



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

8 September 1992

Tuesday, 8 September 1992

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MADAM SPEAKER (Ms McRae) took the chair at 2.30 pm and read the prayer.

PAPERS

MR HUMPHRIES: I seek leave to present a petition from interstate petitioners.

Leave granted.

MR HUMPHRIES: Madam Speaker, I thank the Assembly. I present a petition from 811 interstate residents requesting that the Assembly prohibit the availability of all X-rated material and the possession of child pornography.

MR STEVENSON: I seek leave to present a petition from interstate.

Leave granted.

MR STEVENSON: Madam Speaker, I present a petition from 81 interstate residents requesting that the Assembly prohibit the availability of all X-rated material and the possession of child pornography.

QUESTIONS WITHOUT NOTICE

Government Service - Industrial Relations Initiatives

MR KAINE: I would like to address a question to Mr Berry, the Minister for Industrial Relations. I refer to a recommendation some little time ago now, from the Prime Minister to the Chief Minister, which suggested that we should be establishing our own public service. The Prime Minister has picked up my longstanding view on this matter. Given the Government's propensity for and alacrity in introducing legislation that has been first thought up by the Opposition, can Mr Berry tell us what specific industrial relations measures he has already initiated to prepare for the Government's forthcoming responsibility for its own public service? What stage has he reached with these initiatives?

MR BERRY: It is true that there has been an exchange of correspondence between the Prime Minister and the Chief Minister. The future of our public service in the ACT is something in which we have a great interest, and I am sure Mr Kaine does as well. Essentially, the conditions which will be developed in relation to that matter will be the subject of detailed consultation with the unions. Of course, this will require detailed consultation as well with the Commonwealth. The process of consultation will be one for the Government to deal with. Of course, we will maintain our usual close relationship with the trade union movement to ensure that there is not a donnybrook about the development of an ACT public service. Essentially, it boils down to the ACT Government reaching an appropriate arrangement with the Federal Government, and involving the unions in a consultative process which results, at the end of the day, in our being - - -

Mrs Carnell: In the fullness of time.

MR BERRY: Indeed, in the fullness of time achieving an appropriate public service for the ACT. I might add, Madam Speaker, that we have a quality public service in the ACT, and it is in all of our interests to ensure that we develop arrangements which maintain that quality for the benefit of the people of the ACT.

MR KAINE: I have a supplementary question, Madam Speaker. Since everything that Mr Berry has said is about the future - what we might do, or will do, or may be - can we then assume that, unlike many other occasions when he jumps into our boots in terms of policy implementation, in this case he has taken no specific initiatives in industrial relations in connection with this matter?

MR BERRY: Again Mr Kaine has it wrong. We would never want to jump into their boots on the issue of industrial relations because they are complete confrontationalists. All that they are about is reducing the wages and working conditions of Australian workers, including the ones that apply in the ACT.

Mr Kaine: I have reduced nobody's wages, Minister.

MR BERRY: You are a great supporter of the "frightpack", and there will be more on that later. There will be much more on that later because we need to point out to the people of the ACT the charade of the local Liberals as they peddle the big lie, the GST. You can back it in, Mr Kaine, that we will not be jumping into your boots. We have our own policies, and they are the ones that we will implement.

Garbage Bins

MS ELLIS: Madam Speaker, my question is directed to the Minister for Urban Services. Minister, there has been much discussion over the past few months about the adoption of a new policy for the collection of household garbage. What is the ACT Government doing about garbage bins?

MR CONNOLLY: I thank Ms Ellis for the question. Indeed, there has been much debate about bins in this Assembly for the whole life of self-government. Members opposite, of course, have a strange fascination for the big bin, the 240-litre bin. They like to be photographed in it and on it. Members of the Liberal Party who did not do so well in preselection seem to be wheeled out of the building in the bins by other members who did rather better.

The Labor Government has always opposed the 240-litre big bins on environmental grounds. We have come up with a compromise solution which preserves the advantage of the wheeled bin - the convenience, particularly for elderly members of the community - while cutting down on the obvious risk to recycling of the vast 240-litre bins. We will be trialling later this year in the suburb of Kaleen a collection service which will provide two bins, each of 140 litres. The bins are the same height as the 240-litre bin, and thus as convenient for the resident. One bin will be a general garbage bin. The other bin will take recyclables.

That will mean that all recyclable material can be tossed into the recycling bin, and it will be sorted later. We will set up a conveyor belt arrangement and people will be employed to do the sorting. That has a significant advantage, Madam Speaker, over the systems which are used in some other States, which rely on residents pre-sorting - putting glass in one bin, aluminium in another bin, and plastics in another. A number of Sydney councils are using plastic crates for pre-sorting. We will not be pre-sorting. I would expect that there would be general support in the community for this initiative and rejection of the 240-litre bin proposal.

As recently as the week we announced this I heard members opposite extolling the virtues of the 240-litre bins. I would remind the Liberal Opposition that only last night on the ABC national television news that we get down here Mr Hartcher, the New South Wales Liberal Environment Minister, made it clear that they are looking to phase out 240-litre bins in Sydney because of the fact that they actively operate against recycling. Once again, Madam Speaker, the Labor Government's foresight has been shown to be correct. The Liberal Party in New South Wales is rejecting this proposal; yet the local Liberals, according to the last we heard from them on this issue, still seem to be clinging to the 240-litre bin idea which has been rejected even by their party colleagues in New South Wales.

Nursing Services

MR HUMPHRIES: Madam Speaker, my question is to the Minister for Health, Mr Berry. The Minister has stated that the Labor Party is about reducing costs without reducing services. I refer the Minister, however, to the statements of Ms Maureen Sheehan, of the Trades and Labour Council, on WIN news last night, when she said, "It's absolutely impossible for the nurses to lose any staff numbers at all, and carry on the level of service that they currently give to the community. The thing is that if you cut staff numbers you must reduce service levels". In respect of the Minister's department, is Ms Sheehan correct?

MR BERRY: I find this a very interesting question. What Mr Humphries needs to learn - this is something that he never learned in the past - is that there is a need, when you are managing difficult budgets, first of all to come in on target. Never fall behind by \$6m, because you will wear that every time you go swimming in politics. It is good to come out with a slight surplus. It is very good. That is part of the process of proper management in our hospital system. Madam Speaker, it is important to manage industrial relations in a sensible way. That is something that the Labor Party in the ACT, in government, has come to grips with very well. We have maintained our special relationship with the trade union movement, and we will continue to do so.

The issue to which Mr Humphries refers - the comment by a trade union official about what might occur in the budget - is something that Mr Humphries will have to wait for, because the budget is going to be announced next week. If it is in relation to the budget you will have to wait until next week. When it comes to the positions which are taken by respective union officials, they are entitled to express a view about the future of their constituency. The position I have always maintained is that I do not invite confrontation in the media when it comes to dealing with industrial issues. The Labor Party, in office, is concerned about a responsible approach to industrial relations, something that the Liberals have never been able to come to grips with.

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We will continue to pursue a course of action which is aimed at sensible industrial relations and reasonable consultation at all levels, with a view to managing our respective portfolios properly. That is something that the Liberals were never able to do. We will continue to pursue that course. It is sensible to take into account the views of unions. If the Trades and Labour Council - - -

Mr Humphries: What about this view? Is this view right or is it wrong?

MR BERRY: The view that has been expressed or the view that you have drawn to our attention from a reported comment on the television is a view which may or may not be raised in industrial relations forums. If it is raised it will be dealt with appropriately, but it will be dealt with in a way which is aimed at a sensible outcome in the interests of better industrial relations. That is something that you do not comprehend. I know that you do not comprehend that issue, but we will continue to address it in that way.

MR HUMPHRIES: I ask a supplementary question, Madam Speaker. I remind the Minister, first of all, that the Alliance Government had fewer industrial days lost than the Labor Government had, and has had in the subsequent time since the Alliance Government. I ask the Minister, specifically: Does he agree that nursing in the ACT public hospital system is already so far stretched that it would not be capable of any further reductions in resource levels allocated to that function in our hospitals? That is what she was saying.

MR BERRY: Mr Humphries asks essentially the same question as before. The answer did not sink in.

Mr Humphries: There was not an answer; that is why.

MR BERRY: The Liberals expect that the Labor Party in government will stand up here and give them the answers that they want so that they can go and knock up a quick press release expressing their respective ideological positions. What I will say to you again is that we will take into account any view that a trade union official might wish to express in relation to the terms and conditions of employment in any of our respective portfolio areas.

The nurses and other workers within the hospital system are all working hard. There is no question about that. The hospital is operating more efficiently. It will continue to operate efficiently. When industrial issues are raised, as in the case of a recent industrial announcement by one of the unions involved in the hospital system, the health system will deal with it appropriately. It will not be out snatching cheap headlines. It will be in there trying to sort out the issues that the union members and their union officials seek to raise in the industrial arena.

There is no point, Madam Speaker, in getting involved in a huge media debate with the Liberals about what is going on in industrial relations. There is no point in that at all. What we are concerned about is dealing with the problem. When the nurses raise problems about their wages and working conditions within the hospital system or anywhere else we are always happy to deal with them, and we will always deal with them with a view to a sensible industrial outcome.

I think, Mr Humphries, that even you would agree that the past 12 months or so, in relation to negotiations within the hospital system, particularly on industrial issues, have been very successful. It has been a very successful year not only for the administration but also for the unions. We have all cooperated pretty well in an industrial climate which is designed, not only from the Government's point of view but also from the workers' point of view, to deliver better hospital services in the public sector to the people of the ACT.

Electoral System

MS SZUTY: Madam Speaker, my question without notice is to the Chief Minister, Ms Follett. The ACT Government advertised on 17 September for a senior executive officer to investigate and prepare legislation for the introduction of a Hare-Clark electoral system for the ACT. Could the Chief Minister inform the Assembly of the timetable to enable the completion of this task, including community consultation on the proposed boundaries?

MS FOLLETT: I thank Ms Szuty for the question, Madam Speaker, and I think it is indeed a timely question. I have heard Mr Humphries and various esteemed representatives of the media discussing this issue. I have been wondering when either Mr Humphries or one of those esteemed representatives of the media might see fit to ask the Government the question. It has come to Ms Szuty to do that and I am happy to reply to her.

Ms Szuty is correct in saying that the Government has been advertising for a senior officer grade B position to assist in this task. That advertisement was initially placed in the *Commonwealth Gazette* on 20 August. It was quite some time ago that the first advertisement was placed. There have been a couple of further advertisements, at least one of which was in error. The position was not advertised correctly. Madam Speaker, recruitment for that position will proceed with all due haste. The position was correctly advertised in the *Gazette* on 3 September. There has been a hiccup, for which I apologise.

It would be quite wrong, Madam Speaker, for anyone to draw the conclusion that that is the only action that the Government is taking on this matter. It is not. We wish to recruit an officer with some expertise to help to put the Hare-Clark system in place, but as a government we take the responsibility to bring forward the appropriate legislation and to do so in a timely fashion. I rather regret that there has been some ill-informed debate on the matter; but I would like to make it clear that work has been proceeding on this issue, and in particular on the framework of the legislation, including a number of the very complex questions that arise, which Mr Humphries alluded to in his public statement. Some of those complexities concern the legal issues associated with the relationship of the ACT law with the self-government legislation. That is not a clear matter and work on that has been going on for some time. Moreover, my own department has seconded an officer from the Attorney-General's Department to assist with the legalities of those issues. So that has been under way.

I would like, in response to Ms Szuty's question, to outline the Government's timetable for making sure that we deliver on the promise, which I have taken very seriously, to implement the community's very clearly stated view on the new electoral system for the ACT. The target, Madam Speaker, is to have the

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electoral boundaries in place and the electoral legislation passed by the Assembly, all completed, by, at the latest, the end of 1993. That gives us well over a year before the election is due in February of 1995 for the community to be properly informed and to become accustomed to the new system.

Working towards that timetable, Madam Speaker, the Government has as an objective a two-stage approach to the process. The first thing that we will do will be to work towards the enactment of legislation this year to establish an ACT Electoral Commission. The ACT Electoral Commission will have the immediate task of determining the electoral boundaries for the ACT, and quite clearly there needs to be a public process in undertaking that task. I fully accept members' views that this is a task that we need to get on with, and indeed we are getting on with it.

The second stage of this two-stage process would be the introduction into the Assembly next year - I hope early next year - of the substantive electoral legislation. That is, I believe, by far the more complex part of the task and, as I have outlined, work is proceeding on those complexities. I hope, Madam Speaker, that that might put members' minds at rest. The task is being got on with in a responsible manner. The recruitment of an officer with some expertise, whilst it is an important part of that task, is not the only part of it.

I rather regret that there has been speculation that the Government is not addressing the issue. I particularly regret that there also has been speculation, which I think is quite mischievous, that we will go to the 1995 election with the existing electoral system. Madam Speaker, I believe that that is absolutely out of the question. As I have said publicly, I will implement the decision made by the Canberra community on a new electoral system, and that is unequivocal. They have made it quite clear that they want the Hare-Clark system; that is what they will get, and they will get it well before the next election.

Over-award Payments

MR DE DOMENICO: Madam Speaker, my question without notice is to the Minister for Industrial Relations, Mr Berry. I ask the Minister whether he will stand by his colleague Mr Connolly in the responsible stance that Mr Connolly has taken and ensure that outdated over-award payments within the ACT service and anything to do with the ACT Government are stamped out.

MR BERRY: I think, first of all, you had better get what Mr Connolly said right. You might be organising yourself a trip overseas for a bit of an indoctrination by a foreign government, and you are entitled to do that; but you have to pay attention to the issues here. Whether you understand it or not, the public sector in the ACT is under paid rates awards, and employees are entitled only to payment in terms of those awards. Where a dispute arises in relation to a particular payment, the matter is normally dealt with by management and, where there is a difference between management and the union, the Government always encourages that the matter be settled in the Industrial Relations Commission, as we have done in this case.

Mr Kaine: I thought Mr Connolly was going to stamp them out. Those were his words.

MR BERRY: If you want to ask Mr Connolly questions about his portfolio, you ought to do that; but, if you want to talk about the general principles of dealing with these matters, you are talking to the right bloke. What you have to understand is that we are not going to adopt the confrontational approach that the Liberals always seem to favour but have never got the guts to adopt.

Mr Humphries: Do you agree or don't you?

MR BERRY: I will run through again what our approach will be. Managers are employed to manage the implementation of awards. Where there are disputes about payments, one would expect that most of them can be sorted out in consultation between the relevant unions and management. Where there is a dispute, the Government will promote that dispute being settled in the Industrial Relations Commission, where it ought to be settled.

MR DE DOMENICO: I ask a supplementary question, Madam Speaker. Will the Minister for Industrial Relations, Mr Berry, make sure that any outdated over-award payments are stamped out in the ACT?

MR BERRY: You try to introduce emotive terminology into the question. I will tell you again what happens where there is a dispute.

Mr Kaine: This is questions without notice, Minister; or had you forgotten?

MR BERRY: It seems to me that we have - - -

Mr De Domenico: If there are bodgie claims will you stamp them out?

MADAM SPEAKER: Order!

MR BERRY: Thank you, Madam Speaker. I will explain it to you again. Awards in the ACT are paid rates awards. Now listen: Page 1, paid rates awards; payments under those awards are managed by the management in various areas within the administration.

Mr Humphries: We have heard this already. You have said this already.

MR BERRY: I know. It does not seem to be sinking in; so I am going to tell Tony again. Where there is a dispute with management in relation to any payments under those awards, it is a matter that ought to be settled in the Industrial Relations Commission.

Mr Humphries: What about fraudulent payments?

Mr De Domenico: What about shonky payments?

MR BERRY: If you want to put up issues, we will deal with it. You tell us - - -

Mr Humphries: Deal with it now. Tell us.

Mr De Domenico: What about some of the ones at ACTEW, for example?

MR BERRY: Here we go again. Mr Humphries asked me a question a little while ago about - - -

Mr De Domenico: So you are going to wash your hands?

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MR BERRY: No, no. Mr Humphries asked me a little while ago - - -

Mr Humphries: It is my question now. I do not mind; tell me.

Mr Kaine: He is going to avoid answering it again.

Ms Follett: If you like to just talk amongst yourselves, we can stand here all day.

MR BERRY: We have plenty of time; it is your time, though. I will explain it to you. A little while ago Mr Humphries raised a matter in relation to wages and working conditions within the health system. I am not going to enter into the detail of industrial issues in this place just to amuse the Liberals. I am going to tell you how the principles of industrial relations are applied by Labor in government, and you know how successful that is. We will consult with people when they have a problem. When we cannot resolve the conflict between the parties, or where there is no resolution in sight in the conflict between the parties, the matter will be appropriately dealt with within the Industrial Relations Commission. That is the appropriate course. That is the practice.

Canadian Pig Meat

MRS GRASSBY: My question is to the Minister for Health. What is the ACT Government doing about the misleading situation exposed on television recently when Canadian pig meat was alleged to be retailing as a product of Australia?

MR BERRY: This is an important question for the people of the ACT because the program raised issues of concern to consumers out there in the community. I think the most important issue that needs to be addressed in the first place is the Government's decision to introduce the Food Bill, part 1, into this Assembly. That was consequently adopted and, of course, that - - -

Mrs Carnell: Three years later.

MR BERRY: Mrs Carnell interrupts and says, "Three years later". Mrs Carnell cannot make up her mind whether she wants to work in this Assembly or to look after her pharmacy business. If you want to work full time here, come here and work full time. A little bit of part-time work is okay, but just focus on Assembly work.

Mr Humphries: Touchy; sensitive. A bit of the blowtorch to the belly here, Wayne. Oh, he is rattled.

Mr Cornwell: This Canadian pork is going to be a difficult issue when we want the Canadians' help with the US wheat sales at this stage.

MR BERRY: I do not mind having a go at answering the questions, but it would be helpful if we could have a little bit of quiet on the other side.

MADAM SPEAKER: Could we have a bit of order, please! Could you desist from interjecting, please?

MR BERRY: Now that the Assembly has passed the Food Bill, the National Food Standards Code has been adopted and this situation is covered by the labelling requirements of the code. The requirement is that all food must bear a label of country of origin and, if it is packed in Australia, the country of origin of any imported ingredients must be included in the label. I refer to the Australian Food Standards Code which deals with the particular matter of labelling. It describes a label that complies with the standard as a label which has a statement that identifies the country in which the food was packed for retail sale. If any of the ingredients of the food do not originate in the country in which the food was packed for retail sale, there must be a statement which identifies the country or countries of origin of the ingredients of the food. It has to contain some information to the effect that the food is made from ingredients imported from that country, or from local and imported ingredients as the case requires.

The Food Act of the ACT covers those particular requirements. The sorts of concerns that were expressed in that particular documentary need not be held here in the ACT because the ACT Government has introduced some legislation which is meant to deal with the problem. I think that legislation has not been recognised as being as important in the scheme of things in the ACT as it ought to have been. It does provide a lot of protection for the people of the ACT. This, in turn, is consistent with the Labor Government's commitment to social justice. There are problems of interpretation in such areas as salamis. Whilst the meat may originate elsewhere, the extent of manufacture - - -

Mr Humphries: Now we are in the business of salamis.

MR BERRY: You might not be concerned about it, but the community out there are concerned about these issues and there has been some fear raised by that documentary. Essentially, the Government is clearing up an issue for the people of the ACT and showing them how the ACT Assembly - including yourselves, Liberals - has endorsed a piece of legislation which will assist them in terms of food labelling. As I have said, salamis are a different problem because of the way that some of the products in salamis are dealt with. Whilst the meat may originate elsewhere, the extent of manufacture is such that there is a large Australian content and the original meat has been radically altered. That is a difficult area and one which is more difficult to cope with. In the case of pork imported from Canada, the legislation is quite specific. Unless correctly labelled as "Product of Canada", or similarly, the product would be deemed to be falsely described and therefore not in accordance with the standard.

