



**DEBATES**

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

**HANSARD**

19 August 1992

## Wednesday, 19 August 1992

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**MADAM SPEAKER** (Ms McRae) took the chair at 10.30 am and read the prayer.

**DRUGS OF DEPENDENCE (AMENDMENT) BILL (NO. 2) 1992**

**MR MOORE** (10.31): I present the Drugs of Dependence (Amendment) Bill (No. 2) 1992.

Title read by Clerk.

**MR MOORE**: I move:

That this Bill be agreed to in principle.

Madam Speaker, it is with great pride that I introduce this legislation, which continues the process of law reform in the area of illegal drugs. The effect of this legislation is that, if someone is found with a small amount of marijuana or growing a small amount of marijuana, instead of being taken to court he or she will have the option of being able to pay a fine in order to avoid the court appearance. Paying the fine is, in effect, an admission of guilt; but there will be no court appearance and no criminal record. The fine I have suggested in this legislation is \$40 for 25 grams of marijuana or \$100 for double that amount. For people who do not think in terms of grams, a standard tobacco pouch filled with marijuana would bring a \$40 fine and double that amount would bring a \$100 fine. So we are speaking about quite small amounts, amounts that would normally be considered to be held for personal use.

The war on drugs has had a great deal of attention. Any war has its winners and losers. In the war on drugs the losers are the poor, the disenfranchised, the impoverished, who are normally on the receiving end of prejudice and bigotry. Where the process of law reform is adopted in this area of illegal drugs, it must be a step by step approach. It is an approach I have reiterated again and again. It is an approach I advocated as chair of the Committee on HIV, Illegal Drugs and Prostitution. It is an approach that is suggested by His Honour Justice Russell Fox - an ex-Chief Justice of the ACT Supreme Court and ex-Federal Court judge - and an ex-editor of the *Canberra Times*, Ian Mathews, in a recently published book, *Drugs Policy : Fact, Fiction and the Future*.

It is appropriate for members of the community and members of this Assembly to ask: Why should we reform the drug laws at all? In particular, why should we seek changes to the laws governing the use and cultivation of marijuana? What we do know is that prohibition has been a dismal failure. It has not worked; it has in fact increased problems. It is incumbent upon us as legislators to attempt to find solutions that work. We are past the time when we can bury our heads in the sand. It is time to begin taking some action. There are many reasons for reformation of drug laws, and this morning, in the brief time available to me, I will attempt to give an outline under seven main headings: The abysmal failure of the criminal justice system; the excessive costs associated with the current system; the mystique associated with illegality; the problems of having a criminal record; the separations of the drug markets; the encroachment on civil liberties; and the overcrowding of our courts.

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The first area I have identified is the abysmal failure of the criminal justice system. In spite of a constant increase over the last 30 years in fighting the so-called war on drugs, in spite of the increase in the number of warriors, in spite of the increase in the number of offences, we have had an increase in drug usage that parallels the increase in the amount of money we have spent. In other words, for every dollar we spend on fighting this so-called war there is a comparable or parallel increase in drug usage. Surely, for those who argue that we ought not to have people using drugs, that is one of the most powerful arguments that could be put forward for drug law reformation. The point made by Dr Bob Allen, ACT president of the AMA, in Canberra, on yesterday morning's ABC news, relied heavily on the argument that the criminal justice system has failed. Marijuana, according to the AMA, is a drug with considerable side effects, and I agree. Nevertheless, it is incumbent upon us to look for an alternative method. Perhaps, just perhaps, we might find a method that works.

The failure of the criminal justice system is clearly set out in a report by the Hon. Ann Symonds, MLC, released last week and called *Marijuana Law in NSW - A New Direction*. Ann Symonds is a Labor member of the Legislative Council in New South Wales and deputy chair of the New South Wales Social Policy Committee. In her frustration that the committee was prepared to bring down only half of its report, after public funding had been provided for her to travel to the USA, Europe, the Netherlands, Sweden and England, she brought down her own personal report. She identifies in that report a number of statistics indicating the failure of our criminal justice approach, and I am going to quote some of those. I am only too delighted to make copies of this report available to any member of the Assembly who has not yet seen it.

In 1988 over one in four, or 28 per cent, of Australians over the age of 14 used marijuana. For males in the age group 20 to 39, the rate was more than one in two, or 56 per cent. In contrast, only one per cent of Australians aged 14 and over tried heroin. Collins and Lapsley estimated that Australian law enforcement costs of illicit drug use in 1988 were \$258m, and that figure I shall later debate from the book by Russell Fox and Ian Mathews. The overall cost, not just the costs associated with law enforcement, could be as high as \$1.5 billion. In 1987 there were an estimated 61,440 recorded drug offences in Australia - an enormous use of police and court resources. At least 80 per cent of these offences related to cannabis. In New South Wales specifically, 79 per cent of drug offences described as "obtain unlawfully" related to cannabis. Most supply offences also involved cannabis - about 62 per cent. Among arrests for use, 66 per cent related to cannabis. The black market income for cannabis alone in 1988 was estimated at \$475m.

The failure of that approach brings us to the economic argument. What is the cost of the war on drugs? The costs are set out by Robert Marks in the book edited by Russell Fox and Ian Mathews, *Drugs Policy : Fact, Fiction and the Future*. The true costs of illicit drug use, set out on page 131, appear to be about \$1.5 billion and include drug law enforcement costs, which they have estimated at \$320m; the present value of future production lost, \$178m; methadone maintenance costs, \$48m; value destroyed in property crime, \$165m; defensive costs against theft, \$230m; property crime losses, \$466m; and social security payments, \$190m; coming to about \$1.5 billion in costs associated with the use of illegal drugs.

In her report Ann Symonds also quoted a speech given at the World Ministerial Drugs Summit, organised by the British Government and the United Nations, by Dr Eddy Engelsman, head of the alcohol, drugs and tobacco branch of the Ministry of Welfare in the Netherlands, who noted in relation to the Netherlands:

In the age group below 19 less than 2 per cent had used cannabis in the last month. The lowest figure in Europe, yet the country with the most liberal restrictions.

This contrasts with a United States figure of 20 per cent of high school seniors who had used illicit drugs ...

That is broadly illicit drugs, not specifically marijuana; so there is a slight incongruity there. He continued:

And between 12 per cent and 16 per cent of young Canadians (aged 15-19) had used Cannabis in the last month.

In 1989, 16 per cent of 17 year old males in New South Wales used Marijuana in the previous week.

That was very high. Allowing for variations in the way people collect their data, and knowing what we know about the ACT, it would appear that in the Western world there is a range of usage that varies from 16 per cent to 30 per cent, which contrasts with the Netherlands, where there is the least restriction of all, where the use is 2 per cent.

What people would have expected to happen in the Netherlands was that where there was an easing of drug laws there would be a major increase in usage, and certainly those who have already objected to this proposed legislation have argued that way. In fact, it did not happen. There was never a major increase in usage; there was a fairly steady decline in usage and in harm associated with it. The Australian drug policy in all jurisdictions relies on a policy of harm minimisation. What we are interested in, first and foremost, is minimising the harm associated with drugs and, where possible, minimising the usage. How do we account for this drop in relaxation laws and in the usage of such a drug? No-one knows, but most observers suggest that the reason is associated with the Garden of Eden principle, the principle of the forbidden fruit. The mystique is associated with what you are not allowed to have, particularly for children from 13 and 14 through to adulthood. The forbidden fruit becomes irresistible. The attraction, perhaps, is to express rebellion in a community that is not serving these people well. I suppose that one way of expressing that rebellion is to experiment with something which is outside the law.

Another reason for reforming the laws on marijuana is that people who choose to smoke marijuana, often as a sign of that rebellion, wind up with a criminal record and begin their lives on the wrong side of the law. Often the lessons they learn embitter them for the rest of their lives. I know a number of people who fit into this category, specifically over marijuana offences, and who have lost faith, unreasonably, in the criminal justice system and have a tarnished attitude towards police officers. There is a very good argument for accepting that the law is not achieving what it sets out to do in this case, and the reason perhaps is that so many members of the community feel that if somebody chooses to smoke marijuana they ought not to wind up with a criminal record.

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That leads to the next argument, an argument that was held most strongly in the report on marijuana brought down by the Select Committee on HIV, Illegal Drugs and Prostitution in October 1991. That committee, which I am proud of chairing, held that the most important, significant harm-minimisation approach to the use of drugs would be to separate the markets. Here the argument is that when the police have been successful in destroying major crops of marijuana, when there has been a drying up of supply, as we have seen, the same dealers who distribute marijuana are able to approach people with amphetamines. There certainly have been times in the ACT when the price of amphetamines has been significantly lower than the price of marijuana. Whilst marijuana does have its problems and its side effects - and I think it is important that we do recognise that - the dangers associated with marijuana are nowhere near as high as the dangers associated with amphetamines. I will come back to that point if I have time later.

The next argument is the encroachment on civil liberties. Of course, most of us recognise that in the name of the war on drugs there have been significant encroachments on civil liberties. Somebody who has been accused of being a drug user or a drug dealer is of the lowest order in our social context. Of course, they are in an even worse position if they happen to be female, black or gay or if they perhaps make a living from prostitution. It comes back to the notion that the war on drugs is a war in which there are winners and losers and we need to think about just who the losers are and who the winners are. As Australians we as a group have seen infringement of our civil liberties through a series of international treaties which take away our right to legislate. Currently, there is a proposed international treaty which, if ratified, will severely restrict our path to drug law reform. It is an international treaty that ought not be ratified lightly.

The final argument is the argument about expensive court appearances. In South Australia, it was the driving argument behind the introduction of this style of legislation. In the ACT, because of the positive approach that the Federal Police have taken in this area - our 1989 drugs of dependence legislation has had a lower penalty for marijuana - the costs of court appearances are not the most significant factor in this step to law reform. In fact, it could well be said that the first step has already been taken. However, they are a significant factor and they must be taken into account.

The main argument that I have heard recently against drug policy reform is that when there was a relaxation of the laws in Alaska there was a major increase in the use of cannabis. This issue is dealt with by Russell Fox and Ian Mathews, who researched the notion. I read from the top of page 233 of *Drugs Policy : Fact, Fiction and the Future*, where it states:

We have mentioned the position in Alaska where the privacy requirement of its constitution led some years ago to the freedom of people to possess and use cannabis in the home. After much investigation and debate it is accepted that this did not result in a significant increase. Contemporaneously, however, there was a decrease in heroin use.

When people make statements like that, they really need to be looked at with some scepticism. The argument that was put in the Canberra Times and again the other day in a debate that I had with Pastor McCartney in *Eyewitness News* was that we need to dry up the supply so that our kids do not "wind up with

marijuana psychosis". I think that argument is a red herring. We are aware of the side effects of marijuana. There is some doubt as to whether there is, in fact, a real psychosis associated with its use, but there are significant side effects from marijuana use. That is all the more reason to look into drug law reform. Perhaps we might look at the effects of marijuana.

If, indeed, we could dry up the supply - and there might be some reason to do it - we would. They have not even been able to do that in countries that have totalitarian regimes. The chances of doing it in a free society are very limited indeed. In fact, we are aware now that almost any 13- or 14-year-old in the ACT who wishes to smoke cannabis can access it easily and quickly. This legislation will not change that situation. The only changes will be in the way we react and, most importantly, in the attempt to remove the mystique associated with it. This legislation is the first step in removing the mystique associated with marijuana and ensuring that kids who experiment in this way will not suffer and will not wind up with a criminal record.

What is the experience in South Australia? It can be clearly identified from the report on the effects of cannabis legislation that was developed two years after the expiation notices, referred to as CENs - cannabis expiation notices - were introduced. You can refer to the monitoring, evaluation and research unit of Drug and Alcohol Services in the executive summary from South Australia, which was brought out at the end of 1991 - only a few months ago. It found that such a move towards cannabis decriminalisation does not lead to increased use and, in fact, can operate successfully at the same time as community prevention and education initiatives, such as those being implemented by NCADA are being implemented. Madam Speaker, it is important that whenever we look at drug law reform, as far as the legislation goes, we do not lose sight of the importance of the initiatives, if you like, at the other end of the system. I guess those are some of the most important aspects of dealing with the general drug problem - the educative initiatives and the rehabilitation and treatment initiatives.

Having spoken about the losers in the war on drugs, it is appropriate that I conclude my speech by talking about just who are the winners. The winners in the war on drugs, of course, are those involved in major crime, the moralists and the evangelists who can feel very good about it. I have already commented on who the losers are. (*Extension of time granted*) In the conclusion to her report Ann Symonds said:

My experience on the Committee, which reflects the experience of other people who have seriously investigated the issue of drug use and prohibitionist policies, and I assert that, particularly in relation to cannabis 'the war on drugs' must be abandoned in favour of education and health policies.

I believe the community recognises the absurdity of the present situation and it is our responsibility to change direction for the benefit, not only of youth, but for the entire community.

One of her recommendations was the decriminalisation of marijuana in New South Wales, along the lines of the model currently operated in South Australia.

Debate (on motion by **Mr Berry**) adjourned.

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## **RATES AND LAND TAX (AMENDMENT) BILL (NO. 2) 1992**

**MR KAINE** (Leader of the Opposition) (10.53): Madam Speaker, I present the Rates and Land Tax (Amendment) Bill (No. 2) 1992.

Title read by Clerk.

**MR KAINE:** I move:

That this Bill be agreed to in principle.

Madam Speaker, this legislation clearly is not the Liberal Party's preferred course of action in respect of land tax. I have made the point before that in government we would move to repeal the tax on privately owned residential property. However, in opposition, we are limited to seeking amendments to the Act to ensure that at least it is applied justly and with a social conscience.

It is, I believe, a matter of concern that the Government has failed to address the deficiencies in its own legislation and has turned its face away from the legitimate requests from reasonable people to have their grievances heard and acted upon. We have documented a great many cases where that simply is the case. People have met the blank face of the bureaucracy, which has not even been prepared to listen to their arguments, let alone give them some relief from a tax which, in fact, they should not be paying. The interim response from the Government - their knee-jerk administrative response - does not, and cannot, deal with the deficiencies in this legislation. The Government itself should have moved to remove the anomalies that exist.

Since its introduction in 1991, land tax on residential properties has caused problems and has placed many people under financial and personal stress. The intention of the amendments in 1991 - this Government's amendments - was to apply the tax to all property in the ACT and to provide for some exemptions. Specifically, those exemptions were to relate to rural land, Housing Trust land, and the principal place of residence of a person. The intention of the original exemptions clearly has been undone, in terms of residential land, by errors of application and by errors of interpretation of the law. These errors have been exacerbated by the Government's apparent philosophical position that all land holdings, other than those on which the owner actually resides and then only for the period of residence by the owner, are held for commercial gain. That is a misunderstanding of the situation.

The intention ought reasonably be to levy tax on those privately owned residential properties that are intended by the owners to be income earning. I do not think anybody would deny the right of the Government to impose tax on income earning property. We happen to have a philosophical difference with the Labor Party on that. We do not believe that the present law is appropriate, but I concede that it is open for the Labor Government to take that view. But surely it has to be an income earning property. Tax cannot, in fairness, Madam Speaker - - -

**Mr Berry:** Why did you put the price up before?



**MR KAINE:** I can hear the Minister muttering. Tax cannot, in fairness, be levied on a property simply because it has a potential for income earning. I heard the Chief Minister make this statement the other day on the floor of this house: If it has a potential for income earning, it should be taxed. That is a basic and fundamental error.

If such a definition were to be adopted, you would have to say that all residential property, including the principal residence, should be taxed, because clearly any owner can move out of his house into a rental property and let his house; it has an income earning potential. Indeed, I suggest that some people have probably done that to reduce the financial burden. If they cannot manage the mortgage payments, they move out, move into cheaper rental accommodation, let their house and negative gear it; and it gets them off the financial treadmill for a short time. Clearly, any property has a potential for earning income. By the Chief Minister's definition, all residential property should be taxed - and I do not think even the Government would suggest that.

The Bill that we have put before the house today seeks to clarify the original intention of the Act and to provide exemptions for those who should not be liable for this tax. It also attempts to create circumstances where those who are liable for the tax are able to discharge their obligations fairly and without undue stress. Finally, it seeks to provide some broader discretionary powers for the Commissioner for Revenue to determine appeals. In fact, under the present Act, it is totally inflexible. The Commissioner for Revenue has very little scope and the responses that he has written to people seeking relief demonstrate that. Time and time again, he has said to people with an obvious case for being given a waiver or an exemption, "I cannot do that, because I do not have the discretion to do so".

Madam Speaker, the Bill will achieve these objectives by amending sections 4 and 22 of the Act. Amendment of section 4 of the principal Act will provide for payment by instalments and the instalments will be separated from payments of rates. In other words, if people are subject to both rates and land tax, the instalments will not fall due on the same day. A lot of people that are subject to this land tax are on fixed incomes. In fact, many of them bought a second house to provide themselves with an income. It will allow them to spread the burden of the land tax and the rates over the year and take off some of the financial stress - but, of course, that is only in cases where they are liable for the tax anyway.

Section 22B of the principal Act will be amended to broaden the exemptions that are available for residential property. At present, the owner of the land is the only exempt occupier, and even that is a matter for interpretation in many cases. The Bill defines the exemption in terms of the land use, not the status of the occupant. We believe that that is unreasonable and unfair. The emphasis is on the earning of income, with exemption for a residence that is not used to produce income. This amendment would cover life tenants and a range of other people who are residents of property, but not the owners, where no rent is paid. In many cases, members of the family are occupying the residence. Where no rent is paid, where there is clearly no landlord-tenant relationship in existence, we say the imposition of this tax is unreasonable and unfair.

Madam Speaker, there is also no assumption in these amendments that the exemption should be restricted to only one house. What has happened is that people have been caught moving between houses. They were actually not living in either house on 1 July. They were not getting any rental from either of them

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either, but they have had to pay the land tax. That is absurd. Those in that situation will not have to pay land tax under this amendment, and nor should they have to, provided always that there is no rent being received from either of the houses in question. Family companies providing houses for families where there is no commercial benefit to the owner will not, and should not, have to pay land tax either. They will not have to, after this amendment is adopted. We do not believe that this will provide any loophole for executives, for example, receiving a non-salary benefit from subsidised rent, as there is in that case a demonstrable commercial gain being sought. They would be excluded from the exemption on that ground.

Section 22B subsection (1) paragraph (a) will be broadened to allow the commissioner greater discretion to determine bona fide absence for work-related purposes. At the present time, even people that are absent from Canberra because of their work are being levied the land tax. There has been an incorrect interpretation. The commissioner is saying, "You left Canberra voluntarily. Your employer did not require you to go some place else". There is a classic case of one woman who went to Adelaide because she could not get a job in Canberra. The alternative was to stay here and be unemployed. She went to Adelaide to get a job and earn an income. She left her children in the house. The Government is levying her land tax. That is patently absurd; it is unreasonable.

The Act does not require, in its present form, that a person leave Canberra because the employer requires that they do. It merely says that absence from Canberra for work-related reasons exempts you from the tax, but that is not the way it is being interpreted and that is not the way it is being implemented. It is a gross misinterpretation of the Act, in my view. We are providing, by amendment, the specific circumstances under which an exemption will be granted or under which the commissioner can exercise some discretion, which he does not have at the moment because the Act is inflexible.

Amendments to section 22C of the Act will require the Commissioner for Revenue to provide information to lessees about this tax and the process for claiming exemptions. This will leave no doubt as to who is liable for the tax and who is not. This year, no notice of any kind went to any landowner explaining the circumstances under which they were liable to pay this tax. If people do not know that they are liable for the tax, how can they be expected to pay it? A point of view that has been strongly put to me suggests that a lot of people are not paying the tax, because they do not know they are obligated to pay it. They do not know the circumstances under which they must, so they are not paying it. Until the Government goes to them and says, "You are a landowner, and these are the circumstances under which you are obligated to pay the tax", they will not know.

On the other hand, there are probably people paying, and coughing up the money, because somebody has said, "You are liable for the tax", when, in fact, they are not. They pay because they do not know what the grounds are for seeking an exemption. So the obligation will be placed on the commissioner to do what he did last year when the tax was first introduced - send out with their rates notices a little piece of paper that says, "These are the circumstances under which you will be liable for this tax". Then people know what their obligations are, and they can meet them. Alternatively, they can lodge an appeal and seek a waiver or an exemption.

The Bill also seeks to amend section 22E of the principal Act to provide for pro rata payments of this tax. The provision in this section of the Bill seeks to make pro rata payment of land tax consistent with that for rates. What is happening is that people who are not occupying their houses on 1 July get hit with a year's bill. They may move back into the house on 2 July, 1 September or 1 October; but they are subjected to the full year's impact of the tax, no matter what their circumstances. I believe that that is an unfair and inconsistent application of the tax. We will seek to make provision for pro rata payments.

An amendment to section 22E also provides for the refund of excess tax payments. It flows from the first. If you paid your tax on 1 July, and you then moved back into your house, you have paid excess tax, in my view, and you should be able to seek a refund of that money. It extends the general facility for the discount for early payment of rates to the land tax context. I would make the point, however, that it only extends the facility. It does not obligate the Government to allow a discount, but it does provide that if a government sees in the future the necessity or the desirability of granting some sort of discount for an up-front payment of land tax, given that we will be moving for pro rata and instalment payments, they will have the facility, under this amendment, to do so. They do not have to go and seek to amend the Act in order to do it.

Madam Speaker, I am sure that the Government will argue, when this is debated in September, that these amendments will carry a revenue penalty. So they do; and so it should be. Any tax that places a financial obligation on people who should not, under any reasonable definition, bear that obligation is a bad tax. This tax is a bad tax and the inequities in the law must be removed. If, in the doing, the Government loses a little bit of its revenue, so be it. I think that no member - government or otherwise - can argue that a bad tax ought to continue to be levied or that people who should not be susceptible to this tax should continue to pay it just so that the Territory's revenues can be boosted. That is unfair and unreasonable, and it does not reflect the responsibility of a government to look after its constituents.

