



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

23 November 1993

Tuesday, 23 November 1993

Death of Ms M. Timpson, AM	3929
Questions without notice:	
ACTTAB - contract with VITAB Ltd	3931
Tourist accommodation industry	3932
Secondary colleges - enrolment policy	3933
ACTTAB - contract with VITAB Ltd	3934
Noise pollution	3935
Health facilities - accreditation.....	3936
ACTTAB - contract with VITAB Ltd	3939
Education budget cuts	3939
ACTTAB - contract with VITAB Ltd	3941
Minister for Education and Training (Motion of want of confidence)	3943
Papers Planning, Development and Infrastructure - standing committee	3980
Subordinate legislation and commencement provisions	3981
Limitation (Amendment) Bill 1993	3984
Taxation (Administration) (Amendment) Bill (No 2) 1993	3985
Scrutiny of Bills and Subordinate Legislation - standing committee	3988
Estimates - select committee	3989
Motor Traffic (Amendment) Bill (No 4) 1993	4023
Food (Amendment) Bill (No 2) 1993	4025
Chiropractors and Osteopaths (Amendment) Bill 1993	4025
Adjournment: ACTTAB - contract with VITAB Ltd	4025
Answers to questions:	
Wright Corporate Group companies (Question No 979)	4029
Urban Services portfolio - advertising (Question No 1000)	4030
Motor vehicle registrations (Question No 1011)	4032
Lanyon High School and Palmerston Primary School (Question No 1024)	4033
Government schools - maintenance (Question No 1025)	4034
Government schools and colleges - discretionary grants (Question No 1026)	4035
Jervis Bay Primary School and Preschool(Question No 1031)	4036
Weapons licences - entry of premises (Question No 1040)	4037
Education and Training portfolio - purchases of furniture and consultancy services (Question No 1047)	4038
High schools - examinations timetable (Question No 1053)	4040

Tuesday, 23 November 1993

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

DEATH OF MS M. TIMPSON, AM

MS FOLLETT (Chief Minister and Treasurer): Madam Speaker, I move:

That the Assembly expresses its deep regret at the death of Ms Margaret Timpson, AM, who made a significant contribution to the Australian Capital Territory through her work on women's issues, and tenders its profound sympathy to her widower and family in their bereavement.

Madam Speaker, Margaret Rose Timpson, AM, died on 12 November 1993 after a long battle with cancer. When Margaret died the Canberra community lost a friend. Margaret grew up in Victoria and received her tertiary education at Melbourne University. She graduated in 1961 as a Bachelor of Arts with a diploma in education. She worked with the Victorian Education Department for five years, teaching in country and suburban high schools. Most of Margaret's professional life was spent as a statistician with the Australian Bureau of Statistics. She was a committed, skilled statistician with a particular interest in the social statistics field. She developed close relationships with her clients and was always focused on their needs. In recent years she coordinated the *ABS News*, making the newsletter an important part of the organisation's communication link with 3,500 people working in eight locations around the country.

Margaret also pursued her business interests in partnership with her husband, Chris. It was from this base that she developed a keen interest in women's participation in sport and leisure activities. Margaret will probably be best remembered as a committed feminist working to advance the status of women. She believed that changes for women would be consolidated only when men could see that such changes would benefit the whole community. Soon after arriving in Canberra in the late 1960s, Margaret was instrumental in establishing the Canberra club of the Australian Federation of Business and Professional Women. She worked hard to develop the organisation, which is now a division with a number of active clubs.

The late 1980s were a busy time for Margaret - a woman in her most active phase. From 1989 to 1990 she provided a prominent voice on women's issues through her term as the national president of the Australian Federation of Business and Professional Women. During this time she was also an active member of the third National Women's Consultative Council. I well remember receiving the Margaret Timpson report after each National Women's Consultative Council meeting. It was written in Margaret's own style; informative and with lots of bits and pieces and personal comments. She became a member of the Order of Australia in 1991 for her services to women and the community.

23 November 1993

Margaret Timpson was a good friend of the ACT Government under both Labor and Alliance administrations. She served as a member of the pre-self-government ACT Women's Consultative Committee and its replacement, the ACT Women's Consultative Council. Her commitment to employment issues was reflected in her work as the chairperson of the Ministerial Advisory Council on ACT Employment which preceded the Economic Priorities Advisory Committee of the ACT. In 1990 Margaret was selected as the inaugural ACT Woman of the Year for her impressive record of work towards improving the status of women, both in the ACT and nationally.

Her particular areas of interest included women's health, women's participation in sport, education for girls, and providing more opportunities for women to realise their full potential. Margaret often said, "For too long women of Australia have not been able to reach their full potential". During her term as ACT Woman of the Year, Margaret worked tirelessly, encouraging young women in particular to broaden their horizons. She set a high standard for this award. In her final report to the ACT Government at the end of her term she wrote:

I am proud to have served this wonderful Territory in this way and hope that there has been some benefit to the women and the community generally.

Margie Timpson, wife of Chris and mother of Mel, who are both here in the chamber today, an activist and a friend of many, made an invaluable contribution to the ACT. In recognition of this, the Government has decided to commemorate her work by naming after her a park in Belconnen where she worked and lived. In addition, we will establish the Margaret Timpson Sports Award to encourage a young woman each year to remain an active participant in sporting activities. The award will cover costs such as coaching, equipment and some travel. Madam Speaker, I believe that it is fitting for an active woman to be acknowledged and remembered in such an active way. On behalf of all Government members, I offer my sincere condolences to Chris and to Mel, and to all those who have lost a wonderful friend. Margaret will be greatly missed but her achievements will not be forgotten.

MR KAINE: Madam Speaker, it is with great sadness that I join with the Chief Minister in this motion of condolence. Margaret Timpson's premature death is, I believe, a great loss to this community. The Chief Minister has outlined Margaret's achievements, and I think that to most of us they are well known. Margaret will be remembered by a great many people for the enthusiasm and the integrity that she brought to everything that she undertook to do. She did a great deal for this Territory, as the Chief Minister has noted. There are many people in this community who will remember Margaret fondly; they will remember the things that she did for this community.

I feel the loss quite personally and quite strongly because Margaret Timpson was a very special person. She had a quality of involvement, and that extended to her friendships as well as to everything else that she was associated with. I believe that my life was enriched by having her pass briefly through it. I must say that I am quite proud of the fact that I was able to appoint Margaret Timpson as the first ACT Woman of the Year. I think she was a most deserving person. She added a dimension to that office which future holders will find it difficult to match.

I understand very well the grief felt by her family at the loss. It is a very sad thing. I hope that they take some comfort from the fact that we in this chamber appreciate very much their loss. We regret very much the fact that we have lost Margaret Timpson, and we share in their grief.

MS SZUTY: I wish to express my condolence and that of my colleague, Mr Moore, at the passing of Margaret Timpson, and I extend my sympathy to Margaret's family. I will remember her best for her role in developing and promoting women's issues in the ACT, and I well remember her acceptance and her term as ACT Woman of the Year, which Mr Kaine has just commented on. I congratulate the Government on the announced initiatives in memory of Margaret Timpson. I think they are worthy initiatives and they will commemorate her name in the ACT for evermore. That is a fitting tribute to such a woman. In closing, Madam Speaker, I just wish to express my deep sympathy to the members of Margaret's family who remain.

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

QUESTIONS WITHOUT NOTICE

ACTTAB - Contract with VITAB Ltd

MRS CARNELL: Madam Speaker, my question without notice is to the Minister for Sport, Mr Berry. I refer the Minister to the contract which exists between the ACT Government, through ACTTAB, and VITAB, which was announced in the *Canberra Times* on 9 November 1993. Can the Minister inform the Assembly as to whether he consulted on the terms and conditions of the contract with other TABs within Australia, and especially those which have an association with ACTTAB?

MR BERRY: Madam Speaker, the VITAB arrangement was one that we were quite impressed with in terms of the opportunities that it would present to the ACT Government. Of course, there were issues of concern about the development of that very special relationship. It is of great concern to me that the Opposition is unable to applaud or acknowledge initiatives which will allow the ACT economy to develop.

Mrs Carnell: We just asked a question.

MR BERRY: You are getting the answer. The TAB's arrangement with VITAB is a particularly encouraging initiative which will also see the ACT at the forefront of computing and communications technology. These are things that you probably are not interested in because they are positives. When the TAB brought this proposal to me I asked my officials to check a couple of issues: Firstly, is the ACTTAB legally entitled to enter into such an agreement? Of course, that was a very important one. Secondly, is there any possibility that the arrangement could lose money? I was given assurances about that - the legality and financial security of the arrangement - by the Treasury and the Government Solicitor's Office.

Whatever VITAB decides to do with its own finance is a matter for its commercial judgment. Mrs Carnell, who is so close to the business section, would understand that these negotiations for the development of these sorts of special arrangements are conducted in a commercial-in-confidence environment, and, of course, that was the case. All of the people who needed to be consulted were consulted.

Mr Humphries: Who were they?

MR BERRY: I said "Treasury and the Government Solicitor's Office". They were consulted to make sure that what we got was a good deal for the Territory. Many other governments would love to have got their hands on this one. What we needed to do was to ensure that it was in the interests of the Territory, that it was safe and secure. My information was that it was safe and secure, and it represented value for money for the Territory.

MRS CARNELL: I ask a supplementary question, Madam Speaker. Taking those comments into account, what are the financial and other benefits that will accrue to ACT ratepayers as a result of this arrangement?

MR BERRY: The arrangements are that the TAB will provide the infrastructure and, through it, access to the pools by VITAB. The ACT is on a percentage of turnover.

Mrs Carnell: What percentage?

MR BERRY: My recollection of it is that it is one per cent.

Mr De Domenico: One per cent?

MR BERRY: One per cent of a lot of money. It would amount, on some estimates, to about \$300,000 a year to the Territory, on my recollection of it. I can seek some further information on the detail of those figures for you, but it depends on how VITAB performs as well. Most importantly, this is about ensuring that the Territory is safe, and it is good value for money. Treasury and the Government Solicitor's Office have told me that that is certainly secure.

Tourist Accommodation Industry

MR LAMONT: My question is directed to the Chief Minister. Chief Minister, is it true that the ACT had the highest accommodation occupancy rates in the country for the June quarter? If so, can you outline the major reasons for such a positive result by our accommodation industry?

MS FOLLETT: I thank Mr Lamont for the question, Madam Speaker. I am sure that all members will be very pleased to join in a little bit of good news here and to congratulate the ACT tourism industry on topping Australia in the June quarter for accommodation occupancy rates. The Bureau of Tourism Research figures show that for that quarter the ACT, with 58 per cent occupancy rates, edged out Queensland with 57 per cent and New South Wales with 52 per cent. It is a very good result indeed for the Territory. When you consider that the June quarter is not a traditionally strong tourism season for this Territory, it is an even more pleasing result. The national tourism occupancy figures are only around 50 per cent and the ACT is now consistently scoring around

60 per cent in occupancy terms, so we are doing well. Over seven of the past eight quarters, we have actually improved, so I think that it is a sign of a healthy industry. Just a couple of years ago, as I am sure members will know, the ACT was consistently a little below the national figure, so it has been quite a turnaround.

I would like to sound one note of caution, and that is that we should not become complacent. Domestic tourism in the whole country is, in fact, fairly stagnant. Although the ACT is improving better than any other jurisdiction, we do have to continue to promote the ACT enthusiastically and actively, and I believe that we particularly have to do this overseas. Although, as I said, domestic tourism is somewhat stagnant, international arrivals are improving at a very much faster rate than domestic tourism. In fact, international arrivals are improving eight times as fast as domestically, so I do believe that Canberra has a great deal to gain by some overseas promotion. Obviously the recent Government and business delegation to Japan had that as a central aim, and I will be reporting to the Assembly on that visit.

Madam Speaker, I think that members would be pleased to hear about these good results for a vital industry in the ACT. I consider that one of the main reasons for these good results is the tourism industry itself coming of age in many ways in the Territory, working cooperatively with themselves and with the Government. We have a chapter of the Australian Tourism Industry Association formed in the ACT and they, as a professional industry body, are doing a great deal to enliven the tourism scene here. I think you cannot discount the fact that, as a tourism destination, Canberra has few, if any, rivals and over time word will get around, I am quite sure; but, as I say, it must be with enthusiastic and dedicated promotion, not just by the Government but also by the industry itself, and the way things are developing I believe that we can be optimistic about that.

Secondary Colleges - Enrolment Policy

MR STEVENSON: My question is to Bill Wood, the Minister for Education. I have been informed by the parents of a child that they applied for their child to attend Lake Tuggeranong College next year. As they live in Wanniasa, Lake Tuggeranong College is approximately three-and-a-half kilometres away and the child could travel both ways by pushbike. The parents were told that the child would have to attend Narrabundah College which I am informed is about 17 kilometres from their home. To make the return trip to Narrabundah the child would need to take two buses each way. Would the Minister indicate what the policy covering this matter is, and perhaps suggest how it may be resolved?

MR WOOD: Madam Speaker, I thank Mr Stevenson for his question. I think the parent to whom he refers has contacted a number of members, including my office. I am not sure how it can be resolved to the absolute satisfaction of that student. We have an open enrolment policy in the ACT - that is, a student may enrol at any school or college if there is a place in that school or college.

Mr Humphries: And there are teachers.

23 November 1993

MR WOOD: Indeed, and there are ample of those, Mr Humphries. The fact is that Lake Tuggeranong College is bursting at the seams. It has the responsibility to provide, first of all, for students in its priority enrolment area. Every school has that responsibility. If the school has surplus spaces, that is fine; it can take students from outside. But it is the case that Lake Tuggeranong College is bursting and is not able to extend enrolments beyond its priority enrolment area. There are not a great number of schools or colleges in the ACT where that happens. I think there are three colleges which are adjacent to bus interchanges and they do seem to be more attractive for students, because of their location and perhaps also because of their high standards.

Mr Connolly: It is because ACTION buses are so popular, Bill.

MR WOOD: That is the case, and they are so efficient, Mr Connolly. This student is simply outside the enrolment area. I understand, if we are talking about the same person, that he was able, or is it a she - - -

Mr Stevenson: A boy.

MR WOOD: He was able to nominate a second preference and he nominated Erindale College, which is closer to him and in whose area he resides, but also Narrabundah College. I am informed by the department that the same programs are available at Erindale, so that student would have access to Erindale College if he still chose to go down that path.

ACTTAB - Contract with VITAB Ltd

MR DE DOMENICO: Madam Speaker, my question is to the Deputy Chief Minister in his capacity as Minister for Sport. Is it true, Minister, that all TABs in Australia operate according to provisions which prohibit incentives or discounts being given to Australian punters? Are similar provisions included in the contract between ACTTAB and VITAB?

MR BERRY: Madam Speaker, the TAB in the ACT is a statutory authority of the Australian Capital Territory Government. It remains an authority which we govern and which we intend to protect. That is why it is now a statutory authority. It operates in accordance with our directions. As far as the VITAB arrangement is concerned, as I have told you, I am advised by Treasury that the arrangements that we reached with VITAB were okay, were kosher, and the same applies in relation to advice from the Government Solicitor's Office. I am prepared to accept that advice. That is why the arrangement between VITAB and the TAB has gone ahead. On the information that has been provided to me, much as it might upset the Opposition, the Territory will do very well out of it.

MR DE DOMENICO: I have a supplementary question, Madam Speaker. Mr Berry, is there potential for this private offshore company to enlist as clients major existing ACTTAB clients, thus losing revenue for the ACT ratepayer, seeing that we already make 6.5 per cent? Under your own admission this afternoon, you said one per cent.

MR BERRY: No, you are wrong, as usual, Mr De Domenico. The commission - - -

Mr De Domenico: It is 5 per cent, is it?

MR BERRY: No, I am sorry; the commission that is collected by the TAB is 15 per cent. Get your figures right. I repeat that it is an instrumentality of the ACT Government. It is not anticipated that it will have any effect on the market in the ACT.

Noise Pollution

MS SZUTY: Madam Speaker, my question without notice is to the Minister for the Environment, Land and Planning, Mr Wood. On Sunday, 14 November, an officer of the ACT Government was seen sitting on the road reserve of The Ridgeway in Yarrowlunla Shire with what seemed to be a measuring device. On the same day go-kart racing was taking place at the go-kart racing facility at Fairbairn. Can the Minister inform the Assembly as to the cost of monitoring the go-kart racing, who the beneficiaries of such measurements are, and how often the Government has officers working on Sundays to conduct this monitoring?

MR WOOD: Madam Speaker, quite a lot of time and, hence, money has been spent monitoring sound that emanates from the raceways at Fairbairn Park and the adjacent ex-police driver training centre, Sutton Road, I think we call it now. We have spent a lot of time and money attending to that noise as we grapple with the very difficult problem of providing for the legitimate interests of car racing enthusiasts while enforcing the law and protecting the interests of people, not in the ACT but in New South Wales. The law in the ACT applies whether the residents affected are in this Territory or beyond its boundaries. I cannot give you the precise details, Ms Szuty, but it would be a very substantial cost. There is a voluminous load of files on the matter as we seek to resolve that issue.

Mr Kaine: The previous Minister had the same problem.

MR WOOD: Did you? Why did you not fix it?

Mr Kaine: I tried. Why have you not fixed it? You have had three times as long as I had.

MR WOOD: To fix it we require a new site for raceways. That is the simple answer. We are some way down the track towards doing that. There have been a few blind alleys and a few dead ends in that track. I think it is entirely proper that we send our pollution control people into New South Wales to check sound levels. I would send them down the Murrumbidgee to check the flow of the river outside Canberra. It is entirely proper that we do that and I have no difficulty with it. They have been there quite often.

23 November 1993

Health Facilities - Accreditation

MRS GRASSBY: My question is directed to the Chief Minister in his capacity as the Minister for Health. Can the Minister advise the Assembly of the outcome - - -

Mr De Domenico: That is the Deputy Chief Minister. You said "Chief Minister".

MADAM SPEAKER: Order! Mrs Grassby has the floor.

Mr Cornwell: Have you lost your place there, Ellnor?

MRS GRASSBY: No, I have not lost my place. I just hate parrots on the other side. Can the Minister advise the Assembly of the outcome of the accreditation process of the ACT Health Department?

MR BERRY: I certainly can, Madam Speaker, and I thank Mrs Grassby for the question. It was with great pleasure, of course, that I heard about the announcement that Woden Valley Hospital was awarded three years' accreditation. I did not hear any applause from the Liberals opposite.

Mrs Carnell: We put out a press release. We were saying how wonderful it was.

Mr De Domenico: We said, "Well done, Woden Valley". We said, "Fantastic".

