that or does not deem that worthy of discussion, and all he can lean on is the fact that the place has not quite burnt down yet, is not good enough.

This is a facility which we paid far more for than virtually any other jurisdiction pay for their prisons. We paid over \$130 million in capital expenses, well over \$400,000 per bed delivered—one of the most expensive prisons ever delivered in this country. I think the only prison that is more expensive per bed is in a remote part of northern Western Australia. At the time this was built, that was the only prison that we could find that was more expensive on a per bed basis. So this government delivered the most expensive, or close to the most expensive, prison in the country; yet what we are seeing delivered is a shambles.

What we were promised was a first-class prison where rehabilitation would be able to occur successfully because of the investment in resources. The taxpayers have invested heavily in this facility. They have invested well over \$130 million for a facility that apparently is already full, that after only a year of operation, having spent \$130 million, the government is spending far more per annum on a recurrent basis than we used to spend on corrections, when we were told that would not be the case. But taxpayers, having shelled out so much, would expect that they would have a prison that was operating effectively. Finding 20 on page 77 is just another example of how this prison is not functioning properly.

Mr Smyth and Mr Hanson have touched on the fact that this is a prison that is now already full. And yet we were told that, even when it was reduced from around 370 beds to 300 beds, that would not matter because it would do the people of the ACT for many years to come. Many years to come, we were told. That was wrong, that was flat out wrong. Not only did it not last for 20 or 25 years, it has not managed to last for two or three years without now needing to look at expanding the capacity.

What will be the cost to taxpayers and what will be the outcomes? So far we have got a culture in the prison, we are told, in which we see methadone being pushed onto

prisoners, we see drugs getting in easily, because this government has not bothered to actually do the work to try to keep them out. We were told that everyone was screened when they came in. That was not true. We were given false information, we were given untruths about screening. Now we are seeing the impacts of that, and the impacts are that, as a result of not bothering to do the work, drugs are able to get in easily and, despite virtually spending more than any other government on a prison of this size, the people of the ACT are not getting the outcomes.

So this report, which will be going through in detail, even on a quick reading, shows that the prison has already run out of room and, very concerningly, it shows that at the moment there are serious risks to the safety of staff and detainees. That is not something that this government should be proud of. That is not something that this government should be skating over and skimming over and pretending is not a problem and pretending does not exist. It is a serious problem. We have now had report after report that this prison is not being managed effectively. It has not been managed effectively from the false opening right through to now, and the people of the ACT are not getting value for money for their very significant investment in this prison facility.

MR HARGREAVES (Brindabella) (11.06): The Attorney-General wishes to close the debate, Madam Assistant Speaker, and I did rise last time but only your left eye was working. This is a signature moment in the development of the AMC and this is in fact the culmination of the delivery of a promise that was made by this government when the facility was opened. It was to examine the processes and procedures, warts and all, in that facility so that we can actually refine it and learn from it.

Mr Coe: There should be a gym. Where is the gymnasium?

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

MR HARGREAVES: Those opposite will troll through this report and find every piece of negative comment within it and try to capitalise on it. That is to be expected.

Mr Smyth: You don't have to troll very far.

MR HARGREAVES: And Mr Smyth mumbles underneath his breath about these sorts of things, just confirming the view that I have that they are not regarding this report in the way in which it should be regarded. They have conveniently left out some of the positive statements that the review has actually delivered. Mr Hanson interjected into Mr Smyth's speech that there have been serious incidents at the AMC—no disasters but serious incidents. That, in fact, runs contrary to the comment on page 25 of the report:

No serious incidents such as deaths in custody (apart from one by natural causes), riots, fires and major infrastructure failure ...

“No serious incidents,” it says here. You just wonder whether or not those opposite actually make it up, because they do not let the facts get in the way of a good story. I notice that the team also suggested:

A strong basis has been set for the culture and shared ... values at the AMC ... The AMC is unique in relation to other Australian prisons in the high level of attention paid to detainees' human rights ...

That is what it was supposed to be all about in the first place. It talks about:

... there is no evidence of a "human rights" culture problem ...

And it says it:

... has good systems and processes in place to protect and uphold the human rights of detainees ...

They use the word "pleasingly" They say:

Pleasingly ... the issue of staff on detainee assault or staff using excessive force ... is not an issue of concern.

Certainly, this report has a number of issues in it that need addressing. There is absolutely no question about that at all. Some of them are quite minor, and some of them are the sorts of things you would normally tackle anyway, once you have been told. One of them, for example, was that, in the food services department, there was not necessarily some fresh fruit juice available. So in all of these recommendations, all these points, it is going to sit up there as a negative service. It is easily fixed.

The point that I wish to make is that right from the very beginning we said this facility cannot be like any other facility in the country. It is considerably different from the other and newer prisons that were opened in the country in recent years.

After the private prison in Victoria opened at Port Phillip, I understand that there were something like 13 deaths in custody over an 18-month period. And that was because the systems and the infrastructure in there led to that happening. The other thing that happened was that they brought all of the people who were custodial officers at Pentridge straight into this new prison and this new regime. They were not prepared for it.

One of the delays that we encountered, of course, in the provisioning of the facility was because we were making sure that our culture in the Corrective Services officers was the right one, that the recruitment was done properly. And what you have seen in the last 18 months or so is that culture that was created is the proper one. It is not the same at Goulburn. It is not the same at Port Phillip. It is not the same in the Northern Territory. It is not the same at Risdon.

We have accepted our responsibility in this territory for the custody and the behavioural change of people who have transgressed the law. We have accepted our responsibility here.

I remind the house of what those opposite did in an election campaign not that long ago. There was \$100 million put aside in capital funds. Ms Hunter was in the room in

the election campaign when Mr Smyth delivered his statement. My memory of it is vivid, because it was in fact delivered at the Tuggeranong college. He said, "We will take the \$100 million from the prison, we will continue with the Goulburn experience and we will put it into nurses at the hospital."

Ms Hunter does indeed remember him saying that and that he was picked up by one of the students, if my memory serves me correctly, saying, "How is that so if it is in fact for the building of a prison?" I used the words "capital funding". They used different ones. You cannot apply capital funding to a recurrent problem like an increased number of nurses. That showed, in my view, a misunderstanding of the nature of the funding that we have. But it showed what the attitude of those opposite was. It showed their attitude was to leave these people in Goulburn jail and other jails in New South Wales.

What happened was that we now have got our facility. This government decided that it was the appropriate thing to do. When the now Senator Humphries put the provision in the budget, I think it was in about 1999 or 2000, about there somewhere, he actually put \$32 million in there. It is an interesting figure, because everything that those opposite did in capital works had a tag of \$32 million. It was an off-budget line item. He wanted it paid for by the private sector. He wanted to have a private jail. And we said: "No, we do not want to do that. It will be publicly owned and publicly run, because the community will accept responsibility for its own people." And we brought them home.

These guys over here can complain, they can nitpick and cherry-pick all of these things out of this report they like but there is one fundamental truth that they cannot avoid. It was this government who brought our people home. It was this government who set up a facility which would give them a half-decent chance of a decent life. They had none in Goulburn. All they did was go to the university of criminology in Goulburn. They came out hardened and sometimes better at it.

Mr Coe: There is no gym or counselling service or educational facility.

MR HARGREAVES: In fact, Mr Coe complains bitterly because there is no gym, no this, no that. Let me tell you, though, the facility is there. It is an evolving one and it is one which will emerge and be refined over time. What these guys over here are saying is: "We did not want it here in the very first place. But now we have got it, we want it to be perfect from day one." That is quite an unreasonable position to be taking. The commissioning of this report was a courageous thing to do. To actually put it out there and let these people go through it and trawl through it and—

Mr Hanson: It was courageous from us, then. Thank you, John.

MADAM ASSISTANT SPEAKER: Mr Hanson, please be quiet.

MR HARGREAVES: I can tell you, having been here while it was conceived, built and delivered, those people over there have no credibility in this subject at all—none whatsoever. They made it difficult for the government from day one. There was an invitation put out by me, when I was the minister, to have a tripartisan approach to

this matter, because it is a socially responsible thing to do. And all I have seen has been criticism from day one, trying to find fault from day one. Yet we are dealing with people's lives and we on this side of the house are about rebuilding those lives.

I welcome this report, warts and all, because it actually shows us the way forward and gives us a template to get on with it and continue to do the job that we have been doing so well for so long.

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

Trees—management and renewal Papers and statement by minister

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for the Arts and Heritage) (11.17): Pursuant to section 22 of the Commissioner for the Environment Act 1993, I present the following papers:

Commissioner for the Environment Act, pursuant to section 22—Commissioner for Sustainability and the Environment—Report on the Investigation into the Government's tree management practices and the renewal of Canberra's urban forest, prepared by Dr Maxine Cooper, Commissioner for Sustainability and the Environment—

Part 1. Report, dated February 2011, including CD of Summary and Recommendations, Report and Appendices.

Part 2. Appendices, dated February 2011.

I seek leave to move that the papers be authorised for publication.

Leave granted.

MR STANHOPE: I move:

That the papers be authorised for publication.

Question resolved in the affirmative.

MR STANHOPE: I move:

That the Assembly takes note of the papers.

As members are aware, the government commissioned the Commissioner for Sustainability and the Environment, Dr Maxine Cooper, to undertake an investigation into issues around the management of our urban tree forest. At the outset, before saying a few words on the report and on a proposed way forward in relation to this issue, I do thank most sincerely Dr Cooper and those within her team for a most comprehensive investigation into the management, protection and, indeed, the

enhancement of our urban forest—a report that she has worked on over the last year and which I am now very pleased to table for the information of members.

The commissioner, as she does with everything, has gone into this particular task, this undertaking, with great vigour and great rigour. She has put enormous effort into the process. She has consulted widely. I do acknowledge the effort and the role of Dr Cooper in relation to this. I also acknowledge and thank all of those individuals and organisations that made submissions, that were involved in meetings and discussions and that contributed to the final outcome.

Members are aware of the genesis of this particular inquiry by Dr Cooper. The government for some time had been grappling with the difficult and increasingly pressing issue of how best to maintain, protect and, indeed, enhance our urban forest. We are aware that many of our street and parkland trees are ageing. They are ageing simultaneously. I guess the nub of the issue is that there were a couple of phases of major tree planting within the territory. There was an initial phase 90 or so years ago which continued for some time and then there were subsequent waves as different areas of the territory were developed. Whole urban or suburban areas were planted at once. Of course, as the trees aged—different species age at different rates; an old eucalypt, for instance, is younger than some old species of exotics, such as oaks—we do have coming together an ageing of both our exotic and eucalypt or native forests throughout the territory.

Through our early work in developing an urban tree program, it became very clear to the government that the community was very determined to engage in the issue of trees. They were particularly concerned initially in relation to a discussion and proposals that were being developed as to how best to replace trees, say, within individual streets—whether it was to be done on an individual basis, a street-by-street basis or, indeed, a suburb-by-suburb basis, and the implications of that.

It is certainly the case that Canberrans are very aware of the importance of our landscape. They take particular pride and have a proprietorial interest in trees within their own street, most particularly the tree in their front yard.

Some of the issues that the government faced initially in relation to this were around how to identify trees that were not just in decline, dead or dying, but trees that looked quite robust but nevertheless potentially represented a hazard. It was the case that trees that had been assessed by tree experts as being hazardous, not being sound in form and being removed, created great angst and anxiety within some streets, within some communities and, indeed, with individuals.

It was through issues around communication, consultation and how best to engage with the community that the government was ultimately moved to invite the Commissioner for Sustainability and the Environment to undertake this particular report.

It is not just an issue in the context of the importance to each of us individually of trees within our own street, or associated with our own homes or suburbs. It is also about the nature of Canberra, within the landscape, and even issues as pragmatic as

the value of our urban forest. In terms of the value of the asset, I am not quite sure what modelling was used but the value of the asset according to TAMS is in excess of \$1 billion. It has also been assessed that our urban forest has an economic benefit to the ACT of somewhere in the order of \$15 million a year.

There are about 734,000 urban trees under the control of the Department of Territory and Municipal Services. Of those, more than 550,000 are located in streets and in maintained parks. About 175,000 are maintained in semi-natural open space. Together, there are just on three-quarters of a million trees that are maintained by the Department of Territory and Municipal Services.

In addition to that, there are about 40,000 other trees, most particularly in school grounds, within the CIT and on ACT government housing properties. So they are not maintained by the Department of Territory and Municipal Services; they are maintained by Housing ACT and by the department of education. So, in fact, the territory maintains close to 800,000 trees within the ACT which, when compared with other jurisdictions of this size, is a massive number of trees. On a pro-rata basis, and even just on a straight statistical comparison, not even on a pro-rata basis, it is a stunningly high number of trees.

Suffice to say, with that background, in her report the commissioner makes 12 recommendations. It is a detailed report. It is rigorous. It does suggest a new focus, a new way forward. It suggests that our focus, as a government and as a community, rather than being on removal and replacement as a first option, should be on maintenance and support of ageing trees.

The commissioner finds that some of the assumptions underlined in earlier discussions on the issue are not soundly based. She believes that perhaps the worst-case scenario previously painted is not nearly as severe as it has been painted. Her recommendation—I think this is the first and most significant of her high-priority recommendations—is that the government replace the urban forest renewal program, which was a draft program, with comprehensive and integrated tree protection and management that is focused on the care and maintenance of the landscape and, indeed, on individual trees.

She also recommends as high priorities that we establish an ACT tree curator to provide a focal point for community issues about urban tree-related issues. The commissioner is essentially recommending that this is an issue of such importance and significance to residents that it should be vested in an individual person—a person with a reputation and who would be acknowledged as an expert. I think it is fair to say, without suggesting that we could necessarily replicate Charles Weston, Robert Boden or Lindsay Prior, that in major tree planting phases of this city's development there have been very significant individuals associated with the treescape, starting with Charles Weston and then, over the last century, moving through a whole range of highly regarded experts. The commissioner is suggesting that we use that experience as a model.

She also recommends that there needs to be a clear strategy agreed between the ACT government and the National Capital Authority. Indeed, she recommends that there be

better communication between ACT government agencies in relation to the management of trees. She recommends that we should strengthen the communication and community engagement processes. She recommends, as her fifth high-priority recommendation, that we provide adequate ongoing funds for the management of the trees that we manage.

I think it is fair to say, and I have acknowledged this, that the commissioner's recommendations do strike, we believe, an appropriate chord and the right balance. It has to be said that TAMS has responded over the last year to the commissioner. The commissioner did release a number of recommendations, most particularly about communication and community engagement. The Department of Territory and Municipal Services has already adopted the commissioner's recommendations in relation to, for instance, trees that have been identified for removal or treatment. There is already significant acceptance and, indeed, adoption of the commissioner's recommendations, most particularly in those areas around communication, consultation and the identification of trees.

There has been a very close engagement between the commissioner and TAMS over the last year and the department has been responding essentially to the telegraphed import of this particular report. That is reflected, for instance, in the fact that over spring in the order of 800 trees were planted within streets and parks across Canberra. The department is currently in the planning phase for the planting of 1,000 trees in streets over this month and May. So there will be plantings of an additional 1,000 trees.

The department has also identified, as an area of immediate action, Northbourne Avenue, from the city all the way to the old Federation Square, as an area requiring essentially a systematic and integrated approach to tree removal and enhancement. There are 4½ thousand trees just on the road between the city and Watson. The department has identified the need for around 500 trees to be planted in that particular area, and that will be an area of immediate attention by the department.

In conclusion, again I thank the commissioner for the report. I believe it is an excellent report. Because of the nature of this issue, it is problematic at some levels; it is difficult. The community want to engage, and I believe it is appropriate that the Assembly engage. From the outset, when I commissioned the commissioner to undertake this work, I signalled that it would be my preferred position that the commissioner's report, when received, be referred to the appropriate Assembly committee. I have a motion today to that effect.

I understand that there are differing views within the chamber in relation to that. Indeed, to be fair, Mr Coe has signalled that he would like the opportunity to better reflect on the report before debating that issue, and I certainly acknowledge Mr Coe's point in relation to that. Mr Coe has signalled that he would propose to adjourn debate on the motion that it be referred, and I am accepting of his position and the rationale. I will move the motion. I believe Ms Le Couteur would like to speak to the papers but I will then move the motion which I understand Mr Coe has indicated he will adjourn, and the government is understanding of that desire.

MS LE COUTEUR (Molonglo) (11.31): Like the Chief Minister, I am very pleased that the commissioner has completed this report. Members may remember that in 2009 I in fact wrote to the commissioner asking for her to do a report along these lines on the state of urban forest and the maintenance of it. I did that because my letterbox, my emails and my phones were being overwhelmed by people who were really, really concerned about the tree program. It simply was not working.

At the time, Mr Stanhope was very negative about this. In fact we had a motion on the subject in the Assembly and Mr Stanhope was fairly negative about the idea of referring this. But I am very pleased that the government changed its mind and ended up formally requesting this investigation, and I am very pleased that it seems that the government is going to take on board the commissioner's findings.

The commissioner did, as far as I can see, a very comprehensive analysis of the government's tree management practices. The commissioner did a lot of community consultation, which is why we have got such a huge appendix 2, because it has got all the results of the community consultations, what everyone thought about it. So I think that one of the very positive things the commissioner has done is give a much greater level of community acceptance and calmness about the program because the community knows that it has been listened to, it knows the experts have been listened to and it knows that we have actually got some sort of coherent report here.

It is clear that the commissioner in her report uncovered some serious issues and practices which must be improved, and I will talk a bit more about those later. But basically the major things it said were the need for complete replacement of the urban forest renewal program with a new program which focuses on care and maintenance, new tree legislation, review of existing tree legislation, a much higher priority on extending the life of trees rather than cutting them down and starting again, a better process around tree removal and replacement and improved decision-making processes, consultation and communication, including establishing the position of the ACT tree curator.

I am very much looking forward to the government's formal response to this report. I am pleased to see that TAMS has taken on some of the practices already, but we need to see the government's full response, including of course the government's formal commitment to actually funding some of this. One of the good things about the report is that at the end of it the commissioner has gone through how much she thinks her ideas would cost, and they are going to be in the order of an extra \$4½ million a year. I believe that is a quite affordable and appropriate amount of money for preserving Canberra's tree landscape, otherwise known as our urban forest.

Moving on to the report itself in more detail, the first thing I would like to highlight is that the early public commentary from TAMS on this was quite—"scary" I think is the only word that can be used. "Scary" was certainly the word that was used to me. I quote from the commissioner on page (vi) who quoted from the TAMS spokesperson saying:

... 70 per cent of Canberra urban forest, about 400 000 trees, would be cut down and replaced within 25 years ... the felling of healthy but aging trees with 10 years to live was inevitable.

I think a lot of Canberrans found that really disturbing. The commissioner got some other independent experts. A Dr Greg Moore came to the conclusion that there was really no need for this worst-case scenario; it was unlikely to unfold. He said:

... I do not think one third or more of Canberra's urban tree population is in need of imminent replacement if it is well managed and appropriate maintenance is carried out following tree assessments.

And that is really one of the key points. We have to start putting our efforts into tree management, not tree chopping down. TAMS apparently currently spends 15 per cent of its tree-related budget on program maintenance for Canberra's urban street and park trees, and of that two to three per cent is in fact spent on clearing powerline easements for ActewAGL. It is aiming to achieve a program maintenance spread of 65 per cent, but there is no time frame as yet for that. I have to say that the idea of moving to that 65 per cent rather than 15 per cent has got to be one of the better ideas coming out of this.

The urban forest renewal program in fact put a lot of emphasis on Canberra's existing even aged streetscapes, and this was why they felt that we should consider chopping down whole streets worth of trees which would potentially remove many healthy trees. I think it was pretty clear that a lot of the community thought this was not a good idea. People do not want healthy trees chopped down in their street, and one of the very positive things out of this is that we have got rid of that—I hope we have got rid of that—as an aim. We want to keep our healthy trees.