Madam Speaker, the Bill has been widely circulated already for comment. The proposed amendments have been welcomed both by members of the community seeking relief and by many others. I am sure that, when the Government analyses it, it will see the good sense of the amendments that we are seeking to make. Madam Speaker, I commend the Bill to the Assembly.

Debate (on motion by **Ms Follett**) adjourned.

### **MEDIA DEPICTION OF CANBERRA**

**MR KAINE** (Leader of the Opposition) (11.06): I move:

That the Assembly:

- (1) notes with concern a headline in *The Age* on Thursday, 25 June 1992: *Rally Rebukes Canberra for Centre Closure*;
- (2) notes that this article refers to a story about Federal Government policy;

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- (3) rebukes *The Age* for rebuking Canberra rather than rebuking the Federal Government; and
- (4) notes, in fact, that Melbourne elected more members of the Federal Government at the last Federal Election than Canberra did.

When I put this motion on the notice paper I thought, "There are going to be some people out there who are going to say, 'When there are all sorts of unemployment problems, health problems, and all the major matters confronting the Government, why are we debating this subject?'" Well, it is not a trivial subject, Madam Speaker. What we have here is a reflection of an attitude out there in places other than Canberra, and that attitude reflects in official and high places. It reflects, for example, when the Commonwealth brings down its budget, as it did last night, and is looking at the allocation of moneys from its budget. Canberra does not get a guernsey.

**Mr Connolly:** Does not get a guernsey? There is \$300m worth of capital works. All that money is to be spent in the private sector.

**MR KAIN:** Here we go - chirp, chirp, chirp. Mr Connolly is quite happy to have Canberrans and Canberra put down constantly; he is quite happy about that, obviously.

**Mr Berry:** What a joke! You must have been asleep last night.

**MR KAIN:** I was not asleep. We will talk about that later. There is this great claim about 2,000 jobs. When? This year? Next year? The year after, when it comes off the drawing board? Are you, the Government, going to give a guarantee that the 2,000 jobs, if there are 2,000 jobs, are to be filled from the unemployed ranks in the ACT? Are you going to put a barrier around Canberra and say, "If you live in Queanbeyan, Bungendore or Braidwood you cannot get one of these 2,000 jobs"?

**Mr Connolly:** That will be a matter for the private sector because they will be spending the money.

**MR KAIN:** We will hear from you later on, Mr Connolly. I do not think that these people bleating on the other side - Mr Connolly and Mr Berry - can deny that we suffer in the financial stakes because there is a perception that we are a bunch of fat cats and that we are already overprovided for. I think it is time that this perception - - -

**Mr Lamont:** What is Hewson going to do? Cut them off at the knees.

**MR KAIN:** Here comes the ringmaster.

**Mr Lamont:** If I am the ringmaster today, sir, you are the clown.

**MR KAIN:** I am no clown and I will prove it to you. In fact, I have been proving it since 1974. I do not know where you have been in all that time. The simple fact, Madam Speaker, is that this is not a trivial matter. Some people might regard it so, but it is not.

My motion is based specifically on an article that appeared in the *Melbourne Age* on Thursday, 25 June. The heading was, "Rally rebukes Canberra for centre closure". The article had to do with the failure by the Commonwealth to fund a community centre in Coburg in Victoria. Apart from the fact that the heading blames Canberra for this, and I do not believe that we warrant that at all, I believe that we here in Canberra have every sympathy with the citizens of Coburg who could not get Federal funding, because in many cases we cannot get it either.

We in Canberra are no different from the people of Coburg in that respect. We cannot just go to the Commonwealth any more. In the good old halcyon days money was handed out like it was going out of style, but with self-government that has stopped. If we want a welfare centre in Canberra we cannot go to the Commonwealth and say, "Give us the money". They would do the same as they did to the people of Coburg, and say, "Go away; we cannot afford it". So we have a great deal of sympathy for them.

I think that the people in the media reporting these events, and Federal politicians who have something to gain by bashing us in Canberra, ought to get themselves up to speed with what the conditions are in Canberra today. The article, when you start reading it, in essence does not support the heading. They really are criticising the Federal Government. Mr Cleary, the bloke who beat the daylights out of the Labor Party in getting himself elected in Coburg, is quoted as follows:

"It is really distressing that the Labor Party can't understand what conditions are like in the northern suburbs." The jobless rate there did not worry Labor enough, he said.

He was talking about Mr Keating and the people over the road. That is quite clear. Councillor Ingham said:

I might be paranoid, but I can't see any other reason. This is the politics of revenge and punishment.

It is quite clear who he was talking about. He was saying that the Labor Federal Government did not get their man elected, so they are beating the daylights out of Coburg now because it is no longer a Labor seat. But then they spoiled it, Madam Speaker. The Labor MLA for Richmond, a local MLA, was quoted. It is not only Labor MLAs who do this. I have to concede that Federal members and State members of all political persuasions do this, but this happened to be Mr Demetri Dollis. He got right off the rails. This newspaper report says:

Mr Dollis said he was trying to get all state and federal MPs from the region together next week to fight for funds.

That is fine. The report went on:

Canberra was an isolated island in Australia. "It is a city with almost no unemployment, no recession, and security of employment is always there."

I suggest that Mr Demetri Dollis ought to pay a visit to Canberra and test his proposition on all of those three counts. Of course we have unemployment - 8.4 per cent of it at last count - and we have a very high youth unemployment rate. Even the Commonwealth is concerned; they are going to put a building up so that they can create 2,000 jobs. Yet Mr Dollis says that we have no unemployment problem in the ACT and that we have no recession.

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All those small businesses that have folded in recent months and in the last couple of years would dispute that proposition. There is every evidence that there is a recession in Canberra. It just took a little longer to get here, but it is here all right. Anybody who says that there is no recession in Canberra simply does not understand the situation. He obviously has never been here, or he would know that that is true. Of course, the old sore that is always produced about Canberra is that there is security of employment because everybody works for the public sector. It is about time they realised that the public sector is no longer in the majority. Just over 50 per cent of people are employed by the private sector.

**Mr Connolly:** And even more, with \$300m worth of works that were announced last night.

**MR KAINE:** That will be fantastic. It will increase the percentage by 0.0000001 repeating; instead of 51 per cent of people being employed by the private sector, it will be 51.0000001. But that is an improvement. You have to give credit where credit is due; it is a good thing.

The point is, Madam Speaker, that this reflects an attitude about Canberra, when what they are really talking about is the big house on the hill over there and the people who inhabit it. Most of them do not inhabit any other part of Canberra, except when they need a quick feed somewhere and they take a Commonwealth car, dash out to a restaurant, have a meal and go back again. They really would not know what the situation is here. It is to their advantage, back in their electorates, to beat up on us in Canberra and make us the scapegoat for all of the ills of the country.

While I sympathise with the people of Coburg and elsewhere, the people that I represent are here in the ACT. I do not think that they deserve to be told that they have no unemployment, that they have no recession and that their jobs are secure. A lot of people can clearly demonstrate that none of those things is true. This is a media headline and, of course, we know that headlines do not always reflect the story; they do not even do that in our own local newspaper sometimes. Journalists and the editorial staff of newspapers, whether in Canberra or anywhere else, have a responsibility, surely, to report the facts, and not to present some biased analysis of the situation. All I am asking is that when the editor of the *Melbourne Age* - and newspapers like it all around Australia - next publishes an article of this kind he get it right and say that the rally rebukes the Federal Parliament or the Feds or something.

I wrote a letter to the editor of the *Age* on this matter and I pointed out to him that for the Government over the road we elected only three members. The city of Melbourne has elected 18 of them. If he wanted to criticise the Feds for this, his headline would more appropriately have been "Rally rebukes Melbourne for centre closure". That would have been just as ridiculous, but it would have been closer to the truth than to say that they rebuke Canberra for it. I think it is a matter of some concern, Madam Speaker. I thought that I should raise it and let the members in this Assembly express their opinions as well. I will be interested in hearing them, since Mr Berry and Mr Connolly were inclined to pooh-pooh the idea in the first place.

**MR BERRY** (Minister for Health, Minister for Industrial Relations and Minister for Sport) (11.17): I am pleased to have the opportunity to speak on this motion which has been put forward by Mr Kaine. The Government will be supporting the motion. What I find most interesting about the matter is what I would describe as the extreme hypocrisy of Liberals standing to defend Canberra when - - -

**Mr Kaine:** Madam Speaker, I raise a point of order. I think that we have debated this question of whether "hypocrisy" is an acceptable word in this chamber. I would like that word withdrawn when it relates to the Liberal Party and the members of it.

**MR BERRY:** Oh, no; it is appropriate.

**MADAM SPEAKER:** The ruling, from memory, was that it was allowable so long as there were no improper imputations.

**Mr Kaine:** Are you going to rule that he can use it but we cannot?

**MR BERRY:** I did not call you a hypocrite.

**MADAM SPEAKER:** Mr Kaine, I would not do that. There was a neutral ruling on it on which I sought advice. From memory, what I said at the time was that in the joust of debate it was acceptable in different times and different places, and I also said that it was acceptable so long as there were no improper motives attributed in the use of the words. I believe that I have ruled fairly on both sides on that basis. I think that Mr Berry was using it in the joust of debate, with no improper motives, or without putting any improper imputations on your words, Mr Kaine. Mr Berry, if that is the case, I am sure you would withdraw any implication of improper motives on Mr Kaine's part, and be simply using the word in debate. That would be my interpretation of what is happening now. Mr Berry, would you confirm that, please?

**MR BERRY:** A further interpretation of that would be the Liberals saying one thing and meaning another, and that is what this is all about. The Liberals rise to support a motion which sets out to defend Canberra, and that is a good thing; but, on the other hand, they support a glitzy grab bag of political promises which will inflict an almighty blow to the people of the ACT. The glitzy grab bag of promises contains some frightful impacts for the people of the ACT. That is why I call it the "frightpack". That is what it is. It is a "frightpack". The Liberals on the one hand stand to defend Canberra, but what about the "frightpack"? What will that do to the people of the ACT? What will it do to the ACT?

**Mr Kaine:** What about One Nation? You have forgotten about that.

**MR BERRY:** I will start to talk a bit about that. "Frightpack" will rip the core out of our employment. Mr Kaine knows that the public sector - - -

**Mr Humphries:** I take a point of order, Madam Speaker. The motion that is before the Assembly is about perceptions of Canberra and Federal Government policy being attributed to the city of Canberra. Mr Berry is talking about the Fightback package. I think, Madam Speaker, that this is not relevant to the matter that Mr Kaine put on the notice paper.

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**MR BERRY:** This is about the Liberals saying one thing and meaning another, and testing their commitment to the people of the ACT. They move a motion like this, but I want to expose their lack of commitment to the ACT because of their support for the "frightpack". There is no question about it; the "frightpack" is bad news for the ACT. You cannot get away with standing up in this place and arguing that you are a great defender of the people of the ACT when you defend that dreadful package. That is the truth of the matter.

**Mr Kaine:** Is that all you are going to say? Are you just going to repeat that for the next election?

**MR BERRY:** No, I am going to say a few more things, all things that you will not want to hear. These people, the Liberals, are going to take a great number of our public servants interstate. Sure, that will change the balance of the public and private sectors in the ACT. The Liberals will ship them out. They have said, clearly, that they are going to do that. When you ship them out you will change the balance of the public and private sectors.

Of course, what you are not saying is that you will damage the private sector by taking away that very important employment base in the Australian Capital Territory. You just cannot get away with that. Not only will you rip into the public sector and damage the private sector as a result; you will then move to make it more difficult for the private sector. You will do it by way of an attack on the industrial relations policies in the ACT. You will thrust the Territory, with an excellent industrial relations record, into a state of conflict. You just cannot get away with that sort of stuff. Let us look at the industrial relations conditions in the ACT.

**Mr Kaine:** Mr Deputy Speaker, I take a point of order. I really must ask you to direct the Minister to be relevant in accordance with the standing orders. This is about media misrepresentation and he is talking about industrial relations that we are going to foist on the ACT. He is so far away from the point of debate that he is out of sight.

**MR DEPUTY SPEAKER:** Yes, I must uphold that point of order. We are not discussing industrial relations, Mr Berry. Would you please return to the motion that is before the house.

**MR BERRY:** We are not discussing industrial relations - - -

**MR DEPUTY SPEAKER:** No, we are not.

**MR BERRY:** Mr Deputy Speaker, what we are discussing here is the indifference of the Liberal Party to the people of the ACT - - -

**Mr De Domenico:** I take a point of order, Mr Deputy Speaker. We are not discussing what the Liberal Party may or may not do to the people of the ACT. We are discussing a motion which concerns the headline in the *Age* newspaper on Thursday, 25 June, under, might I remind Mr Berry, a Labor government. It is not a Liberal government; it is a Labor government. We are prepared - - -

**Mr Connolly:** I take a point of order, Mr Deputy Speaker. Is this a speech, a debate or a point of order? Get to the point of order.

**Mr De Domenico:** I have not finished yet. Sit down, Mr Connolly.



**MR DEPUTY SPEAKER:** One moment.

**Mr Kaine:** He is still taking his point of order. You cannot cut across him when he is taking a point of order.

**Mr Connolly:** Yes, I can. He is not taking a point of order; he is making a speech.

**Mr Kaine:** No, he is not.

**MR DEPUTY SPEAKER:** Mr De Domenico, go ahead.

**Mr De Domenico:** Thank you, Mr Deputy Speaker. I obviously accede to your ruling, Mr Deputy Speaker. Mr Berry is off the point. He is irrelevant, as he always is, and I ask you to rule accordingly.

**MR DEPUTY SPEAKER:** Mr Connolly, did you want to take a point of order?

**Mr Connolly:** I was wondering what the point of order was. I was intrigued by the speech, but it did not resemble a point of order.

**MR DEPUTY SPEAKER:** Thank you. I ask that we return to the motion moved by Mr Kaine that is on the notice paper.

**MR BERRY:** I am happy to.

**Mr Kaine:** Let us talk about Coburg.

**MR BERRY:** We are talking about defending Canberra. That is what we are talking about. If the Liberals are going to stand up here and criticise people who have made claims about the ACT, then they have to be entirely honest on this matter. They have to talk about what they intend to do to the people of the ACT. They have to come out into the open and tell us what they intend to do. You are not doing that, and I intend to expose you for that. I intend to expose you for that, and you do not like it.

**Mr De Domenico:** Did you tell us that you were going to ban circuses? You did not, did you?

**MR BERRY:** I do not want to talk about circuses. I want to talk about what the Liberals - - -

**MR DEPUTY SPEAKER:** Order! Mr Berry has the floor. It has been a fairly free-ranging debate.

**MR BERRY:** You would never guess, would you. On the hill we see a bunch of out-of-towners - there is no question about that - who are acutely aware of what they have failed to do in their own electorates. There is no question about that. They see the ACT and - - -

**Mr Kaine:** These are your Federal politicians.

**MR BERRY:** These are our Federal politicians, Mr Kaine. They are on both sides of the fence. Our Federal politicians see what happens in Canberra - there is no question about that - and it demonstrates to them what they have failed to do in

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their own electorates. It is all right for them to dump on the ACT; but, in my view, they would be better off getting back to their own electorates and getting it right.

**Mr Kaine:** Now you are on track.

**MR BERRY:** That is correct, and that is why the Government will be supporting the motion. But it galls me to come in here and see the Liberal Party arguing the case, bearing in mind what they are going to do. It is clear that under a Liberal government we will be worse off in the ACT. You have to bring these things out into the open and be honest about it.

I know that, since I have sparked a bit of interest in the issues here, there will be a response to what I have said. I will not take them to task in relation to that, Mr Deputy Speaker, so long as they are fair dinkum, so long as they tell us what they are going to do to the public sector in the ACT, so long as they tell us what they are going to do to the health system in the ACT, and so long as they tell us what they are going to do to the industrial relations system in the ACT. We have a conciliatory system and we know that the Liberals are going to try to create the worst of an adversarial system and take us back to before the turn of the century when workers and bosses fought incessantly. There were lockouts, long strikes and all of those sorts of things. That is what the Liberals are going to do.

**MR DEPUTY SPEAKER:** Order, Mr Berry! I think you are getting away from the motion.

**Mr De Domenico:** I raise a point of order, Mr Deputy Speaker. I suggest that not even Mr Berry knows in advance what the Liberal Party may or may not do in this Territory.

**Mr Moore:** We know what they have promised, but we do not know what they are going to do.

**MR DEPUTY SPEAKER:** There is no point of order.

**Mr De Domenico:** For Mr Berry to stand up and give an opinion is fine, Mr Deputy Speaker; but he is not here to give an opinion.

**MR BERRY:** I will take that point. Mr Moore reminds me that we know what they have promised, but we do not know what they will do.

**Mr De Domenico:** For Mr Moore to suggest anything about promises - - -

**MR DEPUTY SPEAKER:** Order!

**Mr Kaine:** What is wrong with that? We do not even know what you are going to do.

**MR BERRY:** You can back it in; it will all be good. Seriously, Mr Deputy Speaker, I stand proudly to defend the ACT, like most residents, and I would like the Liberals to stand and honestly defend the ACT; but they have to lay all their cards on the table. This business of saying on the one hand that it is crook for somebody - - -

**Mr Kaine:** You show me yours and I will show you mine.

**MR BERRY:** I am not sure about that. If somebody in Victoria criticises, the Liberals feel free to get up and criticise them; but they have to look at their own consciences on this issue as well. There are some serious implications for the ACT in what is proposed by the Federal Liberals and I think that we need to remind the people of the ACT of that as much as possible.

I see myself as a caretaker of the nation's capital, and I guess everybody here would see the nation's capital as one of its most precious assets. I will stand and defend it, like the Liberals; but I will do it in good faith. If you want to talk about the One Nation package and the benefits that will flow to the people of the ACT, I am happy to do that; but I want you to talk honestly about what you are going to do to our health system, what you are going to do in relation to the people of the ACT - - -

**Mrs Carnell:** Fix it.

**MR BERRY:** You are not going to fix it, Mrs Carnell. You are going to do something else to it that probably does not bear repeating in this place. What you are going to do - - -

**Mr Kaine:** This is a family show, Minister.

**MR BERRY:** Yes, that is right; it is a family show. The leader of the Liberals has said that you are going to drive people into private insurance. You are going to force them into top cover - - -

**Mr Humphries:** We are going to make it affordable for them. That is what we are going to do.

**MR BERRY:** You are going to force them into top cover at \$46 a week.

**MR DEPUTY SPEAKER:** Order, Mr Berry! You are getting off the subject again.

**MR BERRY:** I respond to loud interjections. You are going to force them into expensive - \$46 a week - private hospital insurance. The big beneficiaries will be the private hospitals and the private insurers. The losers will be the people of the ACT. You cannot keep walking away from that. I also have to ask at the same time, "Who is going to pay the bill?". The taxpayer is going to pay the bill because the Federal Liberals are saying that they will give them a tax concession for it. That is what you are going to do.

Unquestionably, Mr Deputy Speaker, it is easy for out-of-towners to take a few cheap political points at our expense, but at the same time I do not think we ought to be too crushable about the issue. We have the job of defending the people of the ACT, and we will do that. We have to understand that there are politicians in other places who do not get many votes from the ACT, and I guess that is why, from time to time, there is some criticism of the place. I do not like cheap political points. I do not like cheap political points when you are not in a position to defend yourself. You can defend yourself in this place, if you are talking about the political points that we take, very easily, off the Liberal Party, because they are a bit of a gift; but if these sorts of accusations are made in other places it is very hard to defend the people of the ACT. But we are committed to the defence of the ACT.

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The national media like to take pot shots at this place. Some of our journalists seem to be paid to be critical, and they are very good at it. It does not help us much to be here defending ourselves all the time; but I think most of the people in the ACT would say to themselves, "We are onto a good thing here; we are going to protect it, and the rest of you ought to aim for those sorts of high ideals". That is why the Labor Party will continue to defend the ACT, but we will continue to expose what the Liberals are on about when they talk about their dreadful "frightpack".

**MR DE DOMENICO** (11.31): Mr Deputy Speaker, I rise with pleasure to support the motion put forward by Mr Kaine - - -

**Mr Lamont:** Okay; next speaker.

**MR DE DOMENICO:** I will attempt, Mr Deputy Speaker, not to listen to the idiotic interruptions from the other side of the house. Mr Berry wants us to put our cards on the table. I will remind Mr Berry that when Mr Tim Fischer, two or three months ago, rang up or said certain things about the ACT it was not - - -

**Mr Lamont:** Your Federal mate.

**MR DE DOMENICO:** Mr Lamont says, "A Federal mate". I gladly agree with you, Mr Lamont; he is a good mate of mine and he is a Federal member of parliament. I rang the radio station - not Mr Berry, and not you, Mr Lamont - and I abused Mr Fischer, as I would have abused Senator Button, because from time to time Senator Button has been known to say bad things about the ACT, or anybody else - Liberal, Labor, Phil Cleary, Callithumpian, or whoever else spoke against the ACT.

**Mr Lamont:** What seat does he represent?

**MR DE DOMENICO:** I do not know. There will be many more Phil Clearys in the Labor seats after the next election. I will stand up, Mr Deputy Speaker, and defend the ACT, notwithstanding who might denigrate the ACT. Let us get that point quite clear. Mr Berry stood up and used words like "hypocrisy" and all that sort of thing. Let the hypocrisy lie where it deserves to lie - over on the other side of the house as well. Let us get fair dinkum. Mr Berry talks about getting fair dinkum all the time. We will get fair dinkum.