Thank you, Mrs Grassby, for that question, because it is important that the fears of the community that might have emerged as a result of that particular documentary be put to rest. It needs to be restated, I think, that this Assembly has played an important role in dealing with that issue. The Liberals do not seem to want to take any of the credit for this Assembly's decision in relation to putting in place an important piece of food legislation. They do not want to take any credit for it. The Labor Party is quite happy to take part of that.

Mr Humphries: I take a point of order, Madam Speaker. I think the question was answered quite some time ago. We are keen to get onto other questions in this question time from opposition and other members of the Assembly.

MADAM SPEAKER: I think Mr Berry has finished.

Health Complaints Unit

MRS CARNELL: My question is also to the Minister for Health, Mr Berry. The Minister has listed legislation to set up an independent complaints unit and subsequent changes to professional registration Acts as a first priority on his legislative program. With regard to these legislative changes, whom has the Minister consulted with? When did these consultations take place, and how were they conducted?

MR BERRY: The independent complaints unit is a matter which was of significance to the Labor Party when it decided upon that particular policy. We promised in the last election that we would deliver an independent complaints unit in the ACT and we will deliver on that promise. Mrs Carnell asked whom we have consulted. We have consulted with the AMA at this point.

Mrs Carnell: That is not what they said this morning.

MR BERRY: She is getting a bit twitchy now. We will, of course, consult further. We informed those members of the AMA who came to see me in my office about that and other matters that we would be issuing a discussion paper in relation to the matter and there would be plenty of time to discuss all of the issues about that important aspect of health service delivery in the ACT.

Mr Humphries: The AMA is one. Who else?

Mrs Carnell: The AMA, no; he has not consulted them.

MR BERRY: The gaggle opposite do not seem to be able to sit quietly long enough to take in the whole story. As I have said, there will be a discussion paper issued to the community. The timing will be set by the Government and there will be plenty of consultation. Even the pharmacists whom Mrs Carnell spends so much time representing will be consulted if they wish to be. If she does not want to be consulted about the issue, if she feels that her particular pharmacy would be at risk as a result of a complaints unit, she should raise the issue with the Government.

Mrs Carnell: In other words, you have done nothing.

MR BERRY: Mrs Carnell raves again, "You have done nothing". Firstly, we have decided on the policy. The discussion paper will be out for consultation soon and you will be suitably impressed. Again this is the Government getting on with its agenda to ensure that in the ACT we have better health services, unlike the time when the ACT had the misfortune of a Liberal government.

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

Mr Stevenson: Madam Speaker, I seek leave to extend question time.

Leave not granted.

Government Service Senior Officers - Transport Allowance

MS FOLLETT: Mr Moore asked me a question without notice on 9 April. Madam Speaker, could I firstly apologise for the delay in getting a reply to Mr Moore. His question related to incentives being considered for the use of public transport by senior officers in the ACT Government Service. It is a lengthy answer, Madam Speaker, which I would ask to have incorporated in *Hansard*.

Leave granted.

Document incorporated at Appendix 1.

MS FOLLETT: To paraphrase it, our ACT public servants are employed under the Commonwealth Public Service Act, and their terms and conditions are the same as those offered by the Commonwealth. At present there are no incentives offered for the use of public transport, but the current menu of allowances will be reviewed after it has been operating for 12 months and at that time incentives for the use of public transport will be considered.

Hospital Bed Numbers

MR BERRY: During the last sitting Mr Humphries asked me a question in relation to the number of beds in the public hospital system. Before I provide statistical data I would like to make a point clear for the Assembly. The concept, as Mr Humphries would know, that the physical number of available beds gives a true indication of a hospital's performance is a fallacy. They all know that. Mr Humphries knows that himself as it was one of the conclusions of the Select Committee on Hospital Bed Numbers that he instigated. So let us not have any more fusses about the number of beds.

One of the more significant measures of a hospital's performance is patient throughput. The activity level in July was up 2.7 per cent on the same month last year. The average for July was 819. That is a 2.7 per cent increase in throughput in the hospital system.

Mr Humphries: But fewer beds.

MR BERRY: Even Mr Humphries agrees that that is a more reliable indicator of hospital performance than the number of beds.

Mrs Carnell: That is why the nurses are complaining.

MR BERRY: Of course, a phoney approach has been taken by his colleague Mrs Carnell, who presents herself as the health spokesman for the Liberals.

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Palliative Care Service

MR BERRY: Another question was taken on notice, Madam Speaker, from Mr Cornwell. He asked me a question in relation to funding for the development of an integrated palliative care - - -

Mr Cornwell: That is right. The one you promised in the last budget.

Mr Humphries: He is upset.

MR BERRY: I am not in the least upset. I would just like to have the opportunity to answer the questions. Following a report on the need for a hospice in the ACT, \$205,000 was made available for developing an integrated palliative care hospital service. The location of the hospice depends on the future uses of the Acton Peninsula site, in which the Commonwealth Government has a major interest. Recruitment has been delayed, pending a final decision on the siting of the hospice. It is proposed that the community nursing palliative care service will be co-located with the hospice in order to offer a more integrated service.

AUDITOR-GENERAL - REPORT NO. 3 OF 1992 Annual Management Report for 1991-92

MADAM SPEAKER: I present, for the information of members, Auditor-General's report No. 3 of 1992 - annual management report for the year ended 30 June 1992, which includes a general report on efficiency audits, pursuant to section 68 of the Audit Act 1989.

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

That the Assembly takes note of the paper.

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

SUBORDINATE LEGISLATION Papers

MR BERRY (Deputy Chief Minister): Madam Speaker, pursuant to section 6 of the Subordinate Laws Act 1989, I present subordinate legislation in accordance with the schedule of a gazettal notice for determination, regulations and Supreme Court Rules.

The schedule read as follows:

Casino Control Act - Determination of fees - No. 141 of 1992 (S143, dated 20 August 1992).

Electricity and Water Act - Determination No. 144 of 1992 (S153, dated 2 September 1992).

Essential Services (Continuity of Supply) Act - Essential Services (Continuity of Supply) Regulations - No. 14 of 1992 (S139, dated 19 August 1992).

Occupational Health and Safety Act - Exposure standards for atmospheric contaminants in the occupational environment and guidance note - Determinations -
No. 126 of 1992 (G33, dated 19 August 1992).
No. 127 of 1992 (G33, dated 19 August 1992).

Ozone Protection Act - Determinations of fees -
No. 135 of 1992 (G34, dated 26 August 1992).
No. 136 of 1992 (G34, dated 26 August 1992).
No. 137 of 1992 (G34, dated 26 August 1992).

Pharmacy Act - Determination of fees - No. 143 of 1992 (S150, dated 31 August 1992).

Physiotherapists Registration Act - Physiotherapists Registration Regulations (Amendment) -
No. 15 of 1992 (S151, dated 1 September 1992).

Public Place Names Act - Determinations -

No. 138 of 1992 (S140, dated 19 August 1992).
No. 139 of 1992 (S140, dated 19 August 1992).
No. 140 of 1992 (S140, dated 19 August 1992).

Radiation Act - Determination of fees - No. 142 of 1992 (S144, dated 21 August 1992).

Supreme Court Act - Supreme Court Rules (Amendment) - No. 16 of 1992 (S152, dated 1 September 1992).

LAND (PLANNING AND ENVIRONMENT) ACT LEASES

Papers

MR WOOD (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning): Madam Speaker, for the information of members, I present the following papers:

Land (Planning and Environment) Act - Leases, together with explanatory statements -

Calwell, section 750, blocks 17 and 21.

Fadden, section 408, block 28; section 410, blocks 4, 5 and 6.

Theodore, section 614, block 14.

Wanniassa, section 139, blocks 33 and 34.

PAPER

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services): Madam Speaker, for the information of members, I present the following paper:

Territory Owned Corporations Act - Totalcare Industries Limited - Details of the change to the statement of shareholders, dated 18 August 1992.

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**LOTUS GLEN PUBLIC PRISON, MAREEBA
Paper**

MADAM SPEAKER: I call Mr Moore.

MR MOORE (3.14): Thank you, Madam Speaker.

Mr Kaine: I take a point of order, Madam Speaker. I refer you to standing order 211. We know that Mr Moore is a silent member of the Labor Party, but the last I heard was that he was neither a Minister nor the Speaker. I ask you to make a ruling as to whether Mr Moore is entitled to present a paper under this heading on the notice paper.

MADAM SPEAKER: Mr Kaine, he is entitled to do that if he obtains leave. He is seeking leave.

Mr Kaine: Madam Speaker, my point of order is whether it ought to appear on the notice paper at all. He is neither a Minister nor the Speaker.

MADAM SPEAKER: Thank you, Mr Kaine. The answer is the same. If the Assembly grants him leave, yes. If the Assembly does not grant him leave, it does not proceed.

Mr Kaine: Well, we will deal with that. I thought you might care to rule first.

MADAM SPEAKER: That was the ruling, Mr Kaine.

MR MOORE: Madam Speaker, I ask for leave to present a paper following my visit to Lotus Glen Public Prison, Mareeba in Queensland.

Leave not granted.

MR MOORE: I move:

That so much of the standing and temporary orders be suspended as would prevent Mr Moore from presenting a paper.

Speaking to that motion, I point out that there was an agreement reached on this matter in the normal way that we reach agreements. I seek to present this paper in the same way that a paper was presented by Mr Humphries, just so that members will have a - - -

Mr Kaine: Mr Humphries presented his through the Speaker.

MR MOORE: I withdraw that, Madam Speaker. It is not in the same way that Mr Humphries presented his paper. Mr Humphries presented a paper because he had been financed by the Assembly to do his study trip. In my case, while I was on holidays, on leave from the Assembly, in my own time and at my own cost, I took a look at a similar prison built at the same time as the Borallon Prison, the privately operated prison whose praise Mr Humphries sings.

I thought it would be appropriate for members of the Assembly to have available to them some information about a prison that was built at the same time but was publicly funded. For that reason I sought to spend about half a minute of the Assembly's time simply to put the paper on the table so that people would have it available to them and so that it would be recorded that it was available. That was an agreement reached by Mr Kaine's party Whip - - -

Mr Kaine: Not so; absolutely not so.

MR MOORE: On Friday afternoon, on my understanding of it. I insist that that is the case. Agreement was also reached with the Whip and the manager of government business. I find it quite extraordinary that leave is not granted for such a simple matter.

MR BERRY (Deputy Chief Minister) (3.18): This matter was raised at the business meeting that is held on Fridays and Mr Moore made his position clear. I think everybody who would have been interested in not granting leave would have let him know. We would have let him know if he was not going to get leave in relation to the matter. He should not despair, because we will support his motion.

MR DE DOMENICO (3.18): Madam Speaker, it is true that the matter was discussed at a meeting on Friday afternoon. It is also true, though, Madam Speaker, that this morning I had discussions with the Government Whip and suggested that - - -

Mr Wood: You were overruled. That is what happened.

MADAM SPEAKER: Order! Mr De Domenico has the floor.

MR DE DOMENICO: I had discussions with the Government Whip, Mr Wood. It was not, in our opinion, the correct way for Mr Moore to present his paper. Mr Moore would have ample opportunity. In future, members of this Assembly, except for Ministers as members of the Government, will have ample opportunity to present papers at an appropriate time on Thursday morning. That was the opinion of the Liberal Party. Whilst it was - - -

Mr Berry: You should have told him.

MR DE DOMENICO: Hold on! It was discussed on Friday afternoon and that needed to be clarified.

MR LAMONT (3.19): Just so that everybody gets the full picture, Madam Speaker, let me say that, in a very rushed discussion this morning when I was inquiring after the health of one of the members of the Liberal Party, Mr De Domenico did say that his leader was somewhat miffed that it would appear that Mr Moore was going to be able to present a paper this afternoon. Quite frankly, it was raised last Friday. If the Liberal Party had a problem with Mr Moore presenting the paper, they should have raised it with him. This Assembly at any time may grant leave to any member to do anything that is consistent with proper conduct within the Assembly. Mr Moore has sought leave. I am pleased that the manager of government business has indicated that we will support it.

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MR KAINE (Leader of the Opposition) (3.20): Madam Speaker, it is clear that we have yet another case of the Labor Government, together with the silent member of the party, Mr Moore, making a determination that they are going to override the opinions of other members of this Assembly. We have witnessed this now for some months. I do not know why Mr Moore does not declare his colours and formally join the Labor Party. Then we will know exactly where he stands.

Mr Lamont: Why didn't you join the Residents Rally?

MR KAINE: I had no intention of joining the Residents Rally. My allegiance is to the Liberal Party. If he wants to be a member of the party, that is fine; I do not mind.

It is interesting that on this issue we get a number of different opinions expressed as to what happened. The simple fact is, Madam Speaker, that it is the right of the Liberal Party, as a party, to make its decision on what happens in this house, just as happens in the Labor Party caucus with Mr Moore participating. We discussed this matter - - -

Mr Lamont: You are touchy, Trevor.

MR KAINE: You are touchy and you ought to be.

MADAM SPEAKER: Order!

MR KAINE: We discussed this matter in our party room and we decided that there are standing orders. I asked you, Madam Speaker, to make a ruling on it before Mr Moore stood up. This point in the proceedings of this Assembly is set aside quite clearly for the presentation of papers by the Government or by you, Madam Speaker. There is no presumption in here that papers can be presented by another member of the Assembly. If Mr Moore wants to acknowledge that he is a quasi Minister in this Government or that he is substituting for you, Madam Speaker, then I do not mind; he would be entitled under the standing orders to present a paper. The point is that he is neither, as far as I am aware.

I know that the Labor Party has lots of secret agendas, so I do not know that I do know everything they do; but, as far as I am aware, Mr Moore is neither a Minister nor the Speaker, Madam Speaker, and he is not entitled to present a paper under this section. If he wants to present a paper he can seek leave to do so at any other time.

Mr Lamont: He sought leave and you said no.

MR KAINE: I said "at any other time". Is he going to get up next in the middle of question time and seek leave to present his paper? Is he going to do it, and I suggest he would, in the middle of ministerial statements?

Mr Moore: You never know.

MR KAINE: I know, because you are a quasi Minister, obviously. They obviously would agree to that. Well, that is okay. If you and the Labor Party want to distort the standing orders of this Assembly, that is okay; but I am letting you know that the Liberal Party objects to this kind of manipulation.

Mr Lamont: Don't use up all your angst before the MPI.

MR KAINE: We will get around to the MPI in due course, Mr Lamont. We will fire a few shots then, as we are firing them now. The point is that Mr Moore seems to be working under some kind of assumption, not acknowledged by the Liberal Party, that he holds the balance of power in this Assembly. If he can do a deal with the Labor Party he knows that he has everything that he wants, just as he has acquired it up until now. If that is the case, let it be a matter of public record that that is the case. If the Labor Party wants to put that on the record and make sure that everybody knows what the true position is, let them support Mr Moore on this issue, like they do on every other issue. But let us know in advance what Mr Moore is going to get in exchange.

Mr Berry: I take a point of order. Madam Speaker, there was an imputation of impropriety there by the Leader of the Opposition, and I would ask you to order him to withdraw it.

MR KAINE: Madam Speaker, there is no question of impropriety. I just want to know what Mr Moore is getting in exchange for supporting the Labor Government.

Mr Berry: That is right; that is an imputation.

MR KAINE: If he takes offence at that, and if Mr Berry takes offence at it, I withdraw it.

Mr Lamont: I raise again a point of order. He has repeated it.

MADAM SPEAKER: He has withdrawn it, Mr Lamont.

MR KAINE: Why don't you sit down, Mr Lamont? We do not need you up on your feet all the time.

MADAM SPEAKER: Thank you, Mr Kaine.

Mr Lamont: It just takes you so long to do it.

MR KAINE: I will do it in my time, not yours.

MADAM SPEAKER: That is correct, Mr Kaine.

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

MR MOORE: Madam Speaker, I present a report entitled "Lotus Glen Public Prison - Mareeba".

GOVERNMENT'S SOCIAL AGENDA Discussion of Matter of Public Importance

MADAM SPEAKER: I have received letters from Mrs Carnell, Mr Cornwell, Mr De Domenico, Mr Humphries, Mr Kaine, Mr Stevenson and Mr Westende proposing 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 Kaine be submitted to the Assembly, namely:

The social agenda of the Follett Labor Government.

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MR KAINE (Leader of the Opposition) (3.26): Thank you, Madam Speaker. It is rather interesting that it took us four attempts to get this matter of public importance on the agenda, and we succeeded only when we used the Labor Party's new approach to matters of public importance.

Mr Lamont: At least you can learn.

MR KAINE: We have learned very well.

Mr Lamont: You stopped poor Dennis putting one in.

MR KAINE: And we have stopped Mr Moore and Ms Szuty, and that was your intention.

Mr Lamont: They did not put one in.

MR KAINE: No, not today. Anyway, Madam Speaker, the matter is finally up for debate - the social agenda of the Follett Labor Government. Madam Speaker, the problem is that after some months of the Labor Government there is no evidence of any kind of strategy - social or economic or any other kind.

We in the Opposition are at a loss as to what the Government is about, and we know that a lot of people out in the electorate are at a loss to understand what the Government is about. They did not tell anybody during the election what their agenda was. That was very clever, very clever indeed, because if people had known what they really intended to do they would not have voted for them. Ms Follett brought down a so-called budget strategy recently. That did not tell us anything either. So we are all now waiting with bated breath for the budget next week to find out what they are going to do this year as opposed to what they did last year and what they might do next year.

I repeat, Mr Deputy Speaker, that the community has no idea what this Government intends to do over the next two to 2 years. Indeed, I do not think they know what they intend to do. I do know, for example, that the Chief Minister said in her 1991-92 budget policy program that she was going to promote the social and economic development of the region. I have not seen much evidence of that.

She was going to develop an excellent ACT Government Service. Surprisingly, the Government Service does not look any different today from what it did 18 months ago. If there is any difference, I do not perceive it. According to the newspapers, there are 540 fewer people in the Health Department, and that was not stated anywhere in their budget papers either. I would like to see the figures to demonstrate that that is true.

They said that they were going to promote social and economic development through partnership between government, business and the regional community. I have not seen any evidence of that. They were going to create a healthy, safe working environment. We know that they are whacking on some OH and S legislation that is going to be a further blow to small business in this town. I suppose that is progress if you put it in Labor Party terminology.

So we have this great mystery, Mr Deputy Speaker, about what it is that this Labor Government intends to do. What are its policy directions, whether social or economic? We have seen some achievements since July 1991, in over a year since they took government again. Those achievements, essentially, have been to put in place the program that was set in train by the Alliance Government. Look at all of the major pieces of legislation that have been put on the table since then. The planning legislation was developed comprehensively by the Alliance Government; the Discrimination Act was developed by the Alliance Government; the Weapons Act was developed by the Alliance Government. Even the Animal Welfare Act which they trumpeted about so much lately, although it is badly corrupted, as admitted by Mr Lamont, was admitted by Mr Lamont to have been done on the basis of work that was done under the Alliance Government. Even Mr Lamont said so on the floor of the house. What came out was not what the Alliance Government was working towards, but at least it is based on work done by the Alliance Government.

So where are we now? Since July 1991 we are 14 months downstream and what has happened? We have a cessation of any output from this Government of any substance whatsoever. In other words, they have run out of the legislation and the initiatives that the Alliance Government took. They have no initiatives of their own. If they do, where are they? Where is the legislation that demonstrates that this Government has done anything?

Ms Follett: Another 10 minutes.