I will now start going through the commissioner's recommendations. Her first high priority recommendation was to replace the proposed urban forest renewal program with a comprehensive and integrated urban tree maintenance and management program focused on the care and maintenance of Canberra's treed landscape. So we have a focus on maintenance and tree protection and she was talking about integrating this within Canberra's planning framework. I think those are all incredibly positive ideas.

Recommendation 2 talks about how trees and the treed landscape should become part of the ministerial statement of planning intent and the strategic planning framework. As the Greens' planning spokesperson and as a bit of a planning nerd, I have to say I very much support these recommendations. The commissioner is talking about new tree legislation which would incorporate provisions of the Tree Protection Act 2005 or possibly amend it. I think this is an excellent idea and the directions in which she is suggesting this would move are very positive.

One of the things she has highlighted is that our current tree protection is basically for private trees, trees on leased lands, in our front and back yards. We do not have a similar regime for trees which the government has custody of, urban trees on unleased

land. We could change the Tree Protection Act so that the government also is accountable for its looking or not looking after our urban trees.

Recommendation 3 includes improving the legal protection of urban trees, and I think this would be an excellent idea. The commissioner goes through a number of specific points with that, which I do not really think I have time to repeat. But related to this is recommendation 4, which is for improved decision-making processes and practices for tree protection and management. Specifically, she is talking about establishing the ACT tree curator, who would largely replace, as far as trees are concerned, the role of the existing conservator.

I think this is probably a very positive step forward. One of the ways in which it will be positive is because the interaction between the tree conservator and ACTPLA is becoming a lot clearer and more straightforward. The proposal is that the tree curator would have a seat on ACTPLA's major projects review group whenever there is a tree issue. Inherently we will have times when we have an issue between existing trees and possibly the best planning recommendations. But what the recommendation of the commissioner does is give us a better process, a better way forward for how we are going to resolve these inevitable conflicts.

She also says that we should be identifying trees on greenfield sites and that we should potentially be providing financial assistance to residents on this land who have registered trees. That is something which I think is definitely worthy of exploration. Also, I note the idea of having powers to issue on-the-spot fines to people who knowingly and wilfully damage a tree on public, unleased land. That seems inherently very reasonable to me.

Moving along here, because I am going to run out of time, recommendation 5 provides that we would have a national tree strategy and an ACT tree strategy—very reasonable ideas.

Recommendation 6 is possibly the most interesting of the recommendations because it actually goes through a lot of the cutting edge issues, particularly solar access, where there is not unanimity among the community as to what should be done. It is talking, firstly, about updating TAMS' design standards, which I suspect everyone will agree with. I suspect the most controversial is 6G, which is talking about better managing solar access and protection and about the rights of trees and the rights of solar systems. Unfortunately, it does not talk much about access of sun into buildings. It has talked specifically about solar systems but it says that if the tree is already planted and you put a solar system up afterwards the tree should have priority; but if you have a solar system there first and then the tree is planted the tree would not have priority, and that we should look at the selection of trees so that we still have good solar access around households. This is something which I know has been a matter of considerable angst to the community and I am aware of a number of cases where people have felt very strongly that the street trees they have been provided with are not suitable species given where they have been planted in relation to the households.

I note also that the commissioner is talking about a sustainable re-use timber policy. I think that is great and I hope that this is not going to be code for energy from waste.

I also very much support better control of parking under urban trees, because parking, which leads to compaction of the ground underneath, is one of the ways in which we are sometimes, without knowing it, killing our urban trees.

Recommendation 7 talks about getting better guidelines for tree removal, replacement and establishment and that is really important. As I have said, one of the things that the community has been very concerned about is that trees have been removed when they should not be removed and, conversely, trees have been established, and they have been established very well; they have been established and they have just died. That is a waste of money, it is a death of a tree and it is leading to Canberra's urban landscape not being as beautiful, peaceful and supportive to the community as it could be.

Recommendation 8 talks about looking after trees affected by work done by TAMS and other contractors. It seems like a sensible one.

Recommendation 9 I will spend a minute on. It is a high priority recommendation about strengthening communication and community engagement. As I said in my beginning remarks, community communication is important, is vital, in this program. People in Canberra have demonstrated very clearly that we love our trees. Trees are an important part of Canberra. We call ourselves the bush capital and that is partly because urban Canberra has so many trees. We love them. So whatever the government is going to do with trees in Canberra it needs to have the community involved. It needs to communicate with the community. The commissioner has a bunch of recommendations for urgent and high priority better communication about that, all of which seems fine to me.

Recommendation 10 is a wonderful recommendation because it talks about celebrating our treed landscape. I would like to celebrate it in more ways than just having Assembly debates about it. The commissioner is talking about a 2013 legacy for Canberra which will be a tree legacy, including strategic tree plantings. I think that is a great idea for our centenary and I hope the trees that are planted then will be around for our next centenary.

The last recommendation is a very good one that the commissioner has made and it is to fund the protection and management of Canberra's street trees and parks, because we all know a report is only as good as the paper it is written on until it is actually funded by the government. As I said earlier, the commissioner is looking at around \$4½ million extra a year. I very much hope that the government does in this coming budget commit to this. Otherwise, we will have had a great report which cut down some trees but unfortunately did not lead to the good results for trees that it could lead to.

MR COE (Ginninderra) (11.46): I intend to speak very briefly about this report. Firstly, I would like to put on the record my thanks to Dr Cooper and her team at the commission and to the panel who assisted her in putting together this very comprehensive report. It is a welcome report and it is a very welcome inclusion to the debate about the future of Canberra's urban trees.

As I have said before in this place, and I will say it again, I believe things such as the mowing of grass, the removal of graffiti and the maintenance of street trees should be core business for a local government, so it was reassuring when the commissioner released the report with so much emphasis based on this core service which should be delivered by a local government.

It is important to note one particular item on page vi of the introduction which talks about the government referring to about 400,000 trees needing to be cut down and replaced. The commissioner says:

This Tree Investigation was unable to support the above claim by the TAMS spokesperson.

In effect, it either seemed to be a bit of a furphy or it was just taken out of proportion. It is interesting to note that Mr Stanhope and others also reiterated this sentiment that a huge number of trees would need to be cut down. It seems to me that they were politically using a number which was deliberately exaggerated to support their existing policy.

What this report does is shed light onto that policy. It says that that policy was wrong and that there is a better way forward. I look forward to joining with other members of the Assembly in going through this report and looking at the pros and cons of the recommendations to ensure that we get the best possible result for the taxpayers of Canberra, who deserve a fair go for the rates they pay and the services they get in exchange from the government with regard to the maintenance of urban trees in our city.

Question resolved in the affirmative.

Planning, Public Works and Territory and Municipal Services—Standing Committee Reference

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) (11.49): I move:

That the *Report on the Investigation into the Government's tree management practices and the renewal of Canberra's urban forest* be referred to the Standing Committee on Planning, Public Works and Territory and Municipal Services for inquiry and report to the Assembly by 5 October 2011.

When Dr Cooper was commissioned to undertake the report which we have now just discussed, I did indicate that I believed at that time—and I have no reason to resile from the belief—that it would be useful for the Assembly to inquire into this report and these issues. They are difficult but very important issues. I will not speak to the motion more than that, other than to say that it is essentially an intention that I

espoused at the time and I have repeated it since. I would welcome the opportunity of debate in the Assembly on that particular motion at an appropriate time.

Debate (on motion by **Mrs Dunne**) adjourned to the next sitting.

National disability strategy 2010-20

Statement by minister

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), by leave: In February this year the commonwealth, state and territory governments signed into effect a new national disability strategy. The strategy is intended to guide public policy within and across governments around creating inclusive and accessible communities, promoting the rights of people with a disability, removing barriers to economic participation, enhancing opportunities to live independently and providing opportunities for lifelong learning and access to quality health provision.

This initiative demonstrates a shared vision among all governments of an inclusive Australian society that enables people with a disability to achieve their full potential as equal citizens and recognises the diversity of experiences of people with a disability. Implementation of the strategy will not be confined to the disability sector. It will require whole-of-government, industry and community involvement to achieve its goal to increase the participation of people with a disability in mainstream society and services.

The ACT government, through the Department of Disability, Housing and Community Services, is already making progress towards achieving the strategy's aims. In September 2009 the ACT government released *Future directions: towards challenge 2014*, which is a policy framework to improve outcomes and opportunities for Canberrans who have a disability. This framework guides the priority areas for disability policy and service delivery in the ACT through to 2014. In the development of *Future directions* consultations were held with people with a disability, their families and carers, government and non-government agencies. Their input informed the policy framework, ensuring that the issues and priorities of constituents were consistent with our *Future directions*.

Future directions reflects the bigger vision of an inclusive Australia. We are optimistic that the ACT is already achieving the objectives in the national disability strategy that align with *Future directions* initiatives. These include future planning—a whole-of-life approach to assist in the planning for life transitions, such as leaving school, starting employment, beginning a relationship, leaving home, starting a family and growing old—and the no wrong doors policy, which is aimed at improving access to mainstream and specialist services and information.

We welcomed the launch of the companion card scheme in September 2009. This scheme continues to promote social participation at ticketed activities, events or venues for people with a disability who require someone to support them. We applaud

businesses that have already affiliated with the scheme in support of promoting greater inclusion for people with a disability.

We are also working on a range of programs to increase the participation of all people in the social, economic and cultural life of our ACT community. These include the highly successful program known within the Canberra community as BLITS. BLITS—business leaders innovative thinking and solutions—promotes initiatives that value and engage people with disability as consumers, suppliers, employees and employers in business, the arts and sport.

BLITS is busy implementing programs and initiatives promoting change. These include youth civics, a disability awareness program, which is a significant ACT government commitment to influence attitudes and behaviours within the community by raising awareness among the next generation of decision makers—that is, youth aged four to 17. The program aims to develop and implement activities that cover all aspects of young people's lives, including education, social and recreational areas.

The BLITS two-inch lip is a program to raise awareness among businesses of seemingly insignificant barriers, such as a small two-inch lip at the entrance to the business and a range of other barriers making entry by people with a sensory or mobility impairment difficult or even hazardous. The BLITS tick is an accreditation scheme that recognises government, business and community agencies that are welcoming and accessible for people with disability. The scheme is being developed across the sectors of tourism and accommodation, retail, entertainment and hospitality, and employment and government.

My department are working to facilitate greater access to the community for people with disability, including Sharing Places, Tandem, House With No Steps and ACT Council of Community Service—or ACTCOSS. We have a strong working relationship with the ACT Social Enterprise Hub. The hub provides business development and support services to accelerate the growth of social enterprises. The hub offers networking, resources and employment opportunities for people who would otherwise be seriously disadvantaged in the labour market.

With the assistance of the ACT Social Enterprise Hub, social ventures such as Ronnie's Succulent Snails have established a niche business in the ACT. This is a professional business, run by a young Canberra man, that harvests snails for an Australian restaurant. I understand that many here, possibly even you, Madam Assistant Speaker Le Couteur, have contributed to Ronnie's Succulent Snails.

Cafe Ink provides a supportive environment to increase social and economic participation. This is achieved through paid employment, development of work skills and opportunities to access certified training. Another social enterprise that has received support is Paperworks. Their vision is to have a social enterprise that employs artisans of varying abilities to produce paper products for the Canberra market.

My department has also commenced a range of work to develop innovative housing models. For example, an intentional community will be developed in Phillip. This

community will co-locate a small group of young adults with a disability with about 20 public housing tenants who elect to be part of a medium density housing complex and provide informal support networks to those young adults with a disability living in the complex.

I am pleased to advise the Assembly that this is the first time there has been a national approach to have all Australians work together to increase the social, cultural and economic participation of people with a disability across Australia. I am pleased to report that the ACT government is highly supportive of the strategy. The national disability strategy creates a framework for policy makers, service providers, community groups, businesses and families to engage with people with a disability. It is the first scheme of its type where all Australians have a role to play in working together to achieve a society that enables people with a disability to reach their full potential.

Around 15 per cent of our citizens report as having a disability. The national disability strategy will provide a voice for people with a disability and will enable them to realise their aspirations, maximise their independence and participate in their communities. This change is important. It ensures that all Australians, regardless of ability, have the same opportunities for meaningful participation, a quality education, health care, a job where possible and access to buildings, transport and social activities.

Just this morning in the *Canberra Times* there was a feature article about a Sydney family and the struggles they have in bringing up their young son. The article includes the following quote from the father concerning the national disability strategy:

The National Disability Strategy gives a lot of hope to people like me. When I look at that long-term plan and the sort of money they're talking about putting in, I start to feel hope ...

That is a good endorsement for this strategy. Finally, I am pleased to launch the national disability strategy here in the ACT. I look forward to the work continuing through its implementation.

MS BRESNAN (Brindabella), by leave: I welcome the statement by the minister. There are a few key areas that I would like to draw attention to today. The ACT government's strategy called *Future directions* has an attachment called "Measures of success". This is a very good document that outlines a number of outcome measures which we should reflect on annually when we look at what is happening with disability services. I would like to see some of these taken on as strategic measures by the department.

I would just like to run through some of the measures and reflect on the work that could be done in this area. One measure is the unmet demand for disability support services. This is an ongoing area of concern that receives attention through the estimates process and also through annual reports hearings. The ACT government has said that the estimated figure in terms of unmet need is in the range of \$8 million, but I expect this might be higher. I know there is some work going on within Disability to

look at unmet need. We know that many people do not actually apply for services because they may have given up or they do not know what services are available or they have never actually applied. I think that needs to be considered as well.

One of the other areas is the percentage of participants in VET programs who have a disability. We know many young people with a disability experience problems accessing appropriate care or educational programs once they finish their final year at school. There need to be increased post-school options for young people who can then have other opportunities beyond schooling.

In relation to the proportion of the ACT government workforce with a disability, I have moved a motion on the number of people with a disability employed in the ACT public service. We await the government's action on achieving a specific employment target, which I think will be a very positive thing for the ACT.

As to the number and range of inclusive sport and recreation, community and arts activities for people with a disability, Special Olympics is one particular group that claims that recognition of athletes with an intellectual disability is not equal to that of other athletes, including athletes with a physical disability. Sport is a very important way of achieving social inclusion and I think it deserves greater recognition in the whole scheme of things.

Regarding the number of people with disability who are a victim of crime, there are groups lobbying for changes to the victims of crime legislation. This is specifically mentioned in the national disability strategy. The ACT Attorney-General has said he will wait for COAG, but we fear that that process may be too slow in achieving the changes that groups are looking for.

In relation to the proportion of people with disability who experience difficulty in accessing transport, we know that the issue of wheelchair accessible taxis is of significant concern. We were disappointed that the ACT government essentially continued with the same approach that has been tried before and has not worked before. The proposal put forward by the WAT Consortium was not actually costed. I think we would find that the number of subsidies that the government is currently providing to an ineffective system is large and could be put towards a better system of salaried drivers, which would have better outcomes for the people who use those services.

Regarding the percentage of ACT disability services that meet or exceed national disability standards, we need to move to accreditation, and soon. This has been on the table for some time. Parents want to know that when they put their child in care there are assurances as to the level of care that will be provided. No-one wants to place their child in care if it poses a threat to their life or wellbeing.

I note that a social enterprise hub has been mentioned by Ms Burch. The Greens believe that this should be expanded and that we can look to other jurisdictions—in particular, the Brisbane City Council, which has a proportion of their contracts with social enterprises. We have an opportunity here in the ACT to achieve this because of the size of our jurisdiction. Also, there are opportunities for the ACT to create

employment for their own clients, as has been done in New South Wales where public housing tenants have formed a cleaning service for housing properties. This represents another opportunity that I think could be pursued here in the ACT.

With the intentional community, we should note that there are a range of housing opportunities that people see as being suitable for their children. I think we should take that into account when we are looking at what is appropriate for disability services. We should not take a one-size-fits-all approach when looking at the range of options. The intentional community does not, and it is positive to see that, but there are other families that are looking at pursuing a similar but different type of model. I think we need to consider that in our overall planning for disability housing.

The national disability strategy has a major focus on inclusion. That is something that we should see in all disability services that are applied. I thank the minister for raising this subject, because it is a very important one. We need to remember that there are areas where work is still required and that, as is always the case, it is no good having strategies and reports if they are not actually implemented.

Evidence Bill 2011

Debate resumed from 10 March 2011, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

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

That debate be adjourned.

The Assembly voted—

Ayes 5

Noes 9

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

Question so resolved in the negative.

MRS DUNNE (Ginninderra) (12.10): Mr Speaker, the Canberra Liberals will oppose this bill, not because we are opposed to its intent but because we are opposed to this government's management of the bill. Our opposition arises because of this government's laziness in having no business to put on the Assembly's agenda, and this is evidenced by the fact that, for the draft program for this sitting week, this ACT government could only find one bill to put forward for debate.

The Evidence Bill has been brought on at the last minute, only 3½ weeks after its introduction as a filler. This is here to fill up the government's program. It has not been brought forward now on its merits or because there is a particular need. It was

brought on in a cynical manner because the Attorney-General cannot manage the business of the house.

This bill was introduced only 3½ weeks ago, and non-government members of this place, and more importantly the community generally, including relevant stakeholders, have had only 3½ weeks to scrutinise an extraordinarily complex bill of 178 pages and we have also had only 3½ weeks to scrutinise the accompanying and quite complex explanatory statement of 66 pages. And, further, my office only late last Wednesday received a revised explanatory statement of another 71 pages, which was prepared in response to comments raised by the scrutiny of bills committee. That is why the Canberra Liberals are opposing this bill today.

No doubt the government, with the support of the Greens, will allow this bill to pass, so we state now that if this bill does not do what it sets out to do and if stakeholders and, more importantly, the courts identify issues of concern, particularly as they might relate to the application in the context of the nuances of this bill as it stands in the ACT, we will hold this Attorney-General, the ACT Labor government and its Green coalition partners to account for those problems. If this bill in any way fails in its intent, it will be on the heads of those who are sitting on the other side of the chamber.

The purpose of this bill is to implement a model uniform evidence law into the territory and this is the first tranche of three bills that, together, will create our own law of evidence in the ACT, obviating the need for us to continue to rely on commonwealth law. This is why we believe that there needs to be more time and attention given to this and we need to allow the community to give more time and attention to it, because evidence bills and evidence legislation are extraordinarily complex and they are what innocent people use to prevent themselves from being sent to jail and the mechanism whereby guilty people are appropriately punished. This is why we need to get it right.

This bill will commence on the first of either written notice of the Attorney-General, or 12 months after notification so as to give time for the two further amending bills to be developed and passed. I will touch on the detail of that shortly. That shows that there is no urgency to pass this bill today. I note that the government has commenced the drafting of these further two bills, and I have been told that it will engage in a process of consultation with stakeholders as soon as the draft of the bills is complete. The government intends, I have been told, to introduce these two additional bills in June, so once again the government has embarked on a project with a tight time frame, especially for the resource-stretched stakeholders who have such an important role to play in ensuring that the evidence legislation in the ACT is tight and functional.

The law that this bill introduces in the ACT will apply to all proceedings in all courts. There are some specific requirements of and discretions available to the courts in relation to sentencing proceedings. The bill contains no sections 25 or 105 as they applied previously to the ACT under the commonwealth law. These sections relate to the right of a defendant to make an unsworn statement. That right no longer exists under the Australian criminal law, so it has been repealed from the model legislation.

This bill does not replicate division 1A of the model legislation, which provides for professional confidential relationship privilege. This is currently the situation in the ACT. The commonwealth has not yet adopted a privilege except for journalists. This will be the subject of one of the bills to come forward in June. However, the ACT government's bill will introduce amendments to adopt a broader model privilege. As I have mentioned earlier, it will be taken through the process of consultation with stakeholders.