MR BERRY: Well, there you go. You did not spend much time on it then. Thanks anyway. All you ever do is bag the public hospital system all over the place. You are always critical of the public hospital system. It was awarded three years' accreditation by the Australian Council on Healthcare Standards on Friday, 5 November 1993. It is the first time Woden Valley Hospital has been accredited, following the closure of Royal Canberra Hospital. The Australian Council on Healthcare Standards surveyed Woden Valley Hospital as a new hospital and did not consider the past history of either Woden Valley Hospital or Royal Canberra Hospital. Accreditation is important because it recognises that the highest standard possible has been achieved, which is recognised both nationally and internationally.

A number of other areas within ACT Health also have been awarded accreditation, and other areas are in the process of going through the accreditation process. So, you see, it is much better, Madam Speaker, under Labor.

Mrs Carnell: No doctors; nurses on strike.

Mr Kaine: Bigger waiting lists; budget blow-outs.

MADAM SPEAKER: Order!

Mr Humphries: After all those things it is much better under Labor.

MR BERRY: It is much better under Labor. Listen to the rabble opposite.

Mrs Grassby: I raise a point of order, Madam Speaker. May I hear the answer to this question? I did ask it and I would like to hear the answer.

Mr De Domenico: You already know.

Mr Kaine: He has already told you.

MADAM SPEAKER: Order!

MR BERRY: Listen to the rabble opposite. They cannot stand hearing good news.

Mr Kaine: I take a point of order, Madam Speaker. I do object to being referred to by this Minister as rabble. I would seek that he withdraw that. I find it quite offensive.

MR BERRY: I do not think it is one of those words - - -

MADAM SPEAKER: Mr Kaine, I would put that as a very borderline request, but I will ask the Minister to - - -

Mr Kaine: It is not borderline at all. I do not consider being called rabble as being acceptable.

MADAM SPEAKER: Mr Kaine!

Mr Kaine: Yes, Madam Speaker?

MADAM SPEAKER: Mr Berry, you may continue.

MR BERRY: Thank you, Madam Speaker. In October 1993 ACT Pathology, which of course is located at Woden Valley and Calvary hospitals, was officially granted continuing accreditation for a further three years by the National Association of Testing Authorities and the Royal College of Pathologists in Australia. So it is true; it is much better under Labor.

Mrs Carnell: No doctors.

Mr De Domenico: Oh dear!

MR BERRY: It gets them going again. It is interesting to note that ACT Pathology is one of the largest hospital laboratories in Australia to have received continuing registration. The original registration and accreditation was achieved in 1988. In August 1993 ACT Health's Jindalee Nursing Home was awarded three years' accreditation - another sound achievement by Labor - by the Australian Council on Healthcare Standards.

Mr Humphries: That was under us, too.

MR BERRY: Yes, but you gave the tick to the doctors' exorbitant wages, too, which Mrs Carnell opposes, because she said that they were untenable.

Mrs Carnell: It was untenable - - -

MR BERRY: "Untenable", you said.

23 November 1993

Mr Connolly: She wants to give in.

MR BERRY: Yes, she wants us to give in; to just give them the money back.

Ms Follett: At any price.

MR BERRY: At any price. Health costs have to come down, Mrs Carnell says, but doctors' costs can go up; it is all right. Calvary Public Hospital achieved continuation of its accreditation status from the Australian Council on Healthcare Standards in March 1993. ACT Health's Breast Screening Clinic, which opened in February this year, has been awarded one year's provisional accreditation by the National Program for the Early Detection of Breast Cancer. The clinic will be eligible to apply for a full three years' accreditation after it has been operating for a year.

In July 1992 ACT Health's Community Nursing Service became only the third major community nursing agency in Australia to be awarded three years' full accreditation by the Australian Council on Healthcare Standards. The accreditation survey covered the areas of administration, education, quality assurance, patient care, clinical practice, equipment and occupational health and safety. In October 1992 accreditation was granted for two years to the mental health post basic nursing course by the New South Wales College of Nursing. This is the only course other than that offered by the college to be accredited. So everybody is doing much better under Labor.

Mr De Domenico: Did the nurses agree with that statement that you just made?

MR BERRY: The nurses, the doctors, the food service workers, the tradespeople - all made a great contribution to earning that accreditation.

Mr Humphries: This will not save your bacon, Wayne. They all hate your guts.

MR BERRY: It was not an issue which one particular group could carry credit for. Mr Humphries, of course, had nothing similar happen when he was the Health Minister. What he did do was lock us into high costs, and he made it more difficult for future responsible governments to deal with. Reviews were carried out under the auspices - - -

Mrs Carnell: At least now you will not have to worry about costs. You have no doctors, you have no nurses, you have no patients.

MR BERRY: That is rubbish. That is just scaremongering. That is typical of Mrs Carnell - scaremongering all the time. Of course, when there is a bit of industrial dust flying the old vultures fly around and squawk, and Mrs Carnell is at it again.

Reviews were carried out under the auspices of the Australian Community Health Association, and the program review recommendations are being progressively implemented. Under the CHASP program, review recommendations are progressively implemented after the initial survey. It is expected that Tuggeranong Health Centre - do you remember that one, the one that you could not find, Mrs Carnell? - will be going for accreditation next year. I recall that you had as your co-pilot Trevor Kaine, so I am not surprised that you could not find it.

ACTTAB - Contract with VITAB Ltd

MR CORNWELL: Madam Speaker, my question is addressed to the Minister for Sport, Mr Berry. Mr Berry, apart from negotiations with the directors of VITAB, who I understand include the former Prime Minister, Mr Bob Hawke, what feasibility studies or advice, apart from Treasury and the Government Solicitor, did you refer to before you agreed to sign a contract with a private company based in Vanuatu - a country which has no racing industry and, as far as we can ascertain, does not even have a racetrack?

MR BERRY: Of course, I also took the advice of the ACT Government TAB, the one that we own. Their advice was that we could do well as a result of this agreement. You mentioned the Treasury advisers, and that is appropriate in the scheme of things, as well as the ACT Government Solicitor's Office. That is the sort of advice that one takes in negotiations which - - -

Mr De Domenico: What? In a business agreement with an offshore company?

MR BERRY: They are the best advisers the Government has. They are the experts the Government refers to in securing advice. Their advice was that this was a good deal for the Government and it was safe. A little while ago I told you that I would tell you what the figures were. In the first year it is 1.5 per cent of turnover, in the second year it is one per cent of up to \$50m of turnover, and after \$50m the commission is reduced to 0.5 per cent. The figures at this stage are estimated to range between \$300,000 in the first year and \$600,000 in the third. The agreement will return for the ACT significant amounts of money, at little cost to the Territory Government.

Education Budget Cuts

MR MOORE: My question is directed to Mr Wood as Minister for Education. Minister, now that you have had enough time to assess what specific areas will be reduced as a result of the budget cuts in education, would you please inform the Assembly of which specific areas will be cut?

MR WOOD: Madam Speaker, this is a remarkable event - a question on education from Mr Moore. Congratulations! The Estimates Committee raised this matter and indicated that it did not get a sufficient reply from me. Let me point out the process that occurred, and necessarily occurred. The Chief Minister will elaborate a little on that later in the day. It is necessary in our system to go into the schools and to talk to the schools about how things are done. We do not impose that level of control on our schools. I do not expect that Mr Moore would know that. That was the proposal and that has been done. Schools are now responding, and have been over a quite long period, to the Education Department on the means by which they intend to accommodate to the reduced budget. There were quite a few means available to them.

I note that yesterday a document was circulated - I do not know whether Mr Moore has seen it or not - via the Teachers Union which claimed, and I say claimed, to indicate some of the ways the schools would be accommodating to that reduced budget. I am not convinced that that document, which you may

23 November 1993

eventually see, is necessarily the way that it should be pursued. I have not gone into it in any sort of detail, but I am just a little sceptical about some of the measures that have been proposed. We will have, in due course, a very clear picture - in fact it is pretty substantially together now - of just what schools will do in each event.

The point that I have been making and the department has been making, persistently, is that we can accommodate. The reductions in the budget were quite manageable. If it encourages us to move into new and more intelligent ways of doing things, to continue the innovative leadership in education in Australia, that is a good thing. Let me give some examples. I would wish that schools would reassess the way they allocate their points. They have that facility. There is no inhibition on their looking entirely at the points allocations. For the lay people here, schools get staffed on points. The worth of each level in the school is allocated on points. It is totalled, but the school can allocate it as they wish. They can employ different sorts of teachers and I think that gives them enormous flexibility.

Let me tell you the common one that we expect to happen. Something like 300 classes have fewer than six students. We think there should be some combination or some further action on those. The 500 to 600 classes with fewer than 12 students could also be attended to in some measure. I acknowledge that in particular areas there are priorities, to which I have no objection. It is obvious that schools, particularly the colleges, will need to look at their registered units. Mr Moore and I had a conversation - I think it is the only conversation we ever had about education - after the budget. He conceded the point that I made when he said, yes, he used to take driver education classes at his college. How many students? I think it was two or three students that he was involved with over a period. That sort of arrangement is simply untenable.

A whole range of points have been made to our schools and colleges by which they can proceed. For example, we could make greater use of permanent part-time staff. That facility exists. It is one I am encouraging. It is one that, if any school comes to me, I will talk to them about. Or they can go to the department; they do not need to come to me. We will encourage what they wish. Maybe some schools have to look at what they provide in their elective courses. This applies more to the high schools. We have had great facility there. With the very few teachers or positions in schools that are being taken away, I do not think that there needs to be too much movement within the schools in respect of those classes.

Maybe we could increase the class size in some groups for pastoral care matters. That is an important arrangement, I acknowledge, but maybe we should look at that. Maybe we should delegate tasks differently around the staff. Maybe we could look at the relationship between APS staff and teaching staff. Maybe we could be a little bit more imaginative there. Maybe we could look - I think this is an important point - at rationalisation of the number of times the same unit of study is offered through the timetable. I think we are fairly generous in some of our schools in what we do there. We could look at combinations of units where classes are small, and I am not talking about just those classes under 12 but small classes. I would encourage all schools to look at the way they

take a lot of these important classes, language for example, and see whether they cannot adjust their timetables and work more effectively with other schools, with neighbourhood schools. I think that is a way we have to go. Madam Speaker, I have given just a few examples of the sorts of things we can do. There is ample scope in our schools for imaginative thinking to adjust to these relatively modest budget changes.

MR MOORE: I ask a supplementary question, Madam Speaker. The Minister indicates that there are 300 classes of fewer than six and another 500 classes of fewer than 12. Can the Minister provide that information to the Assembly and tell us which classes these are?

MR WOOD: Madam Speaker, I will provide the departmental information on that in a form that is reasonable for Mr Moore to receive.

ACTTAB - Contract with VITAB Ltd

MR KAINE: I have a question for the Minister for Sport. Minister, in reply to earlier questions you have expressed the view that the Treasury is happy over the VITAB contract, and you are obviously happy. That is on the basis of a return to the Territory of between one and one-and-a-half per cent - that is \$300,000 to \$600,000 a year. I presume that the proprietors of this private offshore company that does not pay tax in Australia are also very happy. Can you tell us, under the contract, what percentage they make every year? How many thousands of dollars or hundreds of thousands of dollars a year does that translate into?

MR BERRY: What they do as far as their own commercial interests are concerned is a matter for them.

Mr Kaine: What percentage do they get?

MR BERRY: That is a matter for them. We have reached an arrangement to provide the infrastructure and access to the pools - - -

Mrs Carnell: And access to our punters.

MR BERRY: Well, you take the percentage. Did you not know that? We also do it for the Northern Territory Government. If you want to put a bet on in the Northern Territory just get on your phone, get yourself a telephone account up there - - -

Mr De Domenico: On the same basis? On exactly the same basis?

MR BERRY: No. I said that if you want to put a bet on with the TAB in the Northern Territory you can ring the Northern Territory TAB and do it. If you want to put a bet on in Victoria you can do it. They are the sorts of arrangements that exist all over this country. People can ring Victoria and do all

23 November 1993

those sorts of things. There is a written undertaking as part of the contract stating that VITAB will not offer inducements. That is part of the contract, according to my advice. I am also advised that if - - -

Mr Kaine: What is the inducement? What is the percentage they are going to get?

MR BERRY: Are you going to listen? I am also advised that if VITAB ignores this the TAB industry would withdraw support - race lists, odds, et cetera. So, there is not much difference, in terms of where punters go, as between VITAB and the Northern Territory or Western Australia. If you have a telephone betting account you can ring up and put your bets on there. There is no difference. What is to stop ACT punters from going to Western Australia?

Mr De Domenico: Nothing.

MR BERRY: Indeed. Is there anything wrong with that?

Mr Kaine: Why would they want to go to Vanuatu?

MR BERRY: There you go. You have to look at the big picture, and the Liberals never do that. VITAB received the second licence - the second licence, not the first - and whoever provides the support services would make no difference. The possibilities for ACT punters are endless in the Australian context. You can ring whom you like and put on a bet, the same as it is possible for people all over the country to put a bet on in the ACT. That is what punters do when they are playing the odds.

MR KAINE: I have a supplementary question, Madam Speaker. I must say, Minister, that I am not satisfied with your answer.

Mr Berry: I do not expect you to be. You are meant never to be satisfied. You were born that way.

MR KAINE: You seem to be happy, the Treasury is happy, VITAB is happy, but I am not. So that I can be happy too, so that I can join the big happy club, will you table a copy of this contract so that we can all see what it says?

MR BERRY: I am a bit reluctant to go around tabling contracts.

Mr Kaine: I bet you are.

MR BERRY: No, no. It is a commercial contract. I am prepared to look at it, but I am not going to give you a commitment to table it. I will have a look at the issue. In terms of making you happy, I am not going to try to do that because you were born to be unhappy.

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

MINISTER FOR EDUCATION AND TRAINING
Motion of Want of Confidence

MR MOORE (3.18): Madam Speaker, I seek leave to move a motion of no confidence in the Minister for Education.

Leave granted.

MR MOORE: I move:

That this Assembly expresses a lack of confidence in the Minister for Education and Training for the proposed cuts to teacher positions in Government schools in the Australian Capital Territory.

Madam Speaker, during the last election the people of Canberra had every reason to believe that the Labor Government would give the highest priority to education. Their election platform categorically stated that this was the case, and members of the Government have reiterated this stance on numerous occasions. If we refer to Labor's youth policy for the last election we see there that their highest priority, or their first-placed priority in their priorities for the next three years, was:

Labor will:

provide extra resources to Government high schools to tackle the increasing need for improved pastoral care, counselling and careers advisory services to young Canberrans. Each high school will be given an additional two line allowances for staff to extend these services, at a cost of approximately \$290,000. This commitment represents the first step in Labor's commitment to develop a plan to meet the needs of young people in high schools.

What they did not mention, Madam Speaker, was the second step. The second step is to take it away again, and then take some more as well. This Minister, Madam Speaker, has failed to protect the ACT schools. His responsibility is to ensure that he has enough information to provide to Cabinet, enough information to provide to his caucus, and enough information to provide to this Assembly to indicate that such cuts can be made without any damage to the schools. Madam Speaker, he has failed to do so.

The introduction to the Australian Labor Party policy, dated 29 January 1992 and entitled "Protecting Canberra's Schools - Labor's Schools Policy", states:

The education of our young people remains the highest priority for Labor.

Perhaps that is why they decided to cut! It continues:

A Labor Government will provide a quality education for its students to develop their talents and capacities to the full in achieving high standards of learning, self-confidence, optimism, self-esteem and respect for others.

23 November 1993

These are indeed appropriate goals and appropriate challenges. They cannot be met, Madam Speaker, by cutting funds to education.

The same people of Canberra who were taken in by these Labor Party promises are understandably bewildered by the fact that when cuts have to be made they are made at the very core of education, the teachers. Most parents would be fully aware that the education our children receive is only as good as the quality of the teacher they have and the time allocated to each pupil by that teacher. The teacher is the most vital component in all of the educational components in our schools. The skills the student may acquire through computers, videos and other electronic media count for very little indeed if they are not put into context by a teacher who has a close and understanding relationship with that student.

The most disturbing feature of these proposed cuts to teachers is that many of them will be made at high schools and colleges where adolescents, facing the most complex problems socially, emotionally and physically, are to be the most affected. If anything, the Government should be increasing the support in these areas. There are enough reports that have come out of inquiries on the subject to suggest that the high school areas, in particular, are in need of increased support, not a decrease.

Over the past few weeks, Madam Speaker, the Minister and the Government have had every possible opportunity to rearrange this budget so that the cuts could be made in areas that would not have the same devastating effect on the standard of education in our schools. They have chosen not to take any of these opportunities and have remained intractable on the matter. Contrary to what Mr Wood was suggesting in his answer to a question today, we have met on a number of occasions and Ms Szuty and I together have raised with Mr Wood and Ms Follett the issue of these education cuts. Mr Wood is also aware - and I accept his rhetoric - that I have had a vital interest in education, and I continue to have that vital interest in education throughout the ACT.

The issue really is one of social justice. Why should the young in our community pay such a high price for what is really the incompetence of a Minister who has not been able to stand up for their rights? They have a right to a sound education. Their champion, this Minister, has not managed to show enough spine, in either caucus or Cabinet, in standing up for them and their needs. They have every right to be angry, and we have seen them angry, Madam Speaker. We have seen students out here speaking to a crowd. We have seen - - -

Mr Connolly: Not many of them.

MR MOORE: Mr Connolly interjects, "Not many of them". We have seen a very large gathering of the students of Narrabundah College, representative of the general feeling - - -

Ms Follett: Led by the Democrats.

Mr Connolly: No, no; led by the Trots.

MR MOORE: We have an interjection - I think it came from Mr Berry - saying that they are just Trotskies.

Mr Connolly: No, it was me. I said "led by the Trots" - the Resistance bandits.

MR MOORE: That makes much more sense coming from Mr Connolly than it would from Mr Berry. The Minister, the man they entrusted to protect their schools and the standards within them, tells them that these cuts are being made to improve their education. We heard that reiterated today. Somehow or other this Minister has managed to convince himself that by cutting education, by cutting the number of teachers, we are going to improve education and educational standards in our schools.

If they realised where the principals of various high schools and colleges have proposed their cuts, I think they would be even angrier, and I think that is becoming more and more widely known. My assessment of the principals' responses is that they have indicated in a whole series of areas where the cuts will take place - in technology and languages other than English, the very areas that the Minister and the department stated they wished to support in schools. The Minister, on the one hand, has recognised that "education in high schools should be secure, safe and interesting"; that it should "value individuals and their diversity"; "that teachers should have high expectations of behaviour and be determined to allow each child to develop at his or her own rate"; "that students should be able to work in groups, to work with peers and to capitalise on opportunities to work outside as well as inside the schools". They are all quotes, Madam Speaker, from "Developing our High Schools", the paper that came from the high school forum this year.