MR KAINE: I will tell you where it is. The Chief Minister is going to put on the table this afternoon a piece of legislation that is a direct steal from legislation that I put on the table three weeks ago. Mr Berry is pursuing a program on methadone which is a direct steal of what Mrs Carnell put on the table a few weeks ago. They are now not only relying on what was put into effect during the Alliance Government; they are now stealing on a day-by-day basis the initiatives of members of the Opposition. They have to fill their program somehow. If that is not true, where is their legislation? Let us see the legislation that this Government has developed in the last 14 months. Let us see the initiatives that they have taken. I do not see any, and neither does anybody else, frankly.

We certainly know that they have no economic agenda, Mr Deputy Speaker. You only have to look at their budgets. There has been no consistency. There has been no revelation of any strategy or any long-term thinking in their budgets. They spend all their reserves one year and then go into big borrowing programs the next. This demonstrates an ambivalence and an adhocery that are unbelievable. It also demonstrates ambivalence in the party itself.

For example, during the development of the last budget a year ago the Chief Minister and Treasurer made much of the fact that she was not going to borrow; borrowing was a bad thing. Yet her own policy platform, the Labor Party platform, says - this is a bit of what they did not tell us about during the election campaign - that Labor believes that borrowings are an appropriate method of funding. That appears at page 22, paragraph 5.4.2, of the Labor Party platform. But only a year ago the Chief Minister and Treasurer was telling us, "You cannot borrow; that is bad". We will see what she does next week when she brings the next budget down. We will see whether there is a consistency even from one year to the next, despite the inconsistency between her publicly expressed view and that of her party.

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There is clearly, Mr Deputy Speaker, an absolute lack of any kind of program at all. There is simply year to year consideration of the budget. What bubbles to the surface this week is what goes in the budget. There is a lack of policy guidance. If there is any policy guidance, where is it? What are the policy objectives of this party? There is simply nothing but ad hoc decision making from day to day. One gets the real impression that the noisiest lobby group is the one that gets the ear, and that is what goes in the budget. Again, we will wait and see what happens about an abortion clinic.

Mr Deputy Speaker, if this Government does have any plan, if it does have any strategy, if it does have any agenda, where are its real job creation projects and programs? Where are the measures to encourage and provide incentives to the private sector, which is on its knees at the moment, particularly our small business? What is this Government doing for them? The answer is, "Nothing". If you do not believe me, go and ask the small business people out there. You ask any small businessman in this town, "What has this Government done to help you over the economic hump you are on? What has it done to help you expand and grow and employ somebody, and at least make a profit?". The answer is, "Nothing". Not one single businessman in this town will tell you that this Government has done anything. Go and ask the unemployed. There are still about 8,000 of them out there. Go and take any one you like off the unemployment queue. Go down to the CES and ask them, "What has this Government done to create a job for you?". There are 8,000 people out there, every one of whom will tell you, "Nothing".

If this is not true, let us have the story. What are they doing? Where are the initiatives? In connection with what policy guidelines is the administration taking action? Specifically, name the programs that have led to one job or that have led to one small business surviving the economic hardships that they are suffering. There are none, Mr Deputy Speaker. I have yet to hear the Chief Minister or any other Minister tell me where they are.

We begin to perceive some sort of an agenda only when we get into the social issues. This is not an agenda that was publicised before the election either. It is not an agenda that meets with the approval of the majority of members of this community. If you do not believe me, go and ask them about marijuana. Sixty per cent of people do not want the laws in connection with marijuana changed, but this Government is going to support that next week or even tomorrow. Tomorrow morning Mr Moore's marijuana Bill will take precedence over my Bill to fix the anomalies in the land tax Act. So we are going to have to debate that.

Mr Berry: I take a point of order. Mr Kaine is pre-empting debate on an issue. I think that is entirely out of order.

MR Kaine: No, I am not. This is a matter of public importance.

Mr Lamont: Mr Deputy Speaker, I take another point of order. The presumption in the comment by the Leader of the Opposition is that somehow the Administration and Procedures Committee, of which I am a member, is going to do something which is untoward and inappropriate. I think that is a reflection on all members of that committee, and I ask that he withdraw it.

Mr Kaine: I take the point of order that Mr Lamont is overacting, Mr Deputy Speaker.

Mr Lamont: Mr Deputy Speaker, I seek a ruling on my point of order.

Mr De Domenico: I take a point of order, Mr Deputy Speaker. I also am a member of the Administration and Procedures Committee and I take no umbrage whatsoever at what Mr Kaine has said.

Mr Lamont: Mr Deputy Speaker, that is a matter of sensitivity on the part of Mr De Domenico. I understand why he may be insensitive enough to accept that.

MR Kaine: Mr Deputy Speaker, if Mr Lamont is so sensitive, I withdraw. We will wait until tomorrow and see what happens.

MR DEPUTY SPEAKER: Thank you, Mr Kaine.

MR Kaine: As I said, their agenda, even in the social area, is not one that meets with the approval of the majority of the members of this community. So where is the impetus coming from and what are they attempting to do? Their agenda is reflected in the issues that have bubbled to the top of the Labor Party's priorities in the last three or four months. Abortion: Where was that on their election agenda? It was obscured; it was not even mentioned. But that was No. 1 on their agenda when they gained government. Drugs: We will be dealing with those in the next few days - marijuana, in all of its connotations.

Ms Follett: That is Mrs Carnell's Bill.

MR Kaine: No, you mean Mr Berry's Bill. Mr Berry has taken over Mrs Carnell's Bill. That was not good enough. We have to present our own, just as we have to do it with land tax. The next one, just over the hump, Madam Speaker, is prostitution. That is Mr Moore's, I know; but I can predict now that the Labor Party will support Mr Moore's Bill in all of its details. The fourth thing that comes readily to mind is the Labor Party's attitude about pornography.

Members interjected.

MADAM SPEAKER: Order! Mr Kaine has the floor.

MR Kaine: Thank you, Madam Speaker; I appreciate that. On the question of pornography, we have a government that is very much for the status quo. We do not want to change any of that. It might be considered as an infringement of somebody's civil rights to say, "You cannot distribute that X-rated material". Their agenda is reflected not so much in what they say as in terms of what they do. Interestingly enough, Madam Speaker, there are a number of issues that, if one looks at the Labor Party's platform, have not surfaced yet.

Members interjected.

MADAM SPEAKER: Order! I am having difficulty hearing Mr Kaine.

MR Kaine: I am having trouble hearing myself, Madam Speaker, and I thank you for springing to my aid.

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Mr Lamont: Madam Speaker, we are having trouble understanding Mr Kaine as well as having trouble hearing him.

MR Kaine: You had better understand this bit, because I am going to quote from your own policy. I know that there is some question about whether you even understand that. If you did, you might take a little bit more care. There are two or three things which have not come out yet that are in your policy. Just like abortion and all these other things, I presume that they are going to pop up any tick of the clock now. The first one is that they are going to reform the law - listen to this one, Mr Moore; you will love this - so that a sexual act between consenting minors over the age of 13 is not contrary to criminal law. You ask me how many parents out there with kids 13 years old will agree with that lot; but that is in their agenda. Is that one next week or the month after? Mr Connolly might like to answer that question.

Although we have had protestations from Mr Berry about funding for an abortion clinic, let me quote from page 43 of their platform. These people over here do not seem to recognise that this is in there. It states:

... ..

Have as a priority the provision of a free-standing Abortion Clinic.

I repeat, "as a priority". All we wanted to do a couple of months ago was to repeal the termination of pregnancy law. We were not into freestanding abortion clinics. Not half, we are not. There is their policy statement. So where are they going?

Madam Speaker, there is no question at all that the only agenda that this Labor Government has is a social one. They have no economic agenda. Most of what they are doing under their social agenda was not publicly declared as something that they intended to do. They clearly have no strategy. Adhockery is the way that they work from day to day. I suppose the bottom line is that you cannot measure a vacuum, so how do you know whether the Government is performing up to expectations or not.

MS FOLLETT (Chief Minister and Treasurer) (3.41): I am pleased to respond to Mr Kaine's comments about our social agenda. I would like to make it quite clear, right from the start, that I believe that the greatest action you can take towards social justice in our community is to provide people with fulfilling employment. Indeed, that has formed the basis of many of the actions taken by this Government and I am very proud of the achievements that we have made in that regard.

I would like to focus, in my early comments in response to Mr Kaine, on the action we have taken to promote sustainable employment in the ACT. A number of initiatives have been taken by our Government, Madam Speaker, and they will not be the last, of course. Mr Kaine does not like to refer to them, because they reflect well on this Government and they are all issues which have been of genuine assistance to the community. I am sorry to see Mr Kaine leave the chamber. He might have done better to stay here and listen.

Madam Speaker, I am sure that all members in this Assembly would be aware that the Government accelerated our own capital works program recently to a total of \$35m, and that action will support 330 jobs. I think that that was significant action to take at a time when we perceived that the recession was biting in the ACT and there was a need to take action to create employment. I put that in stark contrast to the Liberals' attitude on the Federal budget where there are major capital works projects proposed for the ACT. The Liberals opposed them. They opposed the creation of those thousands of jobs. That is a disgraceful attitude.

I would like to say also that it was the Labor Government, not the Liberals, that went ahead with the casino, and that that casino, which will be opening now in a matter of weeks, will create some 280 jobs in the construction phase and approximately 500 permanent jobs, sustainable jobs, once it is fully operational. In the meantime the interim casino is providing an estimated 350 to 400 jobs. As I say, that will be commencing in a matter of weeks. We have obviously taken action which the Liberals were unwilling or unable to take there as well.

Madam Speaker, I want to run quickly through some of the other initiatives that we have taken in order to support sustainable employment. We have supported the development of ACT cooperative research centres and we have supported the creation of a clinical school in our hospital system, neither of which was done by the Liberals in government and both of which will generate significant employment and significant development in the ACT. A further initiative which I have taken is the venture and development assistance program which provides a range of assistance to young people and to youth organisations to increase their skills and to create jobs. We have increased funding to a number of organisations, such as Jobline and Involve, to assist young people into short-term employment and to meet their skills training needs.

Under the Commonwealth funded Jobskills program we have been able to create 270 positions which are specifically for long-term unemployed people and give them the opportunity to gain skills and to gain work experience. In June of this year the Government approved the establishment of an ACT Jobskills program which provides training and work experience for a further 100 people - again 100 people who have been unemployed over a long term. We have also been able to increase the ACT Government Service traineeships. I have established a high-level task force to ensure that the benefits of national employment and training plans for young Australians are passed on to our ACT young people without delay.

In addition to those sorts of initiatives and in addition to the casino project, the Government is actively pursuing a range of other projects, mostly major private sector projects which will significantly improve employment prospects in the ACT. Those projects include an international air freight centre at Canberra Airport, an enhanced commitment to the tourism industry - notably the establishment of a development unit in our Tourism Commission - telecommunications projects with both Optus and Telecom, and the Gold Creek tourist resort.

Madam Speaker, Mr Kaine specifically referred to what the Government had done for business, and small business in particular, and I would like to touch briefly on some of those matters. We have established the business services centre, which was conveniently overlooked by Mr Kaine but is of real assistance

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not only to people already in small business but also to those wanting to set up a small business. We have also established a second business incubator at Kingston. Again this is of assistance to small business and people wanting to get a start in small business. Mr Kaine has conveniently overlooked that.

We have encouraged additional building work through removing the requirement for permits and approvals for minor building works, and we have established a task force on Commonwealth-ACT projects to provide the sort of cooperation and coordination on public sector development projects that we believe is needed to get them going quickly. I know that the Liberals opposite do not like public sector major projects. They have pooh-poohed that whole idea. I believe that we must see a real partnership, real cooperation, between the public and private sectors in the ACT to ensure our economic future. Madam Speaker, we have also launched a program to promote Canberra as Australia's communications and computing capital. That program has met with some success and again, of course, Mr Kaine has conveniently overlooked that. I believe that it is important for Canberra to develop and to grow as the Australian centre for communications and computing, and I am prepared to put effort into promoting that, unlike Mr Kaine.

Taken as a whole, I believe that those initiatives represent a major commitment to the development of employment growth in the ACT. It is real action which we are taking, not just empty rhetoric, which is what we got from Mr Kaine. I believe that these projects, Madam Speaker, will provide lasting employment. They will be good jobs for people. Of course, we recognise the assistance given to the ACT by the Federal Government's recent budget. I think that this is a comprehensive record of achievement and I would like to reiterate the point that I started with: The greatest thing you can do to promote social justice is to promote sustainable quality employment for everyone in your community, and that is what Labor is doing.

I would like to go through some specific social justice matters, touching, in particular, on the target groups that we believe need assistance to achieve social justice. First of all, Madam Speaker, the ACT Discrimination Act which was passed in November 1991 was introduced by a Labor government. I know that it is embarrassing for the Liberals opposite, but the fact is that they were in government for 18 months and they were unable to bring this legislation to the chamber. That is a fact. I know that it is awkward for them, but it remains a matter of record that it was the Labor Government that introduced that legislation. It makes discrimination unlawful on a range of grounds, including race, disability, religion and gender, and it operates in a wide range of areas, including employment, education, access to buildings and places, the provision of goods, services and facilities, the provision of accommodation and club membership.

Madam Speaker, we have established the ACT Human Rights Office. It was long needed in the ACT, and is operating very well. It is promoting an understanding of the Act and a degree of compliance with that Act which I believe is necessary. Madam Speaker, we have also promoted social justice through the provision of a social justice worker who is outposted to ACTCOSS, the Council of Social Service. The main focus of her work for this year is proposed to be on working towards a social justice budget - a document which will be provided for the ACT and which will allow us, I think, to better understand and better document the achievement of social justice in our Territory.

I turn now to some particular target groups which, as I said, I believe ought to be looked at in relation to the achievement of social justice. Firstly, I refer to the position of women. Madam Speaker, the domestic violence legislation in the ACT is very advanced. It is something that all in this chamber are proud of. We have the ACT Community Law Reform Committee reviewing that legislation. I believe that it is important that we remain at the forefront in that matter. In fact the Women's Consultative Council will also be involved in that review, and a discussion paper will be released in the next few months. Madam Speaker, we broke new ground in the ACT in arranging for reciprocal protection orders under domestic violence legislation. Again, I think that is something that all of us in the chamber can be very proud of; nevertheless, it is a matter which the Labor Government initiated.

Also for women, Madam Speaker, the Labor Government has initiated the tradeswomen on the move coordinator, a mature aged women's traineeship which was piloted from February to June 1992, and the training that has been provided to community organisations to assist women undertaking training prior to their re-entry into the work force. We have funded women on low incomes to undertake TAFE vocational courses. We have kept up a series of businesswomen's seminars and we have worked on the recognition of skills gained by women through their unpaid work experience. I think they are all achievements that we can be proud of, along with our continuing policy that women should occupy 50 per cent of the positions on government boards and committees.

Madam Speaker, in the area of sexual assault, the Government is currently reviewing the adequacy of protection for women and children under that law, and that involves, again, the Attorney-General's Department and the Women's Consultative Committee. On that subject, I have appointed a second Women's Consultative Council of 17 members who are currently developing their work program.

I turn briefly to the area of Aboriginal people and Torres Strait Islander people in the ACT. I am very proud of the ACT's response to the Royal Commission into Aboriginal Deaths in Custody. Members will recall that the thrust of that response was basically the empowerment of Aboriginal and Torres Strait Islander peoples themselves. The response was released in March 1992. It made a range of commitments in relation to the criminal justice system, to health, to education and, of course, to housing. We have also developed, in consultation with the local Aboriginal community, a proposal in relation to the national Aboriginal health strategy.

Throughout our work with our local Aboriginal and Torres Strait Islander community, the emphasis has been on community consultation, including developing links with the Bogong Regional Council and the Aboriginal Education Consultative Group, and other groups of course. I know that some members of the Assembly were present at a reception that I recently hosted for our Aboriginal community in the ACT. In the area of education, in September 1991 the Aboriginal and Torres Strait Islander Centre was established at the ACT Institute of TAFE. Again, this is groundbreaking action for the ACT, and something that I am very proud of.

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The Government has taken a range of actions in relation to people from non-English-speaking backgrounds. I have already referred to the discrimination legislation. We are also developing a languages policy, in consultation with the community groups. We have a multicultural liaison officer appointed in the Chief Minister's Department. She is a very important liaison point on all issues affecting our own ethnic community.

Madam Speaker, we have also promoted child-care in the ACT, including the provision of two employer supported child-care centres for our own workers. This is very important in social justice terms. I have the Women's Consultative Council looking at the impact of the ILO on workers with family responsibilities. The ACT Government Service response has just been provided on that convention, for inclusion in the Commonwealth's implementation report on ILO Convention 156.

We have continued some of the good work that was started under Mr Kaine in the area of seniors in the ACT, in particular the seniors card. I give Mr Kaine credit for that initiative. We have taken it further, and have made it much more widely available and for a greater range of services. Madam Speaker, we have also taken a number of actions in relation to youth, in particular, of course, continuing with my Youth Consultative Council. Again these are actions which I am very proud of and which I would be happy to detail for any member who is interested.

Madam Speaker, I am out of time. I would simply like to say that Mr Kaine, if he is unable to understand Labor's agenda, has simply not been listening. I recommend that he sit in this chamber, which he has not done, and listen. If he wants to raise this matter, he should be here to listen to what is said.

MRS CARNELL (3.57): Madam Speaker, I wonder whether the 40 per cent of Canberrans who voted for the Labor Party in the last election had any idea of the real social agenda of their chosen party? During the campaign Canberrans heard how the Follett Labor Government would address some of the problems inherent in the ACT administration. Canberrans were promised an independent complaints unit, a clinical school, a hospice, no more "pink bits", and a host of other things. How many of these promises have been addressed by this Assembly? What this Assembly has seen is a totally different agenda. It bears no resemblance to what Labor was talking about at the time of the election.

Did ACT residents know, when they put a "1" next to Ms Follett's name, that they were really voting for a freestanding abortion clinic, legalised brothels, decriminalised cannabis, the end of traditional circuses for ACT children, and continuing Canberra as the capital of porn? There was certainly no community consultation for this agenda. The lack of community consultation, or for that matter community approval, is obvious. The Government has never been open about what its real social priorities are. The strategy has been to introduce social change by coup d'etat. In other words, do not let the people know until the last minute, so as to minimise the chance for debate. The prime examples are the abortion issue and the circus animals fiasco.

Ms Follett: Madam Speaker, on a point of order: Standing order 52 says that a member may not reflect upon any vote of the Assembly. I believe that Mrs Carnell is reflecting upon votes on matters of substance brought to this Assembly, and, in the case of abortion, one which she supported.

Mr Humphries: Madam Speaker, speaking to the point of order - - -

MADAM SPEAKER: Excuse me, Mr Humphries. Mrs Carnell, you may like to look at standing order 52.

MRS CARNELL: I know what it is.

MADAM SPEAKER: You are aware of the provisions of that?

MRS CARNELL: Yes.

MADAM SPEAKER: I caution you to be aware of that aspect.

MRS CARNELL: Let us talk about cannabis for a moment. Cannabis is a dangerous drug. Unlike alcohol, which usually leaves the body within 24 hours because it is water soluble, marijuana is fat soluble, which means that the psychotropic chemicals can be detected in the body as much as 30 days after the initial use. Extensive research has indicated that cannabis may impair short-term memory and has serious effects on perception and performance skills, such as driving and other complex tasks involving judgment. A marijuana cigarette contains more cancer causing agents than the strongest tobacco cigarette.

Mr Berry: Madam Speaker, I take a point of order. I understand that one of the amendment Bills, the Drugs of Dependence (Amendment) Bill (No. 2) placed before the house by Mr Moore, covers this issue. This is pre-empting debate on the matter. We do not have - - -

MRS CARNELL: I was talking about the substance, not about the Bill.