This bill also does not replicate division 1B of the model legislation, which provides for sexual assault communication privilege. The government considers the existing ACT law in this area offers a less restrictive protection. I have not audited the claim because the Attorney-General has not given me enough time to do so. So, once again, the success or otherwise of the application of this element is on the heads of those opposite.

Finally, the bill does not adopt amendments to the model legislation that were agreed by the Standing Committee of Attorneys-General in 2010 because the commonwealth has not yet picked them up. These amendments are matters to be introduced in the second of two bills to be introduced in June, after consultation with stakeholders. Curiously, neither the attorney's presentation speech nor the explanatory statement elaborated on what those amendments will cover. I am told and assured by the parliamentary counsel's office, who attended a briefing I took on this bill last week, that the ACT bill largely is the same as the law adopted by the commonwealth.

There are some inconsistencies, mainly due to drafting style, and I thank the attorney's office for ensuring that I received a schedule of examples of language differences between the bill and the commonwealth act. So that those examples can be on the public record, I seek leave to table the document, which is entitled "Examples of types of languages changes between the model law and the ACT Evidence Bill".

Leave granted.

MRS DUNNE: I thank members. I table the following paper:

Evidence Bill 2011—Examples of the types of language changes between the Model Law and the ACT Evidence Bill.

I also note that inconsistencies arise due to the impact of other ACT laws, such as the Children and Young People's Act 2008 and, as mentioned above, the criminal law relating to sexual assault offences. I have noted the range of comments made by the scrutiny of bills committee insofar as the bill engages the Human Rights Act.

I note, too, that the Attorney-General has responded to those issues by preparing, as I said earlier, a revised explanatory statement. It is a pity that neither the other members of this place nor the scrutiny committee, nor indeed the stakeholders, have had an opportunity to consider the revised statement in detail, considering that it was supplied to my office after question time on the last sitting Wednesday.

Let me briefly summarise the matters raised by the committee. Of importance to note is that the committee considered it necessary to “endeavour to add value to the explanatory statement discussion, largely by addressing issues not raised in the statement”. This is a constant issue raised in the scrutiny of bills committee, and the standout offender is the Attorney-General and his department.

With that headline, the scrutiny committee noted a number of what are described as derogations of human rights. The first relates to the right to preservation of the family in cases when a witness is a member of the defendant’s family. That witness normally could object to giving evidence on certain grounds. Under this law, that person may be compelled to give evidence in proceedings relating to alleged assaults on children or other forms of domestic violence.

Another relates to the right to silence. Under this law, the court or any party other than the prosecutor will be able to comment on the defendant’s failure to give evidence. The committee also raised a question as to the right to a fair trial and the right of a defendant in a criminal trial to examine prosecution witnesses, all in the context of the admissibility of hearsay evidence and the exceptions thereto. The discretion of a judge to dispense with the requirement for reasonable notice to be given by a party wishing to adduce hearsay evidence was also raised. It was in the context of the right to a fair trial as well as the right to prepare a defence.

Finally, in the context of the right to a fair trial and the right to equal protection under the law, the committee raised the question of religious confessions privilege. As I mentioned earlier, the attorney has responded to these matters through a revised explanatory statement. We will need to take those responses on face value, because non-government members in this place have had scant time to consider them in detail.

The intent of this bill is laudable. It is proper for the ACT to have its own evidence law, rather than to rely on the commonwealth’s. It is good that the ACT government has followed the lead of other jurisdictions and taken up the model legislation so as to provide national consistency. But it is not good that this ACT Labor government and this Attorney-General have allowed such little time for this law to be given the due consideration it so rightly and richly deserves, and I condemn the attorney and the government for that.

MR RATTENBURY (Molonglo) (12.20): The Greens will be supporting this bill today. As Mrs Dunne has touched on, the bill will create the ACT’s own Evidence Act for the first time. Key principles of evidence law that govern the operation of our legal system will be set out in the act. These well settled principles have developed over time in Australia and include, firstly, that relevant evidence is admissible to court and irrelevant evidence is not; secondly, that any competent witness can give evidence; thirdly, that parties have the ability to question witnesses via cross-examination; fourthly, that the required standard of proof is beyond reasonable doubt in criminal cases and, in civil cases, is on the balance of probabilities; and, finally, there is the general rule against hearsay evidence.

These principles really do form a cornerstone of the system of justice as we know it. Currently, the commonwealth act operates within the ACT and sets these principles. What this has meant in effect is that federal parliament has debated and passed evidence law and applied it in the ACT courts. This is not what happens in other Australian jurisdictions. Elsewhere, our counterparts in the states have their own evidence law, and today we will join them.

As it stands, the bill today basically cuts and pastes the existing commonwealth act over into the ACT statute book. There will be no substantive change made to the evidence law that applies as of today compared to after our own act comes into effect. What does change with this bill is that the ACT will gain the ability to examine its own evidence law and improve it in the future where opportunity is identified. This has not been open to us in the past.

To illustrate this point, the attorney has announced his plans to release two further evidence amendment bills later this year. These will propose further improvements to the base of evidence law that comes across today from the commonwealth. I understand that these bills are being discussed with key stakeholders as we speak, in the lead-up to them being presented in the Assembly. I think it is valuable that there is a discussion going on before the bills are tabled. It is not always the case, but I think that this will hopefully mean that the bills that do come before us will be ones that already have a large amount of work done on them and hopefully have a significant level of consensus built around them.

The bill is a rather large one; it runs to nearly 180 pages. Thankfully, that is not 180 pages of brand new legislation proposed for the ACT. As I have said, instead, the bill essentially picks up the existing commonwealth law that applies in the ACT and brings it across and enacts it as a stand-alone ACT law.

The Greens have approached this legislative task slightly differently to perhaps how we normally do. We have not approached the bill as a new legislative proposal, but rather as an adoption of current law and process. Coming at it from this perspective, the key question we have asked ourselves is: where are the changes being made from the existing legislation that applies in the ACT?

Departmental advice provided to my office, and I think just tabled by Mrs Dunne, has highlighted those places in the bill which diverge from the act that currently applies. We have followed each of these through to ensure they are minor drafting changes and not changes of a substantive nature that would fundamentally change the evidence law of the ACT. The majority of them are indeed minor drafting updates to make the act fit with ACT drafting practice. One interesting area that warrants mention where we will not be adopting the provisions of the commonwealth act is the treatment of evidence given by a sexual assault victim to their counsellor.

This is a very important and sensitive issue because there are competing interests at stake here. On the one hand, the victim has an interest in privacy and not having their very personal details discussed, analysed and potentially cross-examined in open court.

On the other hand, the defendant and justice more generally have an interest in a fair trial and being able to test evidence.

The ACT's Miscellaneous Evidence Act already treats this issue in a responsible and mature way. There are detailed provisions that set out the factors the court must consider before making a decision on the admissibility of information disclosed to a sexual counsellor. The commonwealth provisions on this issue are less detailed and less robust. It is appropriate that the ACT retain the laws that we currently have on this discrete issue and I think the bill, as proposed today, is a good way of dealing with it.

In conclusion, the bill is an important one because it sets out for the first time the key principles of evidence law in an ACT law. The attorney has foreshadowed that there will be more evidence bills to come during this year and the department is in the process of asking for stakeholder comment on them. Once the bills are presented, I will look forward to the Assembly then analysing them and playing our part in the improvement of the evidence law.

I should just briefly comment on Mrs Dunne's desire to adjourn the debate. I was not aware that she was going to bring that forward today. I think that, in essence, the Greens certainly feel we have had time to get across the issues in this debate, particularly given that the majority of the bill is already operational in the ACT. I think that when it comes to the significant changes to our evidence law, they are set to come in evidence bills 2 and 3, as they might be known, and in those cases we will be dealing with evidence law that is rather less well settled. I think that will be included in things such as whistleblower and journalist protection.

They will be areas that we need to look at in some further detail but I am confident that the bill we are passing today does focus on settled law, that we are not doing anything here that requires further consideration and that we can pass this bill today, as the first step in what will be a series of steps through the course of this year.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (12.26) in reply: I thank Mr Rattenbury and the Greens for their support of this bill.

The passage of the Evidence Bill 2011 today will create the ACT's first Evidence Act since self-government. It will replace the application of the commonwealth's Evidence Act 1995 in the territory.

Since self-government, the commonwealth's law of evidence has been directly applied in the territory and this arrangement has over time created a number of difficulties about the legal relationship between commonwealth and ACT law. The bill will create a stand-alone Evidence Act to overcome these difficulties and at the same time will independently adopt the model of uniform evidence law agreed to by attorneys-general in 2007.

The model law as adopted by the commonwealth largely forms the existing law of evidence in the territory. Therefore, while this bill is significant for the ACT, it does not substantively change the law of evidence as it now applies to the territory, and it is in that context that we should have regard to the ill-informed comments of Mrs Dunne.

The Evidence Bill is in most respects uniform with the commonwealth and New South Wales evidence acts. There are minor drafting variations which were required to accord with the drafting style of the ACT. These text variations are not intended to change the meaning of the provisions in the bill.

I would like to thank the scrutiny of bills committee for their scrutiny of the bill. While the committee did not have any comments on the substantive provisions of the bill, it did recommend that the explanatory statement would benefit from including more information about provisions which engage rights under the Human Rights Act. Accordingly, I am pleased now to table a copy of that revised explanatory statement which deals with the issues that were raised by the scrutiny committee.

I would add that clarification has been included in relation to clauses 18 through to 20, part 3.2, clause 67 and clause 127 to explain how the bill engages with the Human Rights Act.

The Evidence Bill is the first of a number of bills to be introduced by me this year to reform evidence law in the territory. I would like to take the opportunity now to detail the proposed content of those forthcoming bills because it is in these bills that we will see issues for substantive debate. These bills will be subject to consultation, and stakeholders in the justice system will have the opportunity to examine them prior to them being introduced in this place.

At the end of the evidence reform exercise the laws of evidence in the ACT will be contained in two statutes. The Evidence Bill establishes the Evidence Act 2011 and, as already discussed, implements the model uniform evidence law agreed to by Australian attorneys-general. Given that these laws are designed to have a general application, the second ACT statute will contain all remaining evidence laws which fall outside the scope of the model laws. It is proposed to use the existing Evidence (Miscellaneous Provisions) Act 1991 for this second statute. Other uniform evidence jurisdictions, such as New South Wales and Victoria, treat their excess evidentiary provisions in a similar manner.

Therefore, the upcoming government bill will be solely concerned with amending the existing Evidence (Miscellaneous Provisions) Act 1991. It is proposed that any provisions which will become redundant on the passage of the Evidence Bill today will be removed and all remaining provisions will be updated or modernised if necessary. The Evidence Act 1971 will be repealed and any provisions which need to be retained will be transferred to the miscellaneous provisions act or to other statutes where appropriate and modernised where relevant.

More substantively, amendments will be made to the miscellaneous provisions act to establish a framework to be applied by ACT courts when a party seeks to disclose the

counselling notes of a sexual offence victim in civil proceedings. The ACT currently provides an immunity model for these types of records in criminal proceedings. There appears to be no compelling reason why the protections afforded in criminal proceedings should not be extended to civil proceedings. The public interest in encouraging victims of sexual assault to seek counselling exists in both the civil and the criminal sphere. Indeed, legislation in New South Wales, South Australia and Victoria provides protection in civil and criminal proceedings. Further bills will be introduced to repeal redundant legislation and otherwise update, consolidate and reorganise the territory's evidence law.

The government will also introduce further legislation into the Assembly to implement parts of the uniform evidence law which have not been adopted by the commonwealth and therefore do not currently form part of the ACT law.

As I explained at introduction, the bill does not replicate division 1A of the uniform law which provides for a professional confidential relationship privilege. The commonwealth adopted the privilege but limited its application to journalists only.

As a strong supporter of uniformity in evidence laws, the government proposes to adopt the broader model privilege and include it in a forthcoming evidence bill. Adopting the broader privilege will expand the operation of the existing privilege to include confidences imparted not only to journalists but also to other relationships where confidentiality is a vital element. This could include doctors and other health professionals as well as other professions such as social workers.

Amendments to the model evidence law which were endorsed by attorneys-general in 2010 will also be included in a forthcoming evidence bill. The reforms include issues which were not considered in detail in the first round of amendments as they required further consultation and would have delayed the first set of reforms.

It is proposed that amendments will be made to expand the circumstances in which a person is taken not to be available to give evidence. A person will be taken to be unavailable if the person is mentally or physically unable to give the evidence and it is not reasonably practical to overcome the inability.

Amendments will also provide for mutual recognition of self-incrimination certificates issued in other jurisdictions and will clarify the operation of the broader professional confidential relationship privilege in relation to journalists.

Finally, the entire ACT statute book will be reviewed and amendments to update, consolidate, reorganise and discard redundant provisions will also be included in further government legislation.

The bill for passage today is the first step in a significant process of evidence reform in the territory. Not only is it a move towards ceasing the operation of commonwealth law in the territory; it marks for the first time that the ACT will have its own stand-alone Evidence Act. For the first time since self-government the territory will act and exercise its right to establish an evidence regime in the territory, thereby

regaining control over its application in the territory. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Sitting suspended from 12.34 to 2 pm.

Questions without notice

Alexander Maconochie Centre—methadone program

MR SESELJA: My question is to the Minister for Health. Minister, in the Burnet report, an informant is quoted as saying:

I have had clients that you know have told me that they've been coerced into going onto the methadone program when they've not wanted to.

Why are prisoners being coerced into taking methadone when they do not wish to take it?

MS GALLAGHER: I think the Leader of the Opposition is actually referring to the draft Burnet report, as the government expects to receive the final report tomorrow, after a final dialogue with the author of the report. So I believe it is the draft report.

Opposition members interjecting—

MR SPEAKER: Order! The minister is answering the question.

MS GALLAGHER: As Mr Seselja would know, unless his colleague Mr Hanson only dripped out certain pages to him like he did to the media on the weekend, the page before that talks of people who find difficulties getting onto methadone or delays in getting onto the methadone program. So we have perceptions around the program and how it operates, but I have no evidence before me that people are coerced onto the methadone program.

Mr Smyth: So the report's wrong?

MS GALLAGHER: If I could just answer the question, there are over 200 prisoners at the Alexander Maconochie Centre. I understand there are about 62 of them on the methadone program at this point in time. Obviously, that changes day by day, depending on prisoners coming into and out of the jail. But there is no evidence at all that methadone is being pushed onto prisoners at the AMC.

MR SPEAKER: Mr Seselja, a supplementary?

MR SESELJA: Minister, is it true that there were five overdoses at the AMC as a result of prisoners being provided double doses of methadone by ACT Health staff?

MS GALLAGHER: I cannot confirm that number but I will undertake to provide advice to the Leader of the Opposition with an exact figure.

MR HANSON: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hanson.

MR HANSON: Minister, in the Burnet report concerns were raised, and I will quote:

... prisoners experienced undue influence from health staff to commence methadone, especially after they had detoxed from other drugs.

Minister, are health staff continuing to push methadone treatment when prisoners have already detoxed?

MS GALLAGHER: I have no evidence to support a view that methadone is being pushed onto prisoners at the AMC. What I do know is that corrections health staff work with each and every prisoner assessing their health needs. We know that there are about 62 prisoners at the moment who are receiving methadone support while they are in the prison and that their individual doses are negotiated based on clinical advice. I know that corrections health work very hard to make sure that they are supporting the health needs of prisoners in the jail.

There has been some feedback garnered through the Burnet report, which we will release on Thursday with the government's interim response to a number of the recommendations, which I guess canvass a range of views from prisoners, ex-prisoners, non-government organisations, health staff and corrections staff. I have to say that all of those views are displayed in the report and differ, depending on the informant who is providing that information. But they are not substantiated claims. They are feedback that has been provided to Burnet Institute as part of the evaluation of the drug programs and the programs provided by corrections health in the Alexander Maconochie Centre.

Mr Smyth: Have you got the report or not?

MR SPEAKER: I believe Mr Hanson is asking the supplementary question.

MR HANSON: Minister, why did the Burnet report state that "there was considered to be a lack of support for individuals wanting to cease opioid pharmacotherapy"?

MS GALLAGHER: I am providing the report to the Assembly, with the government's interim response to the recommendations. I am not sure how useful it is to go part by part through a leaked copy of a report that the opposition has. My intention is to release the report—

Mrs Dunne: On a point of order—

MR SPEAKER: Stop the clock.

Mrs Dunne: The standing orders require the minister to answer the questions directly. This is a direct question about opioid pharmacotherapy and the minister is not answering the question. She is sort of saying, “I am going to do something on Thursday and, until then, it is not convenient.” That is not how the standing orders in relation to question time apply.

Mr Corbell: There is no point of order. The minister is directly addressing the issues that were raised in the question. It is entirely in order for the minister to outline the context in which she can or cannot provide information and the reasons for that. But in no way is she, therefore, straying from the subject matter of the question, and there is no point of order.

Mr Smyth: To the point of order, standing order 118(a) says that the answer shall be concise and directly relevant. The minister knows better than this because he ran foul of this in various estimates programs where he had information, he knew the answer and he refused to release it to the Assembly. Indeed, it ended up with the privileges committee. The minister, under the standing orders endorsed by this place, must be directly relevant and concise in her answer. The question was very simple: “Why is there a lack of support for individuals wanting to get off the opioids?”

MR SPEAKER: At this point I think there is no point of order. The minister is asserting that she does not have a final copy of the report. I am not in a position to judge that but that is the minister’s answer. On the point of order, Mr Smyth.

Mr Smyth: As a clarification, yes. The minister actually said she will be releasing it tomorrow or later in the week and, therefore, we will get our answers then. That has not been the form of this place. There was an estimates committee where Minister Corbell had details and refused to release them to the committee. He said, “I will release them in my own good time.”

Mr Corbell: That is irrelevant.

Mr Smyth: It is entirely relevant. If you are asked a question over which you have control and you have the answer, you are obliged to answer the question.

MR SPEAKER: Mr Corbell and then we are going to move on.

Mr Corbell: Mr Speaker, there is no point of order. You have already ruled there is no point of order. I would simply draw to your attention that, of course, the opposition interrupted the minister. She has not completed her answer. They should not present her answer in a manner which is out of context with what she was saying.

MR SPEAKER: There is no point of order. Minister, you have the floor.

MS GALLAGHER: Thank you, Mr Speaker. Some of the recommendations in the Burnet report, as I understand them—and I do not imagine there will be significant change to the copy—

Mr Hanson: How have you noticed the difference in page numbers, Katy, if you have not seen it?

MS GALLAGHER: I am not saying I have not seen the report, Mr Hanson. I never said I have not seen the report. In terms of the information you leaked, page by page to the media last Friday or Saturday—whenever you did it—the page numbers are different to the page numbers that I have before me. That is all I have said. I have not said that I have not seen the report. You find that, Mr Hanson. What I said is that I expect to receive the final report, with possibly some minor changes that I am not aware of yet—that is up to the author as to whether those changes are going to be made—tomorrow. That is what I have said. That has been clear.

What I would say is that this report was commissioned by the government to measure the adequacy of our corrections health programs at the jail and to inform decisions by the government, after 12 months of data collection, about future expansion or new programs in relation to providing the best health services that we can to this community. That is why we commissioned the report. The report has come back with a number of recommendations. *(Time expired.)*

Alexander Maconochie Centre—Burnet report

MR HANSON: My question is to the Attorney-General. Attorney-General, the Burnet report was completed in December 2010. Three months later, the government has yet to release the report. Have you seen this report that the health minister has failed to release to the public?