Did the Minister imagine that the cuts he proposed would enhance and encourage these expectations in high schools? How will cutting work experience, registered courses, career advice, welfare, counselling, the arts, sport, languages other than English, and technology improve education in our high schools and colleges, and where are those cuts targeted? They are targeted at the people who can least afford to lose their educational opportunities. They are not targeted, Madam Speaker, at those who will manage in a very academic stream. Those people in schools usually manage anyway. They are specifically targeted at those for whom they can be least afforded. It is a question of social justice, Madam Speaker, and this Minister told us in the Estimates Committee that the cuts will not go anywhere that hurts; not at all. Well, where will they go? We had the example today. Where will the cuts happen? He does not know. He just does not know where those cuts are going to happen. He hopes that they will come from here and there.

Mr Wood said in his answer to a question that the Teachers Federation had circulated a document showing where those cuts were being made. Indeed, that is exactly what has happened, Madam Speaker. The document refers to the ACT Secondary Principals Council in particular. When you read through it, Madam Speaker, it is a series of schools and the budget implications, without nominating the names of the schools. So what do we get? Reiteration after reiteration: Technology, languages other than English, Asian languages, vocational pathways, languages other than English, student welfare area, languages other than English, reduce the work experience program - all the programs that are directed at those who are least capable of managing in our schools, those who are lowest on the pecking order, from what would appear to be the Labor perspective - cut back on Years 9 and 10 elective offerings, the things that keep kids interested in school, particularly those who have the most difficulty in remaining at school.

23 November 1993

I note on a number of the papers a comment like this one, Madam Speaker, "a lowering of morale among staff". That has been low enough these last few years because year after year after year we have had cuts in education in the ACT, for at least a decade, and, Madam Speaker, we have seen from the projections from this Government that that will not stop; it will continue. No choice of electives; more increased supervision; dramatic loss of classes in technology and the arts; significant loss of classes in languages other than English; social education; PE health; equality will most certainly drop. I quote this one because it is excellent: "Bill Wood's rhetoric remains bankrupt until he can propose a better model". The immediate effect will be to reduce student welfare services provided by two executive teachers. Library services to be curtailed. And so it goes on, Madam Speaker.

These are the things that Mr Wood could not identify. He said, "Yes, we are going to do the cuts across education. Where are we going to do it?. Oh, we had better do it at teacher level because we do not know where else to do it". Instead of looking for some lateral solutions, or, better still, not cutting education at all, this Minister has not been able to get together the information so that he was able to argue well enough in his Cabinet and his caucus as to why his schools needed protection. Minister, nobody who values education and understands the importance of our youth having access to all those areas that are set out in the national curriculum as being vital in our schools would do this.

I referred on a number of occasions to languages other than English. I note that in the June 1993 final unedited manuscript of "National languages other than English, the national profile", which the Minister was kind enough to provide some months ago to this person who has no interest in education - - -

Mr Wood: You did not ask for it.

MR MOORE: Madam Speaker, the Minister states categorically that I did not ask for it, and in that sense he misleads this Assembly. Indeed, I did ask for it and I was given it. I appreciate the fact that it was given to me. In fact, Ms Szuty was there when I asked and the Minister was not.

Mr Kaine: Whom did you ask?

Mr Wood: I think that says it.

MR MOORE: I asked the secretary of the department, first, for the briefing, followed by the officer who briefed us, both of whom were, I must say, particularly helpful. That was appreciated. I indicated to the Minister that it was appreciated. I - this person who is not interested in education - have had briefings with the staff of the Minister on quite a number of occasions, with the Minister's approval. It seems to me, Madam Speaker, that this Labor Minister ought to realise that he still has an opportunity. There are still a couple of days to go before this budget is brought on. I think it is time for this Minister to discuss this with his Cabinet and his caucus and for them to put their weight behind the schools and do what people expect of a Labor government - to protect government schools, to protect those least advantaged in our community, because this is what it is about.

I would like to correct one other falsity that Mr Wood managed to get across about when I was teaching and had driver education. At no stage did I ever have a class of two or three people. I readjusted my time and put in extra time on many occasions, as do many teachers, to ensure that the classes of 20 were balanced against the occasions when I took three or four students out in the car for a very brief time. That was balanced against the time that they spent in the classroom. Madam Speaker, it is clear that this Minister still has no idea of the impact of the cut that he is making. He has no idea of the impact on our schools. He has attempted to bluff his way through. With an attitude like that he does not deserve to be a Minister.

MR WOOD (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (3.34): Madam Speaker, a no-confidence motion is a very serious matter indeed. It is a matter not to be taken up lightly to satisfy someone's ego or difficult circumstances. It is to be taken up in the most pressing of circumstances only. Mr Moore has not demonstrated that. Madam Speaker, this motion is a fraud, as are those who are proposing it. Claims of no confidence are nonsense. This is in fact a confidence trick. That is the way the word "confidence" should be used. This is a malicious, ineffective and puerile attempt by Mr Moore to be seen to be playing a role where he has no entitlement. It is actually a measure of Mr Moore's own ineffectiveness. It is a response to the occasion when he was caught out on ABC radio and was clearly shown to be ineffective.

This motion is not based on any concern for teachers; it is not based on any interest in education. Mr Moore wants to create a perception in the community, specifically the teaching community, that he has an interest in education. He simply wants to win votes. Let me expose him, because he is quite wrong. I will give Mr Moore credit, as I have before in this place. It is easy to understand his priorities. We all know them because he never stops talking about them. He pushes them hard and he pushes them effectively.

His priorities are drugs, prostitution, euthanasia, planning and the environment. They are the ones I know about. On some of those, such as planning and the environment, he makes me well aware of his interest. I am never in any doubt about that. His whole range of work in those other areas demonstrates where his interest is. We know his priorities just as well as he does, and those priorities do not include education. He has not shown that in this Assembly. I do not believe that he showed it in the last Assembly until it was time to climb on a certain band wagon about school closures. I do not believe that he has shown it in this Assembly. Go back into the debates and the questions in this Assembly. It is perfectly obvious that education is not one of Mr Moore's priorities.

Even in budget week - and this is the prime example - the week the budget came down, Mr Moore had the opportunity, I think, for only one question. Did he ask it of me? No. He asked it of Mr Connolly. It was some strange convoluted question going back to something late last year of absolutely no relevance to anything - except Mr Moore's ego, I think. He did not ask me a question. He was so outraged about education cuts that he could not ask me a question on the one day when he should have. In all the last six months there has been no MPI on education raised by Mr Moore, and he has had ample opportunity. Day after day has gone by when there has been no MPI. There have been no speeches, and there has been ample opportunity for debate.

23 November 1993

Mr Moore, you may correct me if you wish. Despite my invitations and the way that I will facilitate any member going into a school, I do not know when you last visited a school or how frequently you do it. You can answer. If you get a right of reply, if you come back into this, you can tell me how often you have been into our schools. I can tell you that I have been into schools frequently in the last two months, since the budget, and I was well received when I was there. Mr Moore has not taken up the question of education in the public domain, and there has been ample opportunity for him to do so.

From March, from the time the ACT Government, with the Treasurer, Rosemary Follett, was examining our budget, examining the difficult times and the thrust of the \$78m reduction from the Commonwealth Government, I was raising a public debate. I was doing it. In fact I think I was a little more than forthcoming. I tried to talk to the P and C Council and the Education Union, but they did not want to get their hands dirty in dealing with matters like reductions, the inevitability of reductions. They did not want to know about it; nor did Mr Moore.

I was going out publicly time after time. The media was interested; it suited my purpose. They kept asking me questions and I was remarkably open. I said in this Assembly once before that there was a very revealing front-page story in the *Canberra Times*. It was very open. There it was. I was spelling out the problem, and it was not hidden on a back page. It was the lead story and it was fairly detailed. Mr Moore did not join in then. He did not see a problem that he had to respond to. What better opportunity did he have than on that day? I had given notice of what was happening. He did not respond then. Why does he respond now? Well, he does not have that interest. It is not a priority of his.

Of course, he could not have responded then. He missed that debate. This is what makes me angry: While I was here in the winter, agonising over the budget, working hard day and night, scrutinising every item, searching for every avenue, putting in long, hard hours, where was Mr Moore? He was wintering in the tropics. He was on his seven-week annual sojourn, away from the rigours of Canberra's winter and away from the rigours of dealing with local politics. He comes back and wants to tell me that I have no spine, that I am neglecting education. So do not blame me for getting angry about that.

Then he addresses an assembly across the way there and says that I have slunk off to my room. Well, where has he been? So you can understand my point of view. I grind away here, doing the best that is possible, and he comes back posturing as a defender of education. I will not accept that without becoming extremely angry and outspoken about it. He has no claim as a defender of education. He has no credibility and no honour. He came back looking for an issue. I believe that he made a fool of himself on the ABC, and everything has flowed from that. It was quiet. He did not object to the budget until that day. That is what sparked it. Thanks very much, Mr Abraham. Now Mr Moore is trying to remove the egg from his face.

It gets worse, in my view. Mr Moore was here for a few weeks and then, legitimately, he went away again, to what I would see as a very important and fruitful conference. He came back, and the day he got back he moved a no-confidence motion on me. I had been grinding away doing the hard work in this place. Mr Moore is entitled to go away and he is entitled to come back and talk about what he has been doing while away, but he is not entitled to make

outrageous claims about my competence. He has no entitlement. Mr Moore is being entirely irresponsible. He is being entirely self-serving, and I think it is a disgraceful misuse of the forms and processes of this Assembly. I would understand it if he came back and spoke about the US and what was going on. I do not argue about his policies, if those areas are elucidated. I do not argue about it. I am almost in total agreement. Let him talk about that, because he has credibility in that area, but not in education. This motion is not valid. It is simply not fair and it is not supportable. I believe that it is a measure of Mr Moore's weakness and of his damaged ego. I think the motion deserves only contempt.

I will make some comments about what Mr Moore said in his speech. He quoted from a document put out by secondary principals. I will make just one point about that. This document, as far as I have read it, nowhere says that we will remove one of the privileges that some colleges are using - the employment of relief teachers to supervise examinations. I think they should remove that. I wonder what you think about that. This, I believe, and I am not fully into it, is a political document. I do not know that it is an educational document.

Mr Moore began by saying that I had asserted - he is quite right - that we give our highest priority to education. We do. We still do. Mr Moore, we face a declining budget in the ACT - a point that I do not think you have missed. Our budget is reducing. I cannot sustain education at the current level while the rest of the budget is reducing. It is simply not a possibility. If that total budget declines and we maintain our relative position, we maintain our highest priority. That is clearly the case. We do have the highest priority in education. If you think that you can sustain education expenditures at the previous high levels for ever and ever you are wrong. I know that you do not believe that, and the Liberals do not believe that. You know that those levels of spending cannot be sustained. But we can accommodate to the change while maintaining the excellence of our education system. Madam Speaker, I do not know what the Liberals will do here. I will wait and see. This proposal is simply contemptible.

MS FOLLETT (Chief Minister and Treasurer) (3.46): Madam Speaker, as Mr Wood has said, this motion is an absolute fraud. It is particularly disappointing coming from Mr Moore. I urge members to reject absolutely this motion. I know that all members of this Assembly, in their heart of hearts, know that they could not find a more caring, a more competent and a more careful Minister than Mr Wood. You all know that. If you vote in any other way, you are frauds too. Madam Speaker, Mr Moore, in his remarks, such as they were - intemperate hyperbole as usual - pointed to no deficiency in this Minister's performance. He pointed to no impropriety in this Minister's performance. His accusation against this Minister was of carrying out Government policy; a policy, of course, with which Mr Moore disagrees. That is not grounds for removing a Minister, or for supporting a no-confidence motion in that Minister, and Mr Moore knows that. This is a sham on his part and it has come a bit too late.

Mr Wood correctly pointed out Mr Moore's long absences at the time when the Government was working hard on these matters. He could equally have pointed out Mr Moore's most recent considerable absence, at drugs conferences overseas, when he could have been here at yet another rally out the front of the Assembly to talk about the education budget; but he was not. I think Mr Moore's priorities

23 November 1993

speak for themselves. It is quite clear, as Mr Wood has said, that Mr Moore is a relative latecomer to education as a priority. He did not take up the issue until he was caught on the hop, and now he seeks to restore his credibility. Doing so at the expense of a capable Minister is not the way to do it.

Madam Speaker, I believe that the no-confidence motion is ill conceived in a number of other respects also. First of all, Mr Moore has completely failed to acknowledge the real origins of the ACT's financial circumstances and their implications for the education budget. Mr Moore, I presume, expects never to be in government, so he does not have to concern himself with budgets, or financial responsibility, or any of that sort of stuff; but, in looking at a motion like this, I think every member of the Assembly ought to look at those sorts of issues.

Secondly, Madam Speaker, the motion is mistaken, I believe, in its relationship between a motion of the Assembly and the responsibilities of the Executive. I would turn, first of all, to the broader context. I said in the budget speech this year that the Territory faces the biggest cut in the history of Commonwealth-State financial arrangements. The enormity of the challenge, the pace of change that has been forced upon us, really comes home to you when you consider that the next largest cut was, in fact, the one we faced the year before. Madam Speaker, you simply cannot ignore those facts. It is irresponsible to do so. Yet the motion before us seems absolutely oblivious to the changes that we need to make. They are changes which are being forced upon us. As a responsible Government we do have to take responsible decisions. We certainly have to do that if we are to secure our Territory's financial future. We have seen the experience of other States who have not always managed their finances responsibly. I do not believe that anyone in this chamber would want to see those circumstances replicated in this Territory, ever.

The Government has put forward a responsible and realistic budget. It is a budget that accepts the very bad news that we have had from the Commonwealth and translates it into what I believe is a responsible and caring approach to protecting services in our community. Commonwealth funding, as members know, is being progressively reduced and the transition funding, of which education's share is some \$25m, will be phased out. It will not be there. We cannot just sit here in cloud-cuckoo-land, as Mr Moore seems to want us to do, and pretend that this is not happening and it is not going to happen. I believe that a proactive stance taken by the Government now can avoid a great deal of pain for this community in the future and can, in particular, avoid the sort of situation that we see in other States. In Victoria, for instance, over 200 schools are being closed. Is that what you want, Mr Moore? Do you want us to embark on the Liberals' option and close 25 schools? Mr Cornwell has referred to me as "this stubborn Chief Minister" for not closing schools. Madam Speaker, we will protect the neighbourhood school system and we will protect the social justice of every Canberra child having equal access to a government school of high standard. Mr Moore knows that that is not the Opposition's policy.

Madam Speaker, in seeking to make what are very necessary adjustments the Government, as Mr Wood said, has looked hard and long at all of the options available to us, and we have looked also at reducing the costs of programs right across the board. At the same time we have been very much aware of protecting the services to the community. Education, being a fifth of the budget, our second largest program, simply cannot be quarantined from the savings that are expected across all government programs. It should be remembered that in last year's

budget there was a strategy of a 2 per cent annual recurrent efficiency saving over each of the forward years in all other program areas. It was put in for all other program areas. By contrast, the published forward estimates for government schooling did not incorporate those savings beyond 1992-93. But clearly, in the circumstances in which we found ourselves, it was simply not possible to continue that no savings option. It would not have been reasonable to do so. I think it is entirely reasonable to expect education, like health, like policing, like ACTION buses, like every area, to accept some proportion of that very large reduction in funding from the Commonwealth.

It is not just a matter of looking at savings as a matter of equity between ACT Government programs. We do have a responsibility also to have some regard to areas of our budget which we know are funded generously by national standards, and education is one such area. Madam Speaker, the Grants Commission, as members know, has highlighted the substantial difference that exists between the Territory's education costs and those of the States. I believe that for that money we get a better education system, but I also believe that we cannot ignore the fact, as I have said before, that that \$25m transitional funding will be phased out over the next four years. Not only have we as a Government been forced to take hard decisions by the circumstances that have been pressed upon us, but also we have sought to do this in the least harmful way for our community, and we have worked very hard in education, as in other areas, to reduce the costs of overheads and of administration.

This year's budget for education shows that less than half of the savings required could be said to be schools based. In fact some 35 per cent of the savings are schools based, although on the spending side 93 per cent of costs are schools based. So the actual impact of the reductions in schools is well less than half. You also have to bear in mind, even looking at that 35 per cent, that a good proportion of that - about half - is accounted for by the increase in teachers' salaries. As for all other programs, those increases are counted in that way. In many ways I think the schools area has got off relatively lightly in a very difficult situation.

We have also been very, very careful to differentiate between different school sectors. One of the greatest weaknesses in Mr Moore's comments was his total failure, his complete lack of an attempt, to specify where it is that the damage is being done. I would have expected him to have chapter and verse of the impact, as he sees it, of the Government's actions, but we heard none of that. I have said that we will be very careful to differentiate between the different school sectors and I believe that quality in the classroom will not suffer because of these savings. The colleges will act judiciously to reduce, as Mr Wood said, their number of small and highly specialised course offerings, especially where there are fewer than six students in a class. What is unreasonable about that? I think it is entirely reasonable. They will also ensure, Madam Speaker, that class numbers are closer to sizes acceptable to the Australian Education Union, especially before opening new classes of the same type. What is unacceptable about that? It is entirely reasonable. Colleges will remove some of the registered units, generally recreational; especially those which are replicated and are easily available in the community. You have to bear in mind that in this community a large number of particularly recreational courses are available elsewhere than at your school.

23 November 1993

High schools also, Madam Speaker, will ensure that class numbers are closer to sizes acceptable to the Australian Education Union. They have the option of reducing elective classes to allow quality education in core areas. I believe that it is those core areas in high schools in particular that need our attention and need our support. Primary schools will maintain quality because of the protection that is offered to the early years of schooling as part of the budget strategy, and preschools will not experience any change as a result of the budget. What is unreasonable about that? Mr Moore has not said.

Madam Speaker, as we announced in the budget, a longer-term education plan is to be developed during the year and, as with a great many of the Government's initiatives in this area, we will be doing that in consultation. That longer-term plan will provide a planning base for the period from 1994 through to 1998, so it is very important that it be undertaken comprehensively and in full consultation. The plan is aimed also at providing ongoing efficiencies within the program while still maintaining the quality of teaching services. It will also take into account the Auditor-General's performance audit of the government schooling program.

I believe that Mr Moore really needed to address the terms of his motion in relation to teachers, which he has not done, and I think that was another disappointing aspect of his attack on Mr Wood. It is a fact that as a result of this budget teachers will not be sacked. There will be no job losses unless teachers wish to leave the service. He has not said that. If they do wish to leave the service they have access to what are generous redundancy packages, any way you look at it. Madam Speaker, I believe that if these changes are calmly and competently managed by the principals and their communities, and everybody involved seriously in this debate, the reductions in this budget will have very little impact on our education system, and none on the quality of education that is being offered.