MADAM SPEAKER: Again, just be cautious about pre-empting any debate, please, Mrs Carnell.

MRS CARNELL: Does the Government wish to promote a society tolerant of the problems we see in places like Amsterdam, where cannabis is readily available in many cafes? Moving on to the abortion issue, how this Labor Government seems to believe that it can find the \$800,000 needed to establish an abortion clinic and at the same time find adequate money for improved services for our intellectually disabled is totally beyond me - and it cannot. I am sure that very few Canberra residents realise that the Follett Labor Government would choose a freestanding abortion clinic over a cardio-thoracic unit and over improved palliative care services.

This is a left-wing, heartless, selfish social agenda that this Government is pursuing. They choose abortion over the intellectually disabled. It is not an agenda that the people of Canberra have been consulted about. Instead of sensible administration to try to solve the very real problems that Canberra people face, such as youth unemployment, this Labor Government wants to change the values that are essential to our society, and, so far as they are concerned, the more controversial the better; the more people that do not agree the better.

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The Labor agenda is aimed at changing the fabric of our society in line with left-wing beliefs and whether the community likes it or not. It would have thrown a spanner into the works to talk about these proposals during the election campaign, because the Labor Party knows that the community does not approve. They knew that they would not be in government if they mentioned circuses, marijuana or a publicly funded abortion clinic, or for that matter X-rated videos.

Mr Lamont: A big porky; a pork pie.

MADAM SPEAKER: Order! I would like to be able to hear Mrs Carnell.

Mr Humphries: I raise a point of order, Madam Speaker. Members opposite made reference to a "porky" or a "pork pie", which, as we all know, is a reference in rhyming slang to a lie. That clearly is unacceptable under parliamentary rules. I ask that those references be withdrawn.

Mr Lamont: Inasmuch as it was not referring to Canadian pork, I will withdraw, Madam Speaker.

MADAM SPEAKER: Thank you.

Mr Humphries: Mr Berry, I think, also made such a reference.

MADAM SPEAKER: I think the withdrawal was general.

MRS CARNELL: Thank you. So much for community consultation. The reaction to the survey of ratepayers and Housing Trust tenants says it all. When it comes down to it, what people are most concerned about in our society is bread-and-butter issues. They want to see opportunity, prosperity and security for themselves and for the community at large. The attitudes expressed in the ratepayers survey was that they wanted to see more money on community policing and less on the areas of government activity. Of course, Ms Follett's Government brushed that aside. It is just not palatable as far as Ms Follett is concerned. The survey does show quite clearly that the Government is simply wrong if it claims that it has a community mandate for its social agenda. What they do have is a mandate to govern wisely and in the interests of the basic bread-and-butter issues that are really the heart of people's concerns. Community consultation has been one of their unhonoured slogans. Social justice has been another.

There seem to have been some excellent examples of social injustice under this Government - for example, the recent 15.5 per cent increase in accommodation charges for the intellectually disabled. This increase is way ahead of the CPI. That has led to a situation where, in some cases, charges on an intellectually disabled person are more than the prescribed 87 per cent of their pension. The Labor Government should not be eating into the pensions of vulnerable people in this way. You have to wonder what the social agenda is of a government that takes advantage of intellectually disabled people.

The waiting list for hospital treatment is certainly not socially just. The waiting list is standing at 1,879. Is it socially just when pensioners have to wait for many months, in fact years in some cases, in the name of satisfying the Health Minister's lust for public provision, and public provision only? There were four companies interested in developing a new private hospital for Canberra. Such a project would have had enormous benefits for Canberrans by expanding

services at no cost to the taxpayer. It would have stopped treatment delays and it would have provided construction jobs. It would also have offered an opportunity for employment for all those graduate nurses who have been left high and dry by the present Government's policies. You really have to question the social agenda of a government that walks away from such an important project; a government that places publicly funded abortions, bans on traditional circuses, decriminalising cannabis and continuing Canberra as the capital of porn above jobs for young people, economic growth and correcting a hospital waiting list.

The Minister has said that a private hospital would not be viable. Obviously, some organisations think that it would be; and, anyway, since when has it been the business of government whether a private business makes a profit or not? What the Labor Government really means by social justice is not ordinary fairness and equity but the left-wing, politically correct agenda that it has been following. It means advancing such things as abortion and marijuana, things that appeal to the sectional interests of the Left.

MADAM SPEAKER: Order! Your time has expired. Are you seeking an extension of time?

MRS CARNELL: No, that is fine.

MS SZUTY (4.07): Madam Speaker, the Chief Minister in her speech outlining the Government's program for this, the Second ACT Legislative Assembly, said:

This is a Labor Government with a commitment to social justice principles, a commitment to implementing the election undertaking we have given to the people of Canberra, and a commitment to the objectives and traditions of the Labor Party.

We have already heard much in this Assembly of the fact that the Liberal Party feels that the ALP should stick to its policy platform and not venture into areas such as abortion reform. But this is one area where I feel there was a social justice imperative for bringing forward that part of the Labor Party's objectives. It is obvious that during difficult economic times the most disadvantaged in our community need and in fact deserve the most assistance - that is, the highest concentration of resources. I do not subscribe to the view that, if the majority of assistance is given to business, benefits will then flow to the most disadvantaged. We need to be proactive in helping people who are experiencing difficulties in their lives and to me that means increased attention to public health services, public housing, public schooling, public transport, and community and welfare services.

In most of these areas the ACT ALP put forward policy statements during the election campaign. The gap as I see it is in the lack of a cohesive policy on community and welfare services. It is an area where clear goals and objectives are needed and a plan of action is necessary to ensure that planning and delivery of services is not ad hoc. Members of the Canberra community who need support should not be left feeling that their needs are something to be dealt with after other areas have been allocated funds. We need to reassure the people of Canberra that its community focus will be supported and that services will be delivered in an effective and equitable fashion.

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It was heartening to see a commitment to the neighbourhood school system in the ALP platform, but that reassurance was undermined by the abolition of the regional support offices and the abolition of the four preschool executive officer positions. There are some moves to fill the gap that was left by this move, but unfortunately the confidence of the community in the ALP's commitment has been shaken by such action. The ALP have made a very strong commitment to public schooling, but there will be many people paying close attention to the upcoming budget to see to what extent there is determination behind the words.

In the area of public housing, I have spoken at some length, in another debate in this Assembly on the Commonwealth-State Housing Agreement, on the need for the confirmation of a strong public housing system. In the area of public health, the ALP also released an election policy statement, and I would hope that there will be an honouring of the commitments made in that document. Due to the current speculation about forthcoming health cuts, the community is again concerned that pre-election rhetoric may not have the post-election commitment it needs to be brought to fruition. In particular, the Government needs to reaffirm and continue to reaffirm its commitment to public health facilities on Acton Peninsula. With the loss of Royal Canberra Hospital, Canberrans feel that they have lost a public hospital asset. We need to ensure that those uses identified in the ALP health policy - rehabilitation and aged care, convalescent facilities, the relocated Queen Elizabeth II home for mothers and babies and a hospice - become reality. I note the commitment to an adolescent ward at Woden Valley Hospital and will be interested in the Government's comments when that matter is debated in the Assembly.

To move on from the election process, the Government has confirmed some initiatives and foreshadowed others. It has affirmed its commitment to extend the Jobskills program into the private sector and said that it will establish an independent health complaints unit to protect consumers. It has been heard, as a result of a notice of motion debate, that the Government will develop a long-term plan for the funding and development of high schools and provide them with the extra resources they need to tackle the increasing need for improved pastoral care, counselling and careers advice.

From the community perspective, there is a need for greater consultation on issues of social importance - public health, public schools, public transport, public housing and community services. Along with the development of the social agenda, there is a need to fulfil one of the major platforms on which this Government stood - public consultation. In bringing its social justice policies into being, the ALP needs to be mindful that the ACT community needs to feel that it owns the agenda and is not left wondering about the decisions taken on its behalf.

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (4.12): The first issue that I would like to address in this debate is the rudeness of the Leader of the Opposition in raising a matter of so-called public importance, or one that he felt was of public importance, and then refusing to listen to the Chief Minister's response. The Chief Minister responded, as she ought to respond, to such an outrageous claim by the Leader of the Opposition. The Liberals have no reason to raise the issue of a social agenda because they do not really understand the term anyway. I think the Liberals think it is going out for drinky-poohs, off to the theatre, and doing all those sorts of things. A social agenda for the Labor Party means delivering real social change for the people of the ACT, and it means better services for the community as a whole.

Mrs Carnell raised the issue of basic bread-and-butter items. She was right. It is the responsibility of the Left of politics to deal with these sorts of issues because the right wing will not. All they are interested in is confrontation with workers and their representatives, selling off successful public enterprises or the profitable part of successful public enterprises to the private sector, and generally lowering the living standards of ordinary people in the interests of their richer mates.

Mr Kaine and others talked about various pieces of legislation in relation to the Bills list. There are lots of Bills mentioned there that are of an administrative nature. Many, of course, deliver important social change. But Mr Kaine ought not be confused by the name of a Bill. It is the guts of a Bill that means something to the people of the ACT. You can bet your life, Mr Kaine, that the guts of any Bill passed by a Labor government, or put before this house by a Labor government, will be of significance for the people of the Australian Capital Territory and will not detract from their living standards, as could be expected in the case of a Liberal-led government.

Our social agenda, Madam Speaker, is well known. It is published and it is well supported. It was well supported by the people of the ACT in the last election. Our platform is clear; it is not a secret document. Even Mr Kaine can have a copy when he requires one. That is our platform. An interesting exercise, I think, is to compare the Labor Government's social justice agenda with the social agenda of the Liberals, the much feared "frightpack". People out there in the community are frightened of this document and they are frightened of it because - - -

Mr Humphries: You certainly are.

MR BERRY: Indeed, on behalf of the community, I do fear for the community if Hewson were to be elected, because he is bad news for the whole of Australia. What has happened is that we have the big lie being peddled by the Liberals here in the ACT, and defended. The difficulty for anybody in responding to that sort of a document is: How do you respond to a lie? That is the nature of the "frightpack" package. It says that it will be better after Hewson, when clearly it will not. Under a Liberal government, either here or federally, the people of the ACT are in for grim times.

As I have said in the past, Labor focuses on the social needs, but the Liberals are prepared to rip away the infrastructure. That has been their style in the past. They will drive wages and living conditions down. The much loved goods and services tax, the one that is supported by the Liberals opposite, will strike at every aspect of life here in the Territory.

Mr Kaine: That is the one that gets rid of seven other taxes, like payroll tax, petrol franchise tax and the like.

MR BERRY: I am glad that Mr Kaine raises the seven taxes. I just happen to have a list of the seven taxes here. First, the Opposition says that it is going to abolish the coal export tax. The coal export tax has already been abolished by the Labor Government, I should remind you. The second tax they want to abolish is the training guarantee levy. It is not paid by the majority of Australians. The levy is designed to improve the skills level of Australian workers to make Australia more competitive. The Liberals do not want to do that. They are more comfortable with people in chains.

The third tax is the superannuation lump sum tax. That would remain on the Australian taxation calendar for another 40 years under Hewson's "frightpack" package. The fourth tax is the payroll tax, which, of course, the Commonwealth has no power to abolish. It is a State tax. It is far from clear whether the States would abolish their taxes on the basis of the overall package that the Opposition is offering. Liberal governments might. Even so, it is another tax that does not apply to all Australians, and it is most commonly applied by the States to employers with annual payrolls in excess of \$500,000.

Another tax that the Liberals do not support is the wholesale sales tax. The important thing is that this wholesale sales tax does not apply to essential items - and I will come back to that in a minute - such as food, fruit and vegetables, dairy products, cereals and meat; nor does it apply to most clothing or any services. Let us have a look at this. You will get \$30,000 off your new Ferrari, French champagne for 5 per cent less - all of interest to the Liberals - pearls for 15 per cent less, to go with your twinsets, jewellery for 15 per cent less. Furs will be 15 per cent less. Most important of all, of course, is their Ferrari for 15 per cent less.

For the ordinary family in the community they want a 15 per cent tax on basic family costs like power, haircuts, clothes and school uniforms. They are very quiet about that.

Mr Connolly: They are nodding.

MR BERRY: Nodding, yes. A pint of milk will go up 10c, a tin of baby food will go up 9c, a packet of nappies will go up \$4, vegemite will go up about 70c. Sugar will go from \$2 to \$2.30. Bread will go from \$1.33 to \$1.50 and butter from \$2.43 to \$2.79. All this will be at the expense of getting \$30,000 off your new Ferrari.

Mr Cornwell: What has this to do with the social agenda of the Follett Labor Government?

MR BERRY: We are just comparing it to the Liberals'. Here is another one of your taxes, customs duties. Mr Kaine said that you are going to abolish the taxes. This is the sixth one. That is just a euphemism for cutting tariffs to zero; that is all it is. Finally, we come to Dr Hewson's boast that he will abolish the excise on petroleum products. That coalition policy comes at a time when most other countries are increasing their taxes on petroleum products. Of course, it is environmentally immoral to reduce the price. The magnificent seven-tax promise is just a hollow, baseless promise. That demonstrates the strength of Labor governments. We are about commitments to the community to improve their standards of living, unlike the Liberals.

MR DE DOMENICO (4.22): Madam Temporary Deputy Speaker, I am delighted to follow Mr Berry in the short time that I have available to me. Once again Mr Berry has shown us his lack of understanding of reality. People have been quoting various documents, "frightpacks", and widepacks, and all sorts of things. Mr Berry keeps shying away from one interesting document that my colleagues have talked about before.

I refer to the sort of social agenda that this Government purports to have. I quote from page 50 of the Labor Party policy - ACT Division, I might say. Paragraph 3.3.4 says:

Ensure that May Day be introduced as a public holiday ... and that the Trades and Labour Council Picnic Day be proclaimed a school holiday in the ACT.

Mr Berry and other members of the Government stand up and say how out of touch we are with reality. Let me assure Mr Berry that any government today trying to proclaim May Day as a public holiday and TLC Picnic Day as a school holiday is really looking at reality in terms of the unemployment level in this town!

What the Government fails to acknowledge is this: It was not a Liberal government that has given us the highest unemployment since the Depression. It was Mr Keating, Treasurer for nine years and Prime Minister for about six months. When he delivered his last budget the unemployment level in this country was 11.1 per cent. Mr Lamont, there are one million people in Australia out of a job. The most important social justice that any government can do in this nation is give people jobs. That is the most important thing you can do. Nothing that this Government has done, Madam Temporary Deputy Speaker, has created one single job.

Let us have a look at what this Government has done. It has amended abortion legislation, without telling anybody prior to the election that it was going to do it. It has done more than that; it has also banned animals from circuses in the ACT. That has created a lot of jobs. It is going to decriminalise marijuana very shortly - a wonderful aspect of social justice.

Mr Berry: I take a point of order, Madam Temporary Deputy Speaker. Mr De Domenico persists in reflecting on votes in the Assembly and pre-empting debate on issues that are on the notice paper.

MADAM TEMPORARY DEPUTY SPEAKER (Mrs Grassby): Would you please refrain from doing that, Mr De Domenico?

MR DE DOMENICO: Thank you, Madam Temporary Deputy Speaker. Seeing that we are in a reflective mood, let us get really reflective, Mr Berry. What has your Government done about social justice issues? It has increased rates - - -

Mr Lamont: The Liberals' new social policy is homelands in South Tuggeranong.

MR DE DOMENICO: Madam Temporary Deputy Speaker, would you please protect me from that person on the other side of the house? What have you done? You have increased rates and charges. That is wonderful social justice for all those pensioners paying more electricity and water rates. You have brought in the land tax Bill, once again affecting all sorts of other people. You called us idiots, two or three weeks ago, when we dared to say that your legislation was no good. What do we have today? After the Leader of the Opposition points out that the legislation is no good, the Government finally says, "Yes, we agree, but our Bill is better". So, you stick out your tongue and say, "There, we are going to get in first". Well done!

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What else has the Government done? You charge 20 per cent interest if you fail to pay your electricity bill or your water bill as you cannot afford it because you do not have a job. What does the Government do? It bangs 20 per cent onto you, even though bank rates are well below that. What double standards! What else has it done? Mrs Carnell said that there is a 15.5 per cent increase in the accommodation charges. People on the other side of the house talk about living standards. What double standards!

MADAM TEMPORARY DEPUTY SPEAKER: Mr De Domenico, the time for the discussion has expired.

CANBERRA TIMES - POLICE INVESTIGATION
Statement by Member

MR HUMPHRIES (4.26): Madam Temporary Deputy Speaker, I seek leave to make a statement to the Assembly on an urgent matter concerning the Assembly and the freedom of the press.

Leave not granted.

MR HUMPHRIES: I move:

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

MR BERRY (Deputy Chief Minister) (4.27): I oppose, on behalf of the Government, this motion to suspend standing orders. It seeks to interfere with the Government's program. Whilst I have to say that I heard about this on the grapevine, Mr Humphries did not bother to take the matter up with me as the manager of government business. If there are to be suspensions of standing orders which affect the Government's program, I would trust - I have trusted in the past, but it seems to have been a waste of time - that there would be an attempt by the Liberals to negotiate some sort of discussion about the particular issue.

Mr Kaine: What have you got to hide, Minister? Why do you not want to debate it?

MR BERRY: Mr Kaine interjects, "What have you got to hide?".

Mr Kaine: You have heard about it on the grapevine. You must know what it is. What have you got to hide?

MR BERRY: I am saying to you that the Government will not sit back and let its program be held up by Mr Humphries's grandstanding. He could quite easily raise it as a member during private members business tomorrow. He seems to have a higher opinion of himself than that and seeks to intervene in the Government's position.

I understand that the numbers are against the Government on this issue. I think that members ought to reconsider their position because there is a need for the Government to pursue its agenda. In any other case where we would seek to do these sorts of things, we always try to inform the Opposition and let them know

what is going on. But not so in the case of the Liberals; there is a big grandstand. I would like to have heard what it was all about so that we would have the opportunity to discuss it amongst ourselves and determine a position in relation to the matter; but, no, there is a greasy little trick by the Liberals to spring something on at the last minute.

Mr Kaine: I take a point of order, Madam Temporary Deputy Speaker. Somebody on the other side of the house took exception to the word "shonky" recently. I take exception to the phrase "a greasy little trick", and I want him to withdraw it.

MR BERRY: All right; a slippery little trick.

Mr Kaine: On a point of order, Madam Temporary Deputy Speaker: I ask the Minister to withdraw that.

MADAM TEMPORARY DEPUTY SPEAKER: Would you withdraw it, please, Mr Berry?

MR BERRY: I would not like to imply that Mr Kaine was greasy or slippery.

Mr Kaine: Do you want to get suspended, Minister?

MR BERRY: I will not, because I accept the rulings of the Chair, Mr Kaine. I withdraw.

Question put:

That the motion (**Mr Humphries's**) be agreed to.

The Assembly voted -

AYES, 9

NOES, 8

Mrs Carnell
Mr Cornwell
Mr De Domenico
Mr Humphries
Mr Kaine
Mr Moore
Mr Stevenson
Ms Szuty
Mr Westende

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

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

MR HUMPHRIES (4.33): Thank you, Madam Speaker; thank you, members. I sought leave to raise an urgent matter concerning the Assembly and the freedom of the press because I believe that a matter of some considerable concern to all of us in this place has come to light in the last few hours. The matter is urgent; it cannot wait for other less important government business to transpire. I am very disturbed.