MR CORBELL: The release of the report is a matter for the Minister for Health. She has commissioned the report and she is responsible and she has outlined—

Mr Smyth: So have you seen it?

MR SPEAKER: Mr Smyth!

MR CORBELL: I have four minutes to answer the question, Mr Speaker. She is responsible for determining when that will be released and she has outlined the circumstances and the processes she proposes to adopt.

I have been briefed on the contents of the report and provided with that material because ACT Corrections were closely involved in the development of the report, as was appropriate. They have kept me informed and I have seen the detail of that report.

MR SPEAKER: A supplementary question, Mr Hanson?

MR HANSON: The Burnet report states that there is a conflict between Corrective Services and the Department of Health. On what issues is there a conflict?

MR CORBELL: Mr Speaker, I am not going to go into the detail of the report in advance of its release. What I would say is that it is not unusual for government agencies to have differing views on issues. That is why you have a whole of government process to determine the appropriate outcome. That is the approach the government is adopting in this case.

MR SMYTH: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Thank you, Mr Speaker. Attorney, Corrective Services issued an extensive response to the draft report that opposed a needle and syringe trial at the AMC. Is this opposition in line with the policies of your government?

MR CORBELL: The government determines policy, and that is the way in which this matter will be managed.

MR SMYTH: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Thank you, Mr Speaker. Minister, have front-line staff been consulted on the recommendations of the report?

MR CORBELL: That is probably a matter best dealt with by the Minister for Health, Mr Speaker. She is responsible for that process.

Opposition members interjecting—

MR SPEAKER: Order! The Minister for Health.

MS GALLAGHER: I am responsible for the report. From your extensive reading of the report, Mr Smyth—unless you have only had page 102 given to you as well—you would understand that on the evaluation advisory group the CPSU were involved, JACS were involved, Health were involved, a number of non-government agencies were involved and Prisoners Aid were involved. Aboriginal health services were involved. They are all on the evaluation advisory group, who, indeed, were given a copy of a draft report, I think, back in December. This report has been provided to a number of organisations—

Mr Hanson: They got the draft as well, did they?

MS GALLAGHER: Good on you, Mr Hanson. You have been so responsible with it!

Opposition members interjecting—

MR SPEAKER: Order, members!

MS GALLAGHER: I note that little laugh, that little chortle—

MR SPEAKER: Order! Ms Gallagher, let us stick with the substance of the question, thank you.

MS GALLAGHER: It would be interesting to know how long Mr Hanson has had the report for—these very serious issues that he has decided to drip feed out to the community in a way without context and without—

MR SPEAKER: Ms Gallagher, the question, thank you.

MS GALLAGHER: I think it is very irresponsible, to be honest, and it is obviously not the shadow health spokesperson talking when he makes these claims.

Mr Seselja: On a point of order, Mr Speaker, the minister is not complying with your ruling. You have asked her to be relevant. This is not relevant and she should stick to the question which was asked, which was about front-line staff.

Mr Stanhope: On the point of order, Mr Speaker. You have also advised every single member of the opposition just about by now to stop interjecting. They continue to interject. So in the spirit of Ms Seselja's point of order, I think first and foremost you need to control the opposition. You have asked them repeatedly to stop interjecting. They ignore you completely. In the context of your rulings, I would suggest you start at the start and enforce those that you make in relation to the opposition.

MR SPEAKER: Thank you. Further questions without notice. Mr Doszpot.

Alexander Maconochie Centre—drugs

MR DOSZPOT: My question is to the Attorney-General. Attorney, the Burnet report states:

The findings of this evaluation demonstrate that supply reduction activities conducted at the AMC are not halting the flow of drugs into the AMC but simply intermittently interrupting that flow.

Why are the policies currently in place ineffective in reducing the amount of drugs entering the jail?

MR CORBELL: The only thing that is exceptional about this debate is the naivete of those opposite, who continue to assert that drugs should not be, and it is surprising that drugs are, in the prison.

Members interjecting—

MR SPEAKER: Order, members!

MR CORBELL: There is nothing unexceptional about contraband occurring in the prison environment—nothing unexceptional at all. The only thing that is exceptional is the naive belief of those opposite that it is an unusual occurrence.

The fact is that drugs get into prisons. They get into prisons in New South Wales; they get into prisons in Queensland; they get into prisons in South Australia; they get into prisons in Victoria; they get into prisons in Tasmania; they get into prisons in the Northern Territory; and they get into prisons in Western Australia. Shock, horror, Mr Speaker: they get into prisons here in the ACT.

Members interjecting—

MR SPEAKER: Mr Corbell, one moment, thank you. Stop the clocks. I simply want to remind members that the minister's answer is not an opportunity to give a running commentary. I have asked members to stop interjecting. I expect to be able to hear the minister's answer. Minister Corbell.

MR CORBELL: My understanding of what the Burnet report has said is that supply reduction will not, in and of itself, deal with the issue of contraband in prison. Well, shock, horror, Mr Speaker: supply reduction strategies by the Australian Federal Police do not prevent all drugs from entering Australia. That is the context in which we are having this discussion, and it is the extraordinary naivete of those opposite, who are prepared to assert that drugs can be eliminated from the prison environment, that should be held to account in this debate. They are the ones who should be held to account in this debate, because they are the ones asserting a myth, asserting an untruth—that there can be no drugs in a prison environment when it has been proven otherwise everywhere else in the developed world.

Mr Seselja: On a point of order, Mr Speaker, as entertaining as this is, the question was very specific and I ask you to ask the minister to come back to why the policies currently in place are ineffective in reducing the amount of drugs entering the jail. He can go on all he likes about what the opposition might have to say, but the question was very specific, about the policies which are ineffective.

MR SPEAKER: Minister, you still have a minute and a half to deal with the question. Just focus on the question.

MR CORBELL: I am focusing on the question. We have a range of supply reduction strategies in place. But the question is: why don't those work? What I am saying is that no supply reduction strategy will be 100 per cent successful. The only ones who seem to believe it will are those opposite. The question must be asked: why do they persist in asserting this naive and misleading position that supply reduction will achieve a drug-free prison when it has not been proven to be the case in any prison in Australia or any prison internationally?

MR SPEAKER: Supplementary, Mr Doszpot.

MR DOSZPOT: Attorney, the Burnet report raises concerns about the effectiveness of searches as a means of reducing drugs in jail. Attorney, why are the searches ineffective at reducing the amount of drugs in the jail?

MR SPEAKER: Attorney, before you start, members, there is an increasing amount of preamble flowing into a number of questions that have come up today. Whilst I am going to allow Mr Doszpot's question, I would remind members to perhaps think about the question they are going to ask.

MR CORBELL: Thank you, Mr Speaker. Searches in the prison do detect drugs. You would not believe that if you listened to those opposite, but just last week two visitors to the AMC were arrested and charged with bringing contraband into the facility. So to suggest that procedures do not work in interdicting some contraband is simply false. But the real falsehood is to suggest that supply reduction strategies, that searches and other methodologies to detect contraband, will remove all contraband into the prison. That is the real falsehood. The real falsehood is for those opposite to claim that these strategies should achieve a 100 per cent success rate. The fact is they do not and those opposite who continue to assert that they can or should are the ones who are misleading our community on this important issue.

The challenge for those opposite is to engage in a sophisticated debate about the key public policy issues we are trying to address. They can seek to point score all they like and to highlight every discrepancy and every minor problem or more significant problem that occurs in the prison. But it does not contribute to a more sophisticated and considered public debate unless they recognise that supply reduction does not achieve the outcome they seek and that other approaches and other policies must also be considered.

MR HANSON: Supplementary, Mr Speaker?

MR SPEAKER: Yes, Mr Hanson.

MR HANSON: Attorney-General, will you accept responsibility for the ineffective drug supply measures at the AMC which have resulted in a failure to halt the flow of drugs? If you will not accept responsibility, who will?

MR CORBELL: There you have it, Mr Speaker: the assertion from Mr Hanson that supply reduction can prevent all drugs entering the prison.

Mr Hanson interjecting—

MR CORBELL: We reject that assertion and I challenge those opposite to demonstrate where in Australia has supply reduction eliminated contraband into the prison environment? That is the simplistic, naive and misleading assertion from the shadow minister for corrections. It is naive, it is misleading, it is simplistic and it is false.

MR HANSON: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hanson.

MR HANSON: Prison staff state in the Burnet report that drug use issues were prevalent amongst the prison population.

MR SPEAKER: Mr Hanson, preamble.

MR HANSON: Attorney-General, why is drug use prevalent amongst the prison population?

MR CORBELL: Once again, we see the naivety and the simplistic assertion from those opposite—

Opposition members interjecting—

MR SPEAKER: Order, members!

MR CORBELL: Shock horror, Mr Speaker: people end up in prison because they use drugs. Just because they are in prison does not mean that all of them seek to cease using drugs. That is the context in which we are dealing with those issues. It is quite extraordinary that Mr Hanson and those opposite seem to believe that just because you are in prison you cease your risk-taking behaviour or you cease behaviours associated with drug abuse. It is not that simple. Mr Hanson should know it is not that simple. God forbid how he would seek to deal with this issue if ever he were minister for this portfolio.

Youth and family services framework

MS HUNTER: My question is to the Minister for Children and Young People and is in regard to the letter sent to organisations last Friday delaying the tender process for the Youth and Family Service Delivery Framework after organisations had spent six weeks frantically writing their tenders. Why has the tender process been delayed by nine months until 29 February 2012, and does this mean that the process has been aborted? If not, when will the tenderers be notified of whether they were successful or not?

MS BURCH: I thank Ms Hunter for her question. I have been advised recently that the tender panel make-up has changed and as a consequence there is a slight delay in the assessment of the tenders. As a result of that, we thought it prudent and beneficial for the services to be given full and adequate notice of that delay, and indeed be given adequate time in the transition at the end. I have worked in the community sector and I know a member of the crossbench has worked in the community sector, and it is very difficult for organisations to come to an end of a contract in that transition period. So, whilst the tender process has been minorly delayed, we have offset that delay by giving very adequate transition processes to the end of the tender.

MR SPEAKER: A supplementary, Ms Hunter.

MS HUNTER: Thank you, Mr Speaker. Minister, considering the angst, levels of concern and anger from the youth sector, have you considered that this whole process is flawed and needs serious reconsideration?

MS BURCH: I would not accept that there is angst or a flawed process. I have spoken to the peak bodies, the Youth Coalition and the family peak body group, who recognise the challenges in a retender process of a program that has not been changed, I think, since its inception and implementation. So whilst we recognise these challenges, all of those organisations recognise the opportunities. I have spoken to a number of providers that are forming partnerships that they have not considered before, and they are quite pleased with an opportunity to have partners and programs aligned under the new program.

MS BRESNAN: A supplementary?

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Minister, does the development of the practice framework being done by the single-select tender at Families ACT for \$120,000, due to be finished by December 2011, have anything to do with delay?

MS BURCH: It is certainly not, to my knowledge, the cause of the delay. As I have said, there has been some internal change to the tender process, the tender panel, which has resulted in that delay. I am pleased that we have provided the organisations with adequate notice and transition at the end of the selection process.

MS LE COUTEUR: Supplementary, Mr Speaker?

MR SPEAKER: Yes, Ms Le Couteur.

MS LE COUTEUR: Minister, are you satisfied that the consultation process on the youth and family service delivery framework was appropriate considering how it engaged with the regional community services and yet neglected to engage with the other 50 or so youth and family agencies in the ACT to the same extent?

MS BURCH: I thank the crossbench for their interest in this program. The youth and families program has been part of an 18-month-plus ongoing consultative process. There have been discussion papers, there have been draft frameworks, there have been industry meetings and debriefings. There has been enough consultation process around this and, as I have said, I have spoken to organisations, peak bodies, that, whilst recognising that challenges have changed, have embraced the opportunities available in this.

Climate change—impact assessment tool

MS LE COUTEUR: My question is to the Chief Minister and concerns the climate change impact assessment tool for use in assessing whole-of-government triple bottom line accounting. Chief Minister, what progress has there been in the

development of a climate change impact assessment tool to help evaluate new policies and programs to ensure that they are consistent with the ACT climate targets, and when will the tool be finalised?

MR STANHOPE: I thank Ms Le Couteur for the question. I regret, Ms Le Couteur, that I will have to take that question on notice. I thought I might be able to give some brief report on progress today, but I do not think I have a note on it. I will have to take the question on notice, Ms Le Couteur. I regret that I cannot provide you with an answer.

MR SPEAKER: Ms Le Couteur, a supplementary question?

MS LE COUTEUR: Minister, is the government looking at other jurisdictions where such impact analysis tools are used and seeing whether we could adapt their tools for the ACT's purposes?

MR STANHOPE: Thank you, Ms Le Couteur. Similarly, I would hope so and imagine so, but I cannot answer definitively today. I will take the question on notice.

Alexander Maconochie Centre—governance

MR SMYTH: My question is to the Attorney-General. Attorney-General, the Burnet report found that “the evaluation team concluded that the absence of clear policy guidance and governance and leadership structure for the provision of drug-related services at the AMC severely limits the effectiveness of program activities”, that “there is no coordination across providers in the AMC” and that there were “multiple areas where policy was being implemented ineffectively or not at all”. Minister, why is there an absence of governance and leadership in regard to drug-related services at the AMC?

MS GALLAGHER: Mr Speaker—

Mr Smyth: It was to the attorney.

MS GALLAGHER: I have got responsibility for the Burnet report. The Burnet report was commissioned to do an evaluation of—

Mrs Dunne: On a point of order, Mr Speaker.

MR SPEAKER: One moment, Ms Gallagher. Stop the clocks, thank you.

Mrs Dunne: Mr Speaker, Mr Smyth asked a question of the Attorney-General, presumably as the minister responsible for the operation of the prison. The responsibility for one report about an aspect of the prison should not mean that the minister does not answer that question. It was about issues that arose out of that report that go directly to the responsibility of the minister responsible.

Mr Corbell: On the point of order, Mr Speaker, the Minister for Health has portfolio responsibility for the provision of health services in the corrections environment. Those opposite fail to understand that distinction. It shows they are not doing their job.

Mr Smyth: On the point of order, Mr Speaker, the quote says there was no coordination across providers in AMC. I want to know what is the problem from the corrections side of the issue, why there is not the coordination, why there is not the leadership and why they are being implemented ineffectively.

MR SPEAKER: It is my understanding that the practice of this place is that ministers are free to take the responsibility for questions as they see are aligned with the administrative orders. The Minister for Health is entitled to take the question.

MS GALLAGHER: Thank you, Mr Speaker. As I said, the Burnet report was commissioned as part of a review of the health services which cover the drug services that Mr Smyth is talking about. It was commissioned precisely to identify—once we had 12 months worth of data—exactly how corrections health, their programs, the different providers, were going in terms of providing health services to the Alexander Maconochie Centre community. The whole reason you commission these reports is to identify areas for improvement and to respond to those.

It has raised some issues and, indeed, the government will respond with an interim response on Thursday to some of the recommendations that the Burnett report has identified. But it has identified the fact that we need to improve our coordination of services, both in a non-government sense and IN a government sense, in terms of how we provide health services to the people at the Alexander Maconochie Centre. But I can say that corrections health and corrections ACT are trying to provide the best services they can to this community. The health services are a key part of that. As we know, and as those opposite will know from reading the report, in terms of the complexity of the population which we seek to support, the level of health issues of this community and the environment in which those services are provided, I do not think there is anywhere more complex to deliver those services.

With two years of experience—although this looked at one year's worth of data—there are ways to improve what is a good health service and make it better. That is what we are determined to do. That is why we commissioned Burnet. That is why we will respond to it. The opposition went to the last election with a commitment to cut resources from the Hume medical centre—let us remember that: they were going to cut nursing positions—and for them to sit here now and raise concerns about the health service at the jail is a little bit rich, I have to say. Their late interest in corrections health is also rather surprising.

MR SPEAKER: A supplementary, Mr Smyth?

MR SMYTH: I am not sure which minister wants to answer but, ministers, why is there no coordination across providers in the AMC?

MS GALLAGHER: It did not say that there was not coordination. It says that that coordination needs to be improved. That is what we are determined to improve. There can be better coordination across services at the AMC in relation to corrections health. ACT Health, Corrections and non-government agencies will have their own views around coordination and the extent that it exists but one thing I think we can all agree on is that, if there are problems identified in coordination of services, then we work on making that better.

MR HANSON: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hanson.

MR HANSON: Minister, will you accept responsibility for the lack of leadership and governance at the AMC and, if not, who will?

MS GALLAGHER: The government is the only one providing leadership—and I would say the Greens. In terms of this Assembly, in terms of leadership, in terms of tackling issues, in terms of being honest, in terms of actually fronting up, having a view and actually looking at evidence and then taking a position based on that evidence, there are leaders in this place, but there are not any on that side of the chamber.

MS BRESNAN: Supplementary?

Opposition members interjecting—

MR SPEAKER: Yes, Ms Bresnan.

Opposition members interjecting—

MR SPEAKER: Order! Ms Bresnan has the floor.

MS BRESNAN: Thank you, Mr Speaker.

Mr Hanson interjecting—

MR SPEAKER: Mr Hanson, you are warned for repeated interjecting.

MS BRESNAN: Minister, will you be having any discussions with the Liberal Premier Barry O'Farrell, who has actually come out in support of an NSP program.

Mr Hanson: That is not true.

Members interjecting—

MR SPEAKER: Order! Thank you.

Members interjecting—

MR SPEAKER: Order, members!

Mr Hanson interjecting—

MR SPEAKER: Order, Mr Hanson!

MS GALLAGHER: Thank you, Mr Speaker. I will be and I have been meeting with a range of stakeholders who are supportive of further investigating a needle and syringe program at the Alexander Maconochie Centre. I think I will add Barry O'Farrell to that list. A range of prominent Australians have joined in their support of examining the prospect of implementing a needle and syringe program, and many of those prominent Australians are doing it on health-related grounds; that is, that people are dying because of blood-borne viruses, not only in prisons but in the community as well and that this is a genuine public health issue that our community needs to confront. We have high levels of hepatitis C in the jail. We have high levels in the prisoner population of those who use drugs and use drugs regularly. We have evidence that they are taking part in risky behaviours while they are incarcerated, and that is increasing the risk of transmission of blood-borne viruses.

This is the sort of discussion we need to have—reasonable discussion based on evidence, based on a commitment to work through issues that seem hard but are very important if we are to tackle some of these very significant public health issues. Certainly, there are a number of prominent Australians, and indeed if Barry O'Farrell has an open mind to it then I think he is someone that we will need to progress this discussion with. I know a number of stakeholders are seeking to enlist the support of other politicians for the investigation of needle and syringe programs in correctional facilities. Whilst this government accepts it is a difficult issue, you cannot just walk away from difficult issues. You have to deal with them.

Energy—feed-in tariff

MS BRESNAN: My question is to the Minister for Energy. Minister, last week you set the feed-in tariff premium rate for the 2011-12 financial year and announced that the premium rate would stay at the current rate—that is, 45.7c. Given that no other determination was made, the premium rate for medium scale generation will sit at 75 per cent of this amount; that is, 34.27c. Did the government commission the ICRC or any other body to model the cost of medium scale generation and the viability of this premium tariff rate at 34.27c and, if so, can you outline what was commissioned and how this modelling informed your decision that the tariff rate was appropriate?

MR CORBELL: I thank Ms Bresnan for the question. Yes, I did seek the advice of the ICRC on what the price should be or what the percentage rate should be for medium scale generators. The ICRC recommended that it should be set at the same level as for micro generators. I do not accept that advice. It is quite clear to me, based on feedback that my department has received from industry players, that that price would be too high. I also believe it would be perverse to have a price for medium generators which was the same as micro generators. Micro generators and medium generators have different cost pressures and they should be reflected in the price that

is paid to them under the premium rate. I have determined that the percentage of the premium rate for medium generators should be based on the advice we have received today from industry, which is around 35c per kilowatt hour. That is certainly the very clear feedback we have had from industry on that. As a result of that, I determined that the percentage rate would remain unchanged.