I believe, Madam Speaker, that passing this motion would reflect poorly on the Assembly because it would say that the hard financial decisions which have been forced upon us must be ignored. It would say that this Assembly does not care if the Territory goes down a path of high borrowings; that this Assembly does not care if we are forced, like Victoria - and as the Liberals clearly want to do - to start closing schools. Madam Speaker, I think it would reflect even more poorly on the Assembly because it would say that this Assembly is not prepared to allow the Government to take a responsible approach to budgeting; that this Assembly, unless they agree with every last detail of the Government's budget, is going to pass silly motions like this no-confidence motion simply to score a political point.

I think that most members in this Assembly have been around for long enough to know that we have suffered enough criticism, abuse even, especially during the First Assembly, for many of the events that took place then. We have come through, I believe, a period when we have grown in stature as a parliament, and that has been because of the responsible approach that has been taken by all parties in this Assembly. It is not good enough to move this kind of over-the-top motion just because you disagree with the Minister. In closing, Madam Speaker, I would like to point out that there is no point in moving this motion addressed to Mr Wood. Mr Wood alone did not take this decision. Our Government operates collectively. We take decisions jointly and we stick to them jointly. Mr Wood has the total support of this Government. In seeking to implement Government decisions he is doing no more than his job and he deserves to be allowed to get on with it.

MRS CARNELL (Leader of the Opposition) (4.01): Madam Speaker, I move the following amendment to the motion moved by Mr Moore:

After "lack of confidence in", insert "the Treasurer and".

Madam Speaker, the Chief Minister was right when she said that the cutbacks in teacher numbers were not a decision taken solely by Mr Wood as Minister. They were the decision of the Government; more particularly, a decision within the responsibility of the Treasurer. The Treasurer, as I understand it, under our system of government, has responsibility for the budget, and this is without doubt a decision for which the Treasurer has to take responsibility. To some extent Mr Wood has been allowed to be a scapegoat for these changes, a scapegoat for the Government and a scapegoat, more particularly, for the Treasurer.

This Treasurer has hidden from the really scathing public criticism which has been levelled at these cutbacks. She has allowed her Minister to wear the flak of the community. She has hidden from the angry teachers and students. Her sole contribution to this Government of late has been a lot of fairly warm and fuzzy photo opportunities in Glebe Park, and possibly in Tokyo. As Treasurer, the axing of 80 teaching positions was a budget decision for which she must take ultimate responsibility, yet up until now she has not done so. For this reason I have moved an amendment to this no-confidence motion to include the Treasurer. Ms Follett is every bit as culpable as, if not more so than, Mr Wood for the reduction in the quality of our public education system in the ACT.

Madam Speaker, I do not think anybody here would argue with the fact that quality public education is the basis of a fair and just society. Unless all children in our community, in both the public system and the private system, have an equal opportunity to access tertiary education and therefore have an equal opportunity for a quality public education system, there can be no social justice in this society. This is certainly not the first time that the Treasurer has reneged on promises she has made to Canberrans about her Government's commitment to education. The ALP 1991-92 election platform promised this:

... a re-elected Labor Government in its first year will:

1. expand funding to ACT government schools at the school level.

Guess what? To quote one of the more delightful phrases of Mr Berry that he often uses in the Assembly, she told a big one. As Treasurer, Ms Follett chopped \$3.35m from education in her first budget. She has now cut another \$3.4m in her second budget and has savaged teacher numbers in the process. But the promises of the Treasurer have not stopped there. The same ALP election platform stated:

Reflecting its commitment to class sizes of 25 in both primary and high schools, a Labor Government will seek to redirect the resources necessary to reduce ACT class sizes by one per annum until the policy guide-line has been reached.

That is 25, Madam Speaker, and guess what? That would seem to be another big one. Resources have not been redirected - - -

23 November 1993

Mr Berry: There is an imputation there that the Treasurer - - -

Mr Humphries: Well, it is true, is it not? It is absolutely true.

MADAM SPEAKER: Order! Mr Humphries, order!

MRS CARNELL: I am just quoting you. I know that it is a bit of a mistake.

Mr Berry: Imputations that people are lying are not permitted, Madam Speaker. I think there was a clear imputation there in relation to the Treasurer and Chief Minister.

MADAM SPEAKER: I have ruled on this before. Mrs Carnell, I believe that you will withdraw?

MRS CARNELL: I certainly will. Madam Speaker, resources have not been redirected; they have been cut. The Government's own research showed that in 1992 more than 10 per cent of junior primary classes and 37 per cent of senior primary classes had over 30 pupils. The policy says that we should be looking at 25. It does not seem to be going in the right direction, Madam Speaker. Class sizes are increasing, not decreasing as the Labor Party policy says they should be. By reducing teaching staff by 80 positions, how can the Treasurer honestly claim that her budget will deliver social justice to students, to teachers and to parents with children in government schools?

Madam Speaker, this no-confidence motion must be amended to include the Treasurer because these cutbacks in education strike at the very heart of planning for the ACT's future, of which the budget is an integral part. Budgets handed down by the Treasurer in this Assembly show clearly that she seems to be incapable of producing a credible program. The report of the 1993-94 Select Committee on Estimates was extremely critical of the Government's budget strategy on education, and we will debate that later today. It said categorically that in budgets you cannot have savings that are not specific. Well, Mr Berry can, of course; but you cannot have savings if you cannot show where they are going to be found.

Mr Berry: You do not know. You just do not understand. You are so silly and misinformed. You need to get out in the real world and understand these things. You have not been there yet. You have been hiding in the little pharmacy.

MADAM SPEAKER: Order!

MRS CARNELL: Mr Berry, you have spent your savings in one quarter. I would not say too much on this. You have a \$3m overrun. That is your total saving. Of course, nobody expects terribly much more from Mr Berry.

In education, Madam Speaker, as in many other areas of the budget, expenditure cuts have been untargeted. I think that the comments made by Mr Moore were very valid. If Mr Wood had been able to show us, if the Government had been able to show us, that these cuts were not going to upset the quality of public education in this city we certainly would not have had a problem with them; but there has been no information coming forward to show us that this will not happen. In fact, there has been no information to show us that all that will happen, as we believe it will, with 80 teacher cuts is larger classes at all levels of our schooling system. That is what the Liberal Party is very concerned about.

Madam Speaker, instead of the Treasurer making hard decisions, she plans, as does Mr Wood, to leave it up to the service deliverers. We do not believe that that is an appropriate approach for any Treasurer. We believe that it is the Treasurer's job to make sure that what she brings down in her budget is actually sustainable in the community, and sustainable in the way that they claim it should be. We believe that that is a good reason to amend this no-confidence motion to include the Chief Minister. From my perspective it is the Treasurer who must take responsibility for her own budget. She must take responsibility for a budget for which she has not produced the appropriate information.

This amendment deserves the support of the Assembly. The Treasurer cannot be allowed to remain blameless for her Government's decision while Mr Wood is made to wear the total responsibility. It is a decision for which she must wear the responsibility. I suggest that it is important. Madam Speaker, I urge the Assembly to support my amendment to this motion.

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (4.11): Madam Speaker, once upon a time the Liberal Party, both in government and in opposition, had a basic understanding of real life and economics and accepted the proposition that, across the board, when you had less money to spend you spent less money. That was a proposition that Trevor Kaine, both as Chief Minister and Treasurer and as Leader of the Opposition, consistently conceded. In debate after debate, on the issue of the police budget, when some of Mr Kaine's more enthusiastic backbenchers, one of whom is no longer with us, were ranting and raving, saying, "You must spend more on police; you must spend more on police", Trevor Kaine, to his credit, said in this place and in the media, "All budgets have to take a cut. When there is less money available, you must cut across the board".

Mrs Carnell: No-one is arguing that.

MR CONNOLLY: Mrs Carnell says, "I have no objection to that". Here you are, in a puerile manner, jumping on Mr Moore's band wagon, saying, "We have to spend more on education", and using a no-confidence motion, of all the inappropriate forms of this house, to back Mr Moore's absurd statement that we should be spending more on education.

As I say, Madam Speaker, once upon a time the Liberal Party took the view that everybody had to take their fair share in relation to the budget and every program had to absorb its share of cuts. I have quoted regularly from prominent Liberal Party members who have said that. I would like to quote again today. This is a guessing competition. Which member of this Assembly, in 1991 - that leaves Mrs Carnell out, but as it is a sensible quote it is unlikely that I would be quoting Mrs Carnell - said this:

When it comes to a minimal cut of \$1.2m -

that is 2 per cent -

it is important that they wear their fair share of the cuts, as is being done right across the ACT budget, in order that we can avoid the problems of the other States in regard to borrowing.

23 November 1993

That is a very sensible statement of fiscal rectitude. Who said it? Mr Kaine? No, although it sounds like something that Mr Kaine may have said. Madam Speaker, that was Mr Moore. That is what Mr Moore said in relation to - - -

Mr De Domenico: A prominent Liberal? He has not joined us yet.

MR CONNOLLY: No, no; I said that prominent Liberals have said these things, but then I said that it was a guessing competition. Who said it? In relation to an amendment moved by Mr Stefaniak to the budget, Mr Moore said, as recorded at page 4957 of *Hansard*, that it was an extraordinary procedure to try to move an amendment to a budget. He rejected the proposition. He said, in relation to the police budget:

When it comes to a [cut of 2 per cent] it is important that they wear their fair share of the cuts, as is being done right across the ACT budget, in order that we can avoid the problems of the other States in regard to borrowing.

Here he is today saying, "No, no, no; we should spend more on education". What a pathetic little effort! But there is more, Madam Speaker. In attacking Mr Stefaniak who was moving this amendment, grandstanding and saying, "Spend more on police", Mr Moore said this, as recorded at page 4959:

... I think we all feel that it is appropriate for us, whatever our favourite area is, to see that it has an increase in funds, let alone avoiding a cut in funds. Whilst it may be of advantage to Mr Stefaniak to be able to go to his police officer friends, his friends in the union, and say, "I have done my best, but unfortunately it was not carried"; or "Beaut, look at what I was able to carry through the Assembly", it really is not going to achieve anything and it is entirely inappropriate.

That was Mr Moore talking about Mr Stefaniak moving amendments to the budget in relation to a 2 per cent cut in the police budget. Mr Moore had two points. His first point was that every area of the budget must absorb its fair share of cuts. In the words of Mr Moore, "Mr Stefaniak, what a silly fellow you are, posturing in this Assembly so that you can go out and say to your mates, 'Look what I have tried to do to protect you'".

Madam Speaker, how words can come back to haunt one. Precisely what Mr Moore was accusing Mr Stefaniak of doing then is what he is doing today. He is retreating right away from that basic statement of commonsense that he accepted once, that the Liberal Party accepted once, and that this Labor Party has consistently accepted, both in government and in opposition; that, when you have a substantial reduction in the funding levels available to this Assembly, every program must take its fair share of cuts. Madam Speaker, I am very disappointed that Mr Moore is not present at the moment to hear what he had to say. No doubt he is out posturing in front of the cameras, doing what he accused Mr Stefaniak of doing and saying, "Look, I have done my best, but unfortunately it was not carried", or "Beaut, look at what I was going to carry through the Assembly". As Mr Moore said, "It is entirely inappropriate". It is a foolish, silly piece of posturing.

Mrs Carnell then jumped on the band wagon from the Opposition and moved an amendment to bring in the Treasurer as well. They are moving no confidence in two Ministers for doing what, Madam Speaker? For applying across-the-board savings targets to every program. For doing precisely what Mr Kaine did when he was in government and when he was Leader of the Opposition, and what Mrs Carnell, by interjection some minutes ago, said she agreed with. Mrs Carnell interjected and agreed that every program has to absorb its fair share of budget savings; that if we have to save across the board no program can be exempt. But, Madam Speaker, whereas the Liberal Party was once a party that perhaps had some fleeting attachment to principle, now we see it being the dog that is wagged by Mr Moore's tail here, jumping onto Mr Moore's absurd no-confidence motion and adding to it the Treasurer.

As Mr Berry interjected, it was not Mr Wood and Ms Follett who made these decisions for 2 per cent across the board; it was Ms Follett, Mr Berry, Mr Wood and I who made those decisions. We stood as a Cabinet and collectively made those decisions. We applied the cuts across the board. We have argued time and time again in this place in relation to some of my portfolios, in particular in the debates on the police budget, where I caught Mr Moore out. When another member was saying, "Ah, but the police budget should be different; we like police, so they should be different", Mr Moore said, "Oh, no; every program must be treated the same. Where you have to have a reduction in expenditure you must cut across the board because if you do not do that you are going to have to borrow heavily".

Mr Humphries: Not by the same amount, necessarily.

MR CONNOLLY: That was exactly the argument of fiscal rectitude that we put and, indeed, that the Liberal Party and the Liberal Party's then leader consistently put. Mr Humphries is now trying to wriggle out of that and no doubt will be running around to the Police Association and saying, "Oh, I would spend more on police".

Madam Speaker, at some stage when we get into the fruit-fly season, which is coming upon us, Mr Wood will have his inspectors out and about around the suburbs of Canberra checking for fruit-fly. They should be looking in the backyard of a house up the road from mine where Mrs Carnell lives. There is obviously a money tree growing in that backyard, because this Liberal Party gets up in this Assembly and says to every interest group in Canberra, "We will spend more money on that". Mr Humphries was on the radio the other afternoon, on the *ABC Afternoon Show*, and in the course of about 90 seconds he committed us to about \$40m of expenditure. He was going to buy a helicopter, he was going to build a gaol, and he was going to spend more money on the police. That was all in the course of 90 seconds. Mrs Carnell, I should just about be able to see your tree by now; it must be getting that big. Mrs Carnell's approach to health is, "There is no problem that money cannot fix; just throw more money at the problem". What a brilliant deduction that was!

Now, as we get into the issue of the education budget, the Liberal Party is locking onto Mr Moore's nonsense that somehow we can just keep spending more money here. The Liberal Party, of course, understands that you have to balance expenditure and revenue measures, so in order to balance their constant diatribe

23 November 1993

of press releases, saying, "Spend more, spend more, spend more", they also put out their press releases saying, "Tax less, tax less, tax less". They are going to knock off - - -

Mr Kaine: Or spend less, spend less, spend less somewhere else.

MR CONNOLLY: No. I have never heard you say where we should spend less - apart from the buses; but that is another story. You are going to knock off payroll tax, you are going to knock off petrol tax, you are going to knock off just about every tax that is unpopular - most taxes are unpopular, so that means that you are going to knock off every tax - and then you are going to increase expenditure across the board.

Mrs Carnell: That is just rubbish.

MR CONNOLLY: Madam Speaker, it is just rubbish. Perhaps Mrs Carnell is learning. Mrs Carnell, that is quite right; your program, when analysed, is rubbish. Eventually the scribes in Canberra are going to start looking at all these Liberal Party press releases that get put on the spike. They are going to notice that it is always spend more, spend more, tax less, tax less. Then they are going to start adding up the promises, as I did the other afternoon as I was listening to Mr Humphries: "We are going to build a gaol, buy a helicopter and spend more on the police".

Madam Speaker, this is, of course, arrant nonsense. It is regrettable that the Liberal Party have departed, in their new passion for populism, from their once quite responsible attitude. When they were in government and when they are in opposition - I have given Mr Kaine credit for this in the past, both when I have been in opposition and when I have been in government - Mr Kaine has always said, "You cannot spend money you do not have. If you have less money you have to have reductions across the board". That is what we have been doing. That is what Mr Wood has done in his program, with the full support of all his Cabinet colleagues. That is what Mr Moore got up in this place and said you must do. Mr Moore said, "You cannot single out one program; everybody has to have their fair share of cuts". That is what you are moving no confidence in this Government over.

Madam Speaker, it is a foolish motion. It is cheap populist politics at its worst. It will bring no credit to the Opposition for jumping on Mr Moore's coat-tails on this, the dog being wagged by Mr Moore's tail. Look at Mr Moore's comments of a couple of years ago in relation to a different issue, an issue that another member felt passionately about. Mr Moore was able to stand back from that a bit. Mr Moore said, "You have to have savings that are fair; you have to apply a savings measure to all programs; all programs have to take their fair share of cuts". He said then what we say now. What is more, he said that members who were trying to say otherwise, who were getting up in here and saying, "Spend more on your favourite little program", were just posturing, and that such resolutions were, in his words, "entirely inappropriate". Madam Speaker, Mr Moore's motion today is entirely inappropriate. It is cheap populist politics and it reflects little credit on Mr Moore, or Mrs Carnell, who seems to be supporting it.

MR STEVENSON (4.22): Madam Speaker, the Chief Minister said that Mr Wood was accused of carrying out Government policy. Where in the ALP policy prior to the election does it mention this possibility? Where does it state that? I had the thought, "What would the Labor Party say at this time in this house if the proposal was put by the Liberal Party to do exactly the same thing?". I somehow think that they would be with us strongly. Everybody knows that to be true. Why is this? The Chief Minister says, regarding budget cuts, that we simply cannot ignore the facts about budgetary problems; that we cannot pretend that it is not happening. I remind members that, prior to the first election in 1989, that is exactly what was done by the ALP. They did ignore the facts of the inevitability of self-government and they did pretend that it was not going to happen. I do not know who believed that, but that is what happened. Having already pretended, saying now that you cannot pretend is a little bit late.

The Chief Minister also said that we have seen the results of irresponsible financial policies in other States. Those irresponsible financial policies are obviously headed up by borrowings. Indeed, we have. This is the first year that, unfortunately, we have jumped into the black abyss.

Mr Connolly: No. Trevor borrowed more.

MR STEVENSON: Everybody has been borrowing all the time, but it has been covered up fairly well. This time we have really done it.

Mr Connolly: If you had attended the Estimates Committee you would have known that.

MR STEVENSON: I could have written that line. The Labor Party certainly has concern over the education area. I can understand their predicament in needing to do something about reducing spending and wondering where to do it. It is not so much what the Labor Party policy is but what the people of this community want, and they want their teaching levels to remain intact. They do not want cuts in the number of schoolteachers. That is clear. That is where we - we who are in service to the people of Canberra - should put most of our attention. We should direct our attention to what they want and how we can best serve them. If cuts have to be made in education, I think most people would readily agree that the number of teachers is not the place to make them. What will happen if we cut the number of teachers? Will there be a result from that? The answer is, of course, that there will be. We already have problems in this community, in our education system, with literacy. The fact that we retain a high percentage of people through the college system does not mean that they come out with the qualifications that they should.

I have some concerns with this motion of no confidence. It is not really that the community would have no confidence in the Minister or the Government in reducing the number of teachers. I think the community would certainly agree that they cannot have confidence in the Labor Party because of their statements on the priority of education. In this parliament there are certain actions that we can take when members feel most concerned about issues, and the senior level is a motion of want of confidence. If we pass a motion of want of confidence in a Minister, I believe that it is reasonable and traditional - - -

Mr Berry: You are starting to warm to Fabian, I think, Dennis.