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Members might be concerned to know that this afternoon there was a raid by the Australian Federal Police on the offices of the *Canberra Times* at Fyshwick. The raid occurred pursuant to a search warrant issued in furtherance of an investigation of a breach of subsection 10(1) of the Crimes (Offences against the Government) Act 1989. I also understand that documents were sought, including diary notes and facsimile records, relating to a number of things, including the 1992-93 budget, ACT Health and the office of the Minister for Health. The raid focused, in particular, Madam Speaker, on a former editor of the *Canberra Times*, Mr Crispin Hull. His desk at the *Canberra Times* was searched and documents, including fragments or segments of a facsimile message, were taken away from his desk. He was also asked further questions, which I understand he declined to answer.

I also understand, Madam Speaker, that, closer to home, a warrant has been served in the Assembly building on a staff member on the fifth floor of this building. I also understand that two members of the Australian Federal Police may have been on the premises of the building, presumably with the permission of somebody, at some point during the day. I also understand that the fraud squad has been in the office of the Minister for Health this afternoon taking, as I understand it, photographs.

I understand that the Serjeant-at-Arms had no knowledge of this matter until very recently and, Madam Speaker, that your own senior staff were unable to confirm or deny that police have been in the Assembly building or within Assembly precincts. I take it, Madam Speaker, that if members of the Australian Federal Police, or other police forces for that matter, were to come onto the premises, or were to be in a position of requesting access to the Assembly's premises, you would advise the Assembly members of that at the earliest opportunity.

Madam Speaker, it is a matter that is deeply disturbing to some of us in this place. It conjures up images of the famous raid in the early 1970s on ASIO headquarters by the then Attorney-General. I assume that this matter was raised by the ACT Government. I assume that it relates to the headline and the article which appeared in the *Canberra Times* on Sunday of this week relating to a 2 per cent cut in health expenditure in the coming ACT budget, a cut which was dismissed as idle speculation by the Minister at the time but which now appears to have been rather less idle than perhaps he led us to believe in the first place.

When I was in government, Madam Speaker, I certainly saw, on many occasions, leaks appear in the *Canberra Times* and elsewhere, and when I did I gritted my teeth. I sometimes initiated internal investigations, but basically I had to put up with those sorts of things. I did not call in the Australian Federal Police. I think, Madam Speaker, that this rates as a serious overreaction to what is a fact of life for every government in every country everywhere in the world. The raid is an attack, Madam Speaker, on the freedom of the press. It is the act of a frightened and paranoid government. We on this side of the chamber reject strongarm tactics which attempt to prevent government secrets from reaching the public, and that is basically what it is.

Madam Speaker, there will be a point where this Assembly may well be considering whistleblowers legislation, legislation designed to protect certain individuals who take steps in the public interest. This may or may not be an occasion where such legislation might have offered protection for a person. I do not comment on that fact. But, certainly, Madam Speaker, I think it is a serious overreaction on the part of this Government to take this matter to the extent of issuing a search warrant and instructions to the Australian Federal Police.

It falls particularly badly emanating, presumably, from the office or close to the office of the Minister for Health, a man who made great play of what he saw as attempted interference in the media by the former Alliance Government. I quote from the *Public Eye* of 5 February 1991, under the heading, "Bureaucrats accused of media interference", which appeared above a big picture of a certain person:

ACT Shadow Minister for Health, Wayne Berry, has accused senior staff of the ACT Department of Health of attempting to stifle public criticism of the ACT Government's Hospital Redevelopment plans.

According to Mr Berry, a local radio station had promised to support a benefit concert to keep Canberra Hospital open but the station withdrew sponsorship after being contacted by Health Department officials.

Mr Berry also claims that a journalist covering health stories in another Canberra media outlet was sacked due to the nature of his reports.

Madam Speaker, if what has happened today is not an attempt to heavy members of the media in this community, then I ask, what is? This is a disgraceful act. I hope that the Government will take urgent steps to put right the damage that it has done already to the reputation of this Government and to this Assembly by this disgraceful act.

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (4.39): Madam Speaker, this is one of the most foolish responses that I have ever heard from the member opposite.

MADAM SPEAKER: Mr Berry, do you seek leave to speak?

Mr Humphries: We will give you leave.

Leave granted.

MADAM SPEAKER: Please proceed, Mr Berry.

Mr Kaine: If he were to seek leave, Madam Speaker, we might grant it.

MR BERRY: It has already happened. Sit down.

Mr Kaine: Madam Speaker, I seek your protection from this Minister. I do not need him to tell me to sit down when I am already sitting down, and I object to his aggressive stance in this Assembly at all times. I would like you to call him to order.

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MADAM SPEAKER: Thank you, Mr Kaine. I think you were correct in saying that he had not actually sought leave. I sought leave on his behalf. Please continue, Mr Berry.

MR BERRY: As I said, Madam Speaker, this is a most foolish position that the member opposite has laid claim to. He has claimed that the Government has tried to interfere with the media. That is not true. I should refer to those other matters which he pointed to and which appeared in other areas of the press. I do not have the articles in front of me; but, as I recall, they related to bureaucrats interfering with or putting pressure, as it was reported, on individual journalists. This is an entirely different matter.

This is a matter of documents which are the property of the Government being stolen and given away. I expressed to the Chief Executive of the Board of Health the view that I wanted some action taken to ensure that documents of a confidential nature remain confidential. I think that is a reasonable request to ask of an executive. I would argue repeatedly, Madam Speaker, that any government is entitled to expect confidentiality of government documents and documents which are intended to become government property in due course through the bureaucracy dealing with them.

Mr Kaine: But you did not think so when you were in opposition.

MR BERRY: No, it is an entirely different matter. Mr Kaine, to say that I have ever defended anybody who stole documents from the Government is a lie. If somebody is saying that I have defended people who have stolen documents, they are lying.

Mr Kaine: Nobody has said that, but since you are so touchy about it - - -

MR BERRY: I am not touchy at all. The Chief Executive has taken a decision to call in the police to investigate the matter. My colleague Mr Connolly - - -

Mr De Domenico: On whose direction?

Ms Follett: On her own direction. She is in charge.

Mr Kaine: So on her request they came and investigated you. That is a turnaround.

MR BERRY: The Chief Executive took the decision. It was reported to me on Monday morning that the police had been notified. My colleague Mr Connolly will report in relation to the police investigation and I need to say no more of that. Another big one that has been talked about here today is the suggestion that a summons had been served on the fifth floor. That is not true, but that is not uncommon for the Liberals. The investigation will - - -

Mr Humphries: I said "a warrant".

MR BERRY: That is not true either, and that is not uncommon either. Essentially, what was done was a normal administrative approach to documents which have been stolen from the Government.

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (4.44), by leave: Madam Speaker, Mr Berry has indicated the way that this matter arose from a request from the Chief Executive of Health to have the matter of documents investigated. The Crimes (Offences against the Government) Act 1989, which was amended by this Assembly last year but which seemed to have the general support of members of the Assembly, does create quite serious offences of theft of government property. Once the police were asked to look at the matter, the process of the investigation - and I want to stress this - was entirely outside the conduct of this Government. We do not expect to give police instructions as to how to conduct investigations. Indeed, any government that did that would be deserving of extreme censure.

The first I was aware of the matter of the warrants being issued at the *Canberra Times* was after the event had occurred, and I think that is quite proper. I would be most concerned if the police were coming to Ministers to seek advice or to let them know in advance whom they were going to be serving warrants on. That is purely a police operational decision. I would also be concerned if the police drew some sort of distinction, when investigating a possible criminal offence, between the media and others.

Mr Humphries seeks to make, I suspect, some quick favourable headlines by posing this afternoon as the saviour of the free press and the saviour of freedom of expression. I would find it extraordinary if Mr Humphries would support a proposition that when a criminal incident is being investigated the police ought to have one rule for the rest of society and one rule for somebody who is associated with the media or a media outlet.

Mr Humphries: It is not the same.

MR CONNOLLY: That is the thrust of what you are saying. The police, as I am advised, in investigating a potential criminal offence made the operational decision to serve a search warrant. Once that decision had been made, they drew no distinction because the target, as it were, was a media outlet.

I understand that the process that Mr Humphries likes to categorise as a raid, to try again to grab a headline, took place in a most civilised manner. The *Canberra Times* would, of course, have had the opportunity to seek an injunction to prevent the warrant from being executed. They are well advised of their right to do that. Media outlets sometimes do that. That certainly did not occur. So, as I say, the process took place in a civilised manner, and the categorisation of it as a raid is sensationalism.

The important point that must be made is that this Government did not give any directions to the police as to how to conduct their investigations; nor should they, and nor, Madam Temporary Deputy Speaker, should this Government be expected, once a matter is being investigated by the police, to go in and give the police some sort of operational instruction that would favour the media above other members of the community. That is what Mr Humphries seems to be suggesting and that would be quite wrong.

ADMINISTRATION AND PROCEDURES - STANDING COMMITTEE
Report on New Assembly Premises

Ms McRae (4.47): Madam Temporary Deputy Speaker, pursuant to order, I present the report of the Standing Committee on Administration and Procedures entitled "Provision of New Assembly Premises", together with extracts from the minutes of proceedings. I move:

That the report be adopted.

I am pleased to introduce into the Assembly today the report of the Standing Committee on Administration and Procedures inquiry into the provision of new Assembly premises for the ACT Legislative Assembly. Given the magnitude of the task and the requirement that it be completed within a relatively short time, I will take this opportunity to express my thanks to the members of the committee - Mr Moore, Mr De Domenico and Mr Lamont - to the secretary of the committee and to the Clerk of the Assembly and his staff for their cooperation and support in this endeavour. I believe that we have collectively produced a report which is well worthy of adoption in the Assembly and which will, if implemented, provide us with a new home for the Legislative Assembly appropriate for our needs.

The report which I present to the Assembly today calls for the creation of the new Legislative Assembly in a refurbished South Building. After extensive consideration, I believe that we have arrived at a recommendation which may be supported on a range of criteria. In recommending the South Building, not only does our report fulfil the terms of reference of initial inquiry, and comprehensively fulfil them, but it also produces an outcome which can be supported in terms of location, access, function, economics and symbolism. With your indulgence, I will briefly outline why.

By recommending the refurbished South Building as the home for the new Assembly we are quite conscious that we have directed your attention to the advantages of locating the Assembly in the heart of Civic. We have sought to locate the house of the people at the very centre of our community. This gesture is appropriate in terms of affording the maximum visibility to the Assembly within appropriate fiscal limits and at the same time making the symbolic gesture of giving the community daily contact with its chosen freely-elected government. The long-term success of any elected body depends upon its rapport with the electors. In the heart of the community we can be in contact with the community. If we are to be the voice of the people in the Australian Capital Territory and if the Assembly building is to be the symbol of our democratic process to which we subscribe, it is surely appropriate that we place our Legislative Assembly visibly in the centre of the community. We can there arrange, design and operate it so that the maximum access to the community is afforded with the greatest of ease.

In arriving at the recommendation which you have before you today, the committee was able to draw on a very wide range of opinion, experience, expertise and knowledge. With the indulgence of the Assembly, we were able to draw on experience from all around Australia. By coincidence, several other States in Australia had of late conducted exercises which were of direct relevance to our own terms of reference. The Northern Territory is in the final stages of

building a grand, even magnificent, new parliament building. Victoria is in the process of planning a refurbishment of its ancient and venerable, if overcrowded, State Parliament building. New South Wales has gone through many of the issues which were before our committee, and Tasmania has, in the past few years, sought to wind back a refurbishment of its State Parliament building, which was undertaken in the 1960s and which has not met with universal acclaim.

As well as this, there is, accumulated in the ACT and elsewhere, a considerable body of specific information arising from the design and development of the new Parliament House. We have been able, both formally and informally, to derive lessons from that. It has been the good fortune of our committee to observe a wide range of processes for creating a new Assembly, going from the most expensive and grand to the quite modest. This has led us to believe that the South Building refurbishment will quite readily provide us with modest and appropriate accommodation in the most cost-effective manner.

In addition to the specific consultations referred to above, the committee has been at pains to seek opinions from all those who wish to participate. In particular, we have been at pains to make sure that the community of the ACT has been offered ample opportunity to contribute to our deliberations. On a number of occasions, through the press, we have invited the public to make submissions to the committee, and a wide range of groups have availed themselves of this opportunity. I believe that this process was important in itself and, on reflection, I can advise the Assembly that the process produced a great deal of information which was of direct relevance to the task before the committee.

In total, 35 submissions were received. We are grateful, and I wish to acknowledge all those who took the trouble to write to us, to appear before the committee and to express their views, both publicly and privately. I would single out in this context the significant help which we received from a wide range of business groups and community groups and from the public service. I believe that, with the aid of this consultative process, we have arrived at a recommendation which will satisfy the needs of the community and will satisfy the needs of the Australian Capital Territory.

In my capacity as Speaker I have been keen to ensure that the Assembly to which we will move will have good access for the general public and that it will have ample public galleries. I repeat my belief that this is a house of the people and that it will be truly owned and appreciated by the community if they are afforded ready, frequent and easy access to it. However, I have, through the committee process, also been keen to ensure that the needs of all the political groups who must have access to the Assembly have been appropriately catered for and that the needs of staff who will work in the Assembly have not been overlooked.

Madam Temporary Deputy Speaker, this process has been sufficient to our needs to date. However, I draw the attention of the Assembly to the recommendation that there be a steering committee set up to carry on the work of the Administration and Procedures Committee, should this report be adopted by the Assembly. Consultation has been a keynote of our activities to date and it must continue if the new Assembly is to be completed on time and if it is to fully meet all the needs of those who will use it and do so, as I have said, in a cost-effective manner.

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I also draw the Assembly's attention to our specific reference to local contractors and suppliers in the development of the refurbished South Building. We seek to use, wherever possible, local contractors and suppliers, and we will make this a specific priority if the report is adopted. I believe that the report before you will satisfy your individual needs as members of the Legislative Assembly, as members of political parties, and as members in your own right of the wider ACT community, and I believe that our report should be adopted. I commend it to you.

Debate interrupted.

Sitting suspended from 4.55 to 8.00 pm

UNPARLIAMENTARY LANGUAGE

MADAM SPEAKER: Members may recall that on several occasions during the last period of sittings I undertook to review the proof *Hansard* and make rulings concerning words used in the Assembly. One of the comments complained of was made during banter across the chamber after a vote had been called. The comments were not part of the proceedings at that time and do not appear in the proof *Hansard*. They would not ordinarily appear in the *Weekly Hansard*. As remarks made immediately prior to, during or after a call of the Assembly are not generally regarded as part of the proceedings and are not recorded in *Hansard* and may not be covered by privilege, I will not rule on them.

Another complaint was in relation to comments made by the Leader of the Opposition which were interjections during a debate. In many instances I have chosen to ignore comments such as the one made, even though standing orders 39, 61 and 55 require members to be silent during debate, not to interject and not to use offensive language. The interjection was, at a later date - on 13 August - brought to my attention by Mr Berry. The context and the relevance of the interjection was a comment made by Mr De Domenico which was later withdrawn. Mr Kaine's comment on Tuesday, 11 August, was, "Well, what is the pay-off? There must be one". As this comment does impute improper motives on Mr Lamont's part, in this light, Mr Kaine, I must ask you to withdraw that comment.

Mr Kaine: Madam Speaker, I withdraw, under protest.

ADMINISTRATION AND PROCEDURES - STANDING COMMITTEE Report on New Assembly Premises

Debate resumed.

MR MOORE (8.02): It is with pleasure that I rise in support of the report of the Standing Committee on Administration and Procedures on the provision of new Assembly premises. I am delighted to be part of a very cooperative team that has worked together, as has been my experience on committee after committee, to find the best possible result, to sift through the evidence and to work out what will be the best location for new premises for the Assembly, what will be the best system financially, and how we can continue that cooperative approach.

The location is one of the most critical things, and in this report we have drawn attention to the fact that the appropriate location, from the time of Burley Griffin onwards, has always been the centre of Canberra. I think this is the one structure that would be most appropriate. I drew the attention of the committee to the fact that it would be appropriate for us to look at other locations. I had taken some interest in other possible locations and, like other members of the committee, I came to the conclusion that they were inappropriate, certainly at this time, considering our financial constraints and the other factors that are set out in the report.

On the financial issue, it would be to the advantage of the people of Canberra that the money we are currently spending on renting property be spent on a property of our own. I say that for two reasons. Firstly, the notion that any parliament is accommodated in a rented property I find inappropriate. Secondly, we should approach this in the same way that we approach the purchase of a house. Many of us look at renting a house and say that, projecting that concept over the long term, it is a far better use of money to purchase a house. I think most people who look at this report seriously will accept the wisdom of that approach. As to the way in which the system should be built, I thought I would leave the comments on that issue to Mr De Domenico in particular and perhaps to Mr Lamont. It is something that came out of long and very fruitful discussions in the committee.

I must say also how much I appreciated the efforts of the secretary of the committee, and working with you, Madam Speaker, as well as with Mr Lamont and Mr De Domenico. People who observe the Assembly often see what appears to be some angst, but the side they do not see is when members are putting their heads down and getting stuck into the work in a spirit of cooperation. It is with delight that I point out that the report of the committee is unanimous. There is no dissenting report and there are no additional comments, and I think that makes it much stronger. I hope all members of the Assembly, reading through the report, will see the sense of it. Should members of the Assembly agree that the report be adopted and that we should begin on the provision of new Assembly premises, I hope that the same cooperative approach will continue and that all members will be able to have an input into the modifications to the building that will make the new home for the Assembly appropriate but one that is within reasonable expenditure bounds.

MR DE DOMENICO (8.07): Madam Speaker, I too am delighted to rise in support of the report. I want to echo the words of my fellow committee member, Mr Moore, and I dare say what Mr Lamont will say following me, and what you have said, Madam Speaker. There is no doubt that something had to be done. Members of the Assembly need to have modest but appropriate accommodation in order to do their job properly. There is no doubt that members' staff also need modest but appropriate accommodation to do their job properly, as do the secretariat and the media. More importantly, if we can find a building that the public and community of Canberra can use and call their own, so much the better.

There is no doubt that that building had to be something that was already owned by the ACT Government, somewhere appropriate within the Civic area, close to other government offices, and also accessible to the public, particularly those members of the public who are disabled in one way or another. I am delighted to be able to say that we unanimously agreed that every individual group in the

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community ought to be catered for when considering this building. I am also delighted that, through consultation, the members of the committee did manage to cut away what people might consider to be the excesses that were in the first report.

Mr Moore alluded to the terms on which this building should be built. There is no doubt in my mind, and there is a strong recommendation in the report to this effect, that we ought to examine all possible ways of getting this building redone. I believe in the direct tender method, where people in the building industry in the ACT, which is very competitive today, put in their recommendations. I am also adamant that, as much as possible, the materials and furniture in the building ought to be from the ACT and the ACT region in order to reflect the fact that we have in the region the best of everything. Obviously, as much as possible, the people who refurbish the building ought to come from the ACT.

Harking back to Mr Moore's remarks, it was a pleasure to work with the people on the committee. It goes to show that politics do not come into these things as much as logic and commonsense. From time to time we might have our differences; but, when we get down to it and forget about the angst that happens across the floor, we can come up with some quite good work. I also thank the secretariat for their wonderful support, and the public servants, although some of them were surprised perhaps at the collective experience reflected on the committee. I thank Mr Lamont for using all his current contacts, and I thank you too, Madam Speaker. It was very difficult to put anything over the committee. We went through the whole thing thoroughly. Whilst we might have upset some bureaucrats who thought they might have been able to get away with certain things, the collective wisdom and experience of the committee made sure that the report reflects the fact that we got the best possible outcome, considering the time we had and other matters.