MR SPEAKER: A supplementary, Ms Bresnan?

MS BRESNAN: Minister, can you table in the Assembly any modelling that has been undertaken? Given that the ICRC's report on the feed-in tariff determination in March 2011 indicated that the current rate may not cover additional costs associated with it, how can you be sure that 34.27c will ensure that investment in medium-scale generation will occur in the ACT?

MR CORBELL: I am happy to provide the advice I received from the ICRC on this matter and I will actually table that as soon as possible. In relation to the viability of that percentage rate, I would simply make the point that my department is engaged very closely with a large number of industry operators who are interested in investing as a result of the territory's decision to make the feed-in tariff available to medium-scale generation. The consistent advice we have received from industry is that a price around 35c per kilowatt hour would be a price that would make it viable without being excessive, and we have taken that industry feed-back into account in determining what the percentage rate should be.

MS HUNTER: A supplementary.

MR SPEAKER: Yes, Ms Hunter.

MS HUNTER: Minister, does the government have a policy of ensuring a fair, reasonable and equitable rate of return on all scales of renewable generation in the ACT and, if so, why have you set the medium-scale tariffs so low, yet left the microgeneration returns so high?

MR CORBELL: They are not low and they are not high; they are the appropriate settings. I have outlined the rationale for the micro premium rate in the determination I announced last Friday. There are a range of factors influencing my decision to retain the premium rate at its current level. Those include the possible changes in the value of the Australian dollar and also the uncertainty around carbon pricing and the impact of the changes to the commonwealth's renewable energy certificate scheme. For all those reasons, we believe certainty in the market is the most desirable outcome. I would refer Ms Hunter to media statements from the Australian Solar Energy Society and the Australian Photovoltaics Association, who have both endorsed the government's decision last Friday in relation to those price settings. They have welcomed it as a sign of stability and continuity in the industry, and I would have thought the Greens would be supporting that when it came to providing certainty for investment in renewable energy generation.

MS LE COUTEUR: A supplementary.

MR SPEAKER: Yes, Ms Le Couteur.

MS LE COUTEUR: Minister, will the government consider adjusting the medium-scale tariff if monitoring of the scheme indicates that it is undersubscribed?

MR CORBELL: It has always been the government's approach, and the legislation provides for review of price settings should that be required, and that remains the government's position.

Schools—child protection policy

MR COE: My question is to the Minister for Education and Training. Minister, your department carries a policy called "Child protection and reporting child abuse and neglect in public schools". Under that policy, principals of schools are required to act to protect children and young people from harm. Minister, what specifically does this policy require a principal to do?

MR BARR: I thank all people who are engaged in employment in the Department of Education and Training and are working in schools. They have responsibilities under that legislation to mandatorily report incidents that are brought to their attention. I do not have that paper in front of me. I could get it and read it out to members. I am happy to do so if that answers Mr Coe's question but I do not have the detail of that, other than to know that there are mandatory reporting requirements that are in legislation and staff members, including principals and teachers, have responsibilities and obligations under that legislation. Can I recite it for the member for Ginninderra now? No.

MR SPEAKER: Mr Coe, a supplementary?

MR COE: Thank you, Mr Speaker. Firstly, Minister, yes, I would appreciate that. Further, is the principal of the Murrumbidgee Education and Training Centre at the Bimberi Youth Justice Centre required to comply with that policy? If not, why not?

MR BARR: Yes, all members of staff are required to comply with that policy.

MR SPEAKER: Supplementary, Mr Doszpot?

MR DOSZPOT: Minister, what have you done to satisfy yourself that procedures are in place at the Murrumbidgee Education and Training Centre to ensure compliance with all mandatory reporting processes and procedures?

MR BARR: These matters were the subject of a particular discussion last year with staff members at the centre.

MR SPEAKER: A supplementary, Mr Doszpot.

MR DOSZPOT: Minister, what training is provided to staff and contract trainers at the Murrumbidgee Education and Training Centre in relation to mandatory reporting requirements?

MR BARR: There is an induction for staff members as part of their introduction into the education department, and as teachers within any school setting. Then there are further processes, as I understand it, in relation to the specific circumstances of working within the Murrumbidgee education centre.

Bimberi Youth Justice Centre—inquiry

MRS DUNNE: My question is to the Minister for Children and Young People. Minister, last week during question time you were asked about a text message sent to your staff about allegations of documented evidence of collusion and cover-up in your department in relation to the Bimberi Youth Justice Centre and the Human Rights Commission inquiry. You only became aware of this text message during question time. I can add today, minister, that at 2.50 pm on 16 March, which was two days prior to the text message talked about in last week's question time, the same member of your staff sent a text message which said: "If any concerns are put to me or the minister in any format of course we will act." Minister, what investigations have you undertaken in your office since question time last Thursday and what was the outcome of those investigations, including as to why your staff member failed to advise you of the text message about collusion and cover-up and why your staff member failed to respond to that text message?

MS BURCH: I thank Mrs Dunne for her question. As I said last week, my office gets a range of correspondence, just as every member here would get a number of correspondence. If my staff choose to reply to that and seek further information so that we can indeed act on that, I do not think that is remarkable or not appropriate. As far as I am aware, there were responses to—if it is the person and we are sharing the same individual—

Mr Smyth: So you've had more allegations of corruption?

MS BURCH: No, I am just making sure that we are on the right track, Mr Smyth.

Mr Smyth interjecting—

MR SPEAKER: Order, Mr Smyth!

MS BURCH: That individual was offered to meet with the chief executive of the department. He was also encouraged to put it in writing. What I have had a discussion with my staff about is text messaging, follow-up and appropriate responses to texts, as opposed to the more formal structures that we more regularly get.

MR SPEAKER: Supplementary, Mrs Dunne?

MRS DUNNE: Thank you, Mr Speaker. Minister, are you aware or were you aware before today of the commitment made by your staff in the text message sent on 16 March “if any concerns are put to me or the minister in any format of course we will act”?

MS BURCH: I do not think that is inconsistent with what I have just said—

Mrs Dunne: Are you aware?

MS BURCH: about that I am aware that this individual was offered to meet up with the chief executive. We also provided some correspondence to the department seeking further clarification. I do not think that is unremarkable or inconsistent with what you are saying.

MR SPEAKER: Mr Coe, a supplementary?

MR COE: Thank you, Mr Speaker. Minister, why did your officers take no action to investigate the allegation of documented evidence of collusion and cover-ups in your department, even after saying to the informant “if any concerns are put to me or the minister in any format, of course we will act”?

MS BURCH: I think I have just indicated that the person was offered a meeting with the chief executive of my department and correspondence was put through the department seeking further advice. I think we have prosecuted this point of cover-up. There is no cover-up. We went through that last week and I say it again this week.

MR SPEAKER: Mr Seselja, a supplementary.

MR SESELJA: Minister, given your staff member’s text message, to what extent does a text message constitute a concern put—and I quote from your staff member’s text message—“in any format”?

MS BURCH: I think it has created a conversation with my office, but I am quite happy to explore that with my staff.

National Multicultural Festival—feedback

MR HARGREAVES: My question is to the Minister for Multicultural Affairs. Minister, what has been the community feedback from the 2011 National Multicultural Festival?

MS BURCH: I thank Mr Hargreaves for his continued interest in the multicultural affairs of Canberra. I am extremely proud of the very successful festival we had this year and I commend the Office of Multicultural Affairs as well as the community organisations, sponsors and embassies which collaborated so well for the festival.

I am pleased to say that I have just received the preliminary results of the spectator survey for the 2011 festival, conducted by the Department of Disability, Housing and

Community Services' data and research area. The survey found that almost all of those interviewed, 94 per cent, were either satisfied or very satisfied with the Multicultural Festival overall. This is an outstanding result, and I take this opportunity to thank everyone involved in the festival for putting together such a fantastic program. In addition, of spectators at the 2011 festival, 78 per cent said they were likely or very likely to attend again next year and 93 per cent would recommend the festival to a friend.

As some of you may be aware, there were some new inclusions at this year's festival. Chief among them was the addition of the Indigenous showcase in Civic Square, which was organised by the NAIDOC Week Committee and included attractions such as the acclaimed singer Troy Cassar-Daley and the Indigenous chef Mark Olive and a host of other performances.

Another success was the addition of extra food stalls on the Sunday. While the Saturday food and dance spectacular remained the main attraction over the three days, the attendance on the Sunday this year well and truly exceeded last year's Sunday crowd, and I expect that word of mouth will ensure that it is bigger again next year.

The survey found that, for seven out of 10 spectators, food and drinks were identified as the thing liked most about the festival. The dancing, performances and entertainment generally were identified as things liked by 24 per cent of the spectators. Spectators also said they liked the opportunity the festival provided to meet friends and bring people together and as an event for all people of all ages. The festival atmosphere received a high satisfaction rating, with 96 per cent satisfied or very satisfied with this aspect of the festival.

My department is still finalising its crowd estimates over the three days, which is difficult for an event that has such a large footprint and, unlike Floriade, did not have entrance gate numbers. While the ACT police put the crowd attendance at over 200,000—they have put it at 240,000—over the three days, that does sound optimistic and a large crowd, so we do need to go back to that. But, as someone who was at the festival over the three days, I can say that it was indeed bustling with people and all of them having a great day and enjoying our multicultural community.

MR SPEAKER: A supplementary, Mr Hargreaves?

MR HARGREAVES: Thanks very much, Mr Speaker. Minister, have you received any indication of how many interstate visitors attended the festival?

MS BURCH: I thank Mr Hargreaves for his interest. The survey does provide an indication of the number of interstate visitors to the festival. This was measured by a collection of postcodes by vendors and by the spectator survey. This found that 15 per cent of the spectators were from interstate or overseas and, of these, four per cent were from the local Queanbeyan area. Also, over one half of interstate and overseas spectators knew about the festival before their visit. Of these, the festival was a main factor in their decision to visit for 26 per cent, which is a great boost for our hotels, our retailers and our hospitality industry.

Translating these figures into estimates of visitor numbers, around 6,000 visitors came to Canberra with the festival as a main factor or one of several other factors, and included an average nights stay of 2.5 nights. An additional 600 people, visiting the ACT for other purposes, extended their stay for the festival. In other words, around 7,000 additional tourists were attracted to visit or extend their stay because of the festival.

Spectators for whom the festival was a main factor in their decision to come to Canberra spent an average of \$150 per person. Those for whom the festival was one of several factors in their decision to visit spent, on average, \$170. For visitors who came to Canberra with the festival as the main factor in their decision to visit, total expenditure is estimated at \$589,000. For visitors who came to Canberra with the festival as the main reason, it is \$900,000. Mr Speaker, it was a great success. The challenges are repeating that success and managing the ever-increasing numbers that come through to the festival.

MR COE: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Coe.

MR COE: Minister, if there was a boycott of Israel in the ACT, as proposed by the New South Wales branch of the Greens, would that prevent any Israeli or Jewish group from participating in the Multicultural Festival?

Mr Hargreaves: On a point of order, Mr Speaker, that is hypothetical.

Mr Seselja: On the point of order, Mr Speaker, the question was a very broad one about multiculturalism and I think it is quite legitimate for the question to be asked.

MR SPEAKER: Mr Seselja, I do not think the question is whether it is relevant as a supplementary question. I think Mr Hargreaves is suggesting it is a breach of the standing order against hypothetical questions.

MRS DUNNE: A supplementary question, Mr Speaker. Minister, are you aware of any impact that a ban on Jewish products and Jewish cultural activities would have on the Multicultural Festival?

MS BURCH: I cannot speak for other parties in other states, but here in the ACT we are an inclusive community and welcome a broad range of participation in the festival.

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

Supplementary answers to questions without notice Bimberi Youth Justice Centre—complaints

MS BURCH: During question time last Thursday, there was reference in a question from Mr Seselja to an incident around bruising to the neck. I made comment that it

was internally reviewed and referred to the police. I have sought clarification. It was internally reviewed but that incident has not been referred to the police.

Homeless people—services

MS BURCH: Also during question time last Thursday, I said, in response to a supplementary question by Ms Le Couteur, that by midyear we will have nearly 12,000 properties and it will be the most we have had in public housing in the ACT. I have been advised that in 1996 there were 12½ thousand properties. But this Labor government in 2001, through the decision by the previous government, inherited a stock of 11,454.

Financial Management Act—instrument Paper and statement by minister

Opposition members interjecting—

MR SPEAKER: Ms Gallagher has the floor. Question time will resume tomorrow. Ms Gallagher.

MS GALLAGHER (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations): Thank you. I look forward to that tomorrow at question time. For the information of members, I present the following paper:

Financial Management Act, pursuant to section 16B—Instrument authorising the rollover of undisbursed appropriation of the Department of Treasury, including a statement of reasons, dated 1 April 2011.

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

Leave granted.

MS GALLAGHER: Section 16B of the Financial Management Act, rollover of undisbursed appropriation, allows for appropriations to be preserved from one financial year to the next, as outlined in instruments signed by me as Treasurer. As required by the act, I table a copy of a recent authorisation made to roll over undisbursed appropriation from 2009-10 to 2010-11.

This package includes one instrument signed under 16B. The appropriation being rolled over was not disbursed during 2009-10 but is still required in 2010-11 to enable completion of the projects outlined in the instrument. The instrument authorises a total of \$16.873 million in rollovers from the Department of Treasury, comprising \$1.39 million net cost of outputs; \$595,000 departmental capital injection and \$14.8 million territorial capital injection.

These rollovers have been made as the appropriation relates to commitments that have been entered into but the related cash is not yet required for expenditure during the year of appropriation, for example, where capital works projects are initiatives for

which the timing of delivery has changed or been delayed, where outstanding contractual or pending claims exist or where there are delays in implementing budgeted recurrent initiatives.

Recurrent appropriation rollovers include \$1.262 million for the whole-of-government capital improvements program, \$98,000 for national partnerships to deliver a seamless national economy and \$30,000 for the territory revenue systems upgrade. The departmental capital injection rollovers include \$435,000 for the national partnership standard business reporting project to allow for the payment of invoices received in 2009-10 and \$160,000 for the territory revenue systems upgrade. Territorial capital injection rollovers include \$14.888 million for the affordable housing action plan land rent scheme to provide funding for an expected increase in land rent settlements.

Details relating to these rollovers are provided in the instrument and I commend the paper to the Assembly.

Papers

Mr Barr presented the following papers:

ACT Budget—Budget priorities—2011-2012—

Government Schools Education Council—Advice, dated 15 December 2010.

Non-Government Schools Education Council—Advice, dated 9 December 2010.

Health, Community and Social Services—Standing Committee Report 4—government response

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

Health, Community and Social Services—Standing Committee—Report 4—*Love Has Its Limits—Respite care services in the ACT*—Government response, dated April 2011.

I move:

That the Assembly takes note of the paper.

I am pleased today to table the government's response to the Standing Committee on Health, Community and Social Services report *Love Has Its Limits—respite care services in the ACT*. The Auditor-General's performance audit No 3 of 2009, *Management of respite care services*, reported on government respite houses for people with a disability. The audit concluded that services met clients' basic needs for safety and respite care and that access to services was reasonable, with most services being provided to people with the greatest need.

The audit found scope for improvement to the quality and equity of services and made 14 recommendations. Of those, the ACT government has agreed to 10, agreed in part to one and noted three. As of April 2010, the actions resulting from recommendations have been completed.

The ACT government welcomes the standing committee's report as it addresses a wide range of issues informed by the personal experience of those families caring for a child or adult with a disability, carers of people living with a mental illness or elderly parents and people receiving care. This report benefits greatly from their submissions, and I thank everyone who took part, who participated.

The role that carers play is vital. We have recognised this through the ACT government's caring for carers policy 2003, which provides a framework to recognise and support the diverse needs of people providing unpaid care and to support persons with needs associated with disability, ageing, ongoing physical or mental illness or substance abuse.

Most recently, the government asked the community for its view on the ACT carers charter. This charter recognises that carers in the ACT come from all ages, including young carers aged under 18 years and young adult carers aged 18 to 25 years. It recognises that young carers and young adult carers require support in order to access the same life opportunities as their peers.

It also recognises that older people often provide primary care to family members, particularly in the Aboriginal and Torres Strait Islander community. These carers may be grandparents, uncles, aunts or other significant persons in the life of a child and these carers require supports that promote carer health and wellbeing, so that they too, in turn, are able to meet the needs of the persons who are in their care.

As noted by the standing committee, the object of the inquiry was to look at the full range of respite care services for people with a disability, mental illness and the elderly. In all, the standing committee made 28 recommendations in its report and the government agrees with seven of the recommendations, agrees with one recommendation in part and agrees with another seven recommendations in principle. The standing committee report is timely as the government is commissioning a feasibility study into respite services delivered by Disability ACT.

My department has established a respite service stakeholder group to inform the feasibility study and to provide advice on service models that best meet the needs of children, teenagers and adults with a disability. The respite service stakeholder group comprises people who currently or previously have used the respite services, parents and families of people who currently or previously have used the respite services, Housing ACT, Disability ACT respite service, the Aboriginal and Torres Strait Islander community, Therapy ACT, specialist schools, the Department of Education and Training and Carers ACT. This group is well placed to give due consideration to these matters raised in the standing committee's report, particularly around therapeutic and creative outlets for residents at the respite centres.

I have already announced my department is commissioning work around the provision of after-school and holiday care for older children who have a disability. This will enable a range of costed options to be identified, along with recommendations on the current location provision.

For the information of members, I can provide the following on the piece of work that is being commissioned: the work will provide information on a range of options and costings for the provision of specialist after-school and vacation care, support for children and young people with complex behaviour associated with autism and other developmental delays and who require significant support to assist them to develop their life skills and social development.

It will bring forward stakeholder feedback, literature, research and evaluation of contemporary best practice and design setting for specialist after-school care and vacation care. It will match current needs to the available resources, the demand for services and the options for delivery of the service, including specialist school environment, costings for each of the options and the risks and benefits of these options. The work will include consultations with the respite stakeholder group, Autism Association, Carers ACT, just to name a few.

The government's response to the standing committee highlights that the government is on the right track. The implementation plan 2010-14—future directions: towards challenge 2014—outlines the disability policy and service priorities for ACT actions through to 2014. Implementation of the actions will be a combined effort with the assistance of people with a disability, their carers, families and stakeholder service providers. During the development of future directions, we heard that people with a disability and their families want the ACT government to invest in flexible funding models, approaches which provide greater choice and control over the way they obtain their support services and innovative approaches to supported housing options such as the intentional community, which I recently announced.

The ACT government is committed to providing an appropriate level of resources for disability services. In 2005-06, the ACT Treasury and the Department of Disability, Housing and Community Services modelled current and future demand and costs for formal disability services in the ACT. The model identified the requirement of ongoing growth to meet future demand. This reflects the fact that as people with a disability age their support needs generally increase.

The ACT government has significantly increased recurrent funding for disability support since 2002-03, from \$41.5 million to \$74.1 million in 2010-11. This represents a 79 per cent increase in annual recurrent funding, and resources available for the support for people within the ACT community will continue to be allocated on an equitable and transparent basis in a manner which enables the available resource capacity to reach those most in need.

The standing committee notes the need for robust quality assurance processes for our service providers, and I am pleased to advise that the number of service audits have

increased. In 2010-11, 15 audits were undertaken, and we will target another 15 audits in 2011-12.

Work is also underway to strengthen the quality and compliance of services through the development of a pre-qualification process. This will allow for the necessary reassurances about quality, capability and eligibility of potential providers of disability services funded by the department of housing and community services.