23 November 1993

MR STEVENSON: I have studied a bit of it. I could agree with some of the things they say. There are, however, some others that I do not agree with.

If we agree to a no-confidence motion in a Minister and that Minister does not resign, we must go further to hold the Government accountable. The obvious next action is a want of confidence in the Chief Minister, in our case. In most parliaments it would be against the government. That is not appropriate in this case. Perhaps it would not happen, what is more. Though it is a serious matter, it is not a fraud to suggest that the people of Canberra and this Assembly should not have confidence in a Minister who has already been directed by a motion of this house, by this ACT parliament, to not go down that line. Unfortunately, that was ignored. This was a direction. It was not an ask; it was a direction. The majority of the members in this parliament gave that direction and it was ignored. So the motion is not a fraud by any means, and the members are duly concerned that the will of this Assembly, the will of this parliament, strongly supported by the will of people in Canberra, is heard.

I believe that a censure motion, taking into account what members have said in this Assembly, will have a very similar effect. It will give the Government the indication that we mean business and that we will not accept teacher positions being cut. I seek leave to move the amendment circulated in my name which would delete the words "a lack of confidence" and insert the word "censure".

Leave granted.

MR STEVENSON: Thank you, members. I move:

Omit "a lack of confidence", substitute "censure".

I make the point again on behalf of all members and the vast majority of people in Canberra: It is not acceptable to cut teaching positions. The mere fact of keeping teaching positions at a current level can work as a cut in a growing community. When you actually say that they are going to be cut, that is not acceptable. The community will not stand for it and something has to be done about it.

MR CORNWELL (4.30): Madam Speaker, I would like to bring this debate back to the motion moved by Mr Moore and the amendment just moved by Mr Stevenson. We are talking about proposed cuts to teacher positions. Mr Connolly went on at great length about the need for across-the-board cuts. He accused this side of the house of being populists. Well, I do not resile from that. I do not resile from being populist. Certainly, I do not resile from the need for cuts. The issue we are debating, however, is teacher cuts in education. We have no objection, Chief Minister, if you feel the need to make cuts in education, but we are opposed to you cutting teacher numbers. So are the majority of parents. So are the majority of teachers and so are the majority of students in the government school system, including 200 students from Narrabundah whom Mr Connolly called Trotskyists. I can assure you that they are not, but I shall be only too pleased to pass your views forward to those students at Narrabundah College.

We are in a situation here where it appears to me that the Government really does not know what it is doing. We have had conflicting remarks even today in this debate from Government members. For example, Ms Follett, in her comments, said that the neighbourhood school concept would be protected. Well, at page 221 of the Estimates Committee transcript we have the Minister for Education saying:

It is happening everywhere and schools will close in Canberra in the future, that is an inevitability.

So here we have the Chief Minister saying one thing - that the neighbourhood school concept will be protected - and Mr Wood, correctly, I believe, identifying the fact that there is an inevitability about the closure of schools. So, please, Ms Follett, do not talk to me and criticise me about the fact that I am prepared to put people before bricks and mortar, because it is very obvious that the Government is simply playing around once again, avoiding the real issues and refusing to face the facts.

Ms Follett made the point that in the longer term there was an education plan from 1994 to 1998. However, again at the Estimates Committee, her Minister for Education indicated that there would be further cuts in teachers. At page 196 he said that these cuts would take place over the next few years. I fail to see how we can have a proper education plan beginning in 1994, which is only next year, if we are going to cut even more teachers from that time.

Mr Wood: All the more reason to plan, for heaven's sake.

MR CORNWELL: I did not catch that interjection, Mr Wood, but I would be happy to acknowledge it if you would like to raise your voice. There is the question that the quality in classrooms will not suffer. Again this is Ms Follett's statement. I find that very difficult to believe. It has been demonstrated already by other speakers that you cannot cut 37 per cent of the 80 teachers out of colleges, that you cannot cut 37 per cent of the 80 teachers out of high schools and you cannot cut 26 per cent of the 80 teachers out of primary schools, without something happening to the quality of education. How on earth do you imagine that the quality of education can be even maintained, far less improved, if you are going to make cuts at that level?

Finally, as again an example of this confusion that the Government has, Mr Wood today, when he spoke in response to Mr Moore's question about where the cuts are to be made in schools, made this statement - and I wrote down his comments: "We do not impose that level of control upon our schools". Well, how come we find at page 291 of the Estimates Committee transcript that Mr Wood advised us that, far from imposing this level of control upon schools and telling them where they should make their cuts and where they should not, quite categorically there were no cuts to be made in the supplementary area? Yet this is a Government that does not impose any level of control upon schools in terms of cuts to education. I repeat what appears on page 291:

They cannot do it in a supplementary area. They are not free in the way that you indicated to the committee to make their own decisions ...

So we are not cutting any supplementary area; we are cutting it only in the mainstream area. What effect do you think that is going to have not only upon the mainstream area but also upon the supplementary area in schools? If you cut it simply in the mainstream area there must be an effect. I would suggest that the result of that will be to increase the pressures in the supplementary areas. It is inevitable in places like reading recovery and learning assistance and the like.

It is pretty obvious to me, therefore, that we do not really know, Madam Speaker, where this Government is going to make its cuts. It really has no plan. The only thing that we do know is that they have decided to target teachers because the Government is locked into the commitment that the Chief Minister made before the last Assembly election that no school would close within the first three years of a Labor government. That promise, as we all know, has already been broken in relation to Griffith Primary School, which was reduced to 34 pupils, I must admit, before the Government finally conceded that it was not possible to keep that school open.

Mr De Domenico: Was that a neighbourhood school, though?

MR CORNWELL: Thank you, Mr De Domenico; that was indeed a neighbourhood school. I think the Government acted upon Griffith Primary just in time. The wrath of the public school community would have been down upon them had they not closed Griffith, for the simple reason that it was costing more money than the average to keep open and therefore, of course, that had a deleterious effect upon all other government schools. We have this stubborn adherence to this promise which has now led to this absurd suggestion that 80 teachers should be cut out of the government school system. We have no guarantees. I have noted the various areas that Mr Wood spoke of that could be options; but, as Mr Moore has said, he has not identified where the cuts should be made.

Mr Wood talks about registered units in schools and colleges, permanent part-time staff, electives in high schools, class sizes increasing in the pastoral care area, the rationalisation of study time for the same subject, and timetables in areas such as languages. He has identified a number of new initiatives, such as optic fibre education and cluster schools working around Lanyon High, which are good initiatives. I suggest to you, Minister, that you are putting the cart before the horse; that you cannot cut down your teacher numbers before you implement these initiatives, this high tech. For heaven's sake, it seems to me that you do not have to be an educational expert to recognise that. Sheer commonsense would indicate that that is the way to go, but this Government is not prepared to address it. They have this problem, obviously, of some sort of ideological hang-up, it seems to me; they will not address the issues of education other than by a brutal attack upon the government school system by cutting 80 teachers.

Madam Speaker, it is entirely appropriate that the Liberals support this censure motion because on Thursday we will be moving to amend the Appropriation Bill. I hope that the majority of Assembly members support us; but, obviously, if we did not support this censure motion against this Government we would be entirely inconsistent with what we are planning to do on Thursday in this house.

MS FOLLETT (Chief Minister and Treasurer) (4.40): Madam Speaker, I would like to speak against the amendment moved by Mrs Carnell. It was moved almost as a throwaway line, I might say, Madam Speaker; but it really does demonstrate, in my view, the silliness of the debate that we are currently having. The fact that they are limping to a conclusion over here indicates a certain lack of passion about the whole matter. Nevertheless, Madam Speaker, what we have seen in Mrs Carnell's amendment is an attempt to trump Mr Moore, just as we saw in Mrs Carnell's citizen-initiated referenda proposal an attempt to trump Mr Stevenson. However irritating that might be to Mr Moore and Mr Stevenson, it demonstrates a certain lack of depth in Mrs Carnell's understanding of the seriousness of the matter that is before the Assembly today.

Mrs Carnell's amendment refers to a lack of confidence in the Treasurer. I would back my performance as Treasurer against that of any Treasurer in this country. There is no doubt in my mind, Madam Speaker, that the Territory has benefited greatly by good financial management in this Territory. I defy members opposite to say otherwise. In moving the budget this year I referred to some of the pleasing news about the Territory's economy, which I realise the Opposition do not want to know about. They are very, very loath ever to refer to any good news at all, or anybody's achievements at all, and certainly not to achievements that are in the interests of the Territory.

It is a fact, Madam Speaker, that in the most recent year this Territory has experienced very strong economic growth. I would have expected members opposite to be crowing about that; but, of course, they have not been. Our gross State product has increased by 4 per cent in real terms, which is something like double the national rate. Also, if you look at some of the other indicators in the Territory, you will see that there are very good signs of economic health. Our retail trade figures, which are the most significant measure of private spending, grew by 4.9 per cent; again, more than twice as fast as for Australia as a whole. I would have thought that would have been pleasing to a party which purported to have an interest in the private sector. Also, through the year, our housing finance grew by 42 per cent. Again I would have thought that would be pleasing to members opposite.

Madam Speaker, I believe that our handling of the finances of this Territory has been very good indeed. It is not just my work; it is the work of the Government as a whole because, as I have said previously, it involves the Government as a whole taking decisions collectively, even when they are difficult decisions, and sticking to them. Throughout my period as Treasurer my position has been, as members know, to insist upon balanced recurrent budgets. I have maintained that position. I have maintained it again in the budget which is before the Assembly at the moment. I have insisted also on a regime of low borrowings and, in fact, last year there were no borrowings, as it turned out. This year the borrowings are very modest and are actually less than Mr Kaine borrowed in his period as Treasurer. I believe that low borrowings are the responsible way to go.

I have also insisted on maintaining services to the community, and that has been done. I know that members opposite are continually exhorting us to abandon services like public transport - just give it up; sell it off - and to abandon services like schools - sell them off; close them down; there is not enough interest in that school; there are not enough votes there, so we will let that one go. That is what the Liberals are all about. This Government is not like that. We have insisted on a social justice program that maintains those services to people no matter where they live or what their circumstances are, and I will keep doing that. So, Madam Speaker, I believe, as Treasurer, that that performance has been good, and it is not just me who maintains that. If you look, for instance, at the Standard and Poor's rating of the Territory - an independent ratings authority; I have never even met them - they have rated the Territory consistently as AA+ with a positive outlook.

Mr Humphries: They always have.

Mrs Carnell: They did when Mr Kaine was in.

MS FOLLETT: No, they did not. Members opposite, Madam Speaker, are quite wrong in their recollection of the ratings of the ACT. The first rating was while I was Treasurer, as have been subsequent ratings, and they have maintained very high ratings. You can look also at some other independent commentators on the Territory's finances. You can look at the material that has been presented in the *Trends* bulletin and see there that there is a very positive outlook and that the Territory is in very good financial shape.

Madam Speaker, this has not been easy to achieve. I would not want members opposite to think that it is just a matter of bookkeeping, because it is not. Members know that our funding from the Commonwealth, which is our major source of revenue, has been reduced dramatically year by year, and they know that this will continue to be the case. The basis of sound financial planning is to take that into account, not just for this year but for coming years. We do not just budget on a one-year-at-a-time basis. We have in place a three-year budget strategy which I will be sticking to, and this is year two of it. Madam Speaker, I know that members opposite do not wish to acknowledge the Government's efforts in regard to the budget and financial matters, but others have, and, as I say, I would back my record as Treasurer against anybody's.

In this year, as I have said, it has been extremely difficult to budget because of the massive reduction in Commonwealth funding, but it would have been very wrong and extremely irresponsible for us simply to borrow our way out of trouble. Madam Speaker, I think it would have been equally wrong and equally irresponsible to raise our revenue to levels that would have accounted for the reduction in Commonwealth funding. It has been my position that our revenue should remain in line with the revenue measures in place generally and should not be so far out of kilter that the Territory's residents would be severely disadvantaged or business might find it a disincentive. Our position on revenue has been to maintain it in line generally with what occurs in other States, most particularly New South Wales, although we do not slavishly follow their regime. That leaves you with very few options in managing in reducing circumstances, and the Government has taken a balanced approach to those reducing circumstances.

Part of that balanced approach for some years has been reducing our own costs of administration and, as I said earlier in my comments, we have not been able to quarantine education from that reduction. Nevertheless, we have maintained the quality of our education services, and we have been very mindful of our commitment to social justice and the need to protect schools. Madam Speaker, the fact is that we have respected teachers' working conditions and we have maintained the quality of education. I know that members opposite do not agree with that, but it is a fact.

We will, for instance, be taking some new initiatives in education, like trialling the national profiles as part of the national curriculum. Those national profiles are a basis for better reporting on our students' achievements and I believe that they will be a further step towards increasing the excellence of our education system. We have also put in additional funding for integrating students with

disabilities into mainstream schools. We have not heard anyone over there mention that, but we have done that in an attempt to increase social justice in a reducing climate, and I think that we should get credit for that. By contrast, Madam Speaker, with what I believe has been a very responsible financial management regime, we have heard nothing from members opposite except reducing taxes, spending more money on whatever their pet projects happen to be, and, I presume, adopting some sort of a Bankcard mentality to adjust to the inevitable reductions in Commonwealth funding.

MADAM SPEAKER: Your time has expired, Chief Minister.

MR HUMPHRIES (4.50): May I, first of all, address this bunkum that we have heard from the Chief Minister and Treasurer about the economic performance of the ACT. She has made the most outrageous statements. "My performance as Treasurer is the best in Australia", she says - there is a certain sort of Thatcherese air about this, I might say - "and the good economic performance of the ACT is my personal achievement or the achievement of my Government". Madam Speaker, correct me if I am wrong, but has it not been the case that for many, many years the economic performance of the ACT has been much better than that of other jurisdictions in this country, attributable in large part to the very generous situation of the ACT with respect to the Commonwealth Government's location here. Why is it that the ACT's present Chief Minister somehow gets the credit for having achieved all these things which, in fact, are the achievement of several governments over many years? I think it is, frankly, gross arrogance on the part of this Chief Minister to claim that everything about the ACT economic performance which is presently so great is the achievement of this Chief Minister and Treasurer, Rosemary Follett.

If it is the achievement of the Chief Minister, then perhaps she will also take responsibility for some other things to do with the ACT's present economic outlook, like unemployment. Let us look back to unemployment, let us say, three years ago while Mr Kaine was Chief Minister. When Mr Kaine was Chief Minister unemployment stood at 4.4 per cent of the working population. That represented 6,900 people in the ACT. In September of this year, on the latest available figures, unemployment under Ms Follett, Australia's greatest Treasurer, stood at 7.4 per cent and 12,800 Canberrans were out of work. Is that your work too, Ms Follett? Are you the architect of this increase in unemployment? If so, you have just proved our amendment; you have just supported our amendment. You should resign. Any Chief Minister who has engineered or who is responsible for a doubling, almost, of unemployment in the space of three years deserves to go, and so, Madam Speaker, I think she should.

Madam Speaker, the fact of life is that on education, in particular, this Government's performance has been, from beginning to end, nothing less than utterly and completely disgraceful. This Government said, and particularly Mr Wood said, that there is a certain inevitability about the need to make reductions in outlays in the ACT. We all know that we have to reduce outlays, particularly in education in the ACT. That is what Mr Wood told us a little while ago - wherever he is. He accused Mr Moore of complacency in not being prepared to face up to that fact, and not having asked him any questions when he flagged this concept of having to reduce education in the last few months through headlines in the *Canberra Times*.

23 November 1993

If Mr Moore was complacent - I do not know whether he was or he was not - he had very good grounds to be complacent, and those grounds, Madam Speaker, were that Mr Wood, Ms Follett and other members of the Government had made it perfectly clear that this Government was the protector of public education; that this Government was going to make sure that public education was looked after; that this Government, for example, would protect and would defend class sizes in the ACT. In fact, they went even further and said that this Government would be reducing class sizes; it would be giving us smaller classes to give more contact between teachers and pupils. That was the promise of the smiling Chief Minister opposite. That was what she said to the people of the ACT. If Mr Moore was complacent about that, he made the mistake, clearly, of relying on the promise of this Chief Minister and her Minister for Education; but, of course, that was not what transpired.

Madam Speaker, let us cast our minds back to about two-and-a-half years ago, to the last days of the Alliance Government and to the rhetoric that was being used then by this Labor Party, then in opposition, about the situation of education and about the need for education cuts. Yes, Attorney-General, I can guess that quote as well. I referred to the debate on 6 June 1991 and looked at what people were saying then about education and I saw how applicable those comments were in 1993. Here is what was said by someone who now is a Government member:

This community and this Opposition have no confidence in this intransigent and uncommunicative Government. They are rather familiar words. It is an arrogant Government. It is one that does not listen to the people. To compound that, this Government is incompetent. They have taken one of our treasured possessions, the education system, and inflicted severe damage on it. This is due to their incompetence, of course, and to a number of other factors. They have an ill-defined philosophy on education.

Who said that? None other than the present Minister for Education, Mr Bill Wood. Mr Wood promised in almost as many words that public education was safe under this Government; that people who supported it back into office would have nothing to fear from this Follett Labor Government on the question on public education. Madam Speaker, in this process they traded on people's expectations and their fears. They traded on the expectation that they would think Labor would be better for public education than would anybody else.

What happened, Madam Speaker? This Government rode into office on the back of its promises to reopen a number of government schools - not all of them, I might say, but some of them - to reopen Royal Canberra Hospital, which it did not deliver on, and that education was going to be secure under it. I ask you, Madam Speaker, to consider this question: If the parents who so vehemently protested school closures in 1991 had been offered a choice between the closure of some schools and the loss of teachers throughout the education system, what would they have chosen? What would this Government have chosen in an abstract situation without any promises having been made previously? What would it have decided to do if it had a free choice in this matter? We know the answer to that question. We know the answer because we have seen it in Labor Party policy. The most important thing about our education system is the quality of teaching that goes on in our classrooms. Therefore, the most important asset you can protect is the quality and the number of teachers you

have in the system, the ratio of teachers to students. My party has no compunction about supporting a motion such as this because this indicates what we have always said about the education system - that teachers are an important component, more important than bricks and mortar.

Mr Berry made the quite scurrilous comment that we were, or I was, in favour of cutting teacher numbers and that we did so in government. He knows full well that our philosophy was to leave teacher numbers intact; that closures of schools did not entail cuts in teacher numbers. That is what we put forward.

Mr Berry: It is another one of your webs of dishonesty; a web of dishonesty again.

MR HUMPHRIES: Madam Speaker, I think that is an unparliamentary comment and I ask that it be withdrawn.

MADAM SPEAKER: I will consider that, Mr Humphries, and come back to it. Continue.