MR LAMONT (8.10): Firstly, Madam Speaker, I congratulate you, as chair of the Administration and Procedures Committee, for the way in which we have been able to bring forward to the Assembly this evening a report of considerable substance. We have been able, via this report, to arrive at a position on an issue that had the potential to divide this Assembly. It had the potential to create, as it did very early in the reference, a range of misconceptions by people who reported on what we were up to.

What we were up to was a very simple process: Sound financial management. We are spending \$2m a year - dead money - renting this building to house the Executive, the Assembly secretariat, this chamber and the library services. We find it almost impossible to hold any substantial community function within this building because of the way in which it is designed. It most certainly is not purpose-built to allow for proper interaction between the Assembly and the community it serves.

We have not arrived at the recommendations in this report without considering what has happened in other houses around Australia. There was some banter by people who report the proceedings of this Assembly about what the committee was doing looking at what happened in the Northern Territory, particularly the construction of the new parliament house in Darwin. I believe that it was highly appropriate. We were able to gain great insight into the pitfalls that have beset the Northern Territory Government, which they quite frankly acknowledge, in

embarking upon the process of achieving a new Assembly building, with the way that process was originally embarked upon. I can only emphasise that the recommendations in this report reflect the lesson that was learnt in relation to the new premises in the Northern Territory.

We also visited the Brisbane City Council, and it is important to report what we found there. In a place that has been identified as having a government structure that Canberra should adopt - this is the catchphrase - - -

Mr Stevenson: It is a council.

MR LAMONT: The catchphrase has been used by people like Mr Stevenson, who has almost jumped to his feet, saying, "Council, council, council". What Mr Stevenson did not understand, and he did not let me finish, is that the Brisbane City Council wants to model itself on the style of government we have in the ACT.

Mr Humphries: Tell them no.

MR LAMONT: Mr Humphries, that really shows why we have such difficulty in coming to grips with any of your logic. I was paying you a compliment, for the first time and probably the only time in the life of this Assembly.

What they said was quite clear - that the style of government that was adopted in the ACT is a style of government that they, the Brisbane City Council, wish to adopt. They believe that their current administrative structures and so forth are restricted because of the style of government they have had foisted on them over the years. They also gave a number of very meaningful insights into the way the processes should operate, and those processes are encompassed in the recommendations on page 59 of this report. So it was extremely beneficial for the Administration and Procedures Committee to look at and learn from not only the construction of a new parliament house in the Northern Territory but also the experiences of the Brisbane City Council.

There may be some objection to this report in the Assembly. I hope that when the report comes up for adoption, hopefully later this week, 17 members of the Assembly will unanimously endorse it, reflecting the great work that has been done by all the participants on this committee. I hope that 17 members do say, "Yes, this is the best option we have before us".

There may be one of us who believes that creating a permanent home, with community interaction, for this Assembly does not sit well with the objectives that person has enunciated of trying to abolish this place. I hope that what we have been able to do and what we will do in the Assembly this week puts paid to those objectives, and that there is a realisation that this Assembly is not about to be abolished, it is not about to be done away with. This Assembly will continue to represent the people of the ACT in the way in which I believe it has done appropriately via this committee's deliberations. Madam Speaker, some of the comments of my colleagues - - -

Mr Cornwell: Modesty is not one of your strong points.

MR LAMONT: I am sorry, Mr Cornwell; I can speak but not listen to you. It is not one of the skills I have picked up. It is probably because I have not attended any Liberal Party meetings.

Mr Cornwell: You can't chew gum and walk, either, can you?

MR LAMONT: There is an old line about that which I do not think it is appropriate that I relate. The range of submissions we received - and here I pay particular tribute to the contribution of Ms Szuty and her staff - were exemplary. They quite rightly drew to the attention of the committee a wide range of issues upon which we have made substantial recommendations, and I thank Ms Szuty and her staff for that. I also thank Ms Malmberg, the committee secretary, who had the difficult task of drawing together the recommendations in the report, listening to the debates, which at times were vigorous, and coming up with a report that at the end of the day represents, I believe, the collective views of the people in this chamber.

I draw to the attention of the Assembly, and representatives of the media who may be listening to this debate, the final recommendation contained at paragraph 10.5, dealing with the establishment of a Speaker's committee. As you are aware, Madam Speaker, that committee will comprise members of the Administration and Procedures Committee. It will liaise with the Minister responsible - that is the Minister for Urban Services, Mr Connolly - "for carriage of the redesign and refurbishment of South Building and to ensure full consultation with all stakeholders including the Secretariat, the unions, the Library and others as appropriate from time to time".

Mr Kaine: What about the other members? We are amongst the others.

MR LAMONT: It says, Mr Leader of the Opposition, "and others as appropriate from time to time". As you are also aware, the Administration and Procedures Committee does contain the Whip of your party and the Whip of the Labor Party. I believe that through those two good officers, as we have demonstrated to date, we will ensure that the respective party room views are represented on the committee. Mr Moore has quite clearly established his bona fides in the work he has done on the committee, as has Ms Szuty, as an Independent member, in the way she has made submissions.

I think it is important to realise that it will be this house that determines to the largest extent possible its own destiny as far as its new premises are concerned. It will be this chamber that sets the standard by which this Assembly and its operations will be judged over the next 15 to 20 years in its new home in the South Building. In conclusion, I wish again to place on record my appreciation for the efforts of all members of the committee and the secretariat, and also for the hospitality shown to us by our hosts in Darwin and by the Brisbane City Council and the Queensland Government.

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

RATES AND LAND TAX (AMENDMENT) BILL (NO. 3) 1992

MS FOLLETT (Chief Minister and Treasurer) (8.20), by leave: I present the Rates and Land Tax (Amendment) Bill (No. 3) 1992.

Title read by Acting Clerk.

MS FOLLETT: I move:

That this Bill be agreed to in principle.

This Bill amends the Rates and Land Tax Act 1926. The Rates and Land Tax Act provides for the imposition of municipal rates and land tax in the Australian Capital Territory. In 1991 the Act was amended to expand the land tax base to include residential investment properties. As a result of that amendment, the Government has received representations from ACT residents which indicate that there were a number of unintended effects. The Commissioner for ACT Revenue has also brought to my attention difficulties he has been experiencing in applying the new provisions, and in particular in considering taxpayers' requests for exemptions where they are absent from their principal place of residence.

The Bill therefore proposes amendment of the Act to overcome these unintended effects and deficiencies and to provide a more equitable and certain set of provisions in relation to principal place of residence exemptions. These amendments have been framed around justice and equity principles and with a desire to balance the somewhat conflicting interests of citizens who have genuine grounds for being exempted from paying the tax and taxpayers and the community at large, who have an interest in seeing that the total tax burden is shared as broadly and equitably as possible. It is important to remember that persons who, for whatever reason, absent themselves from their principal place of residence and rent it out are competing directly with all other residential landlords and, in equity, should not be receiving an unfair market advantage by not having to pay land tax.

On 7 August I announced administrative arrangements to be put into place pending changes to the Act to provide taxpayer relief in respect of properties occupied by life tenants under a will and for owners accompanying their spouses on temporary absences due to employment. I also announced a stamp duty amnesty for family companies to transfer the family residence to the shareholders to allow the owner residing on the property to claim an exemption. This Bill honours my undertakings to amend the Rates and Land Tax Act to provide permanent relief for life tenants and spouses. The Bill also addresses some other community concerns. It addresses the difficulties the commissioner has advised he is encountering in administering the employment and compassionate based exemption provisions of the current legislation. It reintroduces payment by instalments from 1993-94. The opportunity is also being taken to propose some machinery amendments to improve administration of the Act.

The employment and occupation provision introduced by Mr Collaery in the last Assembly fails to provide the commissioner with clear guidance as to what the legislature intended. The current provision allows an owner to receive an exemption from land tax where, as a consequence of his or her employment, he or she will be absent from his or her principal place of residence for three years, provided that within any five-year period that person resides on that property for

two continuous years. The provisions require the commissioner to provide a taxpayer with immediate relief, although the final test as to whether or not an exemption should apply cannot, in many cases, be ultimately decided until five years have elapsed. The provision requires the commissioner to keep track of a taxpayer for over five years and, where necessary, to issue retrospective assessments for past years. Also, there is considerable room for doubt as to the circumstances under which the exemption was intended to apply; and, as observed earlier, the absence must be for reasons related to the owner's employment, thus precluding families where the family home is in the name of the spouse.

Clearly, this provision is difficult to administer. The Bill introduces a new employment provision which, by and large, fits within the framework of the current provision but adds greater certainty and equity. The provision allows the commissioner to prospectively grant an owner a three-year exemption, provided he is satisfied that the person's absence is by reason of his or her, or his or her spouse's, current employment and that the owner will be returning to the ACT at the end of the temporary transfer. Persons transferred for longer than three years may still be granted a three-year exemption but will be required to pay land tax in respect of any additional years. This is an extension of the current scheme and should be welcomed by many employees. While the concept of two years' continuous residence after a posting has been retained, it is now only a precondition in relation to the granting of any subsequent exemption for a second or subsequent posting. The reason for the absence has been clarified to ensure that only persons absent by reason of their current employment are eligible to apply for tax exemption. This will provide the commissioner with more certain criteria to apply.

The commissioner has advised that, while the provision which allows him to grant an exemption on compassionate grounds adequately covers situations of illness and death, which are specifically mentioned in the Act, he believes that the grounds are limited and that other kinds of deserving cases are outside his discretion. These include family situations and absences caused by an owner searching for work interstate. The Government has therefore decided to expand the commissioner's discretion in this area, and the Bill amends the Act to allow the commissioner to exempt from land tax an owner who has, on compassionate grounds, a compelling reason for not occupying his or her principal place of residence for a period of up to two years. The concession will be limited to one land tax payment for each separate occasion for which tax exemption is sought.

The Government recognised that under the current Act the commissioner has a discretion to grant an exemption for an unlimited period. This is entirely inappropriate and leads to an expectation that, if granted on one occasion, the exemption is an ongoing right, provided the circumstances do not change. The Government is sympathetic to cases where, due to illness, death, unemployment or for some other sudden and compelling reason, a person is forced to be temporarily absent from his or her home, but an open-ended exemption granted at the expense of other ACT taxpayers cannot be justified. It is for this reason that the commissioner's discretion has been limited to one year's land tax for each compelling and separate occasion on which a taxpayer seeks a tax exemption.

While the provision will be sufficient to cover the majority of cases, eligible owners who are suddenly placed in situations where their absence is expected to be of a longer term are, through the provision of one year's exemption, given time to examine their options. If they wish to commercially rent their property, it will be necessary for them to recognise that in most cases land tax will be payable. Genuine cases of hardship will continue to be considered under the justice and equity provisions already in the Act. When considering such cases, the commissioner will have regard to the owner's full circumstances, and the question of whether or not the residence is commercially tenanted will be an important factor. The transitional arrangements covering employment and compassionate exemptions allow owners who have received an exemption under the existing provisions to be deemed eligible under the new provisions. In addition, persons who did not receive an exemption under the employment provision will have an opportunity to seek reconsideration of their applications under the new criteria.

Another significant amendment contained in the Bill is the provision to allow the payment of land tax by quarterly instalments from the 1993-94 rating year. It is proposed that the instalment dates for land tax be the same as those for rates, that is, 15 August, 15 November, 15 February and 15 May, to minimise administrative costs. These instalment dates applied to land tax prior to the move to a single payment in 1990. There are, of course, significant costs involved in this move to instalments, particularly in interest forgone. To ensure that the costs of the move are fully recovered, the Bill provides for a slightly increased land tax rate to be determined for those property owners wishing to pay by instalments.

The Bill contains a number of other amendments which will improve the administration of, and provide additional equity in, the application of both rates and land tax. The definition of "owner" currently in the Act includes "occupier, lessee, tenant or holder of the land", which would allow the commissioner to impose land tax on, for example, a tenant. The Bill amends the definition to cover only the registered owner of the land, or a mortgagee in possession who, through the operation of the mortgage, has control of the property. Speaking of the owner, it has been brought to the commissioner's attention that certain landlords, in order to escape the payment of land tax, are contemplating assigning their tenants a one per cent interest in the property. This would enable the tenant/owner to claim a principal place of residence exemption. To overcome this potential avoidance scheme, the Bill provides that a principal place of residence exemption can be claimed only where the resident owner holds a 20 per cent interest in the property or, where there are more than five owners, his or her share is in the same proportion as that of the other owners.

Another area where the Bill proposes a tightening of the legislation is in respect of residential flats. Under the current legislation, where a block of flats is not strata titled but located on a single parcel of land and the owner is occupying one or more of the flats as his or her principal place of residence, the whole parcel of land is exempt from land tax. The Bill proposes an amendment which will allow the owner to continue to receive an exemption for his or her principal residence, but the remaining flats will be subject to land tax. The legislation will exclude residential properties approved for dual occupancy and granny flats where one of the dwellings is a principal place of residence of the owner.

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Under the current Act, where a rates and land tax account has been overpaid as a consequence of an error of the commissioner or the upholding of an objection or appeal, there is no authority for interest to be paid on the overpaid amount. This is inconsistent with the Taxation Administration Act, which provides for the payment of interest in these circumstances in respect of all other taxes administered by the commissioner. It is also unfair to rates and land tax payers, and therefore payment of interest has been provided for in the Bill.

The final amendment relates to the redetermination of the unimproved value of land to correct clerical error or to take into account changed circumstances not allowed for in recent redeterminations. The Act already provides the commissioner with the authority to make redeterminations in these circumstances and to make reassessments for rates and land tax. Until annual revaluations were introduced, such redeterminations could be made for a period of up to three years; that is, back to the last triennial revaluation. When the Act was amended to provide for annual revaluations, the need for redeterminations to be made for a longer period was overlooked. The amendments proposed in clause 4 of the Bill reintroduce the three-year period.

The Government, in proposing these significant amendments to the Act, believes that it is reacting positively and responsibly to taxpayers' concerns, while ensuring that the interests of taxpayers and the community generally are safeguarded. I present the explanatory memorandum for the Bill.

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

DRUGS OF DEPENDENCE (AMENDMENT) BILL (NO. 3) 1992

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (8.34), by leave: I present the Drugs of Dependence (Amendment) Bill (No. 3) 1992.

Title read by Acting Clerk.

MR BERRY: I move:

That this Bill be agreed to in principle.

Madam Speaker, expanded services to provide methadone to drug dependents are needed if the ACT is to cater for the estimated demand and so reduce the grave health, social, economic and legal consequences of illicit drug use. In particular, the provision of such services has the potential to reduce significantly drug-related crime in the ACT.

An important response to the significant social problems caused by illicit drug use is the appropriate provision of methadone services. Last year I made it clear that I was seeking options to expand the methadone program, and undertook to examine the options. On 8 April this year the Assembly passed the following motion:

That the ACT methadone program be expanded to meet the needs of all its potential clients consistent with an appropriate harm reduction approach.

That motion expressed the view of the entire Assembly. The Government supported that motion and continued its planning to expand the program. On 10 May Mr Moore's Select Committee on Drugs announced that it would also examine this issue, and the Government looks forward to the receipt of that committee's report. It has been said that the Government's response to the earlier motion from this Assembly was anticipating the outcome of the committee's inquiry, but clearly that is not the case. The committee has expressed a view and the Government has responded to the demands, if you like, of the Assembly in dealing with the issue of methadone in the community.

Providing expanded services requires alternative distribution sites, other than Woden Valley Hospital. It has to be said that any option will be costly. I am therefore proposing the introduction of a charge on all clients of the Government's ACT methadone program. This charge will be set at \$10 for health card holders and \$20 for non-health card holders. However, the charge will not be introduced until criteria for waiving the fee under certain circumstances are developed in consultation with community and client groups.

The advantage of a charging scheme applying to expand government facilities only is that it is consistent with our social justice principles. That is, all clients would gain more convenient access to methadone treatment, regardless of their capacity to pay. Distribution through private pharmacies may be accessible only to clients who can afford higher charges. I should say at this point that the recommended fee in New South Wales is \$36 a week, and it is not unheard of for private instrumentalities in New South Wales to charge \$10 per day.

I believe that methadone distribution services will be best provided by the Government in order to ensure that there is a high standard of care and to avoid the problems experienced in other larger States, which are forced by their geographical size to rely on the private sector to provide methadone. I think it has to be emphasised that the provision of methadone from pharmacies is really a fall-back position for those States that do not have the luxury of a compact geographic area with numerous health facilities dotted conveniently throughout. So we are in a luxury position, if you like, when it comes to delivering these sorts of services to people who need them.

These other States, such as New South Wales, Queensland and Victoria, operate private programs, but not without major difficulties of monitoring and regulating to prevent social disturbances, increased risk of death through overdose, and diversion of methadone into the black market. They are all significant problems. I must emphasise that these are serious drawbacks to the private sector expansion that I had earlier recognised. In addition, expanding into the private sector would require establishing a costly health bureaucracy to control the private sector, to avoid the problem of deregulated distribution of methadone, as is proposed by Mrs Carnell. By expanding government services only, the resources will be expended on direct patient care, not on administration.

The ACT is uniquely placed to deliver high-quality accessible programs through government facilities because of its small size and its being a city-state. South Australia, like the ACT, operates a single central methadone program, but it is forced to use private pharmacies to administer methadone to some clients,

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particularly those from remote rural areas. The ACT Government operates many facilities all over Canberra to which drug dependents would have ready access and from which suitably qualified and trained staff are able to provide methadone treatment. Most prominent amongst these facilities are health centres.

The Drugs of Dependence Act of 1989 currently limits distribution of methadone from government facilities to certain health institutions used for accommodation, treatment and care of drug dependents, and this excludes health centres. The proposed amendments will enable any government facility to be used as a distribution point for methadone treatment. Initially, health centres in central, northern and southern Canberra are proposed, but location and hours of operation will be tailored as far as possible to client needs. Any service would be provided by suitably qualified staff and subject to the current controls over record keeping and storage - most important features of any program. Only clients who are assessed as stable will be able to have their methadone administered from health centres. I should say that they are the only ones the pharmacy industry are interested in because they are the stable ones who would provide the most profit for pharmacies.

In stark contrast, Mrs Carnell's Bill demonstrates the worst aspects of deregulation, which is supported as a gleaming principle by the Liberal Party. That Bill would require substantial amendment because it lacks proper control.

Mr Humphries: You are desperate to stop Mrs Carnell.

MR BERRY: I am always desperate to stop bad legislation. Mrs Carnell's Bill lacks the proper controls over pharmacies which are necessary to prevent double dosing and diversion into the black market supply. There is no attempt by Mrs Carnell to regulate the way pharmacists would provide services to people who have a drug dependency. It is the "can't be bothered" approach or "only interested in the profit" approach. For example, there will be no obligation on pharmacists to be appropriately trained - - -

Mr Cornwell: Don't worry, you can always raid them.

Mr Humphries: Yes, raid them; that is an idea. That will tighten them up.

MR BERRY: No, I blame Mrs Carnell, and there will be more on that.

There will be no obligation on pharmacists to be appropriately trained in the delivery of service, nor is there mention of the requirement for pharmacists to be part of an overall program. In other words, Mrs Carnell's way is open slather. Notwithstanding that, and I have raised this issue before, Mrs Carnell's Bill should not be before the Assembly as it has been proposed in circumstances where a reasonable person would form the view that Mrs Carnell has a conflict of interest. I know that that is of concern to some members of the Liberal Party. Mrs Carnell is a pharmacy owner, a practising pharmacist, and president of the ACT branch of the Pharmacy Guild - an organisation which, among other things, is committed to advancing the interests of pharmacy owners, of whom Mrs Carnell is one. Mrs Carnell has introduced legislation which is aimed at increasing business for pharmacists. I for one am not going to sit back and allow this Assembly as a whole to be discredited because of the actions of Mrs Carnell. If the Liberals are arrogant enough to believe that it is all right for one of their number to act in a way that may be described as having a conflict of interest, it is up to the Liberal Party to wear the odium of their decision, not this Assembly.