The ACT government supports a no wrong door approach in service delivery in mental health and the disability sector. We know that finding formal supports and services when you do not know what you are looking for presents a challenge, even in a city as small as Canberra. The government is exploring a range of activities to strengthen and streamline access to information, including information resources, an agency help desk function, agency education and information and potentially developing an information-sharing network.

There is also a commitment across ACT human services agencies to make sure that service access is simplified and streamlined. Examples here include Housing ACT and Therapy ACT, where they have both developed a centralised intake system.

Again, I would like to thank the standing committee for this report and I would again like to thank the members of the committee and, importantly, I would like to thank those individuals and organisations who provided submissions and came before the committee. They certainly have added depth to the report which the government has responded to.

But we know that there are always opportunities for improvement in the way we provide and deliver services and we believe that this report will assist the government to build on the work undertaken since the Auditor-General's performance audit No 3 of 2009, *Managing respite care and services*. Finally, I thank the committee for the report and I look forward to working through the recommendations.

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

Cross-border relations

Discussion of matter of public importance

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

The importance of cross-border relations.

MR COE (Ginninderra) (3.09): I think it is timely that we should be discussing this matter of public importance, that being cross-border relations. Of course the territory is an island in another jurisdiction and we as a parliament and the ACT government

need to ensure that we are on good terms not only with the surrounding New South Wales councils and the surrounding New South Wales state members of parliament but also with the New South Wales government itself.

I have to say that, as of the election on 26 March, dealing with the cross-border issues should be much easier, dealing with an O'Farrell-led coalition government in New South Wales. The overwhelming electoral success of the New South Wales Liberals and Nationals showed that the New South Wales government under Labor simply was not functioning. It simply was not delivering what the people of New South Wales had expected it to do and had elected it to do.

I think we in the territory will be beneficiaries of the professionalism that will come about as a result of the decision made by the electors of New South Wales in the 93 electorates which returned some 70-odd members of the coalition, 70-odd members in a new government led by Barry O'Farrell and Andrew Stoner.

When comparing the form of this incoming Liberal government to what has been, it is important to note some of the milestones which have marked the last four terms of Labor in New South Wales. In particular, it is worth noting the issues which have dogged the New South Wales government just in the last term alone, between 2007 and 2011.

Since New South Wales Labor were elected in 1995, we have seen many ministers come and go and many chief ministers come and go. In fact, I imagine Jon Stanhope sitting there with a New South Wales premier would be a bit like speed dating, with a new one popping up every few months for Jon to get to know. Then, sure enough, they are booted out and Jon has to reintroduce himself and do a bit more of the territory's bidding, trying to get a better deal for ACT health, ACT transport and the many other issues which are of key importance when it comes to cross-border relations. Going back to the issues since the March 2007 election, it is important that we get them documented, even in this place, so that we are ever vigilant not to allow such a thing to ever dog us here in the territory.

Let us remember back to April 2007, when Paul Gibson was dropped from Morris Iemma's proposed ministry after a domestic violence allegation. The police investigated, but they did not end up laying charges. In December 2007 Phil Koperberg stepped down and he was later reinstated in January 2008. In March 2008 the then former Aboriginal affairs minister, Milton Orkopoulos, was convicted of child sex and drug supply offences. He was sacked in November of 2006 and retired as an MP just before the 2007 election. In March 2008 the government sacked the Wollongong City Council and had to appoint administrators after ICAC said there was systemic corruption, including that several Labor councillors had had an improper relationship with a developer.

Then in June 2008 of course we had Iguana-gate. Wasn't that a great moment in Australian political history! It kept many papers in business for a few weeks. That was of course when staff at the Iguanas waterfront restaurant in Gosford alleged that they were sworn at by the then education minister John Della Bosca and his wife, the former Labor MP Belinda Neal; that is of course before she was dumped at

preselection for that seat. Then in June 2008, later that month, Iemma suspended John Della Bosca and demanded that he issue an apology. Then in August 2008, police actually ruled out any charges against anyone with regard to the Iguana-gate affair and John Della Bosca was back, bigger and better than ever. However, it was just a year or so later that John Della Bosca had to resign from the ministry after it was revealed he had an affair. Here we go: this is the calibre of the people that we have in the New South Wales Labor Party just over the border, I might add, and colleagues of those opposite in this place.

In September 2008 the newly appointed police minister Matt Brown had to quit after he lied to the then premier Nathan Rees about dancing in his underpants at a post-budget party in June. Wouldn't that be a sight? The only thing I can imagine worse than that would be seeing one of these ministers doing the same sort of thing post-budget in May. So stay tuned, everyone in Canberra. Stay tuned and lock up everything and everyone you can, because no-one would want to see anything of the sort here in the territory, or in any state for that matter.

In November 2008 we had Tony Stewart being sacked as the small business minister after it turned out he was bullying a female staffer. In May 2010 we had the parliamentary secretary Karyn Paluzzano having to resign from her office and quit as an MP after she lied to ICAC about false claims for a parliamentary allowance. Then of course in May 2010 we had the transport minister David Campbell resign after he was filmed leaving a gay sex club. In June 2010 we had the state development minister Ian Macdonald resign after claims that he had misused taxpayer funds to pay for a trip to the Middle East.

In September 2010—here we are, just six months before the election—the ports minister Paul McLeay had to resign after revelations that he accessed sex and gambling websites on his parliamentary computer. Then in December 2010, just three months or so before the election, the new Premier Kristina Keneally, the fourth premier since Labor took government in 1995, had to sack the Labor MP Angela D'Amore as parliamentary secretary after ICAC found that she had rorted staff expense claims.

That is quite a litany and it does really show the calibre of the New South Wales Labor Party. Is that evidence not hard enough about just how hard it is for an ACT government or an ACT parliament to deal with the New South Wales government on cross-border issues, on things such as medical treatment or education, general work opportunities, commerce and cultural facilities, using the Canberra airport and ongoing tourism and recreational issues? These are all important things that the ACT government and the ACT Assembly should be able to liaise with the New South Wales government on. They should be able to do that very easily.

We can of course easily communicate with the Queanbeyan City Council. Mayor Tim Overall is very accessible and always willing to engage in cooperative dialogue when it comes to this region. When it comes down to it, the border between Canberra and Queanbeyan, the border between Canberra and Murrumbateman, or Canberra and Cooma, or Canberra and any place, the ACT and any place in our region, really is only a border when it comes to administrative reasons. The average person in the

street does not notice a huge difference when they drive across the border near Hall or when they drive across the border down south of Tuggeranong. It does not mean a great deal to them. It is only an administrative hurdle and that is why we need to ensure that it is a seamless transition and that we are actually getting the economies of scale that we can if we choose to treat this area as an area of half a million people rather than 350,000 people on one border and 150,000 on the other side. It is absolutely vital we do get those economies of scale and we can only do that if we have cooperative dialogue.

One such issue that we need to have cooperative dialogue on is transport. I find it amazing that here we have a bus network in the ACT, ACTION, which is operating at a tremendous loss and delivering very poor service, while Deane's over the border are desperate to assist us. Yet it seems the ACT government are unwilling to engage in genuine dialogue to see if something palatable can be worked out that suits all the stakeholders. They say they have got these forums. They say that they have them every quarter; they have a press conference. What actually changes? What is a tangible thing that has actually changed?

Mr Stanhope is going to get in here and talk about regional policy. He is going to talk about all these different things. But at the end of the day what is actually changing here in the territory? What genuine financial arrangements has this government come to with the New South Wales government over recent years to improve the level of service delivery for Canberrans but also for those across the border?

I said earlier about the scandals that have dogged New South Wales Labor in the recent term being perhaps not bad enough. Perhaps we could go to a "dear John" letter from 2008 by none other than Mr PJ Keating, the Hon Paul Keating. What did he say about the now Leader of the Opposition in New South Wales? It was a cracker; it was a cracker of a letter. I do not think I could possibly articulate this in the same sort of manner that no doubt Mr Keating would have done had he been in my shoes. But it is a cracking start:

I am writing on the occasion of your swearing in as a member of the New South Wales Legislative Council.

But this is not a letter of congratulations.

You have replaced a man, who despite his idiosyncrasies, had much to offer the people of New South Wales and the Labor Party. And indeed, someone who in troubled times, had an economic position and a framework to work in. Like his colleague, the former Premier, Morris Iemma, he sought to deal with the great and unfinished problem of New South Wales electricity and the provision of capital for new base load power.

Your manipulation of the union base in New South Wales, with the connivance and support of the Party President, Bernie Riordan, succeeded in destroying the political life of both men, and with them, probably the Labor Government of New South Wales itself.

That was 2008. Mr Keating was ahead of his time, you could say. He was ahead of his time. It goes on and on and on. It is an extraordinary letter, an extraordinary disendorsement, an extraordinary condemnation of the man who is now the alternative premier in the state of New South Wales. This is the calibre of person that those opposite share a political party with, the calibre that these people campaign for and the calibre that these people rampantly defend at every opportunity.

We are very fortunate that across the border here we have got a superb new local member in John Barilaro. John was elected just a week or two ago and brings to the New South Wales parliament amazing experience. He is a born and bred local. He went to school locally. His family set up a business 25 years ago, which he is now running, which has employed dozens and dozens of people over the years, and he really does bring a fresh new face to representation in Queanbeyan, Cooma, Braidwood, Bungendore, Bombala and the many other places in the electorate of Monaro.

But most importantly for us here in the ACT he will be an easy person for us to deal with—easy for the opposition, for the crossbench and for the government to deal with—when it comes to solving the regional issues which confront us all. It is absolutely vital that we have a genuinely collaborative effort when it comes to solving the problems of our region and ensuring that the issues we face are not insurmountable. I am very confident that John Barilaro is going to be able to deliver a tremendous amount to the people of Monaro but indirectly also to the people of the ACT through a collaborative approach which I know he will foster.

Cross-border relations are extremely important and it is extremely important that we get on top of them and that we do so as collaboratively as possible. I commend this issue as something the ACT government needs to work harder on and I am sure my colleagues will reiterate the concerns that we have and also the opportunities there are for ensuring that cross-border relations improve in the future.

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) (3.24): I welcome the opportunity to speak about the important issue of cross-border relations. I think Mr Coe exhibits the contempt which the Liberal Party has for cross-border relations by using the last 15 minutes simply for a party political attack on my Labor Party colleagues in New South Wales.

In doing that he has to some extent in a very personal way commented on lifestyle and lifestyle issues and personal issues affecting some of my colleagues. Commenting on personal issues of Labor Party politicians in New South Wales is, by any definition, gutter politics and it really is a pity to see Mr Coe, in a debate on an important issue around cross-border relationships between two governments, use the opportunity, supported by his Leader, to simply launch a personal attack on personal issues relating to members of the Labor Party in New South Wales. It really is gutter politics in the

extreme and it really does, I think, illustrate the contempt with which the Liberal Party in this place treats this important issue of cross-border relations.

The ACT and New South Wales actually enjoy, have traditionally enjoyed and I have absolutely no doubt will continue to enjoy a close relationship as a result of our quite unique cross-border circumstance and our interdependence. Canberra's location at the centre of the Australian capital region makes it the principal service for the surrounding 13 local government areas in south-east New South Wales. The ACT government acknowledges the importance of our region and is very keen to optimise the potential of the area. The importance of the region of course is emphasised by the fact that the local government areas adjacent to or adjoining Canberra are amongst the fastest growing in New South Wales. Of course they are amongst the fastest growing in New South Wales because of their co-location with Canberra, with the ACT. Indeed, much of the region surrounding the ACT is projected to grow as fast as the ACT in coming decades.

It is interesting to reflect that I am advised just over 20,000 people now cross the border from New South Wales into the ACT every day for the purposes of work. The ACT government also of course provides a range of services to New South Wales residents coming to Canberra I think most visibly to access health care and education as well as other services that are provided here within the territory. Approximately 25 to 30 per cent of our public hospital activity derives from New South Wales, and somewhere in the order of 30 per cent of our waiting lists for our public hospitals are New South Wales residents. Interestingly, around 10 per cent of school students in the ACT are from the surrounding New South Wales region, most particularly from Queanbeyan and Jerrabomberra. I do not have the latest numbers but my understanding is that somewhere in the order of 5,000 students from New South Wales, resident in New South Wales, attend school in the ACT.

Of course there has been a change of government in New South Wales and I look forward to making early contact with the Premier, Barry O'Farrell, and his government, and most particularly those ministers we work closely with. I know that the Minister for Health and other ministers will similarly make contact with their colleagues in New South Wales to establish early good working relationships so that we can pursue a range of issues of mutual interest to both governments and the people of this particular region.

There is, of course, a framework around arrangements for enhancing service and cooperation within the region. As always, more can be done and we will seek always to enhance our activity. Particular areas of focus in relation to cross-border relations include issues around health, water, transport and planning, most particularly the Sydney-Canberra corridor. I think the importance of cross-border relationships to some extent was implicit in the motion moved by Mr Rattenbury last week in relation to water quality within our lakes here within the territory and the way that our systems are interdependent and the health of Lake Burley Griffin is very much dependent on the health of those watercourses that supply it. But there is considerable work currently underway between ACT officials not just to develop but to sustain good relations. I have absolutely no doubt that those good relations will be maintained with the now government of New South Wales.

For instance, in 2006 the ACT and New South Wales governments signed the ACT-New South Wales Regional Management Framework. This framework agreement is based on a number of principles including the fostering of a closer working environment for the ACT and New South Wales governments and establishing adequate consultation and notification mechanisms for actions that may impact on different jurisdictions. Within that context, the ACT government and its officials meet with the New South Wales counterparts to progress particular issues. The New South Wales Department of Premier and Cabinet also has a place, with a regional coordinator located in Queanbeyan to assist with that process of facilitating contact between the two governments.

We have a long history of regular engagement with local governments throughout the capital region, the most notable example of course being the Regional Leaders Forum. The forum meets twice each year and brings together the mayors and general managers of the 17 local councils in the capital region, state and federal members of parliament with seats in the region, and representatives of the Regional Development Australia boards. The forum was previously co-chaired by both the ACT Chief Minister and the minister for regional development, and I am hoping that a similarly high level of engagement can be maintained with the new government.

The Regional Leaders Forum fosters goodwill and cooperation across the region, and provides a valuable opportunity for regional leaders to meet and share information about issues which affect our communities. The most recent meeting of the forum was held in Canberra on 13 August last year when the members agreed on the value of the forum as a mechanism for the development of the region and reaffirmed that their strong support would continue.

Another example of the goodwill and cooperation that has developed is the preparation of the State of the Environment Report by the ACT Commissioner for Sustainability in the Environment for each of the 17 councils in the Australian capital region and the commissioner indeed is a regular attendee at the Regional Leaders Forum. The ACT government is also working closely with academics from both the ANU and the University of Canberra following the establishment of Canberra Urban and Regional Futures, CURF, which is a platform for information sharing across organisations in the Canberra region.

The ACT government acknowledges the importance of research that focuses on our region, and work is currently underway within the Chief Minister's Department to refine the concept of a regional demography for the ACT, which will include further research on the drivers of regional population growth and the impacts of that on service delivery. I also meet regularly with the Mayor of Queanbeyan, Tim Overall, to discuss specific issues affecting Canberra and Queanbeyan. We have developed a very good relationship over time, and even though there are issues on which we do not agree, most particularly for instance the Tralee development, we nevertheless work very constructively with the council and have for a number of years on issues around transport, road infrastructure and connections arising from proposed developments or development across the border.

The work in relation to transport and infrastructure of course is now being progressed through the Eastern Regional Transport Taskforce which we established last year, with the then New South Wales minister for primary industries, Steve Whan, the Mayor of Queanbeyan, Tim Overall, and I agreeing to establish that task force, which is looking quite rigorously at transport links between our two cities and seeking to determine what we can do to improve or enhance them. The task force has considered, and continues to consider, issues like the need for public transport priority on Canberra Avenue to help increase the Queanbeyan to Canberra public transport share, which currently is less than two per cent of all trips, and the ACT government as a direct response to the task force has committed an initial \$8.2 million for enhancing those contacts, most particularly in the context of Canberra Avenue.

There is a need for better public transport service options between the two jurisdictions, including a rapid service into Queanbeyan via Canberra Avenue—subject to our being able to deal with cross-border issues, most particularly with the two bus networks, ACTION and Deane's. There is a need for park and ride options to support consumer choice to use public transport, and we have indeed committed \$4 million over the next four years to investigate, design and construct an extensive park and ride network to take advantage of the existing Red Rapid service. The task force is an important forum where major cross-border transport issues can be discussed and resolved, and the ACT government strongly supports its continued work. It is an issue of course that I will be taking up early with the New South Wales Premier.

Strong cross-border relationships of course extend beyond our immediate region from the necessarily close relationships with New South Wales to our ongoing engagement with other jurisdictions and the Council of Australian Governments, COAG. Through COAG the ACT continues to work closely with the commonwealth and other states and territories on issues of national significance, and it is a valued contributor in that field, playing an active and constructive role. ACT government officials are committed to striving to both protect and enhance the ACT position while contributing to the cause of national reform. It is the strength of the personal and institutional relationships developed as part of this work, primarily through ministerial councils, that allows the ACT to influence the course of intergovernmental relations on a multilateral as well as a bilateral basis. It reflects our commitment to the national good, as well as to advancing the interests of the ACT.

In conclusion, I will touch just briefly on the commonwealth government's Regional Development Australia initiative, the RDA initiative. Members would of course be aware that the chair of the Canberra RDA is Craig Sloan. As part of this program the commonwealth government has established committees across Australia, supported by the relevant state and territory governments, in order to form a cohesive national network and to eliminate duplication in regional development. These committees form a vital connection between all three levels of government. The federal minister for regional Australia, Simon Crean, views the committees as an effective way to join the dots across governments, across complex and diverse regional issues, and across regions, and indeed between the public and the private sectors. I support and endorse Simon Crean's approach to regional development.

In May 2009 the ACT and Australian governments established Regional Development Australia ACT, commonly known as RDA ACT, under a memorandum of understanding. Under this agreement, both governments provide operational funding to support a small secretariat. The specific work programs of RDA ACT are still undergoing development and will be strongly influenced by initiatives which will be part of the Australian government's recently announced regional focus and funding programs. RDA ACT has been very active. It has established an agreement to coordinate cross-border community and economic development initiatives relevant to the ACT and southern inland region of New South Wales, and has recently identified three priority areas—transport, education and the environment—which will be the initial focus of their activities.

A regional consultative forum is being planned for mid-May to consult with the community on these priority areas, and indeed though I meet reasonably regularly with Craig Sloan to discuss progress in relation to the work of the RDA, there are some issues emerging in relation to the relationship between RDA ACT, confined as it is within the borders of the ACT and the broader region, and it may be, and this has already been signalled, that an RDA confined by the ACT border may not necessarily provide the best model for engaging the ACT government through the RDA with most particularly commonwealth interests within the region, reflected of course most particularly by the commonwealth's contribution or commitment or responsibility for the national road network.

To conclude in the spirit of the motion as interpreted at least by the government in this matter of public importance today, namely the importance of our cross-border relationships, I would highlight the considerable effort that the ACT government and its officials make and have made to develop and sustain excellent cross-border relationships with our local government neighbours and the New South Wales and Australian governments irrespective of our politics, and without political persuasion and debate about the nature of politics of our particular government, which I would have thought should be irrelevant. It is a matter of some concern to me that the Liberal Party think party issues should be front and foremost of any discussion of cross-border matters. *(Time expired.)*

MR SESELJA (Molonglo—Leader of the Opposition) (3.39): I note the Chief Minister's sensitivity in seeking, again, to defend the New South Wales Labor Party. You can understand why he would be sensitive about it. It is difficult to take seriously his claim that he is going to have a good working relationship with the new government when we saw that right to the bitter end, despite this scandal-plagued, in some cases corrupt and criminal element, the Chief Minister was still praying and hoping for a miracle on 26 March. He was hoping for a miracle that this corrupt government, the New South Wales Labor government, would somehow manage to dupe the electorate into being returned to government.