No-one has talked about what initiatives we can take, as members of this Assembly, in the avenues we frequent, to stop this Canberra bashing. Mr Deputy Speaker, this sort of situation is not new. People may recall that last year the Canberra Business Council were very concerned about the Canberra-bashing situation. They did not stand up here and talk about it, though; they did something about it. Once again, the Canberra Business Council took the initiative; they invited Federal journalists to a lunch at the Hyatt Hotel. They also invited many of us who are here today. They put their money where their mouth is and did something about it. Talk is very cheap; but the Canberra Business Council, the private sector, a very important part of our community, a majority of our community, did something about it. When Mr Berry starts talking about hypocrisy and whatever, let him put the facts straight, let him put his cards on the table as well, but all the cards, and say that there are a lot of things being done already.

Mr Kaine's motion - I am delighted that the Government is going to support it - notes that Melbourne elected more members of the Federal Government at the last Federal election than Canberra did, as did Western Australia, Tasmania and everywhere else. What this Assembly did - once again it was a positive move, Mr Deputy Speaker - was to vote in a specialist committee, namely the Tourism and ACT Promotion Committee, which I gladly chair, to look at this very thing because we are concerned about what is thought of us outside the ACT. I have heard of all sorts of surveys saying that the people who have been here think it is a grand old place. I am not concerned about the people who have been here, Mr Deputy Speaker; I am concerned about the majority of Australians in your Coburgs, Maribyrnongs and Parramattas who perhaps cannot afford to come to the ACT. We know what they think; they think what they read in newspapers, watch on television and listen to on the radio. Their perception of the ACT, as Mr Kaine suggested, is like that of Mr Dollis, the member for Richmond in Victoria, who said that we have no unemployment, no recession, and security of employment.

As Mr Kaine quite ably put it, and as Mr Berry would agree, seeing that our unemployment level is 8.4 per cent, of course there is unemployment in the ACT. I might add that Mr Berry was slightly political. I am not digressing, Mr Deputy Speaker, because Mr Kaine mentioned the unemployment situation. There is unemployment in the ACT. What Mr Dollis fails to realise is that it was his Federal colleague Mr Keating, who had eight years as Treasurer and now has had one year as Prime Minister, who gave us the unemployment. It was Mr Keating and the Labor Government - not the people of Canberra or the people of the ACT, but members of the Federal Parliament, a majority of whom are Labor members, unfortunately, at this stage. That will not be so in the future. They are the ones who have given us unemployment, Mr Berry, not the people of the ACT.

Mr Dollis went on to say that the ACT has no recession. Once again, if Mr Dollis were to travel to Canberra and to see all the small businesses going out of business and the commensurate unemployment that goes with that, he would also realise that of course there is a recession in the ACT. I say to you, Mr Deputy Speaker, that that recession, the one we had to have, once again was not created by the people of the ACT; it was given to us wilfully by a Federal government. I also suggest to you, Mr Deputy Speaker - I am sure you are aware of it - that for the past 10 years that Federal Government happens to have been a Labor Government. So it was not the people of the ACT who gave us the recession; it was the Federal Labor Government.

The other thing that was alluded to in the story in the *Age* newspaper which we are talking about, Mr Deputy Speaker, was that Mr Dollis, the Labor member for Richmond, said that everybody in the ACT has secure employment. Well, a few hundred people at the Industry Commission that is now going to go to Melbourne do not have secure employment, and the 8.4 per cent who are currently unemployed do not have secure employment. Nobody in this country at the minute, with our current economic woes, can say that they have secure employment. Once again I suggest to Mr Dollis and the *Age* newspaper, and anybody else who wants to criticise the ACT, that that so-called insecurity is not the fault of the people and the electors in the ACT. Once again, let us put the blame where it is due, and that is on the Federal Government - and it happens to be a Federal Labor Government.

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Mr Deputy Speaker, members of all political persuasions in this house ought to be supporting this motion. It quite rightly says that we have to stand up and defend the integrity of the people of the ACT. Notwithstanding which political party or which politician denigrates that integrity, all members of this place ought to follow the lead of members of this side of this house, as well as some members on the other side of the house, I must concede, who always stand up and defend the rights of the people of the ACT.

**MS ELLIS** (11.38): There are several points that I would like to make on this matter which Mr Kaine has brought to the attention of the Assembly. Part of our responsibility as representatives of the people of Canberra is to promote Canberra and to defend the people of Canberra from unwarranted attacks related to perceived lifestyles, working conditions, social structure and so on. These are not political issues; they are Canberra issues.

Mr Kaine is quick to use quotes from the Victorian State Labor Party members. Although he acknowledges, and rightly so, that politicians of all persuasions attack Canberra, he failed to use, or overlooked the use of, any of those quotes. I feel compelled to remind Mr Kaine of those and of the many other Canberra-bashing techniques employed by non-Canberrans of every political persuasion. In fact, there are several ways of attacking Canberra. Words are one thing. However, one wonders about the real attack on Canberra that would occur should the Federal Opposition have the opportunity to impose the Hewson doctrine onto the local Canberra economy. It is the words of the likes - - -

**Mr Humphries:** I raise a point of order. Mr Deputy Speaker, I am sure Ms Ellis will not be making the mistake made by Mr Berry in digressing from the matter on the notice paper. You have already ruled on that. I hope that Ms Ellis will take account of that fact.

**MR DEPUTY SPEAKER:** I would hope that Ms Ellis would not be digressing from the motion on the notice paper.

**MS ELLIS:** No, and if I am given the opportunity I will lead directly to it. It is the words of the likes of Hewson, Reith and Fischer that we must take note of, because they give us a clear indication of what the physical and real threat to Canberra would be under their administration. The first thing I will refer to, if I may, is a Tim Fischer media release. If we are talking about media reports, let us refer to them. This morning I heard Senator Margaret Reid proudly espouse the virtues of the Menzies Government. She spoke of Menzies having been the builder of Canberra. She should have talked to Tim Fischer, because in May 1992 he said:

If the Federal Parliament, which spent the first quarter of a century in Melbourne, had not been moved to the 'cocoon of Canberra' in 1927 then the impact of the great depression of the 30s -

I think marginally under a tory government -

might have been less; but certainly the great recession of the 1990s would have been a whole lot less significant.

**Mr Kaine:** Why do they use nineteenth century terminology? I am not a Tory.

**MS ELLIS:** I do not know why Mr Fischer did. The other quote I would like to use from Mr Fischer appeared in the *Australian Magazine* of 4 and 5 April this year. It read:

National Party leader Tim Fischer is quick to claim exemption from the Canberra cocoon. "I always catch the last plane in and take the first plane out after Parliament rises," he says. "Canberra is not Australia - but we now have fourth-generation Canberrans running departments who only have fleeting glimpses of the great Australia beyond".

Dr Hewson stated on 11 March this year:

We have in our policy of course a decision to move parts of the government departments out of Canberra to other parts of the country; we haven't decided yet which and where.

Good heavens! I also refer to an article in the *Canberra Times* of earlier this year in which Dr Hewson is quoted as saying:

Treasury economists should be sent to Sydney's outer western suburbs and Department of Industry, Technology and Commerce officials should go to places such as Geelong where they could see the dramatic consequences of high interest rates.

Again, that is a report out of a media outlet. Here is another one from the *Australian* of 27 July. This I find distasteful and beyond the pale. Dr Hewson was introducing to the electors of Perth the Liberal contender for Kim Beazley's seat in Perth, who happens by chance to be a veterinary surgeon. Dr Hewson said:

People who are close to animals do well in Canberra and probably working with animals will be good training for living and working in Canberra.

What an appalling quote! Six days later, Mr Reith, at a function in Brisbane, said:

... we are very keen on two concepts. One, privatisation - which is just taking the delivery of a service now provided by government out of the government sector entirely and putting it into the private sector. And you can take slabs -

I repeat, "slabs" -

of the public sector in Australia and just privatise them, which we will do.

**MR DEPUTY SPEAKER:** Take relevant slabs, please, Ms Ellis.

**MS ELLIS:** Very well, Mr Deputy Speaker. He also said:

And, secondly ... there's tremendous scope for efficiency improvements by contracting out government services.

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The quote that I would like to use here to illustrate what Mr Reith may in fact have been getting at comes from a St Patrick's Day function in Brisbane on 17 March. Again, it is a press quote. Mr Reith was asked this:

... I understand that 44 per cent of the people who are employed in the country are Public Servants. How do you propose to change ... that situation?

His answer was:

In the past, I think, that's been a question which has never been satisfactorily answered by governments in government. They've always had a lot of talk about how you deal with the problem but they've always been confronted with the nature, I think, of bureaucracy where, you know, you chop 5 per cent here and 2 per cent there and 6 per cent there and then you turn around a couple of years later and they're all back there again.

Then there was the famous Menzies quote:

... there's a great saying of Menzies, you know. He said the trouble with bureaucrats is they don't eat their young.

I would also like to refer to another press clipping from the *Canberra Times* of 8 April, where Senator Parer was reported as having said:

Canberra was seen by the rest of Australia "to be a city pampered by tax-payers and full of remote people who have no idea what is going on in the rest of Australia.

This is what we really call Canberra bashing. It is simple. What Hewson, Reith and company will do if they gain government is either move us away or privatise us. Either way, there will not be much of Canberra left. I can see negative aspects to that policy, but I am strapped to find anything positive. Destroying the public sector in this way will destroy the economy and, in fact, the fabric of Canberra. Not only will our public sector suffer; much of our private industry and - - -

**Mr Humphries:** I take a point of order.

**MR DEPUTY SPEAKER:** I think I can anticipate Mr Humphries's point of order, and I will uphold it. Would you please get back to the subject before us, which is No. 3 on the notice paper, Ms Ellis.

**MS ELLIS:** Happily, Mr Deputy Speaker. I feel bound to honestly debate this. We need to refer to other press clippings as well, to put the debate into context; and I am quite happy to pursue that avenue.

Much of private industry and many small businesses will also be destroyed. What for the rest of Australia is even more frightening, however, is that the services provided efficiently to the Australian community will no longer be provided by our very accountable and public public sector. Yet this is a Canberra that Mr Kaine would, in fact, like to see. Senator Bob McMullan, in his *Canberra Times* article of 12 July this year, stated:



When we respond to "Canberra bashing" attacks we should do more than merely defend our city and speak up for it.

We should also speak up for the role of public servants and the public service, in general, in contributing, sometimes in ways beyond measure, to the society we create today and leave for our children tomorrow.

It is a shame that Mr Kaine and his Liberal Party colleagues cannot, apparently, support Canberra in that way. Nevertheless, at least Mr Kaine has made some attempt to protect the people of Canberra from being blamed for the decisions of the Federal Government, despite what his motives may be.

It is all right to argue with those who attack Canberra from the outside, but what about those within Canberra who find it useful to attack areas within the ACT? As a resident of Tuggeranong, I do not appreciate hearing continual attacks on Tuggeranong - "It is too far out to bother with"; "It is the struggle town of Canberra"; and so on. None of this is true; but, more importantly, comments such as this do not reflect an appropriate attitude towards the 70,000 to 80,000 people who live there. Mr Humphries, in a recent article in the *Valley View* newspaper, suggested that the people of Tuggeranong were economically worse off than the rest of Canberra. He even went so far as to name particular suburbs. This does little to endear him to the residents of the valley, and neither does it assist in the rest of Canberra's attitude towards us. His comments were unnecessary and offensive.

I will continue to defend the population of Canberra as a representative of the population, and I will continue to fight against those short-sighted policies of some of our politicians, of whatever persuasion. I trust that Mr Kaine and his colleagues will join me in that fight.

**MR HUMPHRIES** (11.47): Mr Deputy Speaker, I intend to respond to Ms Ellis's untrue comments a little later on. I will do so under my right to make a personal explanation at the end of this debate. I want to get onto the topic, a topic that has rather eluded most of the speakers on that side of the house so far in this debate. This is a serious topic. It has a serious point to it and it presented an opportunity which unfortunately those opposite have let slip through their grasp.

There has been, as Mr Berry briefly alluded to, a sustained attack on the city of Canberra and on the people of Canberra by politicians of all hues in the Federal Parliament. Here is a motion moved by a member of a party represented in the Federal Parliament which invited support from another party represented also in the Federal Parliament to indicate that the ACT politicians and, in turn, the people of the ACT are united in rejecting the sort of action which is taken by those Federal politicians. The only way we have a chance of being able to stop that kind of attack on the people of Canberra is by indicating that we unanimously take the same view about this matter. A united view on these kinds of attacks has not emerged from this debate. Rather, it has been taken by those opposite, in particular, as an opportunity to launch into a mud-slinging attack about other issues, particularly about Fightback.

**Mr Berry:** You should lay all the cards on the table.

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**MR HUMPHRIES:** We will lay all the cards on the table. That is obviously what this has become. It has also become a wasted opportunity. It is a wasted opportunity because this could have been a chance for us to indicate, on a bipartisan basis - hopefully, a multipartisan basis - that we were going to stand up for Canberra. That has not happened.

Mr Deputy Speaker, Ms Ellis created the very false impression that only coalition members have been into the business of Canberra bashing. She did not mention a word about any other Labor members who had made attacks on Canberra. She did not say a word about any of those members or about any of the other things which have amounted - - -

**Mr Berry:** You are being as precious as Trevor.

**MR HUMPHRIES:** I know that you are upset about this. You have to take it in your stride, Mr Berry. I know that the truth about this hurts. The fact of the matter is, Mr Deputy Speaker, that actions speak louder than words, and we have here all sorts of words about what the Federal coalition is supposed to be planning to do to the people of Canberra. Let us look at what the Federal Labor Government has actually done to the people of Canberra over the last 10 years.

**Mr Lamont:** Does that mean that the "frightpack" is nothing; that it is not the truth? What is the agenda, then?

**MR HUMPHRIES:** Let us look at the real Canberra. You can interject all you want, Mr Lamont; but the fact is that the people of Canberra have suffered a lot under this Federal Labor Government, and that is where the real attacks on the people of Canberra have come from in the last 10 years. Let us look at some of those attacks. Ms Ellis referred to the fact that some government departments were to be pared off under a Liberal government. What about the Industry Commission moving to Melbourne? Have you forgotten about that?

**Mr Moore:** Yes, that is disgraceful.

**MR HUMPHRIES:** Disgraceful indeed. Thank you, Mr Moore; it is disgraceful. What about the dismantling of the Bureau of Mineral Resources?

**Ms Ellis:** What dismantling?

**MR HUMPHRIES:** You know perfectly well what is happening to the BMR. What about the Australian Maritime College that this Labor Government shipped off to marginal Labor seats around this country? What kind of disgraceful attack on the people of Canberra was that? What about the Government denuding Canberra of training facilities for air traffic controllers that should have come to Canberra and instead have gone somewhere else? We all know about these things. Let us not pretend that these are great surprises to us. What kind of damage has that done to Canberra and to its viability - and to its employment base, might I add?

**Mr Lamont:** None.

**MR HUMPHRIES:** Those opposite say, "None". Sending public service departments to other States has done no damage to the ACT?

**Mr Lamont:** No; because you are wrong.

**MR HUMPHRIES:** Thank you for putting that on the record, Mr Lamont. We know now that Mr Lamont does not particularly care about - - -

**Mr Lamont:** You are wrong in fact. You are very touchy about this.

**MR HUMPHRIES:** You are the one interjecting, Mr Lamont; I am not. We know that Mr Lamont and his colleagues understand that sending some departments to other areas sometimes might have to happen as part - - -

**Mr Lamont:** Mr Deputy Speaker, I take a point of order. You did pull up my colleague Ms Ellis in relation to relevance. I am sure you were referring to standing order 58. I would hope that we can be even-handed with people from the other side of the chamber.

**MR DEPUTY SPEAKER:** We can; and we can also pull people up for too frequent interjections, Mr Lamont.

**Mr Lamont:** I understand that; and I do notice, sir, that you have not done so, to this time.

**MR DEPUTY SPEAKER:** I may well do so.

**MR HUMPHRIES:** Mr Deputy Speaker, let us look at the real Canberra attackers, the people who have been making attacks on the ACT. We have to balance the record, for those who might read only or primarily Ms Ellis's speech.

**Mr Berry:** Tell us about the *Valley View* and your response to that.

**MR HUMPHRIES:** I will get onto that, Mr Berry. You will get your medicine in time. Just be patient. We have Mr Tom Burns, a former State leader of the Australian Labor Party - - -

**Mr Lamont:** Mr Deputy Speaker, I rise to the same point of order in relation to relevance. It is becoming tedious and repetitious. I refer you to standing orders 62 and 58.

**MR DEPUTY SPEAKER:** Mr Lamont, ruling on the point of order, Ms Ellis did mention a number of Federal and State members of parliament. Mr Humphries, I believe, is doing the same thing. If he strays too far, of course I will pull him up. At the moment I am taking the same even-handed approach that I took with Ms Ellis when she was mentioning Mr Fischer and various other members of parliament.

**MR HUMPHRIES:** Ms Ellis and other speakers in this debate have named the Canberra bashers. This motion is about Canberra bashing. I am going through the process of doing just that. We have pointed out Senator Button's role in this process. We have pointed out the role of Mr Graeme Campbell, the member for Kalgoorlie, in this process.

**Mr Moore:** I take a point of order, Mr Deputy Speaker. It is not so much the irrelevance; it is the tedious repetition. Mr Humphries is saying, "We have pointed out; we have pointed out". We know that. Standing order 62 does prevent tedious repetition.

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**MR HUMPHRIES:** Mr Deputy Speaker, I will move to another point. If it offends the Labor members opposite to hear about it, I will move onto something else.

There is obviously, in any situation where we have a federal system, and even in systems other than federal systems, a propensity to confuse the notion of the capital with the federal government or the national government. That is a quite natural phenomenon. I can assure members, if they did not know already, that Canberra is not the only place in the world that bears eponymously the attributes of the government that lives in that place; but there are occasions when that kind of association in the minds of people goes much too far. We have seen that in recent times with, in particular, a number of press reports which have made serious attacks on the very nature of the city of Canberra, the very nature of the fabric of Canberra, when they ought to have been attacking, and I think probably in some cases were meant to attack, the people in Canberra who have made decisions that have affected adversely others in Australia.

There have been plenty of such decisions, and the people of Australia have every right to be angry and concerned about some decisions made in this Federal capital; but they do not have the right, and members of the media do not have the right, to associate the people of the ACT, who either are unassociated with that government or merely serve that government as public servants, with the same brush. There is no right to do that, and we have every right to rise in this place to defend the people of the ACT who fall victim to those sorts of attacks.

Some outrageous Canberra bashing has been based on very flimsy facts; some has been based on outrageous scaremongering. I think all of us know that it is very easy to make that kind of attack because Canberra has, in the past, been generously endowed with certain things. Canberra has experienced considerable benefit because of Federal Government largess. The people of the ACT are hardly responsible for that. The people of the ACT have not arranged things in that fashion. If anything, they have received that benefit without any say in the matter.

Until only three years ago there was no effective mechanism for the people of the ACT to control the activities within their own jurisdiction. There was no self-government. The lack of self-government made, in a very real sense, the people of Canberra the total victims of the actions of Federal governments, of whatever persuasion they might be. We are now in a position where we have our own Assembly. We are now in the position of being able to defend ourselves, and to make the point that we are making today - that attacks on the city of Canberra and its people are unacceptable. We will not stand up for it. I believe that all members of this Assembly will support this motion that is before the Assembly today; that we will unite, I hope on a more bipartisan basis than has been the case so far in this debate, on this important question.

**MR LAMONT (11.57):** Very briefly, Mr Deputy Speaker, I concur with the concluding remarks of Mr Humphries, although not the substance of some of his earlier comments. Canberra bashing will be a vexed question for Canberra while ever it exists. A lot of journalists, with very tight schedules, find it much easier to say "Canberra", in much the same way as journalists in the United States will say "the capital" or "Washington". We are all then tarred with that brush if the journalist is trying to make an unfavourable comment. I make no accusation against journalists in general; but I do call upon that profession to understand not

only the sensitivity of the people of Canberra to that tag but also the inaccuracy of the comment when they say, "Canberra today did this". They should be more responsible, as, indeed, the Australian Broadcasting Corporation have agreed to become more responsible. When referring to the decisions of the Federal Parliament they will now, I understand, be saying exactly that.

What we also have to realise is that, notwithstanding that 50 per cent of the population of the ACT is now employed in the private sector, a substantial amount of that private sector is here because it directly services the public sector which exists in the ACT. Fifty per cent is involved in the private sector; but, substantially, that private sector services the public sector in the ACT. So we should not say, in my view, "Do not refer to Canberra as being the seat of government". That is one of the attractions of Canberra. It is one of the ways in which the ACT should be promoted. It is on that positive note that any activity arising out of this motion, and the activities of the ABC and other groups involved with the promotion of the ACT, should be based. That is the line that they should take.

We should also be mindful that, while we are the seat of the Federal Government, we are a substantial player in the region. Canberra is a substantial player in the region. We are not talking about just the Australian Capital Territory and the residents within it; we are talking about the Canberra region. When we look at what it is that we wish to promote and defend and protect, it is the Canberra region. Substantial numbers of people who work in the ACT reside in Queanbeyan and bordering New South Wales. When we start to address the question of how we defend the ACT from such scurrilous attacks as were outlined by a range of earlier speakers, we have to be mindful that it is not just the ACT that we are defending. We have that wider context.