Tackling the problem of drug abuse is no small task and no-one has all the answers, but Labor is taking the initiative by addressing the problem seriously, with socially responsible plans to extend methadone treatment to all those who need it in an accessible way, regardless of the individual's capacity to pay.

Mrs Carnell: Through three sites. That is really accessible!

MR BERRY: It has never been limited to three sites.

Mrs Carnell: You just said it - Belconnen, City and Tuggeranong.

MR BERRY: She needs to learn to count. Mrs Carnell is also involved in the Drugs Committee with Mr Moore, and for some time she has been paddling this old canoe of farming out the profitable parts of the methadone program to the pharmacists. Indeed, it has been discovered, after close examination and close consideration by me, that this is an inappropriate way to go in a city where we have the luxury of appropriately located health centres - health centres that can be well utilised for the provision of the sorts of methadone services that are necessary for those people who need it. There is no denying that we ought to take advantage of those sorts of services.

The Liberals, on the other hand, would say to us, "Do not utilise those facilities. Let us hand it over to the private sector instead". This is the Hewson approach. We have heard it all before. Mash up the public sector, reduce access, and hand it over to the private sector so that they can make a bob out of it. Leave the government instrumentalities to carry the basket cases and all the very difficult and expensive services that have to be provided for the community.

I think it is a great shame that the Liberals would allow their member to present herself in a way which might demonstrate to the community that she has a conflict of interest. It is a great shame that one of the other Liberals could not have taken up this issue if they were so concerned to increase the business for pharmacies in the ACT. Not one of them, it seems, is as concerned about it as Mrs Carnell - and she ought to be embarrassed. I would blush a little too, if I were her, because it is something to blush about.

Mr Kaine: She is only blushing because of your transparency.

MR BERRY: Mr Kaine supports Mrs Carnell, so Mr Kaine is happy for his Liberal members in this Assembly to seek to procure more for their own businesses. If that is the sort of approach the Leader of the Opposition takes, he is an absolute disgrace to the Territory.

Mr Humphries: I raise a point of order, Madam Speaker. It seems to me that the suggestion that Mrs Carnell is effectively putting forward a Bill to the Assembly to procure personal advantage for herself and her friends is essentially the same as the allegation earlier tonight in relation to Mr Kaine that there was some sort of pay-off in some vote in this Assembly. I ask you to rule that this inference by the Minister be withdrawn.

MADAM SPEAKER: I was going to say that I did not think the two were the same. The matter has been before the Assembly before.

Mr Humphries: It is no more respectable now than it was before.

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MR BERRY: Madam Speaker, I will deal with the issue again, just so that this - - -

Mr Moore: On a point of order, Madam Speaker, taking your own comment: In that case, Mr Berry has, throughout his speech, been reflecting on a vote of the Assembly. Is that what you are suggesting? In that case he should be asked to refrain.

MR BERRY: Madam Speaker, it may clarify the issue for you if I explain to those opposite who have selective deafness: I have said that a reasonable person in the street could draw the conclusion that Mrs Carnell has a conflict of interest in this matter.

MADAM SPEAKER: Mr Berry, I will simply ask you to withdraw any possible inference that you made an improper imputation on Mrs Carnell's - - -

MR BERRY: That is sensible; I am perfectly happy with that. I withdraw anything I might have said that could have created that sort of impression amongst the nervous members opposite. I will say again that a reasonable person in the street could draw the conclusion, in my view - - -

Mr Kaine: Madam Speaker, he just withdrew, at your request, and he is now repeating the same allegation.

MADAM SPEAKER: I believe that he was drawing a distinction, but it is not necessary to do that any further, Mr Berry. We accept your withdrawal.

MR BERRY: Thank you, Madam Speaker. It seems that they understand, though they may be agitated about it.

Mr Kaine: We are no more touchy on the subject than you are.

MR BERRY: You ought to be touchy, Mr Kaine, because it is your member who is bringing this forward. The odium that has to be borne by this place has been caused by your member. You ought to discipline them a bit more. Instead of letting them run you, you ought to run them. You are supposed to be the manager there. Can you not manage your affairs in the Liberal Party? You ought to be able to bring legislation to this Assembly without bringing the whole Assembly into discredit.

Mr De Domenico: On a point of order, Madam Speaker, I respectfully suggest that Mr Berry's comments be confined to the point at hand, which is Mrs Carnell's Bill, which is now Mr Berry's Bill.

MADAM SPEAKER: That would be a lot easier if there were no further interjections. Mr Berry, please continue.

MR BERRY: If I can summarise, the legislation that is proposed by the Government is, essentially, legislation aimed at maintaining a methadone program within the public sector. So the choice for people in this Assembly is whether they privatise or whether they maintain the public sector for the provision of services to all in the community who need them. That is, you take the choice between affordability and access and privatisation, where it has been shown over and over again that access is limited. There is no question about that.

Members of this Assembly will inevitably have to choose whether they take the option where the Government controls the price to those people who are forced onto the methadone program or throw it open to the free market, where you are judged on the state of your dress as you walk through the door as to how much the service should cost. That is the sort of extreme we have to be concerned about when it comes to the privatisation of public services.

Mr De Domenico: What absolute poppycock! That is line 4 in the Stalinist manifesto, is it?

MR BERRY: You tell me, Mr De Domenico - - -

Mr Humphries: You are losing every vote in pharmacy you ever had. Even Mr Aliprandi will not vote for you after this.

MR BERRY: I will tell you what; that is 48 votes I never had and 48 I am not going to fight for.

Mrs Carnell: It is 324.

MR BERRY: Do not worry about them; they are the ones who toe the line for the 48. Do not let us kid ourselves. There are a lot of Labor voters amongst the 300. In any event, the choice for members of this Assembly is whether they take the privatisation line, as proposed by the Liberals. There is no question about it; this is consistent with Liberal ideology. They have consistently proposed that the profitable parts of successful public enterprise be made available to the private sector and that the public sector be left with the more difficult cases.

Mrs Carnell: We do not make a profit out of the methadone program.

Mr Cornwell: Like Qantas.

MR BERRY: They may well fidget on their seats. They do not like this sort of important information, which the public already believes in, being wheeled up to them time after time. I do not mind doing it, because I like to see them a bit agitated; but I must say that I have not been able to get a blush out of Mr Kaine.

Mr Kaine: No; and you won't, either.

MR BERRY: Mr Kaine is not blushing. He is steely hard when it comes to this. He is prepared to allow this sort of legislation. This legislation is allowed to be brought into this place by one of his members, and it will bring some discredit to the Assembly. But ours is legislation that ought to be supported. I present the explanatory memorandum to the Bill.

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

DRUGS OF DEPENDENCE (AMENDMENT) BILL 1992
DRUGS OF DEPENDENCE (AMENDMENT) BILL (NO. 3) 1992

Referral to Committee

MR MOORE (8.55): I move:

That so much of the standing and temporary orders be suspended as would prevent the moving of a motion referring the Drugs of Dependence (Amendment) Bill 1992 and the Drugs of Dependence (Amendment) Bill (No. 3) 1992 to the Select Committee on Drugs.

The two Bills I refer to are the Bill that has been tabled by Mrs Carnell and the Bill that has just been tabled by Mr Berry. I think it is appropriate at this point that the committee should look at those Bills, particularly because, in the normal course of events, Mr Berry's Bill would remain on the table until the next sitting, when it would be debated. It is the intention of the Select Committee on Drugs to report on methadone at the next sitting. In fact, the date we are suggesting is 15 October, and therefore no time would be lost by this process, but it would allow appropriate scrutiny of the Bills.

Mr Berry this evening ran through his transformation, from the time when he was advocating the participation of pharmacies to the new approach he is now taking. I think it would be appropriate for us to have the opportunity to be presented with the same sort of evidence in case we should wish to go through the same transformation ourselves. Members of the select committee are very open-minded and will continue to work, as we do in all our committees, in an open-minded way and to consider all possibilities. I think, therefore, that it would be appropriate to suspend standing orders in order to allow me to put that motion.

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (8.57): The Government will be opposing the suspension of standing orders because it is completely unnecessary and inappropriate. This Assembly has passed a motion which reads as follows:

That the ACT methadone program be expanded to meet the needs of all its potential clients consistent with an appropriate harm reduction approach.

The Government's Bill meets those needs. The issue Mr Moore raises has been, I am reliably informed, dealt with by the committee in public hearings. My officers briefed the committee on the Government's position on this matter. The position is entirely clear. One of the things Mr Moore has - - -

Mr Kaine: The committee had better not consider anything else, having got the view of the Government.

MR BERRY: You have two choices. You can either go the way you propose - the privatisation route - or you can go our way. It is entirely up to you.

Mr Kaine: There may just be a compromise, may there not? Ask the committee.

MR BERRY: Not between the Government and the course you have chosen, I have to add. The choice really is one for members in this Assembly to make when the Bill comes before the house in the in-principle debate. The standing orders provide that immediately after the Bill has been agreed to in principle a member may move that the Bill be referred to a select or standing committee.

Mr Moore: That is why we suspend standing orders - to save time so that your Bill can move through quickly, to the benefit of the users.

MR BERRY: That is right. What the Government has proposed will be of benefit to users, but it is aimed at ensuring that the public sector maintains this program in an environment that is properly regulated. Proper regulation, of course, comes from the public sector, not the Pharmacy Guild or some other group. It is properly regulated by the public sector.

Mr Moore seeks to refer this matter to his committee. He really has a choice to make. We have given him two choices, and they are to take either the privatisation line or that which will be provided in the Government's Bill by the public sector. It is entirely up to him which course he chooses. Madam Speaker, the appropriate course is for this Assembly to decide which Bill it supports before Mr Moore moves to refer the matter to his committee for further discussion. By the look on Mrs Carnell's face, she seems to think that the Government should have been wedded to the pharmacy approach because it had been proposed at some earlier stage. Well, it has not been.

There is some discussion about the users. I will tell you now that if this legislation is passed by this Assembly there will be swift movement to deal with the problems of users, just as there has been in this last year when we increased the number of places from 80-odd to about 150. We will take the same approach with the properly regulated methadone program within the public sector which is designed not only to help the users but to help the community as well. We need to reduce the consumption of heroin out there in the community. We also need, Madam Speaker, to reduce the level of crime out there in the community. It seems that Mrs Carnell is more interested in privatisation and the profits of pharmacies, and Mr Moore is interested only in his own committee. I am interested in getting services to the community and to the people who need them.

MR HUMPHRIES (9.01): Madam Speaker, I am prepared to support Mr Moore's motion in the circumstances. It is extraordinary that we have seen such tremendous antagonism flow from the government benches, particularly from Mr Berry's place, towards the whole concept that has been put forward by Mrs Carnell and by the Liberal Party on a whole series of issues to do with health. We have seen angst on the part of the Government about the fact that the Liberal Party beat it to the punch on fluoride. We now have seen it pipped at the post on methadone. It will expect other - - -

Mr Berry: This is the answer; look.

MR HUMPHRIES: That is your press release, of course.

Mr Berry: It says, "Time to halt drug crimes".

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MR HUMPHRIES: It is time to halt drug crimes. That is why we need a good, sound system which is properly aired in the community and properly considered by the body in this Assembly best qualified to look at this question, namely, the committee which Mr Moore currently chairs. There are two Bills before the Assembly. They are contradictory in nature to some extent.

Mr Berry: In conflict.

MR HUMPHRIES: In conflict, if you like. They should be considered properly by the Assembly committee, the body which was set up to deal with that sort of issue. It seems to me entirely appropriate that it should be referred that way. I cannot understand the Minister's reluctance to see it referred to that committee.

There has been, I have to say, Madam Speaker, a tremendous malice exhibited on Mr Berry's part towards Mrs Carnell and the efforts she has been making in this Assembly to address the real issues facing this community in the area of health.

Mr Berry: Conflict of interest is a serious problem.

MR HUMPHRIES: Listen, Mr Berry; listen, Minister. This might not be pleasant, but listen to it. It upsets Mr Berry that there is someone in this Assembly with better credentials than he has to talk about the concerns of the community in the area of health. She is more qualified and has better credentials to talk about what this community wants and needs in the area of health and health concerns than has the Minister for Health. That disturbs the Minister very greatly.

Mr Kaine: He gets quite agitated about it.

MR HUMPHRIES: He does get very agitated about it. There is enormous hostility flowing from him about this whole issue. I really think it is a little concerning. He should ask himself whether this vendetta against Mrs Carnell is really in the best interests of, for one thing, the health needs of the Territory, and in particular the needs of methadone users in this Territory. Mrs Carnell has raised this question persistently. She deserves to be heard properly on those issues. She has raised this question with the best of intentions. To suggest that she or pharmacists in the ACT have improper motives in wanting to see methadone available around the Territory is quite wrong.

Mr Berry: Madam Speaker, I take a point of order. Again we have heard the big diversion - which I almost called a fib, but I will not - that I had suggested that there was improper motive. What I said, Madam - - -

Mr Kaine: That is what you said.

Mr Berry: I want that withdrawn. I made it very clear. I said that the ordinary person in the street could come to the conclusion, on the basis - - -

Mr Kaine: And that is a bit different. That is dressing it up a little.

Mr Berry: No, there is a lot of difference. The ordinary person could come to the conclusion, given Mrs Carnell's presidency of the Pharmacy Guild, her ownership of a pharmacy and her practising as a pharmacist, that there is a conflict of interest, and I think that is a fair enough assertion to make. It is not - - -

Mr Humphries: He is dressing it up.

MADAM SPEAKER: Mr Humphries, that is allowable. He has made no direct improper imputation and he withdrew any possible inference that there was one; so I would ask you not to continue with it.

MR HUMPHRIES: Then, Madam Speaker, I withdraw that.

MADAM SPEAKER: Thank you, Mr Humphries.

MR HUMPHRIES: I would say that the ordinary person in the street would say that Mr Berry is rather twisted and bitter about the comments Mrs Carnell has made and is telling lies to the Assembly. That is what the ordinary man in the street would say.

Ms Follett: Madam Speaker - - -

MR HUMPHRIES: The ordinary man in the street would think that is the case, Madam Speaker. I am not saying it, of course, Madam Speaker; but the ordinary man in the street might.

Ms Follett: Madam Speaker, I take a point of order. We have heard Mr Humphries, in the course of his so-called contribution to this debate, use the words "hostility" and "vendetta" in relation to Mr Berry, and also refer to Mr Berry as telling lies. I think those remarks would all be considered offensive under standing order 54, and I ask Mr Humphries to withdraw them all.

MADAM SPEAKER: Mr Humphries, I ask you to withdraw any improper inference, in the same way as I asked Mr Berry to withdraw. We are getting into levels of debate which I will not countenance. There is no provision under the standing orders for improper imputations or inferences about other people's behaviour to be uttered. I ask you to withdraw any of those statements, and continue.

Mr Kaine: He had better withdraw it too.

MADAM SPEAKER: Mr Berry did withdraw.

Mr Kaine: The wording was the same.

MADAM SPEAKER: Order! There will be no debate. Mr Berry has withdrawn. Mr Humphries will withdraw, and we will continue with the next speaker.

MR HUMPHRIES: I withdraw, Madam Speaker.

MADAM SPEAKER: Thank you.

MRS GRASSBY (9.07): As a member of the Select Committee on Drugs, I think it would be an absolute waste of time to refer this legislation to the committee. The committee has already had public hearings on methadone. We have enough information to bring out a report. It would be a waste of time to send two Bills to the committee. We are supposed to report by December. We will be lucky if we are able to do that. We have had many public hearings, and we really should be getting onto what everybody has told us at those public hearings. The things that are really worrying are the legal drugs - cigarettes and alcohol - and we seem to be doing nothing about them. We are wasting time here.

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I think Mr Berry has solved what we all agreed was a problem by putting the public methadone clinic at Woden Valley Hospital and allowing people on the methadone program to pick up their doses at many points around Canberra. I think that problem has been solved by this legislation. Sending these two Bills to the committee would be an absolute waste of the committee's time. Mr Moore might think it is all right. He probably feels that we could sit until December 1993. This committee has a time in which to report, and I think we should be getting on with the things that we are supposed to report on.

MRS CARNELL (9.09): I rise to support Mr Moore's motion. What we have to look at here in the very brief time available is that a number of people put submissions to the committee. However, the written submission that was put to the committee by Mr Berry's own department had absolutely nothing to do with health centres, as Mrs Grassby and Mr Moore well know. The committee had to go by a *Canberra Times* article - another article based on a leak, I am told. So the committee can look in detail at what Mr Berry has now proposed only if the Assembly refers this legislation to the committee. Unfortunately, Mr Berry's officers, in their written submission, talked about something totally different. We also have to look at what the user groups and all the other people - - -

MADAM SPEAKER: Excuse me, Mrs Carnell. This is a 15-minute debate and the time for the debate has expired.

Question put:

That the motion (**Mr Moore's**) be agreed to.

The Assembly voted -

AYES, 9

Mrs Carnell
Mr Cornwell
Mr De Domenico
Mr Humphries
Mr Kaine
Mr Moore
Mr Stevenson
Ms Szuty
Mr Westende

NOES, 8

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

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

MR MOORE (9.14): Madam Speaker, I thank members for supporting the suspension of standing orders. I now move:

That the Drugs of Dependence (Amendment) Bill 1992 and the Drugs of Dependence (Amendment) Bill (No. 3) 1992 be referred to the Select Committee on Drugs for inquiry and report by 15 October 1992.

A number of members spoke in broad terms during the debate on the motion to suspend standing orders. It is appropriate that the committee have the opportunity to consider the issues raised by Mr Berry for debate. I would like to respond to one of those points. Mr Berry's officers did come and give evidence. As always, they were very competent in providing the information that we requested. Unfortunately, it was clear to me - and, I would imagine, other members of the committee - that the Minister had given the officers their instructions only a very short while prior to their appearing before us, and they were not able to give us any details of the costings or management of the methodology that this legislation implies.

Madam Speaker, it is likely that the select committee will seek to speak to those officers again and try to get some more extensive answers as part of looking at the legislation and trying to work out what will be in the best interests of the people of the ACT but, most importantly, what will be in the best interests of the users whom the service will be designed to benefit. I think that should be our highest priority. That does not mean to say that we will not take into account all of the other issues. Of course we will. I look forward to working with Mrs Grassby and Mrs Carnell on this, with as open a mind as we have had in discussing all the other issues up until now.

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (9.16): I recall the debate about the Bill proposed by the Liberals. It was felt at the time that Bill was introduced that perhaps it ought to go to the committee. Mr Moore described that Bill as a Bill that would facilitate the development of another methadone program or something else. It puzzles me that a Bill providing for the privatisation of the program was one that facilitated but that a Bill that ensures that the program remains in the public sector does not seem to be a Bill that facilitates.

MR KAINÉ (Leader of the Opposition) (9.17): Madam Speaker, I was talking to a man in the street the other day.

Mr De Domenico: Was he a reasonable person? Was he a reasonable sort of a bloke?

MR KAINÉ: He was a reasonable man in the street. In fact, I do this very often. Sometimes when I walk from here across to the post office, perhaps half-a-dozen reasonable and ordinary men in the street stop me and want to talk about all kinds of subjects. This particular reasonable and ordinary man in the street complimented me on the Bill that Mrs Carnell had put forward in connection with the methadone program. That was rather odd, I thought, because he thought that this was a very good - - -

Mr Connolly: Was he wearing a white coat?