MR HUMPHRIES: Thank you, Madam Speaker. The fact of life is, and Mr Berry knows it, that we proposed no cuts to teacher numbers, which is precisely why neither Mr Berry, Mr Wood, Ms Follett nor anybody in the life of the Alliance Government attacked us for cutting teacher numbers. If we were going to cut teacher numbers, why did you not attack us for that?

Ms Follett: I did.

MR HUMPHRIES: No, you did not. Show us where. You cannot. Madam Speaker, this Government, when it was in opposition, traded on the tag of what a cruel Government it was to be cutting education. That is what they traded on, time and time again. I would have loved to hear some of today's rhetoric from Ms Follett and Mr Connolly about how we have to face up to the facts of the hard, true world. We have to face up to the fact that the Grants Commission has cut our funding. We have to make sure that we deal with this new situation. We cannot keep promising more money.

Where were those words in 1991 and 1990? You did not dare even whisper them. You know full well that you wanted to trade back into office on the basis that you were the defenders of public education. Well, you have been caught out. You are not the defenders of public education. In fact, the twist that this government has now pursued has been the cruellest cut of all; it has done to public education what it would have led its supporters to think would never have come from a Labor Government. Madam Speaker, it gives this Assembly every right to censure the Ministers responsible, and they are principally the Minister for Education and the Treasurer in this Government.

MR KAINE (5.00): Part of the serendipity about this place is the way that the debates run. I think that if Mr Moore had been in the chamber during this entire debate he would have had cause to think whether his motion in the first place was wrongly worded and whether he should not have been censuring the Government because, during the entire debate, we have had the Minister for Education, the Chief Minister and the Attorney-General all jumping up and saying, "It was not only Bill; it was me, too".

Mr De Domenico: And Mr Berry, too.

MR KAINE: Mr Berry has not said anything yet, but I know that he had his hand up at one stage. I was not sure whether that was for some other reason or not. The fact is that the Government has incriminated itself because the Chief Minister said, "You cannot blame Bill Wood because he is implementing Government policy".

Then they proceeded to try to defend themselves, and with every word they uttered they proved, whether or not they know anything about education - I have to give Mr Wood some credit; I believe that he does know a bit about education - that they know nothing about managing money. What they attempted to do was to say, "That dreadful Federal Government ripped all the money off us and we did not have enough left". Mr Connolly, as he always does when he needs an authority to lean on, said, "But Trevor Kaine always said ...". Of course, he is right. Trevor Kaine has always been consistent. Trevor Kaine, when he was Chief Minister and Treasurer, and today in opposition, believes in managing the resources that you have, which is what this Government does not do. It takes a hands-off attitude and says, "We are going to chop some money off you. You public servants go away and tell us how you are going to fix it". That deflects the thing. What do the public servants do? I used to be a public servant, so I know.

Mr Stevenson: You still are, Trevor.

MR KAINE: No, I am not. I am an elected person. I know how public servants work because I used to do it when I was one. The Minister would come and he would say, "We have to save \$100m this year. What can we do to fix it?". You always put up the ones that are difficult for the government to implement because if they implement them you will lose the money that you have been spending year after year. So public servants have their own internal politics to play. This is a case where the Government has fallen for it. Mr Wood goes to the Education Department and says, "We have to save \$3m, \$4m, \$5m. How can we do it?". "Ah", say the public servants, "cut some teachers". The reason they say "cut some teachers" is that they know that there will be a public outcry the minute you start trying to cut teachers. I am saying this only because it is symptomatic of the way that the Government does not manage. It just seems to hope that it is all going to turn out all right.

The Chief Minister talked about the two tough years of budgeting. "The only worse one than this year", she said, "was last year". What happened last year? She ended up, by mismanagement, with \$60m in her hand at the end of the year - \$30m from an unexpected revenue source that she did not even know about at the beginning of the year, and Lord knows why because we have been selling land for long enough, and \$30m that she did not spend last year.

Mr Connolly: Through our rigorous financial management, constantly looking for savings.

MR KAINE: Here is Mr Connolly again. He is saying, "This is by good management. We did not spend \$30m that we had budgeted. We knew that we wanted to spend it on something, but we just inadvertently did not spend it". She cannot have it both ways. If by good management - let us concede it for a moment - she ended up \$60m in front, why was it such a catastrophe that the Commonwealth took \$75m off us this year? She had to find only \$15m.

She found that very readily - land tax, petrol tax, rates. She very soon found that, but then she went overboard. Not only did she recover the \$15m that she needed to balance the budget this year. Then she thought, "Gee, I have not gone far enough yet, so we will reduce expenditure on capital works by \$30m as well". What on earth is the point of reducing expenditure on capital works to that tune?

Mr Connolly: Spend more, spend more.

MR KAINE: No. I am not saying, "Spend more, spend more", Mr Connolly. You are not listening to what I am saying. What I am saying is, "Spend what you have better". That is what I am saying to you. Do not spend more. In fact, if necessary, spend less, but do it right. I hope that Mr Wood is listening to this because, coming to the question of spending the money right, he had to save \$3m. He has a budget of what - \$220m?

Mr Wood: In round figures \$200m.

MR KAINE: Say \$200m. But only 60 per cent of that has to do with salaries, approximately.

Mr Wood: Sixty per cent? No. Much more than that.

MR KAINE: About 60 per cent. So he did not even look at 40 per cent of the budget. He just said, "Let us chop the \$3m out of the salary bit. That makes it easy. We get rid of 80-odd teachers and that solves the problem". What about the other 40 per cent that is spent on things that are not salary related? Why could you not have taken \$3m out of that? That is the sort of thing that I am suggesting. I have mentioned to the Chief Minister already, and she has given me an undertaking which I hope that she is honouring, that it costs us \$1,000 a day for public servants to drive publicly owned motor vehicles home every night. That is \$250,000 a year. That goes a long way to some teachers' salaries. All you have to do is to stop the private use of publicly owned motor vehicles and you have \$250,000. That is just one small thing that I can think of.

I would like the Government to be a bit more selective about what it does with the money. I am not saying, "Spend more". Mr Connolly is dead wrong. I have never said that. I am saying, "Spend what you have smarter, and do not let your health budget blow out to the tune of \$1m a month". After all the years that Mr Berry has sat over there and talked about budget control, even in this year his budget is still blowing out to the tune of \$1m a month. At the end of the year it will be \$12m this year. It is not \$8m. He is going to exceed by any measure the unfortunate experience that Mr Humphries had when - - -

Mr Berry: No, that you had, because you were the Treasurer.

MR KAINE: I was the Treasurer, but he was the Minister for Health. Between the pair of us we could not handle it, but we put in place the steps to handle it and you screwed it up, Minister. You screwed it up and you are still doing it. We are not going forward; we are going backwards. I would like to see the Government exercising some real management of its resources.

23 November 1993

I guess that my bottom line, Madam Speaker, is that if Mr Moore had been here during this entire debate he would, before the debate concludes, be seeking to change his motion so that it is not a censure motion against Mr Wood and the Treasurer but a censure motion against the Government. Then he would be putting his money where his mouth is, because that is what he really means. He just did not want to do it that way.

Mr Connolly: Why do you not amend it?

Mr Lamont: Amend it.

MR KAINÉ: I am suggesting that Mr Moore look at his own motion. The Government has made his case for him. His motion should have been a censure motion or a no-confidence motion against the Government. He has plenty of opportunity to come back now and revise his motion. Let us vote on the real issue here, which is not the incompetence of the Minister for Education; it is the incompetence of the Government, and I would like to see a motion that says that. I invite Mr Moore to rephrase it. He would have my entire support.

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (5.09): What a parcel of hypocrisy this whole mess is. First of all, we had Mr Moore's motion which, of course, we had expected for some time because Mr Moore had not done too well out of the education debate. I must say that I felt a little bit of sympathy for Mr Moore as I saw him slipping. There was a bit of a dust-up. Like most Independents, as soon as there is any sign of a dust-up Mr Moore is in it. Mr Moore was slipping a bit, but I heard Mr Wood's stinging rebuke of Mr Moore and I thought to myself at the time, "By gee, Bill, you are being a bit tough". Of course, Mr Moore has been friendly on some occasions; but Mr Wood was right, nevertheless. That was the most important part. He was right. He said it with passion and I think he saved the day with his very strong debating talents. One of the most important issues that Mr Wood touched on was the issue of Michael Moore's learn-to-drive classes. This was where Mr Moore - - -

Mrs Carnell: What? This is important when we are talking about the quality of public education in the ACT?

MR BERRY: Mr Moore was teaching two or three kids in a - - -

Mr Moore: I take a point of order, Madam Speaker. I have already drawn attention to the fact that that was not the case. It would be inappropriate for this Minister to mislead the Assembly on something that he does not know.

MADAM SPEAKER: Continue, Mr Berry.

MR BERRY: When it comes down to it, we have, as Mr Kaine would agree, a requirement in front of us. We have to manage the budget with the money we have. Mr Wood has the responsibility of managing that sensibly, and he does it very well. If we have one of these luxury classes like Mr Moore's driving class, Mr Wood has the responsibility to make a judgment whether, in the circumstances, that is appropriate within the school system. You can use that as

an example, but there may be others. In any event, Mr Wood had to make the decision, and he has been making his decisions very responsibly. I think that for Mr Moore to move this motion is an outrage, but it shows how the mishmash opposite can operate under the same umbrella when it suits them.

We heard Mr Humphries over here spinning his web of deception when he was speaking on this matter. He was trying to sing praises about his former performance, but there was no point in his trying to do that. The game was lost a long time ago. You can never recover that lost ground. It has gone forever. You have been done; forget it; do not raise it again; it will not help you. You have had it; finished; over. What in fact is going on among the Liberals? This is very clearly a motion of no confidence in the Chief Minister because Mrs Carnell mentioned the Chief Minister when she was talking about her no-confidence motion and Mr Humphries mentioned the Chief Minister when he was talking about this lack of confidence motion. So there are two supporters of an absence of confidence in the Chief Minister; but, of course, they are not telling the Independents that. What they are telling the Independents is something different. They are saying, "No, we can cobble together here something that will look like we are supporting you but it is actually a motion of no confidence in the Chief Minister and we can rush outside and say that the house has no confidence in the Chief Minister". This is more of Mr Humphries's web of deception.

I have to say that I am a little bit miffed about this because I, along with my colleague Mr Connolly, have not got a mention either. I was as much a part of the decision making - - -

Mrs Carnell: We can sort that out.

MR BERRY: Well, go for your life. You should, because I am as much a part of the decision making process as anybody, and I endorsed the budget. This explains this rubbishy group of amendments and motions. It is a cobbling together of an alliance to express a view from different directions. Of course, Dennis wants to get a part of the action as well.

Mr De Domenico: It is called democracy.

Mr Humphries: Elected members.

Mr Stevenson: Did you want to say thank you for that, Wayne?

MADAM SPEAKER: Order! I have called for order at least three times. I think it is time for a little order. Continue, Mr Berry.

MR BERRY: They would not have the discipline, Madam Speaker. They would not be able to cope.

Mr Moore: You are being provocative.

MR BERRY: You see; I told you so. Wayne is right again. Madam Speaker, we have a situation where an alliance has been cobbled together, coming from all sorts of directions. Everybody wants a part of the action. I think Mr Moore's motion should fail absolutely on substance.

Ms Follett: There was not any.

23 November 1993

MR BERRY: As the Chief Minister interjects, there is none. Mrs Carnell's proposed amendment should fail, as most of her attempts in this Assembly should fail, on a lack of substance. It is an inane proposal if ever I saw one. Mr Stevenson's attempted amendment should fail also. I think we could describe Mr Stevenson's as opportunistic, just to get on the band wagon, to make sure that all the seats are full. We have a full brace - - -

Mr Humphries: Would you rather no confidence?

MR BERRY: It would not matter; it would be a badge of honour from you lot. Madam Speaker, this amalgam of nonsense should fail on all counts.

MR WOOD (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (5.16): Madam Speaker, I want to respond briefly to Mr Stevenson's amendment. It allows me to talk again to those issues that were raised by Mr Kaine and others. I advise Mr Kaine that salaries account for 82 per cent of all our expenditure.

Mr Kaine: They have gone up a lot, have they not?

MR WOOD: In a sense the Auditor-General indicated that we had a very high average salary level. He lumped them all together and made that conclusion, but it is very difficult to look - - -

Mr Kaine: That is what I was saying. You are going to have to manage that.

MR WOOD: We can manage. It is very difficult to look at education expenditure by this time without looking at salaries. Let me relate it to school closures because they are the two means, I suppose, by which the alternative governments in this Territory have looked at education funding. Let me take the matters I raised when Mr Humphries was Education Minister. I do not think there is any dispute about these costs. They are roughly the same as those raised by the Auditor-General. You will save \$500,000 if you close a high school, and about \$250,000 if you close a primary school.

Mr Kaine: That is right. You got the same figures we got.

MR WOOD: Yes, and I had those - - -

Mr Humphries: You disputed those figures.

MR WOOD: No, I never did. I used those figures persistently in the time of that debate about school closures. To take those figures, if we close two high schools, that is \$1m; if we close four primary schools, that is \$1m. Our savings this year have to be of the order of \$4m - \$4.26m. Three-quarters of a million dollars was a trade-off for the salary increase. Say about \$4m. That is four high schools and eight primary schools. I am not making comment, other than to compare the different ways of doing this. So Mr Humphries has said that in terms of one year's budget it is four high schools and eight primary schools, or some other configuration of schools. That is just to put things into perspective, for one year alone, and you would have to do that persistently.

Mr Cornwell made some comment about what the Chief Minister and I have said about schools. Our election commitment - - -

Mr Cornwell: They are inconsistent.

MR WOOD: There is no inconsistency. Our election commitment was that we would not close schools in the period of this Assembly. Very clearly, that was said. At the Estimates Committee I commented as to the future, looking well into the future. I pointed out to you that there was no timescale in that, Mr Cornwell; that schools may inevitably have to close because populations shift. There is no inconsistency between what the Chief Minister is saying and what I am saying - none at all.

Mr Humphries or someone on the other side commented on what is our broad policy, the document we happily and freely put out. Our broad policy contains our objectives that we look to and which we specify precisely when it comes to election time. You have our election commitments and in that - - -

Mr Humphries: Smaller class sizes, for example.

MR WOOD: No. That is in the broad policy document which is - - -

Mr De Domenico: Oh, it is not a commitment?

MR WOOD: There is no question about that. I think you know the political processes. I expect that your party would work in the same way. Perhaps your problem is that you do not have these things as well defined as we do.

Madam Speaker, I have not found this a happy debate. Today I departed from a commitment I have never to engage in a personal debate, and in some measure I did that today; but I believe that Mr Moore set the tone of the debate and I inevitably was enticed into coming into the debate at that level. No-confidence motions are never happy things to be part of. I hope that today, when this is done, we can all put the rancour of the debate well behind us.

MS SZUTY (5.21): Madam Speaker, it could be said that I am distressed and disappointed that we are here today debating a censure motion of the Minister for Education and the Treasurer - - -

Ms Follett: It is a no-confidence motion.

Mr Connolly: Is it censure or no confidence?

MS SZUTY: I think Mr Wood has expressed very well the feelings that we all have in debates of this kind in the Assembly.

Mr Wood: It was the wrong motion.

Mr Humphries: It is no confidence.

MS SZUTY: They are not debates that we go into willingly and often.

MADAM SPEAKER: Order! There has been no amendment. The amendment is before us.

Ms Follett: There has been no amendment. It is a no-confidence motion.

MADAM SPEAKER: I am sorry, Ms Szuty, but there seems to be a lot of banter and I thought it might be safer to put the question to rest. Please proceed, Ms Szuty - in silence, please.

MS SZUTY: Madam Speaker, I think it would be closer to the mark to say that I am angry that this debate has had to occur - angry that the Minister and the Treasurer have chosen to ignore both subtle and overt calls for them to reverse the decision outlined in the budget, namely, to cut 80 school based teaching and support positions. Last month I moved a motion in this Assembly which was passed, calling on the Minister to maintain all school based positions targeted in the 1993-94 budget. Since that time the Minister has failed to take action in response to the will of the Assembly and has proceeded along the path criticised by school communities, teachers and the broader community. The fact that school principals have been given the task of identifying where these cuts should occur has demonstrated the Minister's disregard for the opinions of Assembly members and other significant members of our community. The Government has not even identified where it feels there is room for expenditure cuts. It has decreed only that the cuts must come from the coalface.

Another issue that I would like to raise in this debate is the lack of commitment demonstrated by the Minister for Education and the Treasurer to their own education policy platform, which Mr Moore referred to earlier, at the commencement of this debate. I quoted the following passage during debate on my earlier motion, as I felt that the words expressed what the community felt was the commitment of Labor during the election:

Labor believes the next three years should be a period of stability and consolidation. The debate should focus on the quality of education provided by the school system, not simply on the cost of schools and school buildings themselves.

Labor recognises the crucial role of teachers and the need to ensure that they have appropriate opportunities for professional development, job satisfaction and career enhancement.

No career enhancement opportunities exist when teacher positions are being cut and there is a threat over the continuation of teacher careers. Ironically, the Labor Party document I referred to is entitled "Protecting Canberra's Schools".

Madam Speaker, the actions of the Minister for Education and the Treasurer warrant the passage of this motion today. The Assembly has specifically directed that no school based positions be cut, and this instruction so far has been ignored. There have been promises of consultation, but the end result has been school principals deciding, on instructions from the department, where their particular schools will experience cuts. This has been an extremely difficult process for schools.

I have seen some of the initial responses of the high schools and colleges, in particular, and, despite the Government's warm words about cutting teaching positions but not affecting students, the evidence so far shows increased class sizes, cuts to language programs, and other subjects being put in jeopardy. Electives will be cut in high schools, which will impact on students. Technology courses are being cut back, or plans to introduce technology courses are being dropped. Physical education is slipping in priority at a time when sport and physical activity are being recognised as helping in the learning process.

Some schools will drop language options which have previously been available, directly affecting students. Student welfare programs will be affected. Work experience programs will be cut. School libraries will further reduce opening hours. To try to sweep these changes away and to imply that they do not affect the education of students is patent nonsense.

The Minister for Education has given us some examples today of where he believes that those cuts may occur. Combining classes may be an option, but it is not always appropriate for students to combine particular classes. He has talked about the possible reduction of R courses. That is not necessarily a good thing either for the students who value R courses and who want to participate in them. He has talked about a reduction of elective courses, particularly in high schools. We have in the ACT a student community which is committed to public education, to the quality of education they receive. One of the last things we want to be doing at this stage is reducing their options, and their elective options, particularly in high schools. The Minister for Education has also talked about possibly increasing class sizes for pastoral care matters. I think that is absolutely extraordinary. When students need assistance most, they need to be dealt with in small numbers. He also mentioned a number of other options. Really, Minister, two months after you have announced in the budget that you are going to drop 80 teacher positions, this Assembly still cannot make a judgment as to where those cuts will be felt at the individual school level.