It should be done, as Mr Humphries suggested, on a multipartisan basis. I believe that all of the Independents here support the proposition. But there is a concern that, for short-term political gain, there are those amongst us who deride Canberra for decisions that this Assembly has made. That is something that I think we should rebuke and reject. It is not appropriate, in my view, when we make decisions in this Assembly on particular issues - whether on circuses, on pornography, or on any of a range of other matters that we discuss - that members of this Assembly turn around and start saying, "Oh, look at them. Look at the scumbags. They are in there. They have made us the porn capital of Australia", and other such things. When we sheet home the blame for the name that Canberra has, people in this Assembly should be very well aware that some of the blame resides with them and their attitude to the ACT and to Canberra, and, indeed, to this Assembly.

In supporting the proposition put up by Mr Kaine, I believe that all members and all constituents in the ACT should be mindful that the blame does not have to be sheeted home only to the people in Victoria and members for this Federal seat or that Federal seat; we should also look at our own doorstep, Mr Deputy Speaker.

**MS SZUTY** (12.02): Mr Deputy Speaker, I support Mr Kaine's motion bringing the article in the *Melbourne Age* to the ACT Legislative Assembly's attention. I must admit that so far I have been disappointed with the tone of this debate. It appears to have degenerated into a debate on how Labor and Liberal policies variously affect the ACT. As a member of the Tourism Committee, I have seen many cases where Canberra is used as a substitute for the Federal Parliament,

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and almost always in a pejorative sense. We have come to know this phenomenon as Canberra bashing. Despite recent attempts to curb this national pastime, it flourishes throughout Australia, and any attempts to negate it are met with retorts alleging whingeing and the inability to recognise our privileged position within the national agenda.

Most Canberra bashing is generated by people who live outside the ACT choosing to ignore the fact that people live and work here. This ignores the fact that Canberra has only four Federal Parliament representatives and cannot in all fairness be held to be to blame for all the decisions coming from Capital Hill. The impression I have gained from press articles and from recent attempts by the media to change this attitude is that people interstate still feel that public servants are villains who have ruined the country and that they and their masters are unique to Canberra. This flies in the face of logic when it is considered that most MPs and senators do not live in Canberra. Even the public servants who do have often been transferred from interstate. The guilt by association that Canberra suffers is the result of people ascribing to all residents some role in the bad news that has befallen the Australian economy in recent years. As we now have self-government and our industry base is shifting from the public sector to the private sector, this observation is no longer appropriate.

The Standing Committee on Tourism and ACT Promotion has recognised the phenomenon of Canberra bashing in the terms of reference for its current inquiry. My fellow members of that committee, Mr De Domenico and Mr Lamont, also took part in a forum organised as a result of an anti-Canberra-bashing drive undertaken by local ABC radio station, 2CN. Local enthusiasm was generated by this campaign, which included a link-up to Melbourne to allow an exchange of views on the subject. However, it appears from the Melbourne *Age* article referred to in Mr Kaine's motion that we have not achieved much. There is no doubt in my mind that Canberrans suffer as a result of Canberra bashing, and that the ACT also suffers because of the negative feelings such stories and headlines generate. A promotional campaign a few years ago urged Canberrans to become ambassadors for their city; but I can understand that that may be difficult, if not impossible, when the rest of Australia associates us only with the Federal Government, harsh decisions, large memorials and good roads. The consequences are a lowering of the self-esteem and morale of the people who live and work here in Canberra.

It is important that we, as members of this ACT Legislative Assembly, promote Canberra as much as we can and act as ambassadors for our city and our Territory. It seems to me to be most important that this Assembly, or the Canberra community, or anyone, for that matter, come up with an appropriate name for the Federal Parliament - perhaps "Capital Hill", or "the House on the Hill", or perhaps another name. If we come up with an appropriate name for the Federal Parliament that sticks, we may well be able to eliminate much of the Canberra bashing that affects us now. I support Mr Kaine's motion, and I urge my fellow members to support it also.

**MR MOORE** (12.06): It seems to me, Mr Deputy Speaker, that members will be supporting this motion, as, indeed, I will be; but I cannot help thinking that we are just a little precious. Had I been dealing with a similar situation in the schoolyard with one of my children, I guess I would say, "When people are having a go at you, perhaps they are jealous". I think people have a very good reason to be jealous, because Canberra is a beautifully planned city. It is

a wonderful city in which to live; it is a wonderful city in which to bring up our families. We know that. We do not have to worry too much about what other people think and say, and we certainly do not have to go over the top about it.

Mr Kaine brought up the motion and we have all had a nice chat about it. I think that we will all support it. I am sure it will be more useful if Mr Kaine is one of the people who lead the way with the *Canberra Times/Age* letters to the editor arrangement by which people can explain the way that they are thinking about this issue. The worst thing you can do in the schoolyard, and the worst thing we can do here, is to get too precious about Canberra bashing, because the more we are seen to react to it, the more it will go on.

**MRS GRASSBY (12.07):** Every country I have been in seems to be very proud of their capital. I think that what we are suffering from is the tall poppy syndrome. Canberra is a beautiful city. Anybody who has ever come to Canberra will say so. I have heard the politicians who make these statements outside Canberra say, when walking around Canberra, how much they enjoy being in Canberra. I think it is just the tall poppy syndrome: "Pull it down because I cannot have it and I do not live there". We would be very happy for them all to come and live here and to pay us taxes, particularly if we can get land tax from them. We would be very happy for that to happen.

**Ms Follett:** We have a few of them.

**MRS GRASSBY:** Yes, we have. I agree with the statement about being jealous. I think that is true, and I think that we are being a bit precious. Sometimes we are better off to ignore some of these things. The trouble with a lot of these Federal members is that they do not do a very good job in their own electorate. They do not have anything else to pull down, so they spend their time trying to pull down Canberra.

We are very lucky, because this city was created to be a capital. It was designed to be a capital, so it must be better than any other city in Australia. If you set out to design something and you design it as well as this has been designed, it will be better than everywhere else. I think we have attracted some wonderful people to Canberra. This has been going on over many years. They came here for good reasons. It is a beautiful city; it is a lovely city to bring your children up in; it is a lovely city for people in their retirement, as they can walk around and enjoy the lakes and things like that. This city was created to be beautiful. The trouble with most of our politicians up on the hill is that they do not have anything else to talk about. They spend their time running around Australia blaming all the things that they cannot do, because obviously they are inefficient, on Canberra. They have to pull Canberra down. They sit in their little ivory tower up there on the hill - we call it the pimple on the hill - and that is all they worry about.

I am very proud of Canberra, and I am proud to represent Canberra in this Assembly and outside. I speak to people all around Australia that I meet from time to time when travelling. If they have been to Canberra they say, "Gosh, it is a wonderful city". Of course, jokingly, they use the statement they hear from all the politicians outside. They say, "Of course, we know where all our tax money goes to". We know that that is not true, because we know that we lost \$10m. We got a lot less than the Northern Territory and we had to manage on that. We did well and we have been able to keep Canberra looking as beautiful as it is.

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I think it is very sad that these people do it; but, as Mr Moore said, they are just jealous. I think that we should go on making Canberra a beautiful place to live in, explaining to everybody its wonderful virtues and asking why they do not come and live here because it is one of the best cities in the world. The trouble with most of those who write for the newspapers is that they have to live in overcrowded cities like Sydney and Melbourne. We all know that the best way to see Melbourne is in the rear vision mirror. They have to live in all these dreadful places - - -

**Mr Kaine:** You will cop it for Melbourne bashing now. Watch it.

**MRS GRASSBY:** Yes, I probably will cop it from Melbourne. I spent three years nursing in Melbourne, so I feel that I can say that. I would not like to live in the western suburbs of Sydney either, because it is terribly crowded. When I have been in Brisbane I have not really enjoyed the humid heat. I think I live in the best city, Canberra. I think I represent one of the best cities in Australia. I am proud to live here. If they want to go on bashing us, let them; they are just jealous. As I said before, it is just the tall poppy syndrome.

**MR Kaine** (Leader of the Opposition) (12.11), in reply: I was interested to hear what people had to say on this important issue and I expect that people will support the motion. I think it is appropriate that they do. I finish as I began: I think that it is not a trivial subject. It is one that we needed to air a little in order to let people know what we think about them when they make these disparaging statements about Canberra and direct their comments poorly. I am only too happy to direct their remarks to the place where they belong - on the other side of the lake, not on this side. I appreciate the support of members for this motion.

Question resolved in the affirmative.

**Sitting suspended from 12.12 to 2.30 pm**

### **QUESTIONS WITHOUT NOTICE**

#### **CSIRO Headquarters**

**MR Kaine:** I would like to address a question to the Chief Minister. I presume that the Chief Minister is aware of the confirmation, announced a short while ago, that the headquarters of the CSIRO is to be relocated from Canberra to Melbourne. On that basis, can the Chief Minister tell us: How many jobs will this mean emigrating from Canberra, what is in store for those workers who choose not to relocate, and what will be the net effect on the ACT economy of this move?

**MS FOLLETT:** I thank Mr Kaine for the question, Madam Speaker. To be completely frank, no, I am not aware of the confirmation. I take it that the announcement was made today. I was not aware that there was confirmation of the CSIRO headquarters being relocated from Canberra to Melbourne. This is a position that clearly I would oppose. Indeed, I have written recently to our Federal representatives on this very subject. I have asked them also to oppose the move from Canberra to any other city of our local employment base in the public sector. I would like to say, Madam Speaker, that the last time I looked at this matter of the CSIRO headquarters a very small number of jobs were involved.



I will, of course, get the full detail and advise members, when I have done so, of just what is involved. But it is a matter which I have taken up with Federal colleagues and which I have resisted and will continue to resist.

As was the case with the removal of the Industry Commission from Canberra, I believe that there is not only the loss of jobs to the ACT, which is a very significant matter, but also the question of the upheaval of Canberra workers and Canberra families, and the relocation of those people in a place which perhaps they have no wish to live in. I can well understand that. I believe that anybody who has lived in Canberra would find it very difficult indeed to adjust to life in another city, particularly another major city. So there are both economic and social aspects of these problems. As I say, I will resist such moves to the best of my ability.

I would like to add, though, Madam Speaker, that under the Liberals' Fightback proposal we are faced with a mass exodus of public servants from Canberra to other centres. If and when that ever comes to pass, which I doubt, I will resist that to the utmost as well, because I think it is quite clear to most thinking members of this Assembly that the ACT needs a strong public sector as well as a strong private sector. To start slashing away at the public sector, as is proposed by Mr Kaine's colleagues, is clearly to the detriment of the whole of the ACT, our private sector as well as our public sector employment base.

**MR KAINE:** I ask a supplementary question, Madam Speaker. I take it from the Chief Minister's response that, despite any efforts that she makes, the current Labor Government is determined to destroy the fabric of ACT society by moving ACT jobs elsewhere and that, no matter what you say to them, it has no effect.

**Mr Berry:** You were asleep when they announced the budget last night - \$300m.

**MR KAINE:** I heard the budget very well and we will be dealing with that in the matter of public importance.

**MS FOLLETT:** Madam Speaker, I think Mr Kaine had his tongue in his cheek in that final so-called supplementary question. I am putting as kind an interpretation on his remarks as I possibly can. Madam Speaker, no, of course the Federal Labor Government is not destroying the fabric of the ACT. It certainly does not have that as its agenda, unlike the Federal Liberal Party, who quite clearly do have that as their agenda.

**Mr Berry:** They have said that they will.

**MS FOLLETT:** They have said it, they have written it, they have a whole package known as the Fightback package which is designed to do precisely that. Madam Speaker, in closing on the supplementary question, I would just like to comment that I believe that the Federal budget, which we had handed down last night, indicates to me that in fact the Federal Labor Government is a staunch believer in the national capital and is a staunch believer in building on the public sector in the ACT. They have done that in a number of ways, not the least of which is by a very major commitment to construction projects for the public sector in the ACT.

**Mr Kaine:** Some jobs; maybe; some day.

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**MS FOLLETT:** Madam Speaker, colleagues opposite can belittle that and can make light of it, and I can understand their embarrassment on the topic, given their stated agenda, which is, of course, to rip the heart out of the ACT through their Fightback package. They are forced to defend that; it must be an extremely uncomfortable experience for them, because it is indefensible to any ACT representative.

### **Health Complaints Unit**

**MR LAMONT:** My question is directed to the Deputy Chief Minister in his capacity as Minister for Health. Last evening the Federal Government announced, as part of its budget strategy, plans to enshrine patient rights in legislation. Given your comments in this house yesterday, could you please elaborate on how the ACT Government will continue its commitment to establish an independent health complaints unit?

**Mr Kaine:** This is the ministerial statement for today, is it?

**MR BERRY:** No, the ministerial statement comes later, Leader of the Opposition.

**Mr Kaine:** But that is about something inconsequential.

**MR BERRY:** The wailing and weeping over here is, of course, not unexpected, because they have just seen an election winning budget announced and, of course, we have seen some positive outcomes for the ACT. Of course, the Liberals do not want to see that; they just want to see the negative side. They want to see the ACT and the rest of Australia done over in their own political interests. All they are interested in is getting their bottoms on the seats; they have no interest at all in anything else.

Madam Speaker, I was delighted to see that the Federal Government is moving to enshrine the principles of Medicare in legislation. As part of that legislation, the Federal Government has also endorsed a Medicare hospital patients charter. Of course, patients are the ones that the Labor Party has always been concerned about; it is not something that the Liberals have been too concerned about. All they want to do is force people into expensive private hospital insurance - - -

**Mr Humphries:** It is you who have cut beds; it is you who have created the waiting lists in the hospitals.

**MR BERRY:** All you want to do is force people into expensive private hospital insurance, at a cost of up to \$46 a week for ordinary families. That is the sort of thing that you want to do. Indeed, you want to force people into that area when they cannot afford it. The Federal Labor Government, of course, has made a positive move in relation to the delivery of health services in Australia. A very positive aspect of their moves has been the increase in the Medicare levy - a good thing.

**Mr Cornwell:** Which the left wing do not like at all.

**MR BERRY:** I say to you that the Labor Party supports the increase in the Medicare levy. It is a good thing.

**Mr Kaine:** Which part of it - the bit that you belong to or the other bit?

**MR BERRY:** The Labor Party. What the Liberals want to do is subsidise the private hospital industry and the private insurance industry with tax concessions from the Federal Government, which will come out of the pockets of the taxpayers ultimately.

We have made it clear that we intend to implement a comprehensive independent complaints unit. That will go across both the public sector and the private sector. We have said that there will be extensive consultation; but, of course, the Federal Government have talked about the Medicare hospital patients charter and there will be extensive consultation in relation to that matter. The States and Territories, of course, will be asked to enact complementary legislation. This will, of course, sit well with this Government's announced policy on an independent complaints unit.

**Mrs Carnell:** They do not get funding unless they do.

**MR BERRY:** Mrs Carnell said, "They do not get funding unless they agree with you". That is a quite appropriate course. The Federal Government is going to set the pace for the rest of Australia. Unless Mrs Carnell wants to get into the States rights argument, like the loopy Right in Queensland, we need not go down the track of arguing about that. What I am talking about is a national health policy which is about delivering affordable, accessible health care to the people of Australia. The Liberals are not interested in that; all they are interested in is subsidising their big business mates. They have made that clear. They do not care about the ordinary person in the street who might be forced into a cost of up to \$46 a week for private health insurance. Their stated objective is to force people into that.

What will inevitably happen will be that the rights of the people of the ACT will be defined. They will be protected by way of what has been announced by the Federal Government in their budget announcements last night and the very progressive stand that is being taken by Labor in the ACT. That will result in all users of the health services in the ACT getting a better deal, a far better deal than would be achieved under the Liberals. Indeed, if the Liberals were to have their way, the health system, not only in the ACT but across Australia, would suffer a great blow. Labor supporters, of course, are sworn to fight against the likelihood of those sorts of proposals being implemented throughout Australia. Fight we shall, because it is well worth fighting for.

### **Public Hospital Services**

**MR HUMPHRIES:** My question is to the Minister for Health also. I refer to the announcement in yesterday's budget that some public hospital services are to be contracted out to the private sector. I have two questions of the Minister. I ask: First of all, what sorts of services does he believe will be bought in from the private sector in the ACT? Secondly, how does this accord with ACT Government policy on contracting out of public services to the private sector?

**MR BERRY:** I think that what Mr Humphries has asked is a matter of opinion for me. He should talk to the Federal Health Minister if he wants to know what the Federal Health Minister has in mind. He said that some matters might be contracted out.

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**Mr Humphries:** Like what?

**MR BERRY:** You had better go and have a talk to Mr Howe. He is the one that has made these suggestions.

### **Department of Education and Training - Secretary**

**MS SZUTY:** Madam Speaker, my question without notice is to the Minister for Education, Mr Wood. It has been some time since the former Secretary to the Department of Education, Professor Eric Willmot, left the ACT to take up a position in South Australia. Can the Minister inform the Assembly as to when the name of the successful applicant for Professor Willmot's former position will be announced and what processes have been involved to date in the selection of his successor?

**MR WOOD:** Madam Speaker, Ms Szuty and others should stand by for an announcement. There has been a long process, and it is - - -

**Mr Kaine:** We have been waiting for a long time already, Minister.

**MADAM SPEAKER:** Order!

**MR WOOD:** It is properly the case that the position was advertised in the routine way. Other expressions of interest were invited. A panel was set up. It has completed the interviewing process, and I expect that panel's report to go to Cabinet very soon. I would expect that there may be a period of perhaps some days before an announcement is made, as processes are worked through. It may be quite rapid. I do not think there will be any particular delay. The decision will go to Cabinet, I think, depending on the Cabinet timetable, very soon. Once it has been there, the announcement will be made immediately.

### **Construction Projects**

**MR DE DOMENICO:** Madam Speaker, my question without notice is to the Chief Minister. It is in regard to the projected 2,000 jobs to be created through the Federal budget. I ask the Chief Minister: When will the capital works projects that will supposedly create these jobs commence? What guarantee, if any, can the Chief Minister give that the 2,000 jobs predicted for Canberra, as a result of the announced construction projects, will be filled from within the ACT?

**MS FOLLETT:** Madam Speaker, as far as I am concerned, those jobs will commence absolutely as soon as possible. In particular, I would like to say that, if there is anything that the ACT Government, through our planning mechanisms, can do to speed the commencement of those construction projects, it will be done. The exact commencement date is a matter clearly for the Federal Government. They are the ones who are building these buildings, and indeed - - -

**Mr Kaine:** Like December, 12 months perhaps?

**MS FOLLETT:** Indeed, Madam Speaker, there is built into the construction program quite a length of time. I think that if Mr De Domenico has a look at the York Park project he will realise that the 1,500 jobs to be generated there are in fact over some three years. The Taxation Office project for Belconnen is a project over about 18 months, and is estimated to provide about 270 jobs. The Scarborough House refit, which also involves building an annex, I believe, is a project of some two years' duration, and will involve about 230 jobs. Finally, there is a much smaller project for the War Memorial. Again, that will add to our jobs in the construction industry. I do not have the timing on that; but it is a \$2m project, so I presume that it could get under way very rapidly indeed.

Madam Speaker, I can make no guarantee whatsoever, and nor could anybody in this country, that those jobs will go to our own citizens. I think that would be a crazy thing to do. Quite clearly, it is to the good of the ACT economy - - -

**Mr Berry:** We do not have border guards.

**Mr Kaine:** No. Well, stop claiming 2,000 new jobs for ACT people.

**MADAM SPEAKER:** Order!

**Mr Berry:** They are construction jobs. Of course, they are based in Canberra.

**Mr Kaine:** This is a gross misrepresentation.

**MADAM SPEAKER:** Order!

**Mr Humphries:** Do they come from Canberra? That is the question.

**MADAM SPEAKER:** Order! Ms Follett is answering a question.

**MS FOLLETT:** Thank you, Madam Speaker. Quite clearly, Madam Speaker, we do not have passports and we do not have work permits in the ACT. Maybe that is what members opposite want.

**Mr Cornwell:** New Zealand shearers will shortly do that.

**MADAM SPEAKER:** Order!

**Mr Humphries:** What about the Vietnamese nurses?

**MS FOLLETT:** Maybe that is what they want over there - that people have to satisfy some sort of residency criteria - - -

**Mr Connolly:** I raise a point of order, Madam Speaker. There was an interjection I heard about Vietnamese nurses - - -

**Mr Cornwell:** And New Zealand shearers, Mr Connolly, in case you did not hear me.

**MADAM SPEAKER:** Order! I would prefer comments of that kind not to be made. Ms Follett can proceed.

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**MS FOLLETT:** Madam Speaker, quite clearly the jobs that will be involved in all of these construction programs are jobs in the ACT. Our population is not static. That might come as a surprise to people opposite. We have, I believe, the highest growth rate in Australia, so quite clearly some of the jobs involved in these projects will go to newcomers to the ACT. If Mr Kaine or Mr De Domenico thinks that is to the detriment of the ACT economy, then they are in for a very short, sharp lesson in economics. Quite clearly, that kind of increased - - -

**Mr Kaine:** I do not need a lesson in economics from you, thanks. You did not do even Economics 1.

**MADAM SPEAKER:** Order, Mr Kaine, please!

**MS FOLLETT:** Increased economic activity and increased employment in the ACT are very much to our benefit, so I think Mr De Domenico is being very myopic in his approach to this whole question and it is churlish in the extreme to look upon such major projects as in some way not being of benefit to the ACT. That is crazy. Of course they are.

**MR DE DOMENICO:** I ask a supplementary question, Madam Speaker. I ask the Chief Minister, therefore: Have any of these plans, as far as she is aware, already been approved, or are they still in the design stage?

**MS FOLLETT:** Madam Speaker, to the best of my knowledge, planning for most of these projects is very well advanced.

**Mr Kaine:** What does that mean? Have they been approved or haven't they?

**MS FOLLETT:** I know that, because of the work that has been undertaken by the joint task force set up by me and Ros Kelly to progress planning matters.