MR KAINÉ: No, he was not; and he was not looking for you either. The fact was that he understood the ramifications of the Bill put forward by Mrs Carnell. This morning I ran into the same ordinary and reasonable man in the street, and he said, "What is this complication that has been thrown into the ring by the Government producing their own Bill? Is this another case of the tortoise trying to catch the hare in the legislative business? We had a good Bill which we understood, and now here comes the Government with another one". Here tonight we discover that, in fact, there is another one. It is different to the one that Mrs Carnell put forward.

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I am not sure that even the Government understand what the differences are, but their intention is quite clear. Their intention is to do away with the Bill put forward by Mrs Carnell and substitute their own. Presumably they see some merit in that, but the fact is that this ordinary and reasonable man in the street is a bit confused, because he does not know the difference between the two Bills. He cannot figure out why the Government have put forward their own. Under those circumstances I think that that ordinary and reasonable man in the street ought to be satisfied that somebody has analysed the two Bills to see what the differences are. Somebody can then come back to this Assembly and tell not only him but also us what the differences are. I think that Mr Moore's proposal is an eminently sensible one, and I am sure that it will satisfy that ordinary and reasonable man in the street that this Assembly is taking this matter very seriously indeed. I support the motion.

Question resolved in the affirmative.

LEGAL AID (AMENDMENT) BILL (NO. 2) 1992

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

That this Bill be agreed to in principle.

MR HUMPHRIES (9.20): The Opposition would like to put on record, first of all, its view about the entire question of legal aid in the ACT and its very great support for the concept of legal aid and its continuation as a device to further accessibility to the law for ordinary citizens, particularly those in lower socioeconomic groups. The Legal Aid Commission is a vital institution to the smooth operation of the ACT's legal system. Without the availability of legal aid to ordinary citizens, it would be quite impossible to say that the ACT or indeed any community enjoyed proper access to the law and a fair legal system. Legal aid has become, in my view and in my party's view, an essential part of a just society.

I am the first to acknowledge that there are tremendous pressures on the legal aid system in our community, as indeed there are in many other communities in Australia. Enormous pressure is placed on those who work in the Legal Aid Office - pressure generated by the huge amount of work that they have to do and by the limited resources at their disposal with which to do it. There is a tremendous requirement for efficient and careful administration, because public money is involved. Yet there is a need to cover a great deal of ground, and I think that many lawyers in the Legal Aid Commission do much more work than some of their counterparts in the private sector do.

Madam Speaker, there is, of course, a great need for accessibility in our legal system. The Legal Aid Commission goes some way towards providing that. My colleague Mr Lamont will recall that we have before us in the Legal Affairs Committee an inquiry into the accessibility of the legal system and justice generally. That matter is very much a part of this whole process. Measures to strengthen the effectiveness of legal aid in the Territory are greatly welcomed, and I see this Bill as a measure in that direction. We must be more aggressive in the financial management that is pursued by public bodies such as the

commission, in exploiting opportunities for providing resources for these sorts of activities. Without a competent and aggressive financial approach we will find ourselves unable to properly meet the demands which are placed on the system by those who would be its clients.

The Attorney, in his presentation speech, referred to the commission as a non-financial institution. I was puzzled by that reference. I do not know what he meant by "a non-financial institution". If he was saying that it is not a bank or a building society, of course he is right. If he was saying that it is different from, say, private practitioners or private law firms - which are, at least in part, motivated by financial considerations, presumably - then I would say that he may have a point. But in that case it is time to make the Legal Aid Commission more aware of opportunities to recover moneys owing to it. The reason is very simple: Sloppy recovery provisions deprive other applicants for legal aid of resources which might be available to them.

Members are well aware that in recent months enormous pressures have been placed on the commission. In particular, the trial of a number of people in connection with the raid on the Iranian Embassy not very long ago has placed tremendous pressures on the resources of the commission. We all hope that in the course of time those sorts of pressures can be alleviated by a combination of sound management practices assisted by legislation such as this and by greater financial support on the part of the Government.

Madam Speaker, this Bill enacts a number of important changes which, I believe, all assist the efficiency of the Legal Aid Commission. The Bill changes the composition of the governing body of the commission by reducing the number of members from nine to eight - a sensible and streamlining move - and changes the composition and format of the review committees which assess appeals against decisions made in respect of applications. Those changes will all aid a more functional commission and assist the commission in doing away with unnecessary bureaucratic barriers to quick decision making.

Another important change effected by the legislation, and one which caused me to pause and think, is the provision dealing with the capacity of the commission to effectively become a more aggressive financial manager of the resources at its disposal. In particular, the legislation provides for the commission to take recovery steps against people who have made application for money and assistance from the commission. It is possible, under the amendments put forward by the Government, for the commission to issue a charge on the property of an applicant for legal aid to enforce the applicant's contribution to the overall costs of his or her legal action. That kind of requirement for a contribution, particularly a major contribution, and the need for a charge to be made against the property of that applicant would be, I suspect, a relatively rare occurrence. It would not be often that clients who had been granted aid by the commission would need to be put in that position. However, it would sometimes occur, and in those cases there would need to be a fairly careful approach by the commission to the recovery of moneys.

The charge is a charge on the client's land and is lodged with the Registrar of Titles. The idea of that charge is that the commission can, in due course, proceed to exercise a power of sale over the property on which the charge has been placed. The power to sell may be exercised only in certain circumstances: Firstly, where a notice has been given, if that is possible, to the applicant; and,

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secondly, where a year has elapsed between the placement of the notice or the charge and the exercising of that power. It is, in that sense, a very similar power to that exercised by mortgagees over a property where a mortgagor has defaulted. There is no requirement for a court order to be part of this process. In other words, the commission does not have to go to court and say, "I have a debt I can enforce against this applicant and I therefore would like the court to grant me the power to seize his property, sell it up and recover my debt".

Madam Speaker, it is important to note that that is a very extensive power. It is a power akin to the power of a court to grant particular recovery of debts. In seeking legal aid, therefore, a person is in many respects signing documents which place on that person a similar kind of obligation to that which one might incur by signing a mortgage. This is a very extensive power; but we on this side of the house support the commission's capacity to use that kind of power, because obviously it marshals the resources of the commission effectively and makes sure that those who are in genuine need of assistance from time to time have resources at their disposal when they make application for legal aid. But it does highlight the very clear need for the Legal Aid Commission to spell out to applicants for legal aid the serious consequences of their making that application and agreeing to the conditions which accompany a grant of aid. In other words, people ought to be aware that in seeking aid - in getting, as it were, a grant of money from the Government - they are also, in effect, in certain cases undertaking obligations which are akin to those undertaken when signing a mortgage. That will require a very clear set of guidelines in force and in use in the Legal Aid Commission.

This Bill provides that the commission may garnishee money held by a solicitor on behalf of a former applicant to recover or to satisfy a debt owed to the commission. Again, as a link in this chain, the commission does not have to go to a court and say, "I have a debt to be enforced against this applicant".

Debate interrupted.

ADJOURNMENT

MADAM SPEAKER: Order! It being 9.30 pm, I propose the question:

That the Assembly do now adjourn.

South Africa

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (9.30): This morning, Madam Speaker, when I rose and looked at the *Canberra Times* I felt a great deal of disquiet about the headline about what is occurring in South Africa. The Liberals might well laugh, because it is one of their number who is about to bring great shame on their Assembly. Having read through the article in the *Canberra Times*, I learned about the automatic weapons fire which had been directed at demonstrators for a full five minutes. Of course, many died as a result of that attack on demonstrators. There were statements like "Most of the demonstrators dived for the ground", "Soldiers fired whenever anyone tried to stand up", and so on and so forth. All of these sorts of things really sickened me.

Later on in the day I learned that an Assembly member was going to South Africa. I thought to myself, "Who on earth would go to South Africa at the invitation of the South Africa Forum, which of course has the patronage of the South African Government, while this sort of thing is going on?". I thought to myself, "Nobody would possibly do that" - until I learned not only that it was Mr De Domenico but also that he did not care what had happened in South Africa; he was not going to change his mind just because of the massacre in Ciskei.

Mr Connolly: He said that he would not protest.

MR BERRY: And he would not protest. So I thought to myself, "What on earth drives this person?". I did a bit of a search around in the local media, and I saw an article in the *Canberra Times* of 15 May which gave me some enlightenment about what Mr De Domenico's motives were. "De Domenico moves to evict 'eye-sore embassy'" is the headline. The article stated:

The ACT Liberal Party called yesterday - - -

Mr Humphries: I raise a point of order, Madam Speaker. You ruled earlier today about questions of pay-offs and so on. Clearly, Mr Berry is making the assertion that Mr De Domenico - - -

Mr Connolly: He has not made any assertion yet.

Mr Humphries: He is going to, and he should not be allowed to. He is going to make the assertion, obviously, that Mr De Domenico is receiving his trip to South Africa as a pay-off for some kind of service rendered to the South African Government.

Mr Connolly: You are making that suggestion.

Mr Berry: You should withdraw that. You should withdraw that shameful attack on your colleague.

Mr Humphries: It is your time you are using up. If that is Mr Berry's intention, I ask you, Madam Speaker, to ask him not to do that. It would certainly be in breach of the order that you yourself made earlier today.

MADAM SPEAKER: Thank you, Mr Humphries, for reminding me of my order. I will listen very carefully to Mr Berry.

MR BERRY: The article stated:

The ACT Liberal Party -

not just Mr De Domenico; the whole of the party -

called yesterday for the removal of the "eye-sore" Pan-African Congress "embassy" outside the South African embassy.

Of course, that is something the South African Embassy has been trying to do for years and has not been able to achieve. But who comes to their aid? Mr De Domenico. I thought to myself, "Well, that demonstrates Mr De Domenico's political position in relation to the racist South African regime.

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It clearly demonstrates that the South African Government would like to have Mr De Domenico over there at their expense in order that they can have their man in the ACT properly indoctrinated in the ways of the South African Government".

I want to express my horror at a member of this Assembly taking the patronage of the South African Forum, which has in turn the patronage of the South African Government, while such horrors and atrocities are being committed in that country. For a member to go from this Territory to that place with the patronage of the South African Government while these sorts of things are going on brings nothing but shame to that member and brings shame to the Liberal Party. I, for one, will not stand by and see shame poured on this Assembly because of Mr De Domenico's actions.

Personal Explanation

MR DE DOMENICO: Madam Speaker, under standing order 46 I seek your leave to make a personal explanation.

MADAM SPEAKER: Leave is granted.

MR DE DOMENICO: Madam Speaker, I listened very quietly to what Mr Berry had to say. Madam Speaker, like Mr Berry, I was appalled when I picked up the *Canberra Times* - - -

Mr Berry: But you are going over there to have a look at it.

MR DE DOMENICO: You are like a shiver looking for a spine to crawl up, so just be quiet and listen. Like Mr Berry, Madam Speaker, I was appalled by what I read in the *Canberra Times*.

Mr Lamont: Madam Speaker, I raise a point of order. I regard the comment made by Mr De Domenico as unbecoming language within this Assembly, and it is not the first time that he has used it. It was believed that it was in the heat of debate or an aside when it was made before, but I believe that it is unparliamentary and that it is appropriate that he withdraw.

MADAM SPEAKER: Thank you, Mr Lamont, for the advice. All I heard was "a shiver up a spine" and then I got distracted. I assume that you meant nothing unparliamentary, Mr De Domenico.

MR DE DOMENICO: That is all I said, Madam Speaker.

MADAM SPEAKER: Please continue, Mr De Domenico.

MR DE DOMENICO: Thank you, Madam Speaker, for your ruling. Like Mr Berry and every other member of this house and every other member of the community, I was appalled by what we saw happen in South Africa. I am also appalled daily by what I see going on in Sarajevo and in the old Yugoslavia. I was appalled by what I saw happening in Dili. I am appalled by what happens in Indonesia. I was appalled by what happened in the Los Angeles riots. I dare say that certain members of this house have from time to time also visited other countries.

Madam Speaker, I will express my concern and outrage whenever I believe that concern and outrage ought to be expressed - and I have already done that, by the way. I have already done that in no uncertain terms.

Mr Berry: You said that you wouldn't.

MR DE DOMENICO: No, I did not say that. Madam Speaker, Mr Berry - and this is why I am standing for a personal explanation - tends to believe what he reads in newspapers. Mr Berry said that I said that I would not say anything. That is not right, Mr Berry. You did not hear all the interview, Mr Berry. You heard only little snippets that were played back by the various television stations. So you do not know what I said, and you are not in a position to tell me what I said because you do not know, which is not unusual. I am appalled. But, notwithstanding all that, I will be going to South Africa, Madam Speaker, because - - -

Mr Berry: It is a bit hard to rationalise.

MR DE DOMENICO: No. I will tell you how I rationalise it. Whilst you stand up here and pontificate about what you believe is happening in South Africa, you have never been there; you are never likely to be there - - -

MADAM SPEAKER: Order! Would you please address your remarks to the Chair and make a personal explanation.

MR DE DOMENICO: I apologise, Madam Speaker. Hopefully, I will find out at first hand from the people being affected by all these things. I will be speaking to people from the Pan-African Congress, the Inkatha Movement, the Government, the Communist Party and every other political group that I can meet to get first-hand knowledge. Madam Speaker, that is my personal explanation. Mr Berry should not be trying to score petty political points.

Question resolved in the affirmative.

Assembly adjourned at 9.39 pm

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ANSWERS TO QUESTIONS

**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY
LEGISLATIVE ASSEMBLY QUESTION**

Question No 266

Tradeswomen

MR CORNWELL - Asked the Chief Minister upon notice on 11 August 1992:

In relation to your reply to question on notice No. 119 regarding the funding of the publication Directory of Tradeswomen in the Australian Capital Territory and in particular, section 5 "The Government does not intend to provide similar assistance to a corresponding men's publication on the basis that this is a group that does not face substantial discrimination in our society"

- (1) How many cases of substantial discrimination against ACT tradeswomen have there been in (a) 1990-91 and (b) 1991-1992.
- (2) Have these cases been reported to the relevant authority and; if not, why not.
- (3) If they have been reported, what was the outcome.

MS FOLLETT - The answer to the members question is as follows:

- (1) Women in the ACT have not participated in the full range of trades available. This has been clearly documented, for example at 30 June 1992 there were 342 female apprentices, while there were 1540 male apprentices. If female hairdressing is excluded, there were only 108 female apprentices. To focus on individual cases of discrimination clearly shows a misunderstanding of the issues relating to women's employment in non-traditional areas, which the Kaine Government did in fact recognise through its support of this program. I fully support both the Tradeswomen on the Move program and other steps taken to support women who choose to enter non-traditional areas of employment.

(2) N/A.

(3) N/A.

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MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 269

Human Resource Management System Project

Mr Kaine asked the Minister for Urban Services - will the Minister provide the following information on the Human Resource Management System (HMS) being developed within his portfolio:

- (1) Why was the HMS project undertaken
- (2) When did it begin
- (3) What stage of development has it reached
- (4) What costs in the following categories are involved in reaching this stage
 - (a) salaries, (b) consultancies, (c) equipment, (d) other overloads, and -
 - (e) other related costs
- (5) Is the development of the HMS staged, and if so (a) what assessment will take place at each stage (b) who will carry out the assessment (c) what stages have been completed (d) what were the costs at each stage and (e) what was the budget expenditure at each stage
- (6) For all stages yet to be completed (a) what outcomes are expected, (b) what is the expected expenditure and budgeted expenditure if different to expectation, (c) how will the outcome be assessed and by whom, and (d) what criteria will have to be met before approval to proceed is given
- (7) What benefits are expected to be gained by developing the HMS
- (8) Will budgeted savings from development of the system be reflected in reduced appropriations to the personnel management areas of the ANALOGS
- (9) Will staff members be reduced as a result of HMS being implemented, and if so, (a) how many staff will be reduced and in what areas, (b) what savings will result from those reductions, and (c) will those staff savings exceed the cost of implementing the system, and over what period of time (eg 3 years, 10 years)
- (10) What is the expected life of the HMS
- (11) What options to the HMS were considered and what made HAMS more preferable
- (12) Will reports of the various consultancies forming part of and related to the HOLMES development be available before the system is complete.

Mr Connolly - the answer to the members question is as follows:

- (1) The FIRMS project is designed to address fundamental inadequacies in the availability and accuracy of strategic human resource information required by the Government and management within the ACT GS. The GERMANS is expected to generate substantial benefits in the form of information about the cost and disposition of staff, their skills, attributes and requirements, and by promoting accountability and responsiveness of line management. It will assist in the achievement of modern management improvement programs such as Equal Employment Opportunity. The GERMANS will also reduce the cost of personnel administration in the ACT GS.
- (2) The project began in October 1990, as an initiative of the Alliance Government.
- (3) The PERSPECT package has been selected and is currently being operated on a trial basis. The records of more than 1,000 positions and their staff are being successfully managed on the system at this stage of the trial. The system supplier is enhancing the system to meet ACT GS specific requirements. Testing of the first set of enhancements to the GERMANS has been completed successfully and on time, and preliminary testing of the remaining enhancements has begun. Expressions of Interest have been called for computer hardware.
- (4) The approximate costs incurred to the end of July 1992 are:
 - (a) Salaries \$855,000
 - (b) Consultancies \$170,000
 - (c) Equipment \$565,000
 - (d) Overheads \$55,000
 - (e) Other Related Costs \$60,000
- (5) The HMS project involves the staged implementation of a proven package already operating in several Commonwealth Government agencies. The system supplier is providing specified enhancements to the system as a contractual obligation prior to final acceptance of the system.

The planned stages for implementation of the GERMANS are: feasibility study; development of specifications; selection of the preferred package system; trial operation of the package; testing of enhancements; and implementation of the system on a whole of government basis. Each stage is reviewed by the GERMANS Steering Committee, the Information Technology Strategy Committee, the Treasury and the Government as appropriate.

Project costs to the completion of the feasibility study and specification stages in 1990-91 were approximately \$250,000. Additional costs for the selection stage and for trial operations and enhancement progress payments to 31 July 1992 were approximately \$1.5 million. Subsequent stages of implementation are expected to require funding of approximately \$5 million. A decision to proceed to full implementation is dependent upon the successful completion of the trials and delivery of the enhancements.

- (6) The outcomes expected from those implementation stages not yet completed are the successful conducting of the trials and the delivery of the specified system enhancements. Following achievement of those outcomes the GERMANS will be implemented on a whole of government basis. Assessment will be carried out by the GERMANS Steering Committee, the Information Technology Strategy Committee, the Treasury and the Government as appropriate and will be against the specifications for the enhancements and the expected performance of the trial operations. The

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Government will want to be assured that the project is performing to specification and within budget and timetable. Budgeted and expected expenditure are the same.

(7) The following benefits are expected to be gained from implementing the HMS:

- significantly improved access to and accuracy of critical human resource

management information on a whole of government basis, leading to more effective and efficient management and application of the staff resources of the ACT GS and consequent contribution to efficiency dividends required by the Government in future years;

- improved human resource administration services to staff and management;
- substantial net cost reductions in the administration of staff in the ACT GS.

(8) Yes.

(9) Yes. The impact on staff levels is not yet clear due to the need for organisational change and revision of work flows. A recent estimate of net benefits in 1991-92 prices of approximately \$3.5 million to the end of the 2000-01 financial year was provided by consultants Stanton Partners. The benefits are expected to exceed the costs in the sixth year of full implementation.

(10) The HMS is regarded as a critical management system which will permanently support the Governments better management policies for the ACT GS. The HMS software package itself has an estimated life of 10 years.

(11) The only other option is to continue with the current inadequate manual systems. This is not acceptable to the Government due to their high cost and the lack of key management information. The HMS will provide significantly improved facilities and strategically important management information while realising substantial net cost reductions in human resource administration in the ACT GS.

(12) Yes, other than reports which contain commercially confidential information.

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