That is what the Chief Minister was hoping for on Saturday the 26th. That is what he told the people of the ACT through the *Canberra Times*. It is difficult to take seriously his claims, firstly, about partisan politics and, secondly, about his ability to

work with his colleagues. The question is, and this is what the Chief Minister is on record on—

Mr Stanhope interjecting—

MADAM ASSISTANT SPEAKER (Mrs Dunne): Order, Chief Minister!

MR SESELJA: He is on record as backing the most corrupt government perhaps in Australian history. He will back them to the hilt. That is what he did a week ago; he backed them to the hilt. But the people of New South Wales, of course, tossed them out. Others were distancing themselves from that corrupt government, but not Jon Stanhope.

It is worth taking the opportunity here in the Assembly to congratulate not just Barry O'Farrell and Andrew Stoner but also some of our local representatives, the regional MPs, who have done very well and a number of whom have picked up ministries. Pru Goward had an outstanding result and is now the Minister for Family and Community Services and the Minister for Women. Katrina Hodgkinson, the member for Burrinjuck, who has now been appointed the minister for primary industries, did a fantastic job. John Barilaro ran a sensational campaign and wrested the seat of Monaro from Steve Whan. I congratulate Matthew Mason-Cox in the upper house—he was not re-elected this election, but he works very hard for the people of the region and is based in Queanbeyan—and Melinda Pavey, who has had a lot to do with the region as well. I would like to congratulate each of those.

It will be important that we foster relationships not just with Premier O'Farrell and senior ministers but also, particularly, MPs, some of whom are ministers in our region, because they have a very strong interest in the region and a very strong interest in cross-border relations. I think that is true of the new New South Wales government, and it has been for a long time. I note that they have had a strong cross-border focus with things like the Cross-Border Commission Bill, which they put forward from opposition.

I think that shows the strong cross-border focus that they have. They represent regional communities, whether they are in places like Queanbeyan and Cooma, in Tweed Heads or down on the Victoria-New South Wales border. It is the coalition that represent these regional communities. Therefore, they see a strong imperative to having good cross-border relations. Indeed, it is very important for the people of the ACT that we foster those relationships. That is why I commend Alistair Coe for bringing forward this matter of public importance.

I think it will be much easier to work with a government that, frankly, is not corrupt. It is difficult to build and foster relationships amongst ministers, shadow ministers and members of parliament when all we get from New South Wales Labor is a string of scandals. The Chief Minister, in his response to what Mr Coe had to say, in his sensitivity to this point, was trying to say, "He's just trying to dig up all these personal issues." Was the Wollongong City Council planning scandal a personal issue? Was it a personal issue or was it an issue of corruption? Clearly, it was an issue of corruption.

We have seen downright criminality from ministers, such as Milton Orkopoulos. That is not a personal issue; that is a criminal issue. Milton Orkopoulos, a New South Wales Labor minister, has been convicted of serious child sex offences. These are not personal issues and they cannot be written off as such. These go to the character of that government, and the reason it is important for us is that it also goes to the stability of that government.

It is very difficult to build lasting cross-border relationships and develop partnerships, whether in transport, health or any other aspect of regional development that is relevant to the people of the ACT when you have got a corrupt and inept government, which is what we have had for the last many years in New South Wales. To defend that corrupt government, as the Chief Minister does, just shows that the Labor Party will defend anything. They will always defend their own regardless—regardless of criminality and regardless of corruption. We can go through a pretty long list—whether it is Ian Macdonald with his travel rorts, Paul McLeay, Iguana-gate, the undie-dancing Matt Brown, Angela D'Amore, Karen Paluzzano, Milton Orkopoulos or the Wollongong City Council. They are just some examples of New South Wales Labor.

We know that the ACT Labor Party is not actually in control of its own destiny anymore. It is being controlled by the national executive now, which of course is dominated by New South Wales. It is dominated by New South Wales Labor. So the ties are indeed very close—hence, I think, the sensitivity from Mr Stanhope, who continues to hope for a miracle, it would seem. No doubt he will be hoping in four years time that there is a return to the kind of corruption, criminality and ineptitude that has characterised New South Wales Labor over these past few years.

Madam Assistant Speaker, I commend the efforts of our colleagues in New South Wales to build strong cross-border relations. I think that if we embrace that willingness and that openness, if we take the opportunity that is presented by the fact that we now have strong representatives in government in New South Wales here in our region, with an interest in our region and with the desire to work with the ACT on improving outcomes for people in the region, there will be positives for the people of the ACT. There will be positives in health. A better working relationship with the New South Wales government will be a positive for us in health. It will be a positive for us when it comes to regional infrastructure. It will be a positive for us when it comes to public transport. There are a whole range of areas where a positive working relationship across the border is a good thing for the people of the ACT. That is why it is important. We are not an island.

As we contemplate some of the issues—issues that have not been mentioned, such as water and housing affordability—we are, unfortunately, seeing that the region outside of the borders of the ACT is becoming the first choice for many of our young families because that is the only place where they can afford to buy a home. Why is that, Madam Assistant Speaker, and is that something we are comfortable with?

We in the opposition, in the Canberra Liberals, are not comfortable with that. We believe that we should be trying our best to keep people living here in the ACT, not

just working in the ACT. There are benefits for us in terms of our revenue base. There are benefits for us as a community if people choose to settle here rather than in the region. Many will choose to settle in the region, and we should work with them and we should maintain good relations with them. But, unfortunately, for many young families here in the ACT that is becoming less and less of an option and less and less of a reality. The region is becoming their first choice, not because that is the way they want it to be but simply because that is the only way that they can find affordable accommodation.

I commend the MPI and I commend Mr Coe for bringing it forward. It is important that we work very effectively with our regional councils, with Tim Overall, the Mayor of Queanbeyan, and with the New South Wales government led by Barry O'Farrell, represented here and in the region by many fine MPs and a number of fine ministers, so that we can get very good outcomes—so that we can get better outcomes for the people of the ACT into the future.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (3.49): The ACT, as we know, is an island in New South Wales and, while cross-border relations are of course essential for all Australian jurisdictions, they are particularly important for us. The range of responsibilities that state and territory governments are charged with in the Australian federal system means that we rely on our neighbours to consider the impacts their decisions have on us in the territory. The scope of cross-border impacts cannot be overstated.

I think the best way to address the issue put for discussion today is to go through a number of the key issues and offer the Greens' views on those. The Greens could not agree more that it is vital for our region that planning in the ACT is coordinated with planning in the wider New South Wales region. The ACT is completely co-dependent on sharing the same resources, such as water in our catchments, rivers and dams, our water pollution, our air, our roads, our agricultural land and of course our broader natural environment.

It is precisely for this reason that the Greens pushed for an Assembly inquiry into the ecological carrying capacity of the ACT and region to ensure that we take into account the broader impacts and resource capabilities for us and our close New South Wales neighbours. It is certainly frustrating that a suburban development such as Tralee can be approved solely through the New South Wales planning processes; yet it will have a significant impact on the ACT as well. The same issue, of course, applies to our borders in the other directions and it could be very useful to coordinate better with local towns surrounding the ACT such as Yass, Cooma and Sutton. While planning for our infrastructure continues to stop at political borders and ignore the real parameter, the geography and usage patterns, we will continue to deliver substandard infrastructure.

On the issue of transport, our transport planning, for example, is one of the key areas that could be significantly improved. The Queanbeyan and ACT populations are growing fast and it is a shame that there is not far better coordination of our transport systems and bus companies in particular. Clearly a more efficient and cohesive system is required for the around 60 per cent of Queanbeyan residents who work in the ACT

each day and for those 40 per cent of Queanbeyan employees who reside in the ACT. We need to coordinate better public and private transport options for town and rural residents within and around the ACT.

Emissions from transport will be a persistent and significant challenge for the ACT and it is absolutely essential that we address this now and develop the infrastructure and services that will be essential if we are to achieve our emissions reduction target.

One particular issue I would like to mention in relation to transport is the very high speed train. That train represents a huge opportunity for the ACT and for the government. The government should ensure that the ACT is included in the federal feasibility study and lobby for Canberra to be a key destination of the very high speed train.

It would be preferable for the ACT to be part of the main line between Melbourne and Sydney. We think that serious consideration should be given to locating the train in north Canberra, adjacent to existing high-frequency transport systems. A dedicated high-frequency, limited-stop shuttle service connecting the train station located near Gungahlin-Mitchell with the city and the airport would provide connectivity between the airport and the very high speed train system.

If you look at food production, it is something we do not have much of in the ACT, though the weekly farmers markets are becoming increasingly popular. The Greens' motion on community gardens did receive widespread support. We rely almost completely on food production interstate. This is one area that the Greens would like to change. There is plenty of fertile land in the ACT which could be used for food production and it would be a shame to waste the opportunity to become a more resilient city. We are part of a very productive region that, carefully and sustainably managed, can provide food for the ACT for many years to come. It is vital that we acknowledge this fact and work constructively with the region.

In the area of health, the Greens were disappointed that the recent establishment of a local hospital network did not recognise the important role that the ACT provides as a regional provider of health services. Community submissions to the ACT government's discussion paper about the establishment of the ACT local hospital network strongly preferred the regional model.

The ACT government has stated that this issue is being worked through with the New South Wales government, and we hope the change of government in New South Wales does not affect this. The Greens remain hopeful that the negotiations will be successful so that our bureaucracies can better mirror and respond to the health needs of consumers and how they engage with health services.

The Greens support proposals for ACT Health to lease spare capacity within Queanbeyan Hospital to perform elective surgery. While changes are being made to make more efficient use of ACT operating theatres, there is limited capacity. To purchase space over the border when it is needed seems like a sensible use of resources. The Greens do hope that this will come into effect soon to assist in reducing elective surgery waiting times.

In relation to mental health, we are aware of members of the ACT community who have gone to stay at a community organisation called Home, in Queanbeyan. They have gone there because there is nowhere available or suitable in Canberra. There have been problems when those people became unwell and they were subject to New South Wales mental health treatment orders. They have been taken to Goulburn to stay at its mental health acute wards, rather than to Canberra Hospital and Calvary. This affects patients' continuity of care and ability to access known and trusted health professionals in a time of crisis. I am not satisfied that we have got a completely satisfactory outcome in this area and I believe there needs to be further work done on it to ensure that people who are having a crisis are properly assisted.

Given the high rates of housing stress in Canberra, if you are looking at housing in Canberra, we are aware that people from Canberra have to be sent interstate when they become homeless. Many of them have gone to Goulburn and some as far away as Albury. We have recently received confirmation from the government that the sending of people interstate does not affect their status on the Housing ACT waiting list in that they will still be eligible. That is important and an outcome which we would expect to occur.

However, we remain concerned that Canberrans must go interstate in the first place to access homelessness services, and much more has to be done to provide emergency accommodation and relieve bottlenecks in our system, in recognition of the growing number of people becoming homeless because they cannot access affordable, secure and safe accommodation. The government recently announced the release of an additional nine dwellings for temporary accommodation but this is nowhere near enough.

On the issue of water, perhaps one of the clearest and most pressing issues that involve good cross-border relations is water and particularly the management of the Murray-Darling Basin. For too long, it has been the case that downstream states have pointed the finger upstream and vice versa. The cause of the problem has always been the state next door. And states' interests have always trumped the interests of holistic water management that would benefit the community and the environment.

Put simply, because we have not had good cross-border work on water, the catchments in the Murray-Darling have become over-allocated. Now science is telling us we are taking too much water out and not leaving enough for the environment. It is well known this over-allocation has come to a head recently and we have had the Murray-Darling Basin Authority recommend a new approach to water management so that we can resolve these issues.

Another point on water was made here last week, when we considered just how important cross-border relations are for the management of Lake Burley Griffin. And this is a very visible example of the need for a coordinated approach to resolve an issue and improve amenity for ACT residents. I truly hope that this is going to have a good outcome.

Looking at biodiversity and the natural amenity of the ACT is another area that very much depends on good cross-border relations to ensure that the full range of impacts of proposals or actions are considered and can be constructively addressed by both jurisdictions to ensure the best outcome. I should say that there are quite a number of very interesting submissions on the committee's website in regard to the ecological carrying capacity inquiry and I would highly recommend anyone interested in the broader ecological impacts and issues that confront the ACT and region to have a good look at these submissions.

We are part of the region, and our relationship with the region, both at the state government level and the regional councils that surround us, must foster a productive exchange of ideas on all the issues I have outlined as well as many others facing the community. It is in the interests of both governments, ACT and New South Wales, to put aside any differences and engage productively to provide the best outcomes for residents on both sides of the border.

I do note, in Mr Stanhope's speech, he did speak about the ACT-New South Wales regional management framework and the Regional Leaders Forum. I do believe that these are both important. One is a forum for discussing between mayors and councils and the ACT government issues that they are going to have to grapple with—coordination of building infrastructure and so forth. Hopefully this regional management framework is a good way to get some good planning right across the region.

I would, just on a final note, note and congratulate the Greens candidate in New South Wales, Jamie Parker, for his success at the weekend. (*Time expired.*)

MS GALLAGHER (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (3.59): I will just rise to talk about the very important cross-border arrangements that exist in the area of health because in terms of the practical impact of the cross-border relationship it is probably one of the most important areas where our governments work together.

We have extensive cross-border arrangements which are covered by agreement and negotiated under the Australian healthcare agreement. It was always envisaged that once the national health reforms were implemented there may be a requirement to look at the cross-border arrangements and payment arrangements as part of that, and I think that will have to be done in the lead-up to the commonwealth taking on a greater share of funding of hospital patients.

About 25 per cent of ACT public hospital activity emanates from New South Wales, the majority of this being residents of Queanbeyan but also of surrounding south-east New South Wales and west into areas like Wagga. These interstate and inter-regional patients are on average less well and stay in our hospitals longer, which is the reason why they have been referred to the tertiary hospital in their region. This does create some major cost impacts on ACT Health's budget and also on the ACT government in dealing with the recovery of some of the costs of providing those services.

I think this will always be an area where the ACT and New South Wales governments have some very robust discussions, regardless of the political colour of the government of the day, in the areas of the cross-border agreement. For example, we are still to finalise payments for several previous financial years. Whilst our data has been exchanged for these years, there are some issues which need to be resolved for this period. A data audit is currently underway to resolve these outstanding issues and it is expected that once that is finished these payments will be able to be finalised.

As part of the national health reforms agreed by the Council of Australian Governments, local hospital networks are being implemented across the country. The ACT Assembly has recently passed legislation providing for a local hospital network for the ACT, which we intend to have established by 1 July 2011. The ACT government plans to implement a single LHN for the ACT, in the first instance confined to our geographic borders. I note what Ms Hunter has said and I share her view that we should move to a regional network in the future. I do not think that was at all possible in the first movements to an LHN structure. Some of the issues are significant and I think the major issues will be the industrial issues of how we work on those issues as they affect staff who work for New South Wales Health and ACT Health, but I do not think those problems are insurmountable.

I think the first step is to make sure that we have good memorandums of understanding in place with the two LHNs that abut the ACT border, which are the southern LHN and the Murrumbidgee LHN as they have been established. Indeed, I have written to the new Minister for Health today outlining some of the key areas that I would like to work with her on, which is a continuation of the work that has just commenced under the previous health minister, Minister Tebbutt, around progressing the work about a joint clinical planning exercise for the region and that the decisions that are taken in Murrumbidgee or Southern LHN, whether it is to expand or contract services, will have an impact on the ACT's LHN.

That is fairly non-controversial. If we can get agreement to have a joint clinical planning exercise so that everybody knows what services are being planned, what services are being expanded and what services are being ceased, we can better plan our hospital services for residents of the region.

The other area, of course, is Queanbeyan Hospital. I would like to continue to examine the possibility of using that hospital for public elective surgery. Our officials have been in discussions. I think it was getting complicated with the caretaker period and now the change of government, but hopefully those discussions can recommence. When we have got two public hospitals that are working to near capacity and bed occupancy is at levels where we are pleased but we do not want it to go higher, and we have an underutilised hospital just across the border where the infrastructure is fine, we should be able to use it. But these things are not easy and there are views around how we would be able to provide a service and who would provide the service at Queanbeyan. So that is another area that I would really like to have further discussions with the New South Wales minister on, and I have written to her today and hopefully we can have a meeting fairly soon to progress this.

There are other areas where the regional health system does work very well. I know on a day-to-day basis our hospitals are dealing with hospitals in Bega, Batemans Bay, Pambula and out at Yass. Those health professionals work very well in providing clinical support and transfer arrangements for patients when they need it. But again my view is that we need to do some better planning about decisions that are taken both in the ACT and New South Wales out of respect for the relationship, considering that 25 per cent of our work in the ACT certainly is New South Wales work. If we can get a better understanding of what services they are prepared to provide and staffing that is provided in those settings, it makes our job easier about planning as best we can the work that is going to head our way.

I remember a couple of years ago there was a change in some cancer services that were being offered, or in this case were not being offered, and we did notice an increase relatively quickly in the number of people coming to the ACT seeking treatment. So that is an important area where we need to do more work. But I would have to say that I think the regional network in a sense, whilst it is not administratively very clear, does work very well and people are treated in accordance with their clinical need regardless of where they live.

I know in renal services lately we have been doing some work around providing a renal service network with some dialysis facilities under clinical guidance from Canberra, to be able to provide those services in Cooma, with further units proposed in Young and Tumut. I know the clinical director of that service is very keen to make sure that the regional focus is maintained and that, whilst people might come to the Canberra Hospital at different points in time, a lot of their treatment can be offered in their regional settings under guidance from a tertiary and specialist hospital.

A lot of good work happens in the cross-border area. I think we will always disagree on how much we should be paid for it, and those discussions will always be robust. But it is important to note that we usually do end up with an arbitrated outcome and the parties abide by that arbitrated outcome. That is an important way that we resolve differences of opinion about how much we should pay for these services.

But the other positive is that having a greater catchment, heading up to 600,000 people for a health network, does mean that Canberra Hospital and Calvary are able to provide more services than they would normally should their population be only 360,000. That is important to remember. It is not just a one-way street. We attract health professionals here because of the complexity of the patients that present, and that is part of a regional setting. If we were just the ACT alone and not caring about our regional boundaries, we would not be able to offer the range of services that we currently do to our own community, and I think that is important to remember in the debate.

MR ASSISTANT SPEAKER (Mr Hargreaves): There being 15 seconds left, members, I would rule that the time for the discussion has now expired.

Adjournment

Autism Awareness Month

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) (4.09): I move:

That the Assembly do now adjourn.

I would like to take the opportunity to bring to the attention of the Assembly that April is Autism Awareness Month. Here in the ACT we know that autism affects around one in 100 people and is one of the fastest-growing developmental disabilities across the world. Currently, there are no known cures for the condition of autism spectrum. The condition can take many forms but often impairs a person's ability to communicate and makes social interaction difficult. It can also include restricted and repetitive interest and unpredictable behaviours.

The everyday challenges faced by people on the autistic spectrum and their carers can be considerable. The community at large is generally ill-informed about autism and this compounds a sense of isolation felt particularly by young people with autism. Autism Awareness Month seeks to address these issues by increasing community understanding of autism whilst also celebrating some of the unique talents that people on the autistic spectrum bring to the world.

On 15 April, Autism Asperger ACT are marking the month with a third annual Bubble Day, a day on which they invite the whole Canberra community to burst the bubble on autism. The symbolism of bubbles also is used to help children burst out of their bubbles of isolation. To help celebrate the day, a professional bubble-maker will be performing an exciting bubble show to entertain the pupils, teachers and parents at Cranleigh school.