**Mr Kaine:** Mrs Ros Kelly! Now, there is a recommendation for you!

**MADAM SPEAKER:** Order! Standing order 39 does require members to listen in silence.

**Mr Kaine:** Come on! You had better apply that equally on both sides of the house.

**Mr Berry:** I raise a point of order, Madam Speaker. There was just a reflection on the Chair from the Leader of the Opposition, and that ought to be withdrawn.

**Mr Kaine:** Madam Speaker, that was no reflection. It was merely a suggestion that you apply your ruling equally, and I think that is reasonable and fair.

**MADAM SPEAKER:** I will take that as a withdrawal; thank you, Mr Kaine.

**MS FOLLETT:** Madam Speaker, the task force which I referred to, set up by me and Mrs Kelly, has in fact been able to make very good progress in matters which affect both the National Capital Planning Authority and the Territory Planning Authority. To my knowledge, all of these projects have at some time been through that task force process. So, as I said in my initial reply to Mr Kaine's question, if there is anything further that the ACT Government or our planning mechanisms can do to progress these projects, it will be done. But significant progress has already been made.

### **Roads - Black Spots Program**

**MS ELLIS:** Madam Speaker, my question is addressed to the Minister for Urban Services. I ask the Minister: How will the people of Canberra benefit from the Federal Government's budget commitment to funding of black spot programs for roads?

**MR CONNOLLY:** I caught some interjections earlier from the Opposition, such as "Let us see some reality, not some rhetoric". The black spot funding program, of course, is a program where the reality can be seen every day on Canberra's roads, because it has been an ongoing program where a large sum of money has been spent and is being spent. We had projected that this year we would get the final \$1.2m of that. However, the budget handed down last night by the Labor Government provided an additional \$2m for Canberra, so it means that we have an additional \$2m to use this year. That sum of money will be spent on a range of programs. We are still in the development stage of getting those programs up; but amongst them would be Erindale Drive, Horrocks roundabout, Wisdom Street and Yamba Drive, which is a site where there have been a couple of fatal accidents in recent years, and other programs throughout Canberra.

This is again an example of this Labor Government cooperating with the Federal Labor Government. Madam Speaker, this is a Labor Government that, when it speaks on economic issues, can be listened to with some credibility, because this Labor Government, Leader of the Opposition, has brought down in both budgets of this Labor Treasurer either a balanced budget, or a budget in surplus, whereas when you were the Treasurer your budget was hopelessly blown out. So you could do with some lessons on economics from this Labor Government, because we have the runs on the board in delivering social justice and a balanced budget - unlike your approach to the one budget you delivered when you had control of the ACT. So, in relation to ACT economic issues, Madam Speaker, this \$2m will assist in our program of further stimulus to the ACT economy.

### **Construction Projects**

**MRS CARNELL:** My question is to the Chief Minister in her position as Minister with responsibility for the status of women. I would like to know how many of the projected 2,000 construction jobs that are projected to be created in the ACT will go to women?

**MS FOLLETT:** Madam Speaker, it is a fact, of course, that women are increasingly taking part in perhaps non-traditional areas of employment; indeed, the construction industry is one of them. I am sure Mrs Carnell will be delighted to know of the ACT Government's support for the tradeswomen on the move project, for which we have funded a full-time coordinator. She will be delighted to know also, of course, of the great success of that program and the numbers of women who have, for instance, taken up occupations like carpentry, plumbing and so on.

**Mrs Carnell:** How many? Six? Seven?

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**MADAM SPEAKER:** Order!

**MS FOLLETT:** Madam Speaker, as I said in answer to Mr De Domenico's question, the 2,000-plus jobs that will be engendered by the Federal Government's construction programs in the ACT are not really mine to pick and choose. I am afraid members opposite are going to have to allow the normal hiring activities to occur in relation to those jobs. They are no more able to say that a proportion of them should go to women than to say, as Mr De Domenico would, that they should all go to ACT residents. That is clearly not the case.

I would like to add, Madam Speaker, that the jobs that will be generated by the Commonwealth's construction program in the ACT are not just in the construction industry; there will be a flow-on effect from this economic injection that will, of course, cover the whole spectrum of ACT employment. It will include employment categories like the retail sector, the housing sector - obviously, all sorts of employment areas where there are large numbers of women - architecture, designing, fit-out and so on. I think I can leave it to Mrs Carnell's imagination to realise that a flow-on effect from these construction jobs will, of course, have a very good impact on the employment of women. They will be a very useful adjunct, I believe, to the programs that the Government has undertaken, aimed at increasing women's opportunities in the workplace, their ability to re-enter the workplace when they have been absent for a period, and their choices in paid employment.

**MRS CARNELL:** Madam Speaker, I ask a supplementary question. The Chief Minister might like to tell me how many of the 2,000-odd women who have lost their full-time jobs this year could look to getting jobs as a result of this flow-on effect in the next 12 months.

**MS FOLLETT:** Madam Speaker, I really think that Mrs Carnell is asking me to speculate and to offer an opinion, which is totally out of order. She is doing it from the worst possible motives. I do not believe that members opposite care at all about the position of women in the workplace, and if they did - - -

**Mr Humphries:** On a point of order, Madam Speaker: You ruled earlier today that comments that cast aspersions on the motives - - -

**Mr Berry:** That is not a point of order.

**Mr Humphries:** It is a point of order, if you would not mind letting me finish it, Mr Berry. Madam Speaker, you made a ruling earlier today that the comments that made imputations against other members were out of order. Ms Follett has made a very clear imputation that Mrs Carnell specifically does not care about the employment of women in the work force, and she should withdraw it.

**MADAM SPEAKER:** Ms Follett was not making personal imputations; she was making a general comment. Proceed, Ms Follett.

**MS FOLLETT:** Thank you, Madam Speaker. If members opposite did care at all, Madam Speaker, they would have listened far more carefully to the outline of actions which the Government has taken to improve women's position in the paid work force, instead of seeking to take cheap political points in the way that Mrs Carnell has done. They are acutely embarrassed to see a Federal Labor government which is taking action aimed at improving the economic lot of everybody in the ACT.



### **Parking Restrictions : Recycling Bins**

**MR STEVENSON:** My question is to Terry Connolly as the Minister for Urban Services, and it has two parts. I again raise the question of unreasonable, unnecessary parking restrictions in the ACT. There was a sign stating "15-minute meter parking" on the northern side of Cape Street immediately west of Woolley Street in Dickson. There are also similar signs in Bunda Street in the city opposite the Venture store. I thank the Minister for having corrected signs outside the City Markets which allowed 15-minute meter parking and gave no other times. However, just around the corner at the front of the markets, the sign also says "15-minute meter parking". That one could be corrected, as could the sign next to the signs outside the markets, which says "5-minute parking". Perhaps that one could also be changed to restrict parking only in relevant hours. I ask the Minister to conduct a review of parking signs in the ACT to pick up various 24-hour parking meters and other things. The second question relates to the blue big bin parked on the first floor for recycling aluminium cans and bottles. Could that be replaced?

**MR CONNOLLY:** Mr Stevenson's perspicacity with respect to after-midnight parking in Canberra is becoming well known. He was right in relation to the other matter and he does seem to be right in relation to this matter. There seem to be a number of signs that indicate that there are 24-hour restrictions where they are probably unnecessary. The traffic and roads people have been having a look at that. We have been talking with both the Transport Workers Union and the Private Bus and Coaches Association as two relevant groups who tend to know a bit about parking and the roads around the town. We are going to try to review these things. We are always open, in this consultative, open Labor Government, to constructive suggestions from members opposite; so we would be delighted if, when Mr Stevenson is out and about in the wee small hours and sees parking signs that are inappropriate, he would let us know. We will make sure that we see whether that is really necessary.

In relation to the bins, earlier this year we trialed a recycling program within this building. I have some discussions going on with the Speaker, who, of course, has the responsibility for the precincts. Provided it operates satisfactorily, we would be keen to keep those recycling procedures operating. But at the moment it is a matter for discussion between the department which supplies them and, in this building in any event, the Speaker, who has ultimate control.

### **Better Cities Program**

**MR WESTENDE:** My question is directed to the Chief Minister, and it is in two parts. What project or projects will absorb the token \$3m from the better cities funds? Where are those projects? Can the Chief Minister undertake - and I notice that this part of the question has been asked before - that all jobs involved with these projects, from architects to landscapers, will be filled by Canberra residents as much as possible?

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**MS FOLLETT:** Madam Speaker, in relation to the \$3m which has been earmarked for the ACT's better cities projects, I very much welcome the commitment of funds to that program, but I have to say that the projects themselves are still going through the approval process at the Federal level. Once they have been through that process, there is still quite a process of public consultation which also needs to be completed before we could say that the projects are going ahead in this form and in this place. Nevertheless, I think it is fairly widely known that the projects for which we have made a bid are in the North Canberra area and involve a degree of urban renewal and some infrastructure renewal as well. But at this point I have to say that, while the funds have been clearly earmarked for our projects, the exact proposals have yet to be agreed.

The second part of Mr Westende's question was, again, whether we would refuse any person not resident in the ACT access to employment on these projects. The answer to that is, quite simply, no, any more than we would expect to have our ACT residents refused employment in New South Wales, Queensland, the Northern Territory, South Australia, Victoria, Tasmania or Western Australia. The day when our residents are refused employment there because they do not live there, Madam Speaker, will be the day when Australia ceases to exist as a nation. It is a ridiculous concept; it is an extremely myopic concept; and it is a concept that really is simply not worthy of a party that says that it intends to govern Australia. What a load of nonsense! If they take this approach, they will be dividing the nation as no other party could ever foresee. I think it is an extraordinary concept that we have heard being put forward repeatedly today by the Liberals - having some sort of border patrol and not allowing people to work in another State.

Madam Speaker, I do not follow the Liberals' line of argument on this matter. It is quite clear to me, Madam Speaker, that people in the ACT who wish to apply for jobs on the better cities projects or on York Park or the Belconnen tax office have every opportunity to do so, in fact have a much better opportunity to do so, if they are here. Certainly, the injection of these jobs into the ACT economy is something which I will continue to applaud. I would not ever seek to do as the Liberals are doing - trying to denigrate this effort on the grounds that we have failed to drop the barriers at the border.

**MR WESTENDE:** Madam Speaker, maybe the Chief Minister did not hear my question right at the end. I said "as much as possible".

### **High School Refurbishing**

**MR CORNWELL:** My question is to the Minister for Education. I refer to Mr Dawkins's training and work force skills statement last night in the budget. He stated:

To meet increasing demands, the employment package I am announcing includes \$60m to help the States refurbish up to 600 of their older high schools.

I ask: What proportion of this \$60m is going to be used in the ACT for this refurbishing?

**MR WOOD:** Madam Speaker, we welcome the Commonwealth's initiative; it is an initiative from the Commonwealth that we would not expect to get in the unlikely event of a Hewson government. It shows a respect for the ACT and for the States that is clearly not evident in what John Hewson proposes. It is a step of interest to our schools. This is an outcome, among other things, of the Carmichael processes, which are, of course, heavily geared towards TAFE and training, but also to the upper secondary levels of schools. So the Federal Minister, the Federal Government, rightly has an interest in this area. I can tell you that it is our clear expectation that the ACT will receive \$1.3m from this program. These details have yet to be worked through, but that is the clear impression that we have.

I might also add that the Federal Government is providing, in a different package of funds for non-government schools capital works, an amount I believe to be between \$600,000 and \$700,000, although I am a little less precise about that. These are sums of money that are welcome; they are useful; they will be well used in the ACT; and we know that we would never get them from the representatives of the people opposite.

**Ms Follett:** I ask that further questions be placed on the notice paper, Madam Speaker.

### **NON-GOVERNMENT SCHOOLS FUNDING - INQUIRY REPORT Paper**

**MR BERRY** (Deputy Chief Minister): For the information of members, I present a report on the Inquiry into Territory Funding of ACT Non-government Schools, prepared by George Berkeley for the Minister for Education and Training and dated 6 July 1992. I move:

That the Assembly takes note of the paper.

Debate (on motion by **Mr Cornwell**) adjourned.

### **DEPARTMENT OF THE ENVIRONMENT, LAND AND PLANNING - ANNUAL REPORT FOR 1991-92 Paper and Ministerial Statement**

**MR WOOD** (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning): For the information of members, I present the Department of the Environment, Land and Planning annual report for 1991-92 and ask for leave to make a brief statement.

Leave granted.

**MR WOOD:** Madam Speaker, in presenting the 1991 annual report of the Department of the Environment, Land and Planning, I am sure that in the routine way I can draw members' attention to the fact that I believe that this is the first of the 1991-92 annual reports to be presented.

**Mr Lamont:** Congratulations.

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**MR WOOD:** Thank you; that is what it was all about. It is also, I believe, a report well worth reading. I would encourage members not simply to put it in the bin or to put it on their shelves, but to have a careful look at it. I would particularly draw the attention of members to the overview part of the report, especially pages 5 to 7, for the summary of DELP's achievements in 1991-92, and pages 14 and 17, for the 1992-93 outlook, which outlines how the performance of my department could be measured in that year.

**Mr Kaine:** Are you going to move that it be noted?

**MR WOOD:** Madam Speaker, I am happy to do that, although it does not need me to do that to encourage debate. I move:

That the Assembly takes note of the paper.

Debate (on motion by **Mr Kaine**) adjourned.

### **DEAFNESS AWARENESS WEEK Ministerial Statement**

**MR BERRY** (Minister for Health, Minister for Industrial Relations and Minister for Sport), by leave: Madam Speaker, 23 to 30 August is Deafness Awareness Week. This is a time when we as a community should take the opportunity to develop a greater understanding of the nature of deafness. We should also focus on the positive steps we can take to assist in dealing with the issues involved. It is also an opportunity to gain a greater appreciation not only of the difficulties encountered by the hearing impaired but also of the rich and diverse nature of the deaf community, which has its own unique language and culture.

Madam Speaker, communication is a basic right for all of us. It is, however, much more than that, as it is essential for survival and is a major contributor to our overall sense of well-being. In our society we acquire and share information through the medium of language to such an extent that speaking and listening appear to be almost automatic. One of the most important aspects of the communication process is the gift of hearing. Deafness, like hearing, is itself not always apparent or visible to the observer. Because it is not visible, those who can hear tend to take the ability to hear for granted, and we tend to think of deafness as being less disabling a condition for this very reason.

Deafness comes in many forms and affects all age groups. Some people, Madam Speaker, are born with a hearing impairment, while others acquire it as a result of illness or ageing, or through exposure to adverse environments in later life. Deafness can be temporary or permanent. It can range in severity from a mild affliction through to complete hearing loss. Not all persons with a degree of hearing loss will require hearing aids, and many will choose not to wear them. Some forms of hearing impairment are treatable through medical or surgical means. The one approach which applies to all types and severity of deafness is acceptance and understanding of deafness, and support for the person who suffers hearing loss. The Government recognises this and incorporates this approach into the range of services provided by the Department of Health.

Madam Speaker, services to children are vital to their development, and early detection and intervention is critical for a child with a hearing impairment. In the first three years of life a child will acquire most of the language structure that forms the building blocks for communication, learning and vocation. In the ACT child health clinics provide hearing screening for infants during their first weeks, with specific testing at six weeks and seven months. The Community Nursing Service provides hearing assessment for primary school children as part of the school health program. It also offers hearing assessment through its audiometry services. This is a recent initiative designed to detect and manage hearing loss as soon as possible.

Madam Speaker, ACT Health aims to help prevent deafness through the provision of free immunisation services which target major and vaccine preventable causes of deafness such as measles and rubella. Beyond prevention and detection, ACT Health also provides services for children with hearing loss through the Child Health and Development Service. Child Health medical officers provide developmental assessment and monitoring services for children with conductive hearing loss relating to middle ear disease. Speech pathologists, whose expertise lies in the area of communication, develop remedial programs for children with hearing loss. Their aim is to maximise the development of communication and speech. They frequently begin this process with children as young as four months of age, and they maintain this contact with the children throughout their developing years and into school.

The Government recognises the importance of a well-coordinated approach to meeting the needs of these children. The Government has encouraged a team approach involving all relevant departments, the private sector and the Commonwealth's hearing service. Services cater for the full range of childhood hearing problems, including those less severe but equally important transient hearing losses. Our services are responsive to community needs and are available in health centres throughout the ACT. Through adopting a three-pronged approach of prevention, early detection and intervention, the Government is actively contributing to meeting the special needs of people with deafness. The Government is also committed to the provision of quality educational services for children with deafness. Special education programs are available to children as soon as their deafness is detected, sometimes in the first years of life. These services continue from preschool through to secondary college and strive to support the deaf student in open education settings and in special units.

Madam Speaker, the Government's commitment to providing optimal education opportunity for the deaf student reaps benefits as these students enter the work force. In its role as a major employer in the ACT, this Government is formulating and implementing sound equal employment opportunity policies throughout the ACT Government Service. The 1990-1992 EEO report lists a number of aims and objectives directly addressing the needs of people with disabilities, including the hearing impaired. These aims and objectives include: Ensuring that people with disabilities can access and exit their workplace - for example, for the hearing impaired individual visual warning of fire will be considered, and the acquisition of specifically adapted equipment such as telecommunication devices; ensuring that appropriate recruitment procedures are in place to allow people with disabilities to be recruited to the ACT Government Service; the promotion of the principle of reasonable adjustment to all managers and other staff, which means that reasonable adjustments can be made to the individual work duties or

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environment to accommodate disabilities such as hearing impairment and increase the individual sense of job satisfaction and productivity; and developing a network of people with disabilities to provide advice to the EEO committee in developing future, and streamlining existing, policies and procedures relating to people with disabilities such as the hearing impaired.

Madam Speaker, the ACT Government, through its direct provision of a range of services, is already playing a key role in deafness awareness issues. Through its linkages with Australian Hearing Services, a major provider of services to adults, and its cooperation with the non-government services, community groups and the private sector, the Government will continue to maintain its commitment to the hearing impaired. I present the following paper:

Deafness Awareness Week - Ministerial statement, 19 August 1992.

I move:

That the Assembly takes note of the paper.

Question resolved in the affirmative.

### PERSONAL EXPLANATIONS

**MR WESTENDE:** I seek leave to make a personal explanation, Madam Speaker.

Leave granted.

**MR WESTENDE:** Madam Speaker, last week some matters were raised in the to and fro of debate. In order to clear the air and to put the record straight, I seek leave to incorporate in *Hansard* the letters pertaining to some of the statements made. I am sure that anyone interested in the debate will find this additional information helpful. I seek the indulgence of this house to table these letters in order that they may be incorporated in *Hansard*.

**MADAM SPEAKER:** Is leave granted?

**Mr Lamont:** Madam Speaker, I presume that it would be appropriate for the Government to have a look at those before they are tabled.

**MADAM SPEAKER:** I will get advice on that.

Yes, that is something that you are able to do, Mr Lamont. Any member of the Government may view the papers. Mr Westende will seek leave again later to table those papers.

**MR HUMPHRIES:** Madam Speaker, I seek leave under standing order 46 to make a personal explanation.

**MADAM SPEAKER:** Yes, Mr Humphries.

**MR HUMPHRIES:** Madam Speaker, in the debate this morning about Canberra bashing Ms Ellis made a comment about comments of mine that appeared in the *Valley View*.

**Mr Berry:** You had the opportunity to deal with it in the debate. What are you doing wasting the time of the Assembly?

**MR HUMPHRIES:** I am entitled to make a personal explanation under standing order 46, and I have been given leave, thank you very much.

**MADAM SPEAKER:** Would you please continue, Mr Humphries. You have the floor.

**MR HUMPHRIES:** Madam Speaker, pursuant to my right under standing order 46 - - -

**Mr Berry:** It is your right if we give it to you.

**MR HUMPHRIES:** No, it is not; it is the right the Speaker gives me.

**MADAM SPEAKER:** Order, please! Mr Humphries has the floor.

**MR HUMPHRIES:** Thank you, Madam Speaker. Ms Ellis made reference to the fact that I had allegedly suggested that Tuggeranong was worse off than the rest of Canberra and that my comment about individual rates of unemployment in suburbs of Tuggeranong was disgraceful. Madam Speaker, I wish to table, for the benefit of members, a copy of my media release which gave rise to that press article. I point out that nowhere in the press release have I actually said that Tuggeranong was the worst hit area for unemployment in Canberra. That was an extrapolation by the *Valley View*, not by me.

**Mr Berry:** Have you asked them to take that out?

**MR HUMPHRIES:** I certainly did. I certainly did say that Tuggeranong was worse off than Weston Creek, because the release was about Weston Creek and Tuggeranong only, and therefore that may have given rise to the *Valley View* statements. But I certainly did not make that statement. I also point out, Madam Speaker, that I feel no sense of disgrace in bringing attention to individual rates of unemployment in Canberra suburbs. The only disgrace that ought to be felt is by the Government, which has caused those levels of unemployment in ACT suburbs.

**MADAM SPEAKER:** Is leave granted for Mr Humphries to table those papers?

Leave granted.

### **1992-93 COMMONWEALTH BUDGET Discussion of Matter of Public Importance**

**MADAM SPEAKER:** I have received letters from Mrs Carnell, Ms Ellis, Mrs Grassby and Mr Lamont - - -

**Mr Kaine:** All on the same subject, no doubt.

**Mr Berry:** Mrs Carnell was at the breakfast. She probably put the same one in.

**MADAM SPEAKER:** Order! All the letters propose that matters of public importance be submitted to the Assembly. In accordance with standing order 79, I have determined that the matter proposed by Mr Lamont be submitted to the Assembly.

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**Mr Kaine:** A pretty shonky deal.