Madam Speaker, during the Estimates Committee process the Minister for Education, Mr Wood, stated that consultation would take place on the proposed cuts. This has not occurred broadly, and I believe at this point in time that it has not occurred with parents in particular. The Government seems incapable of deciding whether education is an asset or a liability. More effort goes into defending the need to keep spending to ensure that we retain the high quality of transport and road infrastructure that exists than is expended defending the education system. Just as spending on programs such as roads can save money and have benefits in the future, young people who "achieve high standards of learning, self-confidence, optimism, self-esteem and respect for others" - the Government's words, again from the election platform - are assets for the ACT as well as ambassadors for our public education system.

The Government's attitude, reflected by the budget and its refusal to listen to the community on this issue, does not accord with its election promise to give education the highest priority. How can young people feel confident when their learning environment is under sustained attack and the subjects they choose in high schools and colleges are under threat?

Mr Connolly: How can you do this with a straight face?

MS SZUTY: I can do this with a very straight face, Mr Connolly.

Mr Connolly: No, no, not you; the bloke next to you. It is Mr Cornwell who wants to cut the budget.

MS SZUTY: I would also like to refer to social justice issues, a matter which the Chief Minister took up in the debate. Labor speaks often of its commitment to social justice in extending opportunities to those most disadvantaged in our community. Where is the social justice in these 80 teaching cuts for schools?

23 November 1993

I would also like to comment briefly on some of the comments other speakers have made during this debate. The Minister for Education began by saying that this is a very serious motion. It is a very serious motion. It is being treated seriously by, I believe, all the participants in this debate. The Chief Minister - Mr Stevenson referred to this particular comment by the Chief Minister - said that Government policy is being carried out by the Minister for Education, Mr Wood. What Government policy? Certainly not the Government policy which identifies education as its highest priority. The Chief Minister also referred to necessary adjustments in the budget and said that education represented one-fifth of the size of the total budget and cannot be quarantined. Again, I ask you: How does that equate with your commitment to education being the highest priority in your administration in the ACT?

There was also a comment about the level of detail that my colleague Mr Moore had presented in terms of the information that we have received about the impact of these budget cuts. It is not up to Mr Moore. It is not up to me to come to this Assembly and to identify for you where the impact of the cuts in teaching positions will occur. That is your responsibility. That is your job. We have not been convinced, on the information that we have received from you so far, that what you are doing is the right thing to do. Mrs Carnell quite rightly referred to the Chief Minister, in her capacity as Treasurer, being equally as responsible as the Minister for Education for these teaching cuts, and moved an appropriate amendment to this motion.

Mr Connolly asked a question about whether it was absurd to spend money on education. I can assure you, Mr Connolly, that I do not think it is absurd for us to spend more money on education. You mentioned the word "absurd".

Mr Connolly: No. Withdraw that. Come on! I never said that it was absurd to spend money on education. I said that what you were saying was absurd; that what Mr Moore was saying was absurd.

MS SZUTY: Well, I was named. You could have been referring to me, Mr Connolly. I would have to take issue with what Mr Cornwell said in the debate, which is probably not surprising. Mr Cornwell is opposed to the cutting of teacher numbers and will support this motion. However, he is not necessarily opposed to education cuts. Mr Moore and I have said that we are opposed to education cuts. In particular, we are opposed to these teaching cuts. Madam Speaker, in conclusion, I would like to reiterate that it gives me no joy to support this motion on this day. *(Extension of time granted)*

Thank you. Given that this debate has gone on for quite some time, I do not intend to take very long. I take no joy in supporting this motion which is before us today. However, I indicated some weeks ago that this course of action would be contemplated if the Minister for Education did not respond to the motion passed in this Assembly last month. This is what has occurred and this is why this motion is being debated today. I would like to conclude, Madam Speaker, by saying that, if the Government is concerned about the passage of this motion, all it needs to do is to change the decision that it has made on the cutting of 80 school based positions in the ACT. That is what this Assembly is waiting for in terms of the actions of the Government.

MR MOORE (5.32), in reply: I am just checking, Madam Speaker, because I close the debate. Madam Speaker, it seems to me that the Minister failed to respond to the Assembly motion, other than to say, "Well, it does not make any difference", in a fairly offhanded way. That was his initial response. That in itself would be enough to warrant a motion of no confidence in a Minister, a Minister who totally ignores the will of the Assembly, who does not seek to come back to compromise. He does not look for a sign or something. That in itself would be enough. Madam Speaker, I feel quite comfortable with the motion being presented in the way it was, directed at the Minister. As I explained before, in addition to that, evidence as to where the cuts were going to go was never presented. It was still not able to be presented to us today. So the Minister was making cuts, not knowing how they were going to affect individual schools and students. At the same time he told us in the Estimates Committee - Mr Cornwell quoted from the Estimates Committee transcript - that there would not be any problems. To that extent, this Minister deserves to have a motion of no confidence carried.

Mr Wood suggested that I know nothing about education and educational issues. He ought to look to himself in terms of dealing with these particular cuts in education and what they are going to achieve. On the one hand we had the Minister standing here and telling us that education is the very highest priority of this Labor Government. Within half an hour we had the Chief Minister saying, "Education will take exactly the same cuts as everywhere else". She was contradicting the Minister. We had a difference of opinion. Clearly, this Minister has not been able to convince the Chief Minister and Treasurer that education is of a high priority, because she does not believe it. Her actions indicate very clearly that education is a low priority, and certainly lower, for example, than tourism and health, where cuts were not carried, as just two examples.

The Treasurer has pointed out that further cuts are foreshadowed in this area and she said, "I will be sticking to it". That is what she indicated to this Assembly. So we are not talking, in this case, about just cuts of 80 teachers. We are talking about cuts of many more teachers or schools closures. Mr Wood, in his speech to the amendment, said, "We have two choices. Either we cut schools or we cut teachers". That was how he put it, and the Treasurer has said that we are going to have a lot more cuts in education. We have seen those foreshadowed in the budget papers. We can see that those cuts are coming, and they are coming on teachers. This is just the beginning, and it is simply not good enough.

Mr Wood has indicated that, as a rule, he does not stoop to a personal approach, and I accept that that is the case. It is a very rare thing for Mr Wood to do so. But I would respond to a couple of small comments. In fact, Mr Wood, last week I was away at a conference in the United States. Prior to that, talking about being at schools and dealing with schools, I spent two days as a parent driving around with a school on an excursion in Sydney, which I must say I enjoyed greatly. I was very proud to be part of an ACT government school and it was a very rewarding thing. I noticed the amount of time the teachers put in outside their normal work, as you well know, Mr Wood, not only at that excursion but also outside their preparation time, in the evenings and so forth getting things ready, dealing with parents and so forth. You drew attention to my holiday which you said was seven weeks. To start with, a week of that time was spent in Adelaide, where I appeared before a South Australian parliamentary committee, as well as - - -

23 November 1993

Ms Follett: What on?

MR MOORE: The Chief Minister interjects, "What on?". On an area in which I have some expertise, and it has grown, as you well know. It was on the issue of drugs and their impact in our community. As well there was a series of meetings with other members of the community on a range of issues. The Chief Minister smiles because she thinks that the fact that I take on an issue like that is in some ways strange. I have taken on those issues and the other issues that were mentioned because they are issues of social justice.

Mr Wood: Absolutely.

MR MOORE: Indeed. I accept that Mr Wood would pay credit there. The other issue I would like to raise is that in the time that I was away I spent quite a number of days in national parks discussing with national park rangers a range of issues. That was arranged through Mr Wood's department and I appreciated the help. I came back and I prepared a report to our committee, which is likely to take on a reference to deal with that. I want you to understand that I am paid to do the work rather than being paid to be at work. That is what I do. I also suggest that we ought to be measuring outcomes. I have seen a nod from the Chief Minister, who has just taken a trip to Japan, involving an expenditure of some \$180,000 of taxpayers' money, on which I have never commented negatively - not once - and I do not intend to now. But I will draw a contrast. On my recent trip to the United States not a dollar of taxpayers' money was spent.

Ms Follett: Except your salary. What about your salary?

MR MOORE: The Chief Minister now interjects, "Except your salary". Now she wants to add to the \$180,000 the salaries that were paid on her trip to Japan.

Mr Kaine: Was American taxpayers' money used?

MR MOORE: No. Well, yes, perhaps it was. In the next two years, when we are looking at cuts, what we should be thinking about is exactly the same thing. We should be thinking about outcomes. What are going to be the outcomes? This Minister has failed to understand the outcomes of his own actions and the actions of the Treasurer in preparing these budget cuts. He has not been able to tell us what the outcomes of these cuts are going to be, because he has not known where they were going to occur.

It is quite clear that this motion is entirely appropriate. You have a choice, and that is to relook at your budget and to change it. Madam Speaker, there are two amendments to my motion. The first is by Mrs Carnell which, although I feel that it was appropriate to concentrate the motion on the Minister, I am prepared to accept. The second one was moved by Mr Stevenson and it changes the motion from a lack of confidence motion to a censure motion. I am quite happy to accept that, Madam Speaker, because I want a clear message sent to this Government that we are terribly dissatisfied with these cuts. There is time for you to reconsider them before Thursday.

Mr Connolly: Do you want to justify your 1991 statement?

MR MOORE: No.

Question put:

That the amendment (**Mr Stevenson'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.

MADAM SPEAKER: The question before us now is: That Mrs Carnell's amendment be agreed to. Those of that opinion say aye, of the contrary no. The ayes have it.

Mr Berry: The noes have it.

MADAM SPEAKER: Lock the doors.

Mr Moore: I take a point of order, Madam Speaker. I draw your attention to the fact that only one member has called for the noes.

MADAM SPEAKER: Mr Moore, I am aware of that, but I believe that when it is called by either the leader of Government business or the leader of the Opposition's business it indicates more than one voice. If members wish to dispute that, we will go into discussion on that in the Administration and Procedures Committee.

Mr Moore: When did you change the standing order?

MADAM SPEAKER: My understanding of that standing order is that that is the application of it.

23 November 1993

Question put:

That the amendment (**Mrs Carnell'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.

Question put:

That the motion (**Mr Moore's**), as amended, 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.

PAPERS

MADAM SPEAKER: Members, for your information, I present a report on a trip undertaken by me as Speaker to the Western Australian Parliament on 11 and 12 November. I also present reports on study trips undertaken by Mr Moore to Melbourne on 3 and 4 October 1993 and by Mr Humphries to Tasmania on 28 and 29 October.

I believe that it is the wish of the Assembly to suspend the sitting.

Ms Follett: No, it is not.

MADAM SPEAKER: We will continue then.

**PLANNING, DEVELOPMENT AND INFRASTRUCTURE -
STANDING COMMITTEE**
Report on 1993-94 New Capital Works Program - Government Response

MS FOLLETT (Chief Minister and Treasurer) (5.46): For the information of members, I present the Government's response to the report by the Standing Committee on Planning, Development and Infrastructure on the 1993-94 new capital works program. I move:

That the Assembly takes note of the paper.

Mr Moore: I raise a point of order, Madam Speaker. You said, "I believe that it is the wish of the Assembly to continue". I draw your attention to the fact that it is not the wish of the Assembly to continue.

MADAM SPEAKER: There was one voice that said no, so Ms Follett can proceed. We need only one voice; it is like leave. Please proceed, Ms Follett.

MS FOLLETT: Thank you, Madam Speaker. I would like to respond on behalf of the Government to the report by the Standing Committee on Planning, Development and Infrastructure on the new capital works program for 1993-94. On behalf of the Government, I thank the committee for its report. The report provides an important opportunity for the Government to listen to the concerns expressed by the committee, industry and community groups.

The 1993-94 capital works program was referred to the Assembly's standing committee on 20 May 1993 for inquiry and report by 24 August 1993. The report covers issues of significant importance to the ACT community, ranging from the impact of the capital works program on the local economy to improved preparation and justification of projects. The committee has established a foundation for improved quality and accountability in the capital works program. In all, the committee has made 18 recommendations. I do not intend to speak on each recommendation but will address the most significant issues which arise from them.

The committee requested that it be provided with an assessment of the total size of the ACT Government capital works program, including ACTEW and the ACT Housing Trust, against the overall level of economic activity in the ACT. The Government considers the capital works program, including ACTEW and the ACT Housing Trust, in the context of the overall level of economic activity in the ACT, levels of future expenditure implied by the forward estimates, and issues of affordability. The Government supports earlier provision of economic information to the committee. This will include a summary statement of the significance of the Government's capital works program for overall activity in the ACT in the forthcoming year. It will also include a summary of capital works expenditure over the past few years, to enable an assessment of trends.

As recommended by the committee, the Government will provide a status report on all projects carried over in the construction program from the previous year. In addition, the Government will also provide a status report on projects in the forward design program of the previous year. The committee identified a need to improve the preparation and justification of projects. Among the initiatives recommended by the committee were the implementation of value management and a process within the administration to assist the critical examination of

23 November 1993

projects in order to contribute to improved outcomes. To assist early planning and coordination of projects, a working group of officials will examine the capital and recurrent consequences of projects in excess of \$1m. This working group will be of an advisory nature only and will have a role in viewing the quality of project information and planning. Sponsoring Ministers and their agencies will retain primary carriage of projects.

To demonstrate the savings achievable from the adoption of value management, a limited number of projects selected across agencies will be assessed on a value management basis. Subject to a positive outcome of this trial, consideration will be given to wider application of value management to the capital works program. The Government supports the committee's recommendation that a clearly defined user brief should be developed by the agency concerned, together with whole-of-life costings and, where necessary, a cost-benefit or cost-effectiveness analysis prior to inclusion in the capital works program.

The committee has sought disclosure of indicative capital works projects in future years. The Government maintains a rolling four-year forward capital works program to support long-term planning for facilities provision. However, the Government has resolved not to provide this information, due to the potential adverse effects which may result from this disclosure. Public discussion of proposals that may have little prospect of Government endorsement and which increase cost to the taxpayer from additional resources required may be one outcome of the longer horizon planning information sought by the committee. The Government is concerned to avoid undue expectations being raised on the part of the community and the building industry for the timing and provision of specific facilities and services. Additionally, the Government considers it essential to maintain a flexibility in future years' capital works programs to responsibly and adequately respond to changing circumstances, including a likely reduction in Commonwealth funding, altered priorities, demographic and technological changes, and fluctuating economic activity.

Lastly, the Government wishes to draw attention to the timetable for referring the capital works program to the committee. It has been the practice in previous years to refer the program to the committee in advance of the normal budget cycle. This has also meant that it has not been possible for decisions on the size of the program and funding arrangements for projects within the program to be made in the context of all other major budget decisions. The additional information on capital works requested by the committee also has implications for the timing of the referral of the draft capital works program to the committee. This includes information on the status of projects in the previous year's program and greater final information on proposed projects.

The Government is carefully giving consideration to the timing of the 1994-95 budget. However, this will be heavily influenced by the timing of the 1994 Premiers Conference and Loan Council and the timing of the Commonwealth budget. These matters have not yet been resolved by the Commonwealth. Without prejudging this matter, the Government believes that it would be more appropriate to move to progressively bring the timing of the ACT budget forward. Consistent with this and to ensure improved information, it would be appropriate to refer the capital works program to the committee at the same time as the budget is presented. This would enable scrutiny of capital works proposals in the context of the Government's overall budget strategy.

The Government will be finalising its timetable for next year's budget in the near future and will be discussing with members the implications for both the Estimates Committee and the Planning, Development and Infrastructure Committee.

Madam Speaker, I thank the committee for their examination of the 1993-94 capital works program, and I commend the Government response to the Assembly.

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

That so much of the standing and temporary orders be suspended as would prevent the Assembly suspending until 8.00 pm this day.

MR BERRY (Deputy Chief Minister) (5.54): Mr Deputy Speaker, I rise to oppose the motion. We have in front of us a motion which would interfere with the passage of important matters that are before the chamber. We have just spent two or two-and-a-half hours out of the daily program, and the Government has to get on with its business. We still have to get to the Estimates Committee debate. There is a lot of work required of this Assembly. I understand that members may wish to break at what might be considered the usual time, but what has happened today has not been usual. We have had stolen from us, if you like, as far as the passage of Government business is concerned, two or two-and-a-half hours of very important time which we have to make up somewhere along the line.

Mr Stevenson: On a very important matter.

MR BERRY: I think these matters are particularly important. They are important as far as I am concerned. You can all weigh up in your own minds how important they are, but from my point of view they are important enough to press on with, and we are going to have to do them anyway.

Mr Moore: Not now.

MR BERRY: How are you going to like being here till midnight tonight? That will be fine. We will see.

Mr Kaine: We have been here till 4 o'clock in the morning. Do you not remember, or was that before your time?

MR BERRY: Do not worry; I have been around a while.

Ms Follett: You get a bit ratty after bedtime.

MR BERRY: They are getting a bit ratty now. This motion for the suspension of standing orders ought not to be carried because it is not justified. There is work before the chamber, and it is a great disappointment that the Liberals would move such a motion in order to block the passage of the very important Government business on the agenda. These are the lazy Liberals. This is the lazy Liberals at work, trying to block the passage of important Government business.

23 November 1993

Question put:

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

The Assembly voted -

AYES, 9

NOES, 8

Mrs Carnell

Mr Berry

Mr Cornwell

Mr Connolly

Mr De Domenico

Ms Ellis

Mr Humphries

Ms Follett

Mr Kaine

Mrs Grassby

Mr Moore

Mr Lamont

Mr Stevenson

Ms McRae

Ms Szuty

Mr Wood

Mr Westende

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

Sitting suspended from 6.00 to 8.00 pm

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

Motion (by **Mr Berry**) agreed to, with the concurrence of an absolute majority:

That so much of the standing and temporary orders be suspended as would prevent the resumption of the debate being made an order of the day for consideration as a cognate debate with the executive business order of the day relating to the Appropriation Bill 1993-94.

SUBORDINATE LEGISLATION AND COMMENCEMENT PROVISIONS

Papers

MR BERRY (Deputy Chief Minister): Pursuant to section 6 of the Subordinate Laws Act 1989, I present subordinate legislation in accordance with the schedule of gazettal notices for determinations, modification to schedule and regulations. I also present a notice of commencement of an Act.

The schedule read as follows:

Boxing Control Act - Boxing Control Regulations (Amendment) - No. 40 of 1993 (S219, dated 22 October 1993).

Buildings (Design and Siting) Act - Buildings (Design and Siting) Regulations (Amendment) - No. 43 of 1993 (S232, dated 15 November 1993).

Crimes (Amendment) Act (No. 2) 1993 - Notice of commencement (15 November 1993) of remaining provisions (S230, dated 12 November 1993).

Dog Control Act - Determination of fees - No. 150 of 1993 (S235, dated 19 November 1993).