In the past, this event has helped schools in their efforts to increase understanding of autistic spectrum disorders in the school community and integrate children with ASDs into the classroom and playground environment. Many schools and community groups within Canberra have previously taken part in a variety of Bubble Day activities. I would like to congratulate Autism Asperger ACT on their ongoing work. I understand that their new ACT government-funded family support officer is doing some great work. I wish them every success, as they support Canberra families, but I particularly hope for a very successful Bubble Day on 15 April.

Youth Week

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (4.11): I am using the adjournment today to talk about the launch of Youth Week. Last Friday it was the usual launch at Garema Place with the Youth Expo and it was pleasing to see so many youth services out there promoting their services, promoting issues that affect young people, and of course hundreds and hundreds of young people also who were participating in the event and also enjoying the stalls and activities that were

being undertaken. Of course, the entertainment was provided by young people, and a very talented bunch they were too. We started with the Campbell high school band; there was also some dance and I know many other acts during the night. It is fantastic to see such talent amongst our young people here in the ACT.

It is great to see such engagement and it is also wonderful to see the spread of youth services that we have across the territory. This is a resource that we should be valuing, and we should be going out there this week. Hopefully, many of us will have the opportunity to visit our local youth service or participate in one of the many activities that will be on the Youth Week calendar of events this week.

I guess it is also time to focus on what our youth services provide to our community. I did raise some questions about this with the minister in question time today. I am becoming increasingly concerned about what is happening to the landscape of youth service delivery here in the ACT. We have had the development of a new framework, what was called a realignment of youth and family services, and this process has been going on for around 12 to 18 months but it has not engaged with all youth services or family services. It has engaged with some, in the initial part, particularly in the first 12 months. But many of the services really did not see any detail until a draft framework was released in September last year.

Then they were asked to provide feedback and comments, but they were also told, "Well, of course we would like your feedback and your comments but we're not really going to change the framework, so they probably will not make much difference." Sure enough, that feedback did not really get incorporated, or very little of it did, and so the framework was pretty much a *fait accompli*. A lot of services are feeling that they have not been part of this conversation and this realignment.

Then we move on to the tenders, and it was announced that the tenders would be released in the middle of January this year. So services raced around to rejig their services and make sure they had the right staff on to be able to write these tenders. This was in the middle of the holiday period, so they had to reassess things so that they could still run their holiday programs, or whatever activities they were doing, while writing quite a major tender. They did all of that, only to be stood up—the department did not release the tender specs; it released them two weeks later.

It makes me cross, when we have rhetoric around the importance of community services in this town—how government partners with them, the respect they have for them, how they could not do what they did without the community sector out there. Well, that is not the way you treat partners that you are supposed to respect. So the tenders came two weeks late and then there was six weeks. It was only when the tender specifications came out that finally people saw what it was they needed to tender for. So there was frantic activity while organisations raced around putting together partnerships and tenders from scratch. This is just not the way to realign. This is not the way to move forward and adopt reform. I think that it is a very poor way to do it.

We have had services who have been out there delivering for years and years and they have been delivering high quality services. They have been delivering services to

thousands and thousands of young Canberrans, services to young people who were at risk—not in risk but at risk—and it has kept them out from that “in risk” category. It has been the ambulance at the top of the cliff that has stopped those young people falling to the bottom of the cliff. This realignment is all about “in risk”. It is just an extension of the care and protection system and I believe that many young people will miss out and also we will find there is a diminution of service delivery. (*Time expired.*)

Mr Alan Fitzgerald
ACT Cricket annual presentation night

MR DOSZPOT (Brindabella) (4.16): Last Thursday, Canberra lost one of its most prominent citizens with the passing of Alan Fitzgerald. Alan’s untimely death has removed from within our midst a man who made an enormous contribution to life in the ACT since his arrival here as a young man nearly 50 years ago. He was elected to the ACT Advisory Council in 1967 and again in 1970 and stood on several occasions for election to the House of Representatives.

Alan will be best remembered for his career as a journalist, author and publisher. He contributed hundreds of articles and opinion pieces to a range of newspapers and current affairs journals and published at least a dozen books. They included *Barons, Rebels and Romantics: The Fitzgeralds First Thousand Years*, which was about Alan’s family history, of which he was very proud. Alan was inaugural convenor of the ACT region branch of Australians for Constitutional Monarchy, a position which he held with distinction until his death. In recent weeks, he worked hard with his ACM colleague, Gary Kent, to launch the branch’s website and, despite failing health, Alan contributed a number of opinion pieces, typically and passionately arguing in his distinctive style.

Alan’s funeral was held this afternoon at the Sacred Heart Catholic Church in Pearce and the Latin requiem mass was conducted by Father Dominic Popplewell. I understand a large number of Canberrans attended to pay their respects. It was a fitting send-off to a much-loved Canberra citizen who will long be remembered for his commitment to this city. I wish to pass on my sincere condolences to Alan’s widow, Maria, and his two sons, Dominic and Julian.

Last Thursday, 31 March, I had the pleasure of attending ACT Cricket’s annual presentation night at Manuka Oval. I would like to congratulate President Ian McNamee, CEO Mark Vergano and chief organiser Dougal Reed on an excellent night emceed by Ben Pollack from the Raiders.

Four distinguished cricketers of long standing were honoured on the night for their 50 years contribution to cricket. They were John Gallop QC; Denis Axelby, who is well known to us here in the Assembly; Reverend Peter Nelson; and also another member of the Axelby family, Ron Axelby. I would like to say a few more words and mention many other people, but I am not quite sure how much time is available. Certainly, I would just like to reiterate the four members who between them have contributed 200 years to cricket: John Gallop, Denis Axelby, Reverend Peter Nelson and Ron Axelby deserve our heartiest congratulations.

The other people honoured on the night are the cricketers. The DB Robin Medal went to Mark Higgs of Queanbeyan; the SJ Moore Medal to Laura Wright of Tuggeranong; the First Grade Captain of the Year to Mark Higgs from Queanbeyan; the Greg Irvine Medal for Player of the Grand Final to Aaron Ayre from Queanbeyan; the Grade Cricket Batting Aggregate to Aaron Ayre from Queanbeyan; the Grade Cricket Bowling Average to Ben Oakley of Western Districts; the Grade Cricket Women's Batting Average to Laura Wright; the Grade Cricket Women's Batting Aggregate to Laura Wright; the Grade Cricket Bowling Average to Kris Britt; the Grade Cricket Women's Most Wickets to Kirsten Burrowes of Tuggeranong; the Sarah Hodgson Trophy for Best New Player to Kerry MacLauchlan of ANU/Norths; the Club Championship to North Canberra Gungahlin; the Lorne Lees Medal for second grade to Peter Coleborne of Queanbeyan; the Keith Carnall Medal for third grade to Andrew Crossman of Eastlake; the Dene Moore Medal for fourth grade to Syed Jaffry from Wests; the Bill Tickner Medal for fifth grade to Denis Axelby from Norths; the Lords Taverners Spirit of Cricket Awards to Weston Creek; the Greg Lord Administrator of the Year to Greg Badcock from the ANU; and Grade Team of the Year to Sam Miller, John Nicoll, Adam Tett, Mark Higgs, Chris Russo, Randall Starr, Aaron Ayre, Adam Ritchard, Ben Oakley, Andrew Barnett, Lachie Christian and Matt Winter.

The Konica Minolta awards were: Batting Strike Rate, Simon Mackie from Queanbeyan; Bowling Strike Rate, Rhys Jones; Player of the Series, Mark Higgs from Queanbeyan; First Grade, Queanbeyan; Second Grade, Queanbeyan; and Third Grade, Wests. In the John Gallop one-day competition it was: first grade, Queanbeyan; second grade, Wests/UC; third grade, North Canberra Gungahlin; fourth grade, Wests/UC. In the Random Computing Shield, first grade was won by Queanbeyan; second grade by Tuggeranong, third grade by ANU, fourth grade by NCG and fifth grade by Queanbeyan.

In the women's competitions, the results were: Lynne O'Meara Premiership Cup, Tuggeranong; Glenda Hall Shield, ANU; Glenda Hall Player of the Year, Kate O'Sullivan, ANU; Glenda Hall Batting Award, Catherine Chippendale, Tuggeranong; Glenda Hall Bowling Award, Fiona White, ANU; and Glenda Hall Best New Players, Simone Davey, Jodie Volgyesi, Jill Robinson, Emma Greenhaigh, Kathleen Hogan, Kate Thornton and Nicole Stevenson.

The Lords Taverners volunteer awards went to Stephen Cross, Queanbeyan; Rohan Ditton, Queanbeyan; David Pullen, TVCC; John Logus, TVCC—(*Time expired.*)

Mr Charles Lucre

MS GALLAGHER (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (4.22): I rise to speak briefly about a wonderful Canberran who also passed away recently, on 26 February 2011. Charles Lucre was a volunteer chaplain at the Canberra Hospital, where he had worked for many years—over 20 years, I think, as a volunteer chaplain. He was awarded an Order of Australia, in 2002 I think, for his extensive work as a chaplain at the Canberra Hospital.

Charles was a lovely man; I am sure many Assembly members knew him. He was a fighter pilot, I think, prior to his life as a volunteer chaplain—but he came to live and work in Canberra and he was a very important member of the Presbyterian Church. I am sure all members of the Presbyterian Church are important, but he was a very active member of the Church of St Andrew in Forrest. He was elected as an elder in the church in 1968, which meant that he had a pastoral role which he shared along with the minister in looking after the care and wellbeing of members of the congregation.

Charles was part of the furniture at the Canberra Hospital. Many nurses who have been there for a long time were at his funeral. I do not think there was a dry eye in the place; he was such a kind and gentle man who believed so much in the good that the hospital did—and that dates back to Royal Canberra Hospital, Woden Valley Hospital in its former life, and the Canberra Hospital. He had had a period of quite significant illness in the lead-up to his death where he spent long periods of time at the Canberra Hospital and certainly when I went and visited him there he was very reluctant to be discharged from the Canberra Hospital as he felt that was where his true family were after his wife, Jean, had passed away a couple of years before. But Charles was a very gentle man who spent a long time supporting not just patients at the hospital but staff as well.

He was very well read, he had a very extensive library at his home in Canberra and whenever he and I met we often talked politics. He made no secret that he was on the left of the political spectrum and we always had some quite enjoyable conversations about that. He was always up to date; indeed, I visited him a couple of weeks before he died, on one of his last days at the hospital, and he was talking to me about all the fun and games that had been played over the hospital car park and he had just read the latest story in the *Canberra Times* I think the day before.

Charles was a true silent achiever, a local hero who deserved the award that he got and hopefully we can bring to the attention of others the tireless work that he did for members of the community, driven by his own faith but also just in a general sense he loved being part of the public health system and wanted to continue to invest in it. Even though he acknowledged it had shortcomings, he felt that it was much more important to look at how you improve things from the inside and he made a huge contribution. I know that everyone in the pastoral care area of the hospital is missing the role that he played, as I am as well.

Minister for Children and Young People—advice

MRS DUNNE (Ginninderra) (4.26): For two successive days in question time the opposition have been asking Minister Burch about text messages where people had made allegations about the potential for cover-up and corruption of the inquiry into Bimberi youth justice and other youth justice services, and the minister has given contradictory and obfuscating advice.

For the advice of the Assembly, I will read a series of emails that I have received that relate to these text messages and at the end of this I will seek leave to have these tabled for the information of members. I received an email on 28 March that says:

Hi Vicki

I sent the SMS below to—

this was to a particular person; I have de-identified this, Mr Speaker, for the purposes of tabling it because I do not believe that I need to tout people's names around—

... on 18/3/2011 at 5.39PM and received no response.

I was expecting that he would ask what documents I had (a fairly obvious question I would have thought) but he did not.

Happy for you to use it as you see fit.

Attached to this is the text of a text message that was sent that says:

Thanks for the note ...

this was sent, by the person who sent it to me, to a staffer in Ms Burch's office—

I appreciate the bind that you are in regarding privacy and I genuinely respect that. I do hope that you are asking the kinds of questions I suggested in any case. There is mounting, documented evidence of departmental coverup. If I can get access to such documents, I expect that you can too. Happy to discuss. Cheers.

Mr Coe and I asked about these text messages on Thursday and Ms Burch came in and said at the end of question time that her staff had responded to that by asking the writer of the text messages to put the matter in writing. So I sent off an email saying that this was what the minister had said and did he have any views about this. I received a response that says:

I have no record of any email from ... after I sent the email I mentioned below

I will mention that I subsequently got an email to clarify that where this person says "email" in this email he actually meant text message. It is slightly confusing, but there have been a lot of emails and text messages going between my office and others and the minister's office and others. He continues:

He did send me a txt (copied below) on the same afternoon, but it was sent in relation to ...'s situation, not the new material. ... Perhaps ... is confused?

... there's no way I can respond to your txt without breaching Mr ... or others privacy. Given that, and the fact that there are two depts involved in this matter, strongly suggest that Mr ... put such concerns in writing and relevant dept will respond as they did this last week.

That was signed by the name of the staffer. My writer says:

I have a couple more ... txt messages to ... in my records, so I would be very surprised if he responded. I do not delete anything, ever.

Then I got a follow-up the next day that says:

Hi again Vicki

I reviewed my records this morning and confirm that I have no record of receipt of any txt message, email or phone call from ... since I alerted him to the existence of documentary evidence of interference with the inquiry.

I did find an earlier txt message from ..., sent on 16/3 at 2.50 pm, in which he said in the context of concerns over ... (amongst other things):

“If any concerns are put to me or the Minister in any format of course we will act”

That is the end of the text message and my writer goes on to say:

It is difficult to reconcile this with his failure to respond at all to the txt I sent him only days later.

I seek leave to table these de-identified versions of the emails.

Leave granted.

MRS DUNNE: I thank members for leave. I table the following papers:

Bimberi Youth Justice Centre—Text messages to Ms Burch’s office—Copies of emails to and from Mrs Dunne, dated 28 and 31 March and 1 April 2011.

It is incumbent upon the minister to conduct a proper inquiry in her office in relation to the text messages and the undertakings that were made by her staff in relation to taking up issues on behalf of people associated with Bimberi who are quite concerned—(*Time expired*).

Scripture Union Australia

MR COE (Ginninderra) (4.31): I rise this afternoon to pay tribute to the work done by Scripture Union Australia, most particularly the outstanding contribution to our local community made by the ACT branch of Scripture Union.

Scripture Union Australia is part of a worldwide organisation which has been in operation in over 130 countries since 1867.

Here in the ACT the Scripture Union, or SU ACT, has been providing chaplaincy services in our schools for the past 30 years and currently provides these services to 30 schools.

I would like to commend Craig Webber, the head of Scripture Union ACT, and also Dianne Priest, the Director of Chaplaincy Services, Scripture Union ACT, for the great work they are doing in making this work happen.

SU ACT is the largest provider of chaplaincy services in the ACT, with school chaplains in the participating schools providing guidance to not only students but families and staff on a regular basis. Chaplains at the schools complement the work done by the pastoral care coordinators, counsellors, psychologists and student services currently engaged at schools. Together, they provide a solid foundation for caring and supportive school communities in ACT schools.

The following schools have a chaplaincy service provided by SU ACT: Amaroo P-10 school, Black Mountain special school, Bonython primary school, Campbell high school, Canberra college, Caroline Chisholm P-10 school, Charles Conder primary school, Copland college, Erindale college, Evatt primary school, Gold Creek K-10 school, Gordon primary school, Hawker college, Isabella Plains early childhood school, Kaleen primary school, Lake Ginninderra college, Lake Tuggeranong college, Lanyon high school, Macquarie primary school, Melba high school, Narrabundah college, Ngunnawal primary school, North Ainslie primary school, Richardson primary school, Stromlo high school, Taylor primary school, Theodore primary school, Torrens primary school, Wanniasa Hills primary school and the Wanniasa K-10 school.

In 2006 the federal government, led by John Howard, established the national school chaplaincy program. The program continues to partly fund the placement of chaplains. However, some schools in the ACT have not been able to secure funding from the government and have partnered with local churches, community organisations and the Scripture Union to place a chaplain in their schools. Torrens primary school is a recent example of this venture, as is Taylor primary. I commend prime ministers Rudd and Gillard for continuing the program, and I hope funding can be secured well into the future.

New schools such as Gungahlin college and Namadgi school, the new super-school in Kambah, are keen to place a chaplain in their pastoral care teams to assist in meeting the ever-increasing needs of students and families.

I commend the individuals who take up work as chaplains as they make a tremendous sacrifice as they by no means get paid well when you compare it to other professions.

A couple of weeks ago I attended the Scripture Union's regeneration dinner on 22 March at the Hellenic Club, a fundraiser which showcased the great work done by these chaplains. Mr Seselja and Mr Doszpot were also in attendance. I extend my thanks to the organisers and to the others who generously supported the evening.

The guest speaker at the dinner was the psychologist Dr Michael Carr-Gregg, founder of CanTeen, founding member of the National Centre against Bullying and one of the official ambassadors of the national depression initiative beyondblue, as well as

MindMatters, one of 16 youth suicide prevention programs. He put into perspective the immense need for the support that these chaplains provide.

Once again I pay tribute to the work done by SU ACT in facilitating the placement of chaplains for so many years across the territory.

Blood-borne viruses

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (4.35): I rise in the adjournment this evening to focus a little on the issue of preventing the spread of blood-borne viruses in corrections environments, and of course this has been the matter of much discussion in the Assembly today, and indeed in the community over the last few weeks.

My attention was drawn to the very strident response of Mr Hanson in question time today when, in response to a question asked by Ms Bresnan about the position of the New South Wales Liberal Party on the possible provision of a needle and syringe exchange program in New South Wales correctional facilities, he stridently yelled out, "It's not true, it's not true," suggesting that the New South Wales Liberals did not support considering a needle exchange program in New South Wales correctional facilities.

So my attention was drawn to what the Liberal Party have actually said on this issue in New South Wales, and I was fortunate to be able to access the Corrections Coalition website who, as these things occur during election campaigns, made a request of all political parties to put forward their position on the issue of needle exchange, amongst a broad range of other corrections issues, in the lead-up to the New South Wales election.

They have the Liberal Party response online. It is from Mr Mark Neeham, the campaign director of the Liberal Party of New South Wales, where he outlines what the Liberal Party's plans and policies are in relation to corrections, and at section 9, justice health, it was very interesting to read that the New South Wales Liberals say, "We will consider supporting the trial of a needle and syringe program in appropriate correctional facilities with independent evaluation of the outcomes of any such trials." Of course, this position stands in marked contrast to the position of those opposite. Those opposite are not even prepared to contemplate the provision of a trial, which is where this government is currently at.

We heard in the matter of public importance how good it would be to be able to cooperate with all of those newly elected coalition members in New South Wales. We heard Mr Seselja and Mr Coe and others wax lyrical about the importance of the government doing that. Well, I am sure that on this issue we do indeed look forward to seeing the position of the New South Wales Liberal government on this matter, because they at least are prepared to consider the prospect of a trial of a needle and syringe program in correctional facilities, in New South Wales jails.

Of course, that stands in marked contrast to those opposite, who in no way are prepared to adopt the thought-through and considered position of their New South Wales counterparts. It just shows that those opposite are engaged in a position of opposition for the sake of it. They have not thought through the complex and difficult issues when it comes to the spread of blood-borne viruses in correctional environments, and I would urge Mr Hanson and others to read closely the New South Wales Liberal Party's position on the issue of a needle and syringe program in correctional facilities.

MR ASSISTANT SPEAKER (Mr Hargreaves): The time has expired for the adjournment debate.

Question resolved in the affirmative.

The Assembly adjourned at 4.39 pm.