**Mr Connolly:** I take a point of order. That clearly is a reflection - - -

**Mr Kaine:** I am quite happy to speak to this point of order. I am glad he brought it up.

**Mr Connolly:** Madam Speaker, you were just explaining how the procedure had occurred and the former Chief Minister said, "A pretty shonky deal". I require that that be withdrawn. It clearly is a reflection on you, Madam Speaker.

**MADAM SPEAKER:** I do require that that be withdrawn.

**Mr Kaine:** Madam Speaker, I seek leave to make a statement in connection with this point of order.

Leave not granted.

**Mr Berry:** I take a point of order, Madam Speaker. Withdraw the imputation.

**MADAM SPEAKER:** Mr Kaine, a shonky deal is not what I was involved in, and I will have you withdraw that, please.

**Mr Kaine:** Madam Speaker, I made no allegation against you. That is why I would like to make a statement in connection with it.

**MADAM SPEAKER:** I will accept that as a withdrawal. If you said that you made no allegation against me, I accept that as a withdrawal. There are no further points of order.

**Mr Kaine:** Thank you, Madam Speaker.

**MADAM SPEAKER:** We will now proceed - - -

**Mr Berry:** You withdrew it, did you?

**MADAM SPEAKER:** You withdrew it.

**Mr Kaine:** You heard the Speaker's ruling. Listen carefully, Minister.

**Mr Humphries:** I raise a point of order, Madam Speaker. It is the convention in this place, if not the rule incorporated as such in the standing orders, that matters of public importance are an opportunity for members who are not members of the Government in this place to raise matters - - -

**MADAM SPEAKER:** Mr Humphries, I am sorry; that is not a point of order. I operate under standing order 79. I am not sure what we do about challenging conventions. Let me get advice, please.

**Mr Wood:** Is this the first time?

**Mr Connolly:** This is not the first time it has happened.

**Mr Humphries:** It is only the second time it has happened.



**Mr Kaine:** And pulled on both times by members of the Labor Party.

**MADAM SPEAKER:** Order! I am seeking advice.

**Mr Kaine:** The first time was by Mr Whalan, and the second time is by Mr Lamont.

**Mr Berry:** In eight sitting weeks there were three MPIs.

**Mr Kaine:** And your people all put up the same matter of public importance so that you would have the numbers in the ballot. Don't tell me you didn't.

**Mr Berry:** As soon as somebody else raises one, you get the dirt.

**Mr Kaine:** I said it was a shonky deal, and I mean it is a shonky deal. You are the people who perpetrated it, not the Speaker.

**MADAM SPEAKER:** Order! I have sought advice. It is under standing order 79, as I said. I draw members' attention to standing order 79.

**Mr Humphries:** Madam Speaker, I seek leave to make a short statement in respect of the question of matters of public importance.

Leave not granted.

**Mr Lamont:** Madam Speaker, I seek to raise a point of order.

**Mr Kaine:** Madam Speaker, I move:

That so much of the standing and temporary orders be suspended as would prevent Mr Humphries from making a statement concerning the matter of public importance.

**Mr Lamont:** Madam Speaker, I rise to a point of order.

**MADAM SPEAKER:** Yes, Mr Lamont.

**Mr Kaine:** Madam, you have a motion that - - -

**MADAM SPEAKER:** Yes, I do have a motion before me, Mr Kaine; but points of order can be taken at any time. I am sorry; I will have to listen to Mr Lamont, and then we will come back to your motion.

**Mr Lamont:** Madam Speaker, I refer to your ruling in relation to the words uttered by the Leader of the Opposition, "shonky deal". It is quite clear that he has withdrawn those words in terms of an imputation upon the Chair. However, I regard it as deeply offensive that such language be allowed in this Assembly in reflection upon me, or Ms Ellis or Mrs Grassby. I seek an unequivocal withdrawal of such words by the Leader of the Opposition.

**MADAM SPEAKER:** I believe that I should uphold that point of order. I believe that that imputation is there.

**Mr Kaine:** Madam Speaker, I seek leave to make a statement on this matter.

Leave not granted.

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**Mr Kaine:** Well, Madam Speaker, quite frankly, I will not withdraw that statement under any circumstances. He is going to move for my suspension and then we will debate it. I can see it coming; that is what he is going to do. He wants a debate; we will debate it.

**Mr Berry:** Madam Speaker, in order to bring some sense back into this Assembly, I suggest that you enforce your order that he withdraw it. Then we can get on with the business of the chamber.

**Mr Kaine:** You can enforce it by moving for my suspension. Then we will debate it, Minister.

**Mr Berry:** That would be something that I would do only reluctantly.

**Mr Kaine:** Right; the matter rests with you, not with me.

**Mr Berry:** Withdraw it.

**Mr Kaine:** I have said that I will not, because there is no imputation in connection with the Speaker. If you are so sensitive that you cannot take a bit of cut and thrust without constantly asking for withdrawal, that is your problem. You are not going to intimidate me, Minister.

**Mr Berry:** Madam Speaker, - - -

**Mr Kaine:** This is an intimidation tactic, and you are not going to intimidate me.

**MADAM SPEAKER:** Order! I am speaking to the Clerk. Could we please have some order.

**Mr Kaine:** Well, I suggest that you impose some, Madam Speaker.

**MADAM SPEAKER:** Mr Kaine, I am afraid that your remark that a shonky deal was done is an imputation against the motives of members of this chamber. I am afraid that I will have to ask you to withdraw it.

**Mr Kaine:** Madam Speaker, is it your ruling that the word "shonky" is unparliamentary and that therefore I must withdraw it? It has been used here before and that has not been so ruled.

**MADAM SPEAKER:** No, I understand that there are times and places where the same words are used, Mr Kaine. In this case the inference, very directly, was that the shonky deal related to the MPIs.

**Mr Kaine:** Madam Speaker, I said before that it has been used in this house before. It has not been withdrawn and I decline to withdraw it now.

**Mr Berry:** Madam Speaker, there is another matter that I might draw to your attention in relation to the Leader of the Opposition. He just imputed also that I had intimidated him in this - - -

**Mr Kaine:** So you are. You are trying to force me to withdraw. That is what this is about.

**Mr Berry:** Madam Speaker, I would ask that you have him withdraw that too.

**Mr Kaine:** Well, push it to its final result, Mr Berry.

**MADAM SPEAKER:** Mr Kaine, it is with great reluctance, because you are the Leader of the Opposition, that I will have to name you. I have asked you to withdraw.

**Mr Kaine:** Well, you name me and there is a consequence that follows, Madam Speaker.

**MADAM SPEAKER:** Yes, I am afraid that that is the case.

**Ms Follett:** Why don't you adjourn for five minutes and let him calm down.

**MADAM SPEAKER:** Let us suspend the proceedings for five minutes. I suspend the proceedings until the ringing of the bells.

**Sitting suspended from 3.30 to 4.23 pm**

**MADAM SPEAKER:** Mr Kaine, I asked you to withdraw your statement. You used offensive words and you refused to withdraw. Under standing order 202(c), I then named you.

**MR BERRY** (Deputy Chief Minister) (4.23): Madam Speaker, I reluctantly move:

That Mr Kaine be suspended from the service of the Assembly.

Question put:

That Mr Kaine be suspended from the service of the Assembly.

The Assembly voted -

*AYES, 10*

*NOES, 6*

Mr Berry  
Mr Connolly  
Ms Ellis  
Ms Follett  
Mrs Grassby  
Mr Lamont  
Ms McRae  
Mr Moore  
Ms Szuty  
Mr Wood

Mrs Carnell  
Mr Cornwell  
Mr De Domenico  
Mr Humphries  
Mr Kaine  
Mr Westende

Question so resolved in the affirmative.

**MADAM SPEAKER:** Under standing order 204, Mr Kaine is therefore suspended for three sitting hours.

*Mr Kaine accordingly withdrew from the chamber.*

Debate interrupted.

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## ADJOURNMENT

**MADAM SPEAKER:** Order! It being past 4.30 pm, I propose the question:

That the Assembly do now adjourn.

**Mr Berry:** I require the question to be put forthwith without debate.

Question resolved in the negative.

### 1992-93 COMMONWEALTH BUDGET Discussion of Matter of Public Importance

Debate resumed.

**MADAM SPEAKER:** The question before us is:

That so much of the standing and temporary orders be suspended as would prevent Mr Humphries from making a statement concerning the matter of public importance.

Question resolved in the negative.

**MADAM SPEAKER:** The matter of public importance proposed for discussion is:

The positive effect on employment and social reforms contained in the 1992-93 Commonwealth Budget.

**MR LAMONT (4.31):** It is with a great deal of solemnity that I address the MPI on the daily program in my name. I say that, Madam Speaker, because of the activities of the Opposition this afternoon. It is quite fortuitous that this morning the Leader of the Opposition raised a question about people's perceptions of the ACT and people who engage in Canberra bashing. In my view, what we have seen this afternoon is another example of why I said this morning that on occasions it is the actions of people in this chamber that bring not only this chamber but also Canberra into disrepute. I believe that it is reprehensible, in the extreme, that we find six members of this Assembly refusing to participate in the affairs of the Assembly this afternoon. It is absolutely outrageous, Madam Speaker. We will not allow that to divert us from addressing the matter on the daily program in my name.

Madam Speaker, this stunt was pulled this afternoon because, when the subject of this MPI is fully disclosed and debated in this Assembly, it will be quite clear that there is a range of choices for the people of Australia and, indeed, the people in the ACT as between the policies of the Australian Labor Party and those of the Liberal Opposition and other people who may be pretenders for public office in Australia. There are great differences in the way in which the Australian Labor Party believes that our society should develop. The decisions announced last evening in the budget, coupled with the policy decisions already put in place by the Follett Labor Government, really do mean that there are a great number of positive effects arising for the people of the ACT.

These decisions in some cases were necessary because unemployment has a high human cost. While Canberra's unemployment level is below that of the States, this is no consolation if you are unemployed. This Government is committed to increasing employment opportunities in the ACT and it welcomes the additional initiatives announced last evening to tackle unemployment in the ACT and Australia as a whole. Madam Speaker, some of those initiatives are the announced projects, including the major new office construction at York Park, refurbishment at Scarborough House, the construction of the taxation regional office at Belconnen, and the construction of a War Memorial storage facility at Mitchell. These projects will boost employment in Canberra by about 2,000 direct jobs in the building and construction industry.

It is interesting to note that there has been some suggestion that this really cannot be claimed as a major initiative because people from outside Canberra may come in and take some of these jobs. That type of proposition is similar to suggesting that the unemployment rate in the ACT is not 8.4 per cent, but something significantly lower, because we have people from outside the ACT who come into the ACT seeking employment and then are registered on the CES rolls. Madam Speaker, I reject both propositions.

The simple fact of life is that the initiatives announced last evening in relation to the major building projects will create substantial direct employment in the building and construction industry, and will also provide a maintenance and enhancement of employment opportunities in related industries. In the economic model which is used by this Government, and which was used by the former Alliance Government, it is acknowledged that the flow-on employment implications of one person being employed directly in the building industry amounts to three additional persons being employed in associated industries. I believe that the figures that were announced in last evening's budget, of an estimated 2,000 additional direct jobs in the building and construction industry, augur well for associated employment in a whole range of industries and, despite the protestations of Mrs Carnell this afternoon, those industries do employ a considerable number of women.

Madam Speaker, in addition to that, the Commonwealth has also announced that, wherever possible, the use of locally manufactured goods and materials will further boost employment in other industries in the ACT. This is a critical issue as far as the ACT is concerned. It does not go to the point that the Opposition are attempting to have us believe is an appropriate one for the ACT - that is, that we put up the gates, that we put up the barricades and we say, "If you were not born in the ACT you cannot have a job in the ACT; or if it is not totally manufactured in the ACT you cannot use it in the ACT". That is the proposition that the Opposition would like to embrace.

**Mr Connolly:** Which opposition?

**MR LAMONT:** The substance of the Liberal Opposition's position can be summed up by their absence this afternoon and the absence of logic in the way that they have attempted to portray the significant announcements made last evening and the significant decisions already taken by this Government.

Madam Speaker, the Commonwealth Government announced that public service numbers would increase by 1,798 in the financial year 1992-93. The Canberra share of this increase is expected to be about 240 full-time jobs.

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**Mr Moore:** That is in the Industry Commission and the CSIRO.

**MR LAMONT:** I hear my colleague over here saying that that just covers the CSIRO. Madam Speaker, the CSIRO decision will mean that five people will be taken out of the ACT to accompany the chairman's relocation in Melbourne, with the possibility that up to 30 will go in the next two to three years. After discussing this with the Chief Minister this afternoon, I can indicate that this Government will be doing everything in its power to resist the transfer of those additional staff out of the ACT. What we are talking about is a real net benefit and a net addition to the number of government employees in the ACT employed by the Federal Government, and that is significant. It is significant because it is hoped that those positions will be identified at the base and junior levels within the APS, and also in areas where there is a higher degree of employment for women than may be the case in other areas. So, the assertion made by Mrs Carnell during question time has been answered quite clearly by these initiatives.

The Prime Minister showed in the national employment and training program for young Australians which he announced following the youth summit that he was committed to tackling the problem of youth unemployment. Last night's budget showed that the Federal Government is also committed to tackling the problem of the older unemployed. Over the next two years \$166m will be provided to create 12,000 places nationally under the Jobskills program. On a pro rata basis, the ACT can expect to receive an additional 240 places on top of the 270 places already allocated to the ACT and the 100 places under the ACT Jobskills program. That is a significant initiative and a very positive outcome of last evening's budget for the ACT. Over \$79m has been provided for subsidies under the Jobstart wage subsidy program. The ACT would expect to receive \$1.6m, on a pro rata basis, providing up to 2,000 additional places here in the ACT.

The commencement of the York Park project, the refurbishment of Scarborough House, the regional office for the Australian Taxation Office and the construction of a display and storage centre for the Australian War Memorial at Mitchell, as I have already said, will create 2,000 jobs. In addition to that, the other direct allocations expected to be employment generating include the \$3m in 1992-93 for the better cities program. The other positive initiatives out of this budget include increased rates of payments to unemployed people with children and those aged 21 and over who are married. In addition to that, social security reporting requirements for unemployed people between 50 and 54 will be reduced, bringing them into line with those aged 55 to 64. Another significant and positive benefit for the unemployed out of last evening's announcement by the Treasurer will be measures that will be introduced, basically as a result of the Youth Summit, to reduce the qualifying period for those under 18 to receive a job search allowance at the independent rate and to lessen the impact of the education leave and deferment period on young people leaving education.

A raft of positive initiatives were announced last night in relation to education. Some of those were discussed during question time by the Chief Minister. There have been real increases in recurrent funding to non-government schools of in the order of an additional \$45m in 1993. This will bring the Government's general recurrent school funding to more than \$1.36 billion in that financial year. Capital grant increases to government schools primarily will go towards refurbishing older buildings and facilities built in the 1960s and 1970s. This will help equip

these schools with facilities needed to offer a broader range of options to the growing number of young people staying on to complete secondary school. As I have said, there is a raft of other positive initiatives in the education area, not only directly for schools but also in the higher education area.

Madam Speaker, the ACT Government's initiatives should be seen as being the primary thrust of employment generation and promotion in the ACT. The announcements made last night by the Federal Government in the budget, as far as they affect the ACT, should be seen as underpinning the recovery which this Government has already initiated in the ACT as far as economic performance is concerned. I say that because this Government took the initiative, along with Mrs Kelly, to set up the intergovernmental task force on development which I chair. We have been able to ensure the fast-tracking of projects through the bureaucracies of the ACT and Federal governments. A number of those initiatives were announced last night as part of the funding approvals in the budget.

Madam Speaker, if we have a look at what we are able to do over the next two-year period, we are looking at a total capital injection in the building and construction industry in both the public sector and the private sector of \$1 billion. Of that, \$600m is quite clearly identified in projects which, contrary to the accusation of the departed Leader of the Opposition, are at the design and siting stage. Planning approval has already been given by organisations such as the National Capital Planning Authority, and it is well under way in the ACT Planning Authority.

With a great deal of satisfaction, Madam Speaker, we are able to say that this ACT Follett Labor Government has brought the ACT out of the recession, which we were entering into, at a far greater rate than has been able to be achieved by any other State or Territory government in Australia. That is something which the Opposition has been embarrassed about. That, I suggest to you, is one of the prime reasons why they are not prepared to be in this Assembly this afternoon to allow this matter to be debated as it should be. It is a real matter of public importance that we are able to demonstrate quite clearly that it has been the Follett Labor Government's initiatives, coupled with the underpinning of the announcements in last evening's budget, plus considerations which will be given in the budget to be announced next month, that will bring, and are bringing, the ACT employment prospects out of the bottom of the curve far more quickly than anywhere else in Australia.

Madam Speaker, there is a raft of other matters that we can go to, as I have said; but, when you talk about what is positive, you must also test that by what is negative. On one side you have the positive, the old Newton's law, something that the Opposition do not like being reminded of. On this side of the house there is a clear and positive approach to economic development, to employment, and to increased opportunity for business in the ACT. On the other side, on the negative side, we have an Opposition who are too scared, I suggest, to stay in this chamber and be embarrassed, as they would be, because of what would happen under the Hewson "frightpack".

Let us look at it. Madam Speaker, this is not conjecture; it is contained in their own documentation. There would be a loss of up to 10,000 jobs in the public sector in the ACT, with resulting decimation of the private sector. There would be increased workloads and imposts on business as a result of the paperwork, just the sheer paperwork, required for the GST. There would be no compassion for

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the unemployed, as shown by cutting off unemployment benefits after nine months - a typical "frightpack" proposition. Madam Speaker, industrial relations chaos can be expected under the "frightpack" options supported by the Leader of the Opposition and the Liberal Party. They clearly have a Thatcherite, Luddite view of industrial relations. Increased costs, and hence lower profits and employment levels, would result from the GST.

Madam Speaker, it cannot be refuted that the initiatives announced last night in the budget, coupled with what I consider are the far-reaching and far-thinking initiatives taken by this Government and the Cabinet, show that the Opposition should never be allowed to govern this Territory. Given what they would do, I would suggest that they never be allowed to govern this country.

**MR MOORE** (4.48): If Mr Lamont had spoken a few more words one would have had to test him for relevance, considering that the subject of this matter of public importance discussion has nothing to do with the governance of this Territory. Rather, it is, "The positive effect on employment and social reforms contained in the 1992-93 Commonwealth Budget". I would have expected that the Leader of the Opposition would have been very keen to take the opportunity to rap Labor over the knuckles. This is a perfect opportunity to put the 1992-93 Commonwealth budget in an historical perspective. To many people 10 years ago a Labor government was a promise of one most important thing. The one reason why people were prepared to vote Labor was that they believed that Labor would provide employment. Employment is what this matter of public importance is about. Employment is the most significant factor in terms of the way people live and in terms of ensuring that social reform can take place.

What has Labor done for employment? At the tenth hour, in the tenth year, they turn around and give us a budget that supposedly provides for a few extra jobs. But what does it really do in terms of employment? You still have 10 per cent unemployment. Why do you have 10 per cent unemployment? It is because Labor has not been able to deliver the goods after 10 years.

**Mr Berry:** How would you do it, Michael?

**MR MOORE:** Give us a chance. I will get to that, Mr Berry. I would have done a hell of a lot better than that.

**Mr Lamont:** Zero population growth; negative; cut them off; no kids; do not give them jobs; force them out.

**MR MOORE:** Mr Lamont interjects about zero population growth. Had he a real sense of our environmental prospects, he would have that as a long-term aim as well. Of course, Mr Lamont's idea of a long-term aim is about two months. We learnt from a *Four Corners* program the other night that about 80 per cent of the wealth earned under Reagan economics in the US went to about one per cent of the people. If we were to look at the same statistics in Australia under a Labor government - it is shame on a Labor government, and I imagine that many of the members who are sitting here feel the overwhelming shame of this - there is a similar story, although probably not to the same extreme, because the one thing that Labor failed to do over the last 10 years is to successfully tax the very, very wealthy. We see the result of this. Unfortunately, the reason is that they are concerned about mates. Who are their mates? Who are the mates of the people who really made the decisions in Labor? The Kerry Packers and the Alan Bonds. The mates were the real problem.



So what do we have now with this budget? Under a new leader we have an attempt to correct the disaster that has been upon us. This new leader happens also to have been the Treasurer for that time, so he still has to wear some of the flak over these years. Why do we get this budget now? Because the Labor Government is running scared. The people just might decide that they have had enough of Labor and will risk the "frightpack", as they call it. I must say that, for my own money, that is an even greater risk. I will get to that in a short while. Coming back to this budget, the thing that is most significant and the thing that we must remember is that even with all the jobs that it will create - there is no doubt that it will create a number of jobs, and a number of jobs here in the ACT - we still will have in excess of what any reasonable person would see as a reasonable unemployment figure.

**Mr Lamont:** Not in the ACT.

**MR MOORE:** In the ACT we will still see an unemployment figure that is far too great.

**Mr Lamont:** Two per cent.

**MR MOORE:** Of course, in real terms, most of us would find any unemployment figure too bad. Mr Lamont interjects that the unemployment figure will be 2 per cent.

**Mr Lamont:** Less than 2 per cent.

**MR MOORE:** He now says that it will be less than 2 per cent. The sorts of predictions that Mr Lamont is making are the sorts of predictions that were made with the One Nation package. After just a few months they have proved to be very wishful thinking. The chances of having a 2 per cent unemployment rate in the ACT under these policies are very minimal indeed.

Madam Speaker, I have concentrated up to now on the disappointment in terms of unemployment. We do know that some direct methods have been used to attempt to tackle youth unemployment. The Chief Minister announced in the ACT specific measures in an attempt to assist youth employment in the public service here. One of the things that need to be concentrated on more and more is youth unemployment. Thanks to 10 years of Labor government, and before that a few years under the others, our youth have never been sure of getting a job and in fact they live under a terrible threat. When I was at university, in the deep, dark ages, in the late 1960s and early 1970s, we felt very comfortable about working at a medium rate, about getting passes, because we knew that there were jobs available for us.

**Mr Connolly:** Jump in the car and drive back to the Assembly. There is a job waiting.

**MR MOORE:** I hear Mr Connolly's interjection. No doubt he is aware that I grew up in South Australia too, under a somewhat benevolent Labor government at that stage. I also can remember back to the days of Playford.

The other part of the budget that I think is most disappointing, not just for Canberrans but for all Australians, is the fact that the Museum of Australia was not included. It was really the last opportunity for us to have a Museum of Australia within a century of Federation. To me that is a great disappointment.

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It is a disappointment that I know is shared by all Australians. Madam Speaker, another disappointment is the news of the loss of the CSIRO. I am given to understand now that not all of the headquarters of the CSIRO is to go - just the chairman and her support staff, or his support staff, as the case may be if it changes. That brings me to the Industry Commission, Madam Speaker. It seems to me that somewhere along the line the Federal Government is losing the plot as far as the role of the Australian national capital is concerned. It seems to me that the movement of the Industry Commission to Melbourne is a retrograde step. If it is to move anywhere, why not New South Wales? Industries, more and more, are moving their centres to Sydney. The point is that, if there is debate as to whether the Industry Commission should go to Sydney or to Melbourne, then quite clearly there ought be no debate at all; it should remain here. One cannot help wondering what deals have been done, what negotiations have been carried out, in order to have the Industry Commission moved to Melbourne.

One of the positive effects on employment from last night's package will be the development of York Park. But at what price? There is no doubt that the development of York Park and the movement of the Department of Foreign Affairs and Trade to York Park will be of great benefit to the people of the ACT. In planning terms we really need to ensure that such developments take place either in Tuggeranong or in the new city of Gungahlin. The one proviso I put on that, Madam Speaker, is that this particular department probably has a better claim than almost any other department to be located as close as possible to the centre of Canberra, and to the embassy precinct and Parliament House. But one cannot help saying what a great shame it is and wondering why other departments could not have had the preference for building projects to take place where they are most needed for the planning and the nature of Canberra. However, that is not to undermine the positive effect that the development of that building in York Park will have on employment in the ACT, particularly in the construction industry.

Madam Speaker, with reference to this budget, I think the next main question that comes to the minds of most of us is: Who is going to pay, and when? It seems to me that unless our taxes rise and unless we get a significant growth in our economy - enough commentators have made this point - we will have to start paying for this budget in four or five years' time. It also seems to me that, if we need to resolve our employment problems now, it is appropriate to take those steps; but we also have to work out the price. When should the taxes start hitting, how hard should they hit, and, more importantly, where should they hit? For most of us, they should be hitting the very wealthy who often are not paying any taxes in Australia. We have seen a number of programs on some of the wealthiest businessmen in Australia who are simply leeches feasting on the people of Australia. Perhaps they see themselves as providing jobs for the people of Australia. Whilst they do provide some jobs, and quite a number of jobs, often it is at the price of their getting more and more wealthy, as people like Mr Packer do, and winding up paying basically no taxes. That is unacceptable.

A movement towards land tax, as has happened in the ACT, will help to resolve this problem and will provide a method by which we can tax the very wealthy at the capital end of their wealth, an area from which they cannot move. Such taxes are relatively easy to collect and require relatively small bureaucracies. What we really need in the next few years is a method of taxing these very wealthy people. Then we will see the structural change and the social reform to which Mr Lamont refers.

If the Liberal Opposition were here, perhaps they would be able to defend their Fightback package. With that package, Madam Speaker, perhaps the next budget, under a Liberal coalition government, will see them taxing our Weet-Bix in the morning, taxing our bread and butter, taxing the clothes that we put on our children to keep them warm when we send them to school, taxing their uniforms, and taxing every small thing that we use - the very basics of life. For those of us in this Assembly and for those who are relatively well off, this probably will not create a great problem; but those on the lower end of the socioeconomic scale will become the scapegoats. The Liberal plan makes it quite clear that, instead of taxing the very wealthy, who are perhaps their mates too, they will be taxing the very poor. The last thing we need is a further shift to the disadvantage of those who can least afford it.

Madam Speaker, the social reforms that Mr Lamont talks about can come only with reasonable equity, and reasonable equity can come only with a fair taxation system. I had planned to speak about, as an example, the borrowing scheme for tertiary students, but I see that I am running out of time. I will conclude. You will remember that in my speech yesterday I referred to a number of titles from Shakespeare. Today I will quote from *Romeo and Juliet* for my conclusion. Rather than a loving quote which you might expect from *Romeo and Juliet*, it is this:

A plague on both your houses.

**MS ELLIS (5.03):** There is no doubt that there are some very significant gains to community services and in the area of social reforms in the 1992-93 Federal budget brought down last night. The improvements to services for people with disabilities and their carers, assistance to pensioners, to people of non-English-speaking background and to families and the area of welfare housing will all benefit our community. The budget gives effect to the new Commonwealth-State disability agreement under which responsibilities for employment and support services have been clarified. The new agreement guarantees, over the next four years, expansion and improvement in accommodation and respite services for people with disabilities. Commonwealth measures to assist people with disabilities and their carers will also build on reforms to allow people with disabilities to enter the work force and to participate fully in the community. Amongst these measures are an increase in employment entry payment to \$300, an education entry payment of \$200 for disability support pensioners, an increase in the mobility allowance of \$10 a week indexed, and financial support for the purchase of continence items.

The aged and community care measures are about people, their care needs, the needs of their carers, the quality of life and the support government can provide, both now and in the future. Carers, people with dementia, isolated elderly people and people receiving domiciliary care benefits are some of the key groups addressed in these measures. Included is an increase of \$5 per week in the domiciliary nursing care benefit from January next, taking it to \$26 per week indexed annually. The ACT will also share in the additional funding of \$41m over four years for respite services to reduce the burden on carers of frail aged and people with disabilities. For the many carers of these people who have full-time responsibilities, there are opportunities to take a break from a caring role. Respite for carers is essential if they are to be supported in the valuable role they play in the community.

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The carers pension will be extended to people caring long-term for non-pensioners and non-beneficiaries aged more than 16. This will encourage home provided rather than institutional care and will extend support to a group of carers currently ineligible for assistance. People receiving the carers pension have an additional two weeks respite per year, taking the total amount of allowable respite to six weeks. Also, new measures will allow carers to spend up to 10 hours per week in employment, education or training. This is a major step in assisting those on the carers pension to receive the education and employment opportunities that were previously restricted and that are also part of the underpinning of this Federal budget in relation to training and work access.

We all know the hardship that many pensioners face in Canberra, particularly in these cold winter months. Pensions will be increased from January next by \$6 per fortnight for a single pensioner and \$10 for a pensioner couple. This comprises a bringing forward of the March 1993 indexation plus an above indexation increase. Other concessions, such as hearing aids and telephone allowances, will also be extended further into our older community. The national action plan for dementia, which will begin this financial year, will focus on the needs of people with dementia as well as providing support and training for their carers, aged care assessment teams and the service providers.

Madam Speaker, we also welcome the initiatives being taken to assist members of our community from non-English-speaking backgrounds, particularly in the area of employment. New measures taken to boost English language training include an additional \$105m nationally over four years to help job seekers overcome language barriers hindering their efforts to find work. Together with current budget allocations, a total of \$317m nationally will be available over the next five years to help these job seekers. This consists of \$156m to fund ESL, or English as a second language, tuition places, and \$160m for income support. Also, an additional \$7m has been allocated to the workplace literacy program for a three-year period beginning this financial year. This funding is expected to provide assistance to about 6,000 workers in our work force. It is a great pity that our people on the other side of this chamber are not here to hear all of this very good social news.

The ACT has an excellent record in the quality and provision of public housing. I am particularly pleased to see that, through the continuing support and expansion of the Commonwealth-State Housing Agreement, our community can look forward to improvements in the provision of housing with a guarantee from the Commonwealth of funding for the next four years. The proposal to provide additional funding in community housing will lead to greater community participation in the provision of accommodation. The Commonwealth, in its proposal to allow funds to be used to subsidise borrowings by community housing organisations, will also permit an expansion in housing opportunities. Commonwealth funding for both the supported accommodation assistance program and the housing and community care program will continue on a dollar for dollar basis in meeting the needs of those members of our community who are homeless and those who need our support to remain in their homes during their frail years. I am particularly sorry that Mr Cornwell is not here to note that.

The provision of child-care is a fundamental issue in the ACT. Because of the high proportion of families where both spouses are in paid employment, the availability of child-care places in Canberra has an additional priority. This priority is obviously reflected in the Federal Government's national child-care strategy released in the budget. With more and more Canberra families needing child-care, the key priority is to keep the price of child-care down. As well as providing more child-care places, the maximum fee assistance for one child will be increased to \$4,625 per year from April next. This is particularly important at a time when major emphasis is being given to training initiatives to achieve a more skilled work force. Madam Speaker, the success of the Commonwealth budget, I believe, is built upon the nexus between responsible economic management and the achievement of our important social justice objectives.

**MS SZUTY (5.09):** Madam Speaker, I have just a few thoughts to state about the Federal Government's budget announced yesterday. Firstly, it is an expansionary budget, which is what the people of Australia have been calling for. The Federal Government has taken on the problem of unemployment, which, as I have said on many occasions, is the issue that Australians feel warrants the most urgent attention. There is a clear social justice component to the budget, with the increase in Medicare contributions balanced by a commitment to reduce hospital waiting lists.

The major plus I see is the public housing boost, with an increased commitment to community housing. There is a need for many housing solutions, particularly as Australia's population grows and more demand is placed on our land. I look forward to examining the new social housing subsidy scheme which aims to have public housing managers, be they State Housing Ministers or other managers in the housing sector, raise money from the private sector for projects. I will be extremely keen to see what arrangements are put in place to ensure that this program has an impact and that it does not leave social housing programs without government support. I have continuing reservations, however, about the provision for higher education. Despite the recent increases in TAFE funding, there is still a need for more capacity in the university system which will not be met by the extra 21,700 places funded by this budget. We have to make a total commitment to our young people, and part of that commitment involves university places.

Turning from national to local considerations, I am disappointed at the decrease in transitional funding for the ACT, which we have nevertheless been prepared for. On a positive note, I am pleased that the Federal Government has finally given the financial go-ahead for three new building projects that have been on the drawing board for some time - new headquarters for the Department of Foreign Affairs and Trade, the Australian Taxation Office and a new annex for the War Memorial. The refurbishment of Scarborough House will also give the construction industry a boost.

I do not agree with some media commentators who last night attempted to make these projects appear to be preferential treatment for Canberra, and I can only lament the fact that the Treasurer could not defend the decision to fund them, other than to say that you cannot expect public servants to work in buildings that are 60 years old. This, unfortunately, does not give a good impression to the national audience, who would probably feel that in the current economic climate the building projects could have better gone interstate. I have a feeling that many

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interstate viewers would also want to see Federal public servants working out in the snow rather than in new office buildings. However, as an ACT resident and as a member of this ACT Legislative Assembly, I appreciate that this will give a strong boost to the local construction industry.

**MR CONNOLLY** (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (5.12): Madam Speaker, I was not intending to enter this debate, but something that Mr Moore said just cannot go unanswered. Mr Moore was referring, I think, to some recent TV shows on the United States and some figures on the way the national cake is being cut in America. Over the last decade it has slewed dramatically in favour of the wealthy and against the interests of the disadvantaged. He said that the same thing has been happening in Australia. The simple fact, Madam Speaker, is that that is not the case.

In Budget Paper No. 1 published last night, at page 284, section 3, there is a chart which shows Commonwealth budget outlays as a proportion of total budget outlays over the years from 1982 to 1992. That shows that for the human services areas - that is, education, health, social security and welfare - the share has increased from 43.1 per cent of total government outlays in 1982-83, the year of the last Liberal budget, to 56.3 per cent in the current budget. That, in anyone's language, Madam Speaker, is a dramatic shift in national resources in favour of the community services and human services area. It represents a movement significantly against the tide in the United States and Britain. The clear result of that shift in the United States and Britain, which one sees if one visits those countries, you do not see here. That is because this Labor Government has significantly altered the way that the national cake is cut in favour of those less well off, not against their interests.

**MR BERRY** (Minister for Health, Minister for Industrial Relations and Minister for Sport) (5.14): Madam Speaker, I have to say that this is the first opportunity that I have had to speak in front of such an intelligent Opposition. The Opposition members, shamefully, have left the chamber as a result of their refusal to face the music in relation to the Federal Government's budget. There are many positive effects on employment and social reforms contained in the 1992-93 budget. This debate has shown to all of the people of Canberra that the Liberals are not prepared to face the music when such a positive budget has been announced by the Federal Government, a budget which will bring good things to the people of the ACT. It might not make them very happy politically, but they have to face the music. It interests me, Madam Speaker, that the Liberals have gone on strike. Right now, under their proposed "frightpack", they would be sacked by the employer. Interestingly enough, once they had been sacked they would have no recourse to a union to argue their case, and they would not get their jobs back. They might reflect on that as they skulk up in their rooms, wondering what to do next in relation to this matter.

I would like now to turn to what Mr Moore said. Mr Moore has taken on the mantle of Opposition Leader with great gusto. He gave the impression for a moment that there might be signs of a party forming; but I have to say that, whilst he might heap scorn upon the Federal Government, he was not able to do it in the way that one would expect from somebody who had the backing of a party which could plan all of the sorts of things that he could put forward. Perhaps Mr Moore is suffering some withdrawal symptoms, having lost at some time in the past the benefits of having behind him a party that may have been great.

Nevertheless, Mr Moore's criticisms come from a politician who does not have to plan as a great party does and who does not have to run elections on the basis of those plans and then deliver those promises. He has the luxury of being able to criticise and to create. Mr Moore's creative speech was worth listening to.

Mr Kaine would be rather envious right now, after hearing such a performance. It was, indeed, an honourable performance; one which Mr Kaine, I am sure, would like to have made. So would his colleagues, had they been here. They are, after all, on strike. They are in deep trouble because they could be sacked and, as I said, they have no union to argue their case. Under their industrial relations system there would be nobody to conciliate either; we would have to go to the courts. Perhaps they could afford it.

Madam Speaker, the 1992-93 budget strengthens Medicare and provides funding to increase access for public patients to public hospitals. That, by any measure, is a plus. There is a \$1.6 billion increase over six years in hospital funding and \$1.23 billion of this will go to public hospitals. Nobody would criticise that level of funding going to the hospital system. This will be funded by a 0.15 per cent increase in the Medicare levy - another plus for the Federal Government. That will average out at about 80c per week for a worker on an average income. That is a small impost to pay for improving affordability and access to our public hospital system. Of course, the well off in our society will pay more by way of that increase. That is as it should be. Those who have achieved more out of our society, I am sure, will be delighted with the new entitlement to pay a little more. I certainly will be.

This is substantially cheaper than the \$46 per week cost of top cover health insurance that the Liberals want to force people into. I have mentioned this before, over and over again, and I will continue to do so because I do not think that the impact of the Federal Liberal Party's health policies has properly sunk in with the community yet. They intend to force people into private hospital insurance and private health insurance, and at the end of the day the people will pay again because they will then subsidise those who go into private hospital insurance by way of tax relief.

The ACT will receive a relatively high level of the funding that flows from the Commonwealth budget, due to our relatively high level of public hospital services and patients. The increased funding will go a long way towards ending discrimination against patients. Admission to hospitals should be on the basis of clinical need - not health insurance status, as the Liberals are offering with what I have described before as the Kentucky Fried medicine that exists in the United States.

As well as the \$1.23 billion in extra public hospital funding, an extra \$70.9m will be provided over the next two years to target areas where there are long waiting lists for elective surgery. Madam Speaker, there will be places across Australia that are worse off than the ACT, but there is no denying that waiting lists, growing waiting lists, are a difficulty for public hospital systems and they have to be addressed. The approach taken by the Federal Government reinforces the ACT Government's goal of reducing discrimination in health care based on the level of insurance that a patient has. That is an honourable commitment, one that all will endorse.

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The Federal Government will legislate to clarify patients' rights. Complementary legislation will be introduced in the States and Territories. The ACT Government - this was one of our major election promises - is working to establish an independent health complaints unit. This will further strengthen patients' rights. The ACT will also benefit from \$6.1m worth of funding for area health management. Canberra is part of and provides health services to the south-east region.

A further \$118.6m is provided for capital planning and development. This will encourage future spending on infrastructure according to community needs. Clinical budgeting will receive a \$6m boost over three years to investigate ways of a more cost-effective use of resources. The Federal Government will support studies into casemix with a \$10.8m allocation over the next five years. The ACT Government has long given its support to casemix development. Quality assurance will receive \$200,000 in 1992-93 and \$3.1m over the following two years. The ACT Government supports quality assurance and this will complement our independent complaints unit, once established. The Federal Government will establish a national health communications network to exchange health information. This will receive \$3m in 1992-93 and \$4m in 1993-94.

Madam Speaker, the ACT Government is committed to improving mental health services. The Federal Government will provide \$135m over the next six years to implement the national mental health policy. The States will be provided with \$107m to speed up the pace of mental health reforms. This will be based on a guarantee from the States and Territories that funding will be maintained in real terms. The National Health and Medical Research Council will receive \$5m for additional research into the causes of mental illness. The Government has also provided \$68.3m for general practice initiatives. The ACT is supporting the establishment of an ACT division of general practice. The Government will continue to support the national campaign against drug abuse.

The budget is good for Canberra. There is no question about that. It strengthens the universal health care system. Among all of the things that my colleagues have said this afternoon, the health system ranks as important; but it ranks in importance along with all of those other issues which will be bolstered by the Federal budget. Madam Speaker, universal access to health care is the fairest option. This budget promotes it and moves to end discrimination based on economic status. By any measure, that is a good result.

**MADAM SPEAKER:** The discussion is concluded.

### **TRUSTEE COMPANIES (AMENDMENT) BILL 1992**

Debate resumed from 25 June 1992, on motion by **Mr Connolly:**

That this Bill be agreed to in principle.

**MS SZUTY (5.25):** Madam Speaker, the Trustee Companies (Amendment) Bill 1992 deals with an area of the law with which most people do not become familiar until after the death of a loved one, at a particularly stressful time. It is an area of the law which is often seen as being too difficult for most people to come to terms with, but I feel that this is why there has been an impetus for change. The decision to allow people to seek and contract for professional



assistance in dealing with estates is sound and appears to be commonsensical. I can only speculate that the reason the Act was initially drafted to exclude a partnership between the deceased's representative and a trustee company was to avoid confusion. These amendments will allow the executors of wills to seek help without having to surrender their control over the process. It is an issue of empowerment.

I admit to having been concerned, on my first reading of the Bill, at the provisions to allow estates to be billed by trustee companies on a fee for service basis. To quote the Minister's remarks during his speech introducing the Bill:

It is quite common, for instance, for a small estate to require a large amount of work in terms of ascertaining the financial position, contacting relatives and transferring assets. A larger estate, on the other hand, may have been kept in a very orderly manner ...

It therefore seemed, on the surface, that smaller estates would suffer, unless they were immaculately kept, because there would be fewer estate assets and less cash to offset the fees charged. It was not difficult to think of scenarios which would result in a net loss of estate assets, leading to debts incurred on the beneficiaries. In social justice terms, this seemed unfair, as many people do not consider their homes, cars and other assets to be items that need to be fully documented as to ownership. Many people, unless they are in business, do not feel that these matters are an issue, and there could be many cases where financial, banking, mortgage and other records were not kept properly, which could then mean a lot of work in ascertaining the exact financial position and right of title.

However, I have since taken these questions and concerns to the Attorney-General's Department and the trustee companies association, which both assure me that, on balance, under the amendment most estates will pay less in fees. The role of the Public Trustee was also pointed out to me. From my understanding, while the Public Trustee's Office does charge fees on a percentage basis, it can waive those fees after considering the impact of any fees charged against the estate. This means that relief exists for estates whose administration is conducted by the Public Trustee.

As I said earlier, I had reservations about the social justice aspects of this Bill before I sought clarification of them. But these have now been resolved. I am satisfied that in the majority of cases the new fee for service arrangement will result in a fair charge for administration costs against an estate, and in those cases where there is a large impost in fees relief is available through the Public Trustee's Office. It is now important that people who find themselves in the role of executor be given the information that they need in the simplest and most direct fashion, so that they can make an informed decision about what type of help, if any, they need when settling estates.

**MR HUMPHRIES (5.28):** Madam Speaker, the Opposition had considerable concerns about this Bill. A number of amendments were, I think, circulated on the last occasion we came to this place; but since then I have indicated that I am not going to proceed with those amendments, on the basis that I am assured by the Attorney that they are not necessary. But, again, we will watch that matter and see whether that turns out to be the case.

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I believe that we need to examine the essential operation of this Bill and what it will do in terms of the administration of estates of deceased people. As the Attorney pointed out in the presentation speech, the Bill does three essential things: It allows people to negotiate with a trustee company for the joint administration of a deceased estate; it allows trustee companies to charge fees on a service basis, rather than the commission basis on which they presently charge; and it builds on the power set out in the other trustee Bill that we will consider later, in allowing trustee companies to invest in so-called common funds.

It is the second of those three matters that gives the Opposition some concern. As I think Ms Szuty has pointed out, there is a question of the basis on which particularly small estates will be administered under this Act in the future. Under this Bill the equalisation which has gone on to some extent in the administration of estates will disappear. Previously, small estates of perhaps only a few thousand dollars or a few tens of thousands of dollars would have been administered on the basis of a small percentage commission of that total estate, with the result that that work would have been done, in many cases, on the basis of a very small, if existent at all, profit for the trustee companies; that is, those companies would probably conduct the work on an unprofitable basis. Alternatively, very large sums of money would have been recouped by the companies in some cases in the administration of very large estates.

The difference is that, by giving companies the power to charge on a user-pays basis, we find that it will become more expensive in many cases to administer small estates and less expensive to administer large estates. That gives the Opposition some concern. There was previously, before this Bill, some equalisation going on - some redistribution, if you like, of the cost of administering those estates, with larger estates bearing a heavier cost than smaller ones, in real terms. I believe, Madam Speaker, that, as a result of the passage of this Bill, we will undoubtedly make it more expensive for some families to administer small estates; there is no question about that.

I acknowledge that the Government's basis for proceeding to make this reform is that it believes that the trustee companies concerned ought, like others in the community, to be able to recover the cost of what they do for the families whose relatives' estates they administer, and that is a good point. This party certainly is not opposed to the concept of user pays or, to some extent, deregulating archaic rules which prevent people from properly recovering the amount that they spend in doing something; that is fair enough. But let us not make any mistake about the impact of this Bill. At the end of the day I think it will have an unfortunate social justice - to use the jargon - impact. It will make it more expensive to administer small estates. Having said that, Madam Speaker, we accept the argument that has been put for the Government, and we will support the legislation.

The questions which I raised with the Attorney dealt with joint applications by more than one person and a trustee company to administer a deceased estate. That is spelt out quite explicitly in proposed new section 6, but it is not so clear in the cases of proposed new sections 7 and 8. I am assured that the reason for the difference has to do with the difference in the nature of the applications being made, that there is less reason for that to occur in those cases and therefore it ought not, for good drafting's sake, to be there; and I will defer to that view.

Madam Speaker, the rest of the Bill is unexceptional. I think in some cases it makes needed reforms, particularly to allow trustee companies operating in the ACT to invest their funds in a common fund and thereby maximise the return that they get for moneys put to the application of investment. That will provide a stronger basis for good returns, and I hope that it will provide better benefits for those for whom funds are being invested. I commend this Bill, but I hope that the Attorney keeps under review the matters that I have raised and considers in particular, if that is possible, what rate of fees is being charged by trustee companies.

**MR CONNOLLY** (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (5.34), in reply: It is a pleasure to see the Opposition back in the chamber.

**Mr Wood:** Not a pleasure.

**MR CONNOLLY:** It is perhaps not a pleasure, Mr Wood suggests; but, anyway, they are back. Both Mr Humphries and Ms Szuty raised a concern that this legislation could have an adverse social justice effect, and that was certainly something that we had closely in mind when we were preparing this. We came down with the view to which Ms Szuty also came, namely, that this was, on balance, fair. So, I would refute Mr Humphries's suggestion that it is going to have an adverse social justice effect. It is true that in some cases some people may pay more; but in most cases most families will pay less. The problem with the simple percentage charge was that it was anti-competitive; there was a basic scale fee rate across the town. We hope that there will be some price competition when charges are made on a fee for service basis.

But, essentially, it made no difference whether it was an extraordinarily simple will, with all property going to one beneficiary, or a complex will, with parcelling up of the property to diverse beneficiaries who may be difficult to track down. So, there was no real fairness there. A task that a trustee company could perform in a couple of hours would be charged the same as a task that would take weeks or even months to pursue, and that seemed an inequitable basis of charging. We are convinced that this new fee system will be fairer. I take Mr Humphries's and Ms Szuty's point that we need to watch this carefully, and we will do that; but it is my confident expectation that this will lead not only to some competitive pricing which will benefit consumers but also to an overall lower level of fees, which again will benefit consumers. As Ms Szuty indicated, the Public Trustee is always available as a final resort.

Mr Humphries had circulated some amendments. He discussed them with me in a previous sitting. I must advise the Assembly that when we discussed them, looking at them quickly, I was prepared to say to Mr Humphries that I thought I saw some merit in what he was proposing. When we looked at them more carefully and with the benefit of advisers who are closely versed in this area of law, which is a fairly obscure area and one which I am happy to confess was not my area of practice - and I think it was the same with Mr Humphries - I think we were both convinced that it was unnecessary to proceed with those amendments which had looked as though they might have added to the Bill. I am pleased that they are not going to be pursued by the Opposition. I generally thank members for their support.

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Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## ADJOURNMENT

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

That the Assembly do now adjourn.

### Matters of Public Importance

**MR HUMPHRIES** (5.37): Madam Speaker, earlier today I sought leave to make a statement about matters of public importance in this place. That leave was denied. I would like, therefore, to make some comments about that topic now. A convention has developed in this place about matters of public importance.

**Mr Berry**: There is no such thing.

**MR HUMPHRIES**: A convention has developed in this place about such matters. To the best of my recollection and to the best of my research, before today there has been only one occasion on which a member of a government has put forward a matter of public importance in this Assembly.

**Mr Wood**: Do you want to elaborate on that?

**MR HUMPHRIES**: That was in the first month of the Assembly's sitting, when we were finding our way, when the Government was short of business, and the Assembly debated a matter of public importance concerning the status of women, which was put forward by Ms Follett, the Chief Minister at the time.

I was very happy, as were my colleagues, to debate the budget that was brought down last night; but we were appalled at the way in which the Opposition and non-government members were deprived of the opportunity of putting up an MPI again today. The device which was used by those opposite to do that was, in my view, reprehensible in the extreme. It is true that almost all members of this place, on almost every occasion - - -

**Mr Berry**: On a point of order, Madam Speaker: Mr Humphries just described the use of members' entitlements as reprehensible. The standing orders provide for members' entitlements, and Mr Humphries has imputed that there was something wrong in their use. This is, in my view, something that, in itself, is over the top.

**MADAM SPEAKER**: Mr Humphries, there is a clear implication of reprehensibility in what you were saying, and the standing orders were not broken.

**MR HUMPHRIES:** Madam Speaker, no standing order was broken, but there was the breach of a convention which has been established in this house.

**MADAM SPEAKER:** Would you withdraw any imputation, then, that perhaps standing orders were broken?

**MR HUMPHRIES:** I made no such imputation, Madam Speaker.

**MADAM SPEAKER:** I believe that that is the inference that people are drawing, so perhaps you would like to withdraw the inference.

**MR HUMPHRIES:** Madam Speaker, I made no inference, and I withdraw any inference, that standing orders were broken. However, I maintain that it was reprehensible for government members to have advanced their matter of public importance for debate today in the manner in which they did. They breached a longstanding convention in this place.

**Mr Connolly:** No, the convention was set in the first couple of weeks.

**MR HUMPHRIES:** The convention was established in this place. It has not been breached since the first month of the Assembly's establishment.

**Mrs Grassby:** No, that is wrong.

**Mr Berry:** No. You are miffed. You have made a big mistake.

**MR HUMPHRIES:** If those opposite maintain that there was no convention, why did the first Follett Government for the remainder of its time in office, the Alliance Government for the whole of its time in office and the second Follett Government for the whole of its time in office, in turn, until today, not put forward, via their backbenchers or anybody else, a matter of public importance?

**Mr Moore:** If they were appropriate we would change the standing orders.

**MR HUMPHRIES:** Perhaps that is so, but they have respected the convention that they not do so.

**Mrs Grassby:** That is not true.

**Ms Ellis:** No, it is not my decision.

**MR HUMPHRIES:** Madam Speaker, those opposite can plead and pretend that that is not the case; but they know full well that there was a convention to that effect, and they have not done so. What is worse, however, is the shameful way in which three members of the Government got together to make sure that their MPI came up today, ahead of Opposition members business or non-government members business. That is utterly shameful, and you should be ashamed of yourselves for having done it. We can play that game. There are six of us on this side of the chamber; if we do the same thing we are going to win more often than you. That is not the basis on which we have proceeded in this house in the past. We have always put in one MPI, and one only, for the Opposition. You should have taken the same high standard. Obviously I was expecting too much to think those opposite would be able to take that same kind of principled action; obviously that was beyond you all.

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I say, Madam Speaker, shame on all government members for having done that; and shame on the Independents for having connived with that action and having refused to accept that some action should be taken about this in the Assembly - in particular, for supporting the Government on that vote that was taken earlier this afternoon. It was quite reprehensible and quite shameful.

### **Matters of Public Importance**

**MR WOOD** (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (5.42): Madam Speaker, there are two issues to be debated here. One is conventions, and the other is behaviour. They are separate issues. As to the debate about the convention, so called, that government backbenchers or government Ministers do not raise an MPI, the convention has been established. It has been done, and it was done again today. The convention is clear. Let me refer you to *House of Representatives Practice* on this matter. I have referred to this book in relation to MPIs before today.

**Mr Humphries:** We have our own conventions here.

**MR WOOD:** I have heard you stand up and quote from this book, Mr Humphries. It states:

This procedure -

that is, matters of public importance -

is one of the principal avenues available to the Opposition and private Members ... to initiate ... debate ...

It is done predominantly by the Opposition; there is no question about that. It goes on:

... any Member may initiate ...

It says, "any member", not even restricting a Cabinet Minister. It further points to a period in the House of Representatives, from 1981 to 1988, in which 93 per cent of the matters that arose were from the Opposition - not 100 per cent; not absolutely; not totally; not completely.

**Mr Humphries:** In this place it has been virtually 100 per cent.

**MR WOOD:** If you want to do a bit of mathematics - it may well be beyond you - you will see that we have done it twice. I am particularly aware of this because, for some six to eight months, I was the backbencher in the first Labor Government. I was always aware of my entitlement, and I was always aware that at any time I could, and I would, raise a matter.

**Mr Humphries:** But you didn't.

**MR WOOD:** No, I did not; but it was always open to me, and I knew that; and I would never reject the proposal that I do that. The further point to note is that in that first period of government I remember Mr Collaery and, I believe, Mr Kaine - although I would want to check on that - criticising our then Chief Minister and proposing to vote against her because they said that there was inadequate opportunity for debate under her administration. I went through this volume and then I went back to our debates and found that the Liberal Opposition, in those days, and the Residents Rally - maybe Mr Moore apart - really had not used the MPI for debate. That pattern has continued under this Follett Government. You do not raise an issue for days. I think Mr Connolly has added up the times in the last couple of months when you have not had any interest in MPIs.

**Ms Follett:** Three in 24 days.

**MR WOOD:** Is that the number? Thank you. I know that when we were in opposition there was hardly a day - there were some - when we did not raise an MPI. Now we have this nonsense about MPIs and denying rights. You are simply wrong.

The second part to comment upon is behaviour; that was separate. If you have an argument about processes, if you have complaints, there are proper ways of dealing with them. The manner in which it was done today was grossly improper.

#### **Matters of Public Importance**

**MR MOORE (5.46):** Madam Speaker, in his speech, Mr Humphries - - -

**Mr Humphries:** That is what you did; why should we not do it?

**MADAM SPEAKER:** Order! Mr Moore has the floor.

**MR MOORE:** Mr Humphries raised the issue that in this matter there was shame on the Independents for conniving with the Government. I presume that he was speaking, in particular, about two issues: First of all, conniving about Mr Kaine being removed from the house; and, secondly, conniving about the standing orders.

Madam Speaker, if there could be construed to be any conniving at all, as far as I was involved, it was with the Liberal Party. I did not speak on either of these matters to a single member of the Labor Party. But, on the matter of the MPI being raised by a member of the Government, I spoke to a number of Liberal members who were sounding me out. I think Mr De Domenico was one of them. I am prepared to discuss it. You can construe that as conniving. In this particular instance, perchance, I had not spoken to a single member of the Labor Party about either of those issues. I made my decision - - -

**Mr Humphries:** So?

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**MR MOORE:** The implication is about conniving, and I object to it. I made my decision purely on the basis of the role of the Speaker, who had made a decision and named a member. As far as I am concerned, the Speaker deserves support under those circumstances, and I was prepared to give it. As I said to Mr De Domenico earlier today, should government members continue to raise MPIs, I am prepared to look at the standing orders and, if necessary, change them.

But, as far as conniving goes - perhaps it is one of the reasons it annoys me - a number of statements to members of the media have come back to me over the last week. They are matters that I had not intended to raise, but I think it is appropriate to raise them now. Stories had come from the Liberal Party that I had in some way done a deal over the marijuana legislation for my vote in relation to the circuses. I have done no deals over my vote since I was elected to the First Assembly and in the Second Assembly.

I am quite happy to negotiate positions, such as the position of chair of a committee or something along those lines. If people want to call negotiating those things through to conclusion a deal, that is fine. But, when it comes to my vote, I do not make deals. I vote according to the way I think, issue by issue. Mr Humphries, you can rely on that; and, if you wish to convince me on a particular issue, by all means try to do so.

**Mr Cornwell:** Let the record stand and speak for itself.

**MR MOORE:** Mr Cornwell interjects, "Let the record speak for itself". I suggest that he look over the past few years and let the record speak for itself.

**Mr Humphries:** Look over the past four months.

**MR MOORE:** If the interjection is, "Look over the past four months", perhaps you should look at yourselves and see how much more conservative you have become.

### **Matters of Public Importance**

**MRS GRASSBY (5.50):** Madam Speaker, I object to Mr Humphries's statement. When I was the only government backbencher, I was on every committee. I did not have time to put MPIs, although many times I wanted to do so.

**Mr Humphries:** It was another matter for your other lazy colleagues who were not on any committees beforehand.

**MRS GRASSBY:** We are talking about when we were in government and about now. I had the right to put up MPIs. But, as I was on every committee, I did not have the time to do it, although there were times when I wished to do it. I object to the statement. I have the right to put up an MPI.

**Mr Humphries:** That is very sad, Mrs Grassby; but it is totally irrelevant.

**MRS GRASSBY:** It is not totally irrelevant. It is just the stunt that you put on today; and that is all it was - a stunt. Talk about the circus! You walked out; you put on a stunt. You, not the Government, brought the place into disrepute, and I object to what you said, Mr Humphries.



### **Matters of Public Importance**

**MR LAMONT (5.51):** Madam Speaker, I am somewhat amazed. After their not being prepared to sit here and listen to and debate a reasonable matter of public importance, we had the "walkouters" come back in after their precious little tantrum, and speak in the adjournment debate to try to justify a position that nobody can justify. Let us have a look at the record of the Opposition. Since this Assembly was formed, Madam Speaker, four MPIs have been put forward and discussed by the Liberal Party to a conclusion. They have submitted a total of eight MPIs in 23 sitting days. As a backbencher, a member of the Government and an MLA, I am allowed, pursuant to these standing orders, to exercise my rights as a member of this Assembly. I chose to do so primarily because this bunch opposite have failed in their duty not only to their beliefs and their philosophy but also to everybody else in the ACT.

They could have raised a range of matters of public importance on 23 occasions. What have they done? They have got out of bed early enough to put in eight. If anybody should be ashamed about the performance in relation to MPIs in this house, it should be you, the Liberal Opposition. I cannot make the same accusation about the Independents in this house because they quite rightfully have taken a proper approach in relation to MPIs. They have put in 11 in 23 days. The Liberal Party, with six members, the formal Opposition, have put in eight; and they have had four discussed. There are six of them. We have three Independents - - -

**Mr Moore:** Two Independents and the Abolish Self Government.

**MR LAMONT:** I am sorry; we have two who have principally put in most of them. We have two Independents and the Abolish Self Government Coalition person; thank you for the correction. Between them, they have put in 11. So, three of them have managed to do the right thing and take up the processes that are available to them under the standing orders so that they do not have to rely on Assembly business or private members business when generally Bills and so forth are put forward. This opportunity for MPIs is given so that there can be general debate on matters of public importance. You, the Opposition, have failed repeatedly to live up to everybody else's expectation, let alone your own.

What happened today was very simple: You did not want to debate it; you did not want to discuss it because you are ashamed. After the actions this afternoon you will be forever ashamed about having your leader kicked out of this Assembly. I could see all of you sitting there with your heads bowed, ashamed of your leader - and so you should be. The shame is not only upon you; it is upon this Assembly. If you cannot control your leader, how could anybody ever expect you to run any government?

**Mr Humphries:** This is the circus man.

**MR LAMONT:** If it is the circus, you are the clown. This afternoon you have shown that you are the clown.

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### Matters of Public Importance

**MR DE DOMENICO (5.55):** Madam Speaker, I rise to speak in this adjournment debate. Let us look at some of the issues. Mr Wood pulled out a great big green book. I do not need green books.

**Mr Wood:** It would not hurt to educate yourself.

**MR DE DOMENICO:** The only reason I would use it, Mr Wood, is to stand on. Let us be for real. Suddenly, the day after this glorious Federal budget, every government backbencher coincidentally decided to put in an MPI. If you expect us and the people of Canberra to believe that that was a coincidence, you are wrong. That is point No. 1.

Members interjected.

**MADAM SPEAKER:** Order! Both sides of the house will come to order. Mr De Domenico has the floor.

**MR DE DOMENICO:** If the rules and conventions of this house are to use the numbers, so be it. From now on, the Liberal Party will put in six versions of the same MPI every day; and, on the basis of percentages, we will get up more than we will not get up on MPIs. If ever one Independent - Ms Szuty or Mr Moore - or anybody over there complains, forget it, because what is good for the goose is going to be good for the gander. That is what the issue is all about.

Of course we were ready to debate the MPI. But we are also concerned about the conventions of this place. Mr Moore, you can say that we are more conservative; we are, and we are proud of it. Wait until you see what the people of Victoria and then the people of Australia think about conservatism. Let us wait and see what the people of Canberra think about conservatism when you go up for election again. You had better enjoy yourself over the next 2 years, because you are kaput.

**Mr Moore:** You sound like Bernard Collaery did last year.

**MR DE DOMENICO:** No, I do not sound anything like Mr Collaery. The issue is all about conventions of this house. Let me also remind members opposite that the first party to walk out of this Assembly was the Labor Party.

**Mr Wood:** I am not complaining about that.

**MR DE DOMENICO:** Mr Wood says, "We are not debating about that". I am just saying to your Mr Lamont, who once again said something that was incorrect, that the first party that walked out of this Assembly was the Labor Party. Perhaps Mr Lamont will not accept that, but then he has been censured once by this Assembly for doing the wrong thing by this Assembly. So, Mr Lamont, just for your information, the first party to walk out of this Assembly was not the Liberal Party; it was the Labor Party. Let us get that quite clear.

The thing that we are standing up to talk about today, and why we walked out of this house, is that if we are to tear up convention, notwithstanding what that convention might be, Mr Wood - - -

**Mr Wood:** You do not know what the conventions are.

**MR DE DOMENICO:** This place has its own conventions, Mr Wood. If you are going to say to me that from now on we are required to put in six MPIs in order to try to get up, so be it; but do not complain if you do not think you are getting a fair go.

**MADAM SPEAKER:** I call Mr Berry.

**MR BERRY (5.59):** The issue before the house - - -

**MADAM SPEAKER:** I am sorry, Mr Berry, but I think I was out of order in calling you to the floor. Mr Westende wants to speak, and you will close the debate.

### **Animal Welfare Legislation**

**MR WESTENDE (5.59):** Madam Speaker, earlier this afternoon I sought leave to table letters which I have here. As is their right, the Government asked to see these letters, and Mr Berry has now returned them to me for me to table them. I now formally seek leave to table these letters for incorporation in *Hansard*.

**MADAM SPEAKER:** Is leave granted?

**Mr Berry:** I said that I would give you leave to table them, not to incorporate them.

**MADAM SPEAKER:** Mr Westende, would you like to seek leave to table them?

**MR WESTENDE:** Madam Speaker, I seek leave to table these letters.

Leave granted.

**MR WESTENDE:** I present the following papers:

Animal Welfare Bill 1992 -

Copies of letters from -

Senator P. Calvert to Mr D. Lamont, MLA, dated 10 August 1992.

Mr D. Lamont, MLA to Senator P. Calvert, dated 11 August 1992.

Note concerning performing animals in Moscow Circus, dated 13 August 1992.

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### **Matters of Public Importance**

**MR BERRY** (Minister for Health, Minister for Industrial Relations and Minister for Sport) (6.00), in reply: The issue that was the subject of much debate in this chamber earlier was simply about members exercising their rights under the standing orders. Anybody who does not like that has the opportunity, through the Administration and Procedures Committee, at any time, to change the standing orders. If you take the Liberal Party's vote to its most ridiculous conclusion, it would mean that on any day when no Opposition member in this chamber decides to submit a matter of public importance members of the Labor Party would be prohibited from doing so. That is absolutely ridiculous, and I think for you to suggest that sort of thing is totally outrageous and below you.

Madam Speaker, today your ruling was challenged. You have a right to pursue your rulings. You graciously allowed a short adjournment in order for members to reconsider their position, if they chose to do so. That is not the sort of lenience that is always provided. It has been provided twice for Mr Kaine in two assemblies. He had the opportunity to review his position. I think your gracious move to suspend the Assembly for a short time ought to have been taken advantage of. It is up to Mr Kaine whether he does or not. I feel that if this Assembly is to maintain any level of decorum - I am sure that everybody agrees - your rulings have to be maintained.

As I said when I moved the motion for Mr Kaine's suspension, I did it very reluctantly. I do not think it does us any good for members to be suspended. I supported the brief adjournment in order that some conciliation could be sought, if it were available to us. But it was not available to us. We were left with no alternative but to defend your ruling and your authority in this place, for without your authority this place is nothing. Madam Speaker, I congratulate you on your behaviour in relation to the matter today.

Question resolved in the affirmative.

**Assembly adjourned at 6.03 pm**