Gaming Machine Act - Gaming Machine Regulations (Amendment) - No. 41 of 1993 (S225, dated 1 November 1993).

Land (Planning and Environment) Act - Determination of fees - No. 145 of 1993 (S221, dated 26 October 1993).

Litter Act - Litter Regulations - No. 42 of 1993 (S228, dated 8 November 1993).

Poisons and Drugs Act - Modification of Schedule 7 to include Amphetamine Precursors - No. 146 of 1993 (S221, dated 26 October 1993).

Public Place Names Act - Determination No. 151 of 1993 (S237, dated 23 November 1993).

Taxation (Administration) Act -

Determination No. 147 of 1993 (S224, dated 1 November 1993).

Stamp Duties (Marketable Securities) - Determination No. 148 of 1993 (S224, dated 1 November 1993).

Stamp Duty (Interests in Land) -

Determination No. 149 of 1993 (S224, dated 1 November 1993).

Determination No. 152 of 1993 (S240, dated 23 November 1993).

LIMITATION (AMENDMENT) BILL 1993

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (8.03), by leave: Madam Speaker, I present the Limitation (Amendment) Bill 1993.

Title read by Clerk.

MR CONNOLLY: I move:

That this Bill be agreed to in principle.

This Bill contains measures that fall under two headings. The first heading is precautionary measures. In the matter of *Capital Duplicators v. the Australian Capital Territory*, the High Court decided that the Legislative Assembly does not have power to impose duties of excise. The litigation concerns the Business Franchise ("X" Video) Act 1990. The court left the question of whether that Act imposes a duty of excise to further proceedings, which were heard in April this year. The High Court has indicated that a decision on the validity of the Act will be handed down shortly.

Although the decision will relate to the "X" video Act in this Territory, it could indicate that a number of ACT, State and Northern Territory revenue measures are invalid. This would happen if the court applied a definition of "excise" that is inconsistent with previous court decisions. Those decisions have been relied on to support legislation, in this jurisdiction and others, imposing business franchise fees on the liquor, petroleum and tobacco industries in every State and Territory.

In view of the possible ramifications of the decision, Commonwealth, State and Territory governments have been examining various legislative options to protect State and Territory revenues. The options include amendments to State and Territory limitation laws which will limit the impact of an adverse decision. The Government has decided that it would be appropriate for the ACT's limitation law to provide a six-month limitation period when a claim is made for money paid under a revenue law which is found to be invalid. At first glance, this may appear harsh. However, there are a number of matters that I would like to draw to the attention of members.

First, in the case of *Antill Ranger and Co. v. Commissioner of Motor Transport*, the High Court dealt with the validity of the New South Wales Transport Coordination (Barring of Claims and Remedies) Act 1954. This Act was enacted following the Privy Council's decision that the then State Transport (Coordination) Act 1931 was invalid on the basis that it offended the guarantee of free trade which is contained in section 92 of the Constitution. The court found the barring of claims to be invalid. However, in doing so it made a number of observations that made it clear that it would be acceptable for legislation to provide a limitation period that applies only to actions to recover moneys paid under a revenue law that is subsequently held to be invalid. In a subsequent case, *Barton v. Commissioner of Motor Transport* in 1957, the High Court explained that to comply with the *Antill Ranger* principle it was necessary that the limitation period be imposed prospectively. That case dealt with a limitation period of 12 months, which was imposed once the *Antill Ranger* decision was handed down.

I stress that the Bill before the Assembly does not bar claims. In reliance on the *Antill Ranger* decision it does, however, apply a much reduced limitation period. It also includes a provision which will phase out the existing limitation period, which is six years. This phasing out will occur during the first six months of the Bill's operation. During that period claimants will be able to lodge claims that are based on the existing limitation period. A moment's reflection will indicate the good sense of this.

If the ACT's major revenue laws are held invalid and the ordinarily applicable limitation period is applied, all revenue that has been collected under these laws since self-government day will be suspect and liable to be refunded. The Government considers this both unacceptable and unfair to the ACT community. It has to be remembered that the revenues in question were paid and collected on the common understanding that the laws were valid. It also has to be remembered that in the normal course of business the impact of the taxes would have been passed on to the consumer and it would now be impossible to trace the person who, in truth, ultimately paid them. Refund to the person who collected the tax would thus amount to a significant windfall gain.

The Bill contains provisions that will ensure that this provision does not affect a taxpayer who would have had a claim for a refund if the revenue law was valid. Accordingly, overpayments that have occurred because of disputed facts will still be able to be recovered.

The possibility that ACT revenue could be claimed in a court in another State or Territory which has a different limitation period is addressed by providing that the limitation period will be part of the substantive law. This should result in any court in any other part of Australia, under the cross-vesting scheme, applying the ACT's limitation period to any claim. In addition, the situation of claims being made in an ACT court that relate to another State's or Territory's revenue is provided for.

This Bill is, by and large, in a form which is, in current times, being put through as a matter of urgency in parliaments around Australia. The New South Wales Parliament debated similar legislation through both houses in a day and the Victorian Parliament, I understand, also set a speed record for getting legislation through that parliament. We will not be seeking to put this through in a day, but I would stress that in other State parliaments the opposition has cooperated with the government in protecting the revenue. The case here is that some \$60m-odd is under threat, but in New South Wales something like \$1.6 billion is under threat. The sums across Australia are phenomenal.

The second matter is not irrelevant to the Capital Duplicators decision but is in fact an overdue reform. In the case of *McKain v. Millar and Co.* the High Court confirmed that statutes that set down limitation periods form part of the procedural law. Accordingly, the limitation law that is to apply is that of the jurisdiction in which an action is commenced. For example, if a motor vehicle collision happens in South Australia, which has, say, a three-year limitation period for personal injuries matters, but a person who was injured in the collision resides in and commences proceedings in New South Wales, or merely moves to New South Wales to commence proceedings, which has, say, a six-year limitation period, the New South Wales period can be applied. This is so even though in other respects the law to be applied will be that of South Australia.

The relevance of this to the Capital Duplicators matter is that, as set out above, the ACT intends to apply a six-month limitation period but some of the States may still be applying a 12-month period. It would be in the interests of an ACT taxpayer to commence proceedings in another State with a longer limitation period. The declaration in the ACT's law that its limitation period is part of the substantive law should be effective to prevent this.

Following the decision in *McKain v. Millar and Co.*, the Standing Committee of Attorneys-General resolved that each State and Territory should enact legislation providing that the limitation law to be applied is that of the place that supplies the substantive law that will govern a matter. In the example given above, these provisions would result in the limitation law of South Australia applying. This is, in effect, to prevent forum shopping across Australia. I understand that this provision is being enacted or has been enacted in all Australian jurisdictions. Madam Speaker, I present an explanatory memorandum.

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

23 November 1993

TAXATION (ADMINISTRATION) (AMENDMENT) BILL (NO. 2) 1993

MS FOLLETT (Chief Minister and Treasurer) (8.10), by leave: Madam Speaker, I present the Taxation (Administration) (Amendment) Bill (No. 2) 1993.

Title read by Clerk.

MS FOLLETT: I move:

That this Bill be agreed to in principle.

This Bill is part of a series of proposals which the Government is seeking to implement to protect the ACT revenue from potential claims for refund of taxes paid, should the High Court hand down a decision adverse to the Territory in the Capital Duplicators case. The court has advised that a decision will be announced on 7 December 1993. An adverse decision potentially can affect the collection of all the Territory taxes on petroleum and tobacco products, liquor and "X" videos. Revenue from these taxes in the current year is estimated at \$65.1m.

Many of the taxes imposed under Territory laws are recovered from third parties, either as direct charges or as part of the price. In the event that tax so collected is refunded, it should not represent a windfall gain to the taxpayer but should be returned to the person who bore the incidence of the tax, namely, the primary taxpayer's customers. The Bill therefore proposes amending the Act to ensure that, where a tax is charged or recovered from a third party, a refund is available only if the taxpayer has satisfied the Commissioner for ACT Revenue that the refund sought is in respect of amounts already reimbursed to those third parties.

The Bill also proposes that a tax paid under a subsequently invalidated revenue law should not be recoverable. Clearly, any tax liability should cease from the date a law is determined to be invalid. But the Government also believes that ACT revenue should not be jeopardised by changes to revenue laws unless such changes are made by legislation passed by this Assembly. Provisions to the same effect were passed by the New South Wales Parliament last week. The potential claims on the revenue in the absence of this provision are all the franchise fees collected by the ACT Government since self-government. This amounts to \$202.4m.

The Government cannot stress too highly the importance of this legislation being in place before the court's decision is handed down. I commend the Bill to the Assembly and I urge all members to give it their full support. I present the explanatory memorandum to the Bill.

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

**SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION -
STANDING COMMITTEE
Reports and Statement**

MRS GRASSBY: Madam Speaker, I present reports Nos 19 and 20 of 1993 of the Standing Committee on Scrutiny of Bills and Subordinate Legislation. I ask for leave to make a brief statement on the report.

Leave granted.

MRS GRASSBY: Report No. 19 of 1993, which I have just presented, was circulated on 27 October 1993, when the Assembly was not sitting, pursuant to the resolution of appointment of 27 March 1992. Report No. 20 of 1993 contains the committee's comments on eight pieces of subordinate legislation and four Government responses. I commend the reports to the Assembly.

**ESTIMATES - SELECT COMMITTEE
Report on the Appropriation Bill 1993-94**

MS SZUTY (8.13): Madam Speaker, I ask for leave to present the report by the Select Committee on Estimates 1993-94 and to move a motion in relation to the report.

Leave granted.

MS SZUTY: Pursuant to order, I present the report by the Select Committee on Estimates 1993-94, together with a copy of the minutes of proceedings. This report was provided to the Deputy Speaker, in the absence of the Speaker, for circulation on Friday, 12 November 1993, pursuant to the resolution of appointment. I move:

That the report be noted.

Madam Speaker, the report of the Select Committee on Estimates on the Appropriation Bill 1993-94 has much to recommend it. It represents the work of 11 non-Executive members of this Assembly who have worked diligently over five months, but especially over the last two months, to produce a substantive and constructive report on the Government's budget and government and bureaucratic activity over the last 12 months and in anticipation of the next few years.

Madam Speaker, I can attest to the fact that it is no easy task to achieve a consensus report from so many committee members of differing political persuasions, but it has been achieved and I believe that the report is the stronger for it. The process for compiling the report has drawn on the experience of last year's Estimates Committee, when individual members submitted material for consideration, but has been further refined. Almost every member of this year's committee has had direct input into the report, which I believe is the stronger for that input.

23 November 1993

In reaching agreement on the content of the report, the committee firstly considered each key issue highlighted and then considered the language and expression used to comment on each issue. The process has indeed worked well, although it is undoubtedly difficult to combine the work of 11 people into a cohesive whole. Forty recommendations have been made to government on the basis of this report, which represents about double the work done by last year's committee and is quite an achievement in itself, and not all of the issues highlighted resulted in direct recommendations being made. I will comment on key recommendations shortly, but not in detail, as I expect that many committee members will take the opportunity during this debate to comment on them.

Madam Speaker, as chairperson of the Select Committee on Estimates I wish to comment at length on the estimates process as I see it and on its strengths and weaknesses. Members will recall that the committee convened at an earlier time in the year than is usual, to enable members to give considerable thought and consideration to the issues that would be explored and to additional requests for information which would be able to be forwarded to agencies some weeks before the commencement of public hearings. Madam Speaker, I believe that convening the committee well ahead of the time for public hearings was indeed useful, as it enabled us to focus on the task ahead thoughtfully and with due consideration.

The terms of reference for the committee were amended by the Assembly on 26 August, on the motion of Mrs Carnell, to formally enable revenue estimates proposed by the Government in the 1993 budget to be considered by the committee. This has been a useful innovation. The next stage of the process, which marked the beginning of the period of intense activity for committee members, was the presentation of the Appropriation Bill 1993-94 and accompanying budget papers by the Chief Minister on Tuesday, 14 September 1993. Members were appreciative of the availability of Treasury officers on Friday to brief us on the presentation and format of the budget papers for this year. The committee has commented in its report, Madam Speaker, that too little time elapses between the time when agencies forward estimates papers, which include detailed information, and the commencement of public hearings. An extended time at this stage of the process, to allow for more comprehensive preparation for the hearings, is considered by the committee to be advantageous for future processes.

Eighty-three hours of public hearings were held between the commencement date of Wednesday, 22 September, and the concluding date of Friday, 8 October. Hours of public hearing were longer than in 1992 for several reasons. The committee requested to see four non-budget-dependent authorities - three for the first time in 1993, they being ACTTAB, the Milk Authority and the Construction Industry Long Service Leave Board. All members of the Opposition were available to attend public hearings this year and all took the opportunity to participate extensively in them. It certainly was not unusual for three to four members of the Opposition to be present during any one hearing and for two Government members to be present also. With the addition of Mr Moore, who attended almost all hearings, and me, it was therefore usual for seven to eight members of the Estimates Committee to be present at most public hearings. The presence of most committee members most of the time demonstrated the interest by committee members in most issues, and consequently extensive questions were asked.

The committee has also noted that, with an extended period of preparation, it might also be possible to schedule a longer period of time for public hearings, enabling some days to be set aside for reading and preparation and, dare I suggest, resting in preparation for further hearings. In addition to the time spent during public hearings, a number of further written questions were forwarded to agencies for response. The committee appreciated receiving prompt responses from agencies. Again, this process contributed to the work of the committee evidenced in this report.

At the conclusion of public hearings this year, two weeks of Assembly sittings followed and it was simply not possible for members to actively consider material presented during public hearings and in response to written requests. The future passage of amendments to the self-government Act for the ACT by the Federal Parliament and further rescheduling of the estimates process in future years should ensure that a sufficient gap between sittings exists for the prompt completion of the Estimates Committee's deliberations and the passage of the Government's Appropriation Bill. Of course, likely future changes to the timing of the estimates process will also have a significant impact on the process in future years.

Madam Speaker, I have received a number of suggestions at various times from members about the possible reform of the estimates process. Concerns have been expressed about the time that individual members spend participating in the process. Suggestions have been made that a number of estimates committees could undertake the work of this committee, as occurs in other States and in the Senate estimates process of Federal Parliament, and that particular areas of government activity or specific issues only should be pursued. It is my belief, Madam Speaker, that the Assembly's current approach to the work of the Estimates Committee is appropriate and, with future amendment along the lines mentioned already, will fulfil our needs very well.

This current report is testimony to an effective estimates process - a process which includes thorough and extensive questioning by all non-Executive members of the Assembly, and a report which is cohesive, is comprehensive and takes a whole-of-government approach and perspective. The estimates process is an intensive and extensive process, but I believe that government is best served by rigorous scrutiny of its activities which occurs in this form once a year.

Before I comment on a number of the recommendations, Madam Speaker, I wish to comment on the structure of the report presented this year. The report has followed last year's format. The inquiry process is discussed first, followed by comment on the provision of information, identification of issues both general and specific, and an overview by agency and authority. A list of public hearings held and witnesses attending accompanies the report at Appendix A. I believe, Madam Speaker, that the format of the report is useful in that it demonstrates to the Assembly, agencies, the media and the general community the scope of the Estimates Committee's work.

Madam Speaker, the work of the Estimates Committee is best judged by its recommendations, which represent the result of the scrutiny of the Government's budget and associated activity. I would like to comment briefly on a number of them. The first recommendation concerns the practice of non-budget-dependent authorities appearing before the Estimates Committee.

23 November 1993

The committee recommends that that become a regular feature of future Estimates Committee processes. This is a good idea. It enables the Estimates Committee to oversee the full range of government activity. We are likely to request to see Natex next year. It is one non-budget-dependent authority that we have not seen yet.

We have recommended that future annual reports of agencies and authorities should include in the financial resources section an up-to-date response to the recommendations of the previous year's Estimates Committee. Again we believe that this should become a regular feature of the estimates process in years to come. We have requested that the Government seek the earlier provision of annual reports from Commonwealth agencies which are contracted to provide services to the ACT or, failing the achievement of this objective, we recommend that Commonwealth agencies which are contracted to provide services to the ACT arrange the provision of more detailed information about their ACT operations to the Estimates Committee prior to the hearings.

This is important, Madam Speaker, as in some areas of government activity - particularly the Australian Federal Police, the Ombudsman's Office and the Human Rights Office - we felt that we had limited information at our disposal to ask appropriate questions. Madam Speaker, we have recommended that in future years where expenditure reductions are foreshadowed Ministers provide the committee with full details of where and how the reductions will be achieved. This is of particular concern to both the health portfolio and the education portfolio, which indicated to the committee that the Government has not thought through the results of its budget processes.

We have recommended that the Select Committee on the Establishment of an ACT Public Service review the commitment to Comcare and that the outcomes of the initiatives currently being developed by the Chief Minister's Department in relation to Comcare be reviewed by the Select Committee on the Establishment of an ACT Public Service. If this recommendation is adopted, Madam Speaker, it will form an important part of that committee's work. It is acknowledged that current government expenditure on Comcare is too much for too little information provided back from Comcare as to where our money is spent.

We have recommended that the total value of remuneration packages, cash and non-cash, be included in the lists of consultants and contractors incorporated in annual reports. This is another recommendation of this committee that indicates that the whole picture is important and is what we are looking at. We have recommended that the copyright position with respect to government reports and other budget related documents be similar to that outlined in the annual report of ACT Health. This is a useful recommendation to be adopted and is an example of how a relatively small issue explored by the Estimates Committee can be constructively addressed and appropriate action then taken as a result.

Madam Speaker, we have recommended that the Social Policy Committee of the Assembly consider a reference to review the allocation and distribution of grants to community groups. This is an important recommendation, and I am sure that it will take the Social Policy Committee some time to consider the issue, at least initially. We have recommended that consideration be given to the centralisation of the settlement of legal claims against the ACT Government where an amount above a particular dollar limit is in issue. Not a lot of time was spent by the committee in arriving at this particular conclusion.

Madam Speaker, the committee has recommended that the review of home garaging of government motor vehicles as proposed by the Chief Minister should also specifically examine the justification for home garaging vehicles in New South Wales and that the existing scale of vehicle issue should also be reviewed, to ensure that operational needs are met and that unnecessary vehicles are not hired, leased or purchased. This is a significant area worthy of future Government attention. It is to be addressed by the Chief Minister, as was acknowledged to the Estimates Committee during the public hearings.

We have also recommended that an inquiry be conducted into performance pay in the ACT Government Service, with particular emphasis on the appropriateness of the current method of moderation, the fairness and effectiveness of the system and the cost of administration. The committee feels that more questions need to be asked in this area, particularly with regard to how the system of assessing performance pay operates at the moment.

We have also recommended that the Government examine the incorporation of client surveys into performance indicators for ACT Health and other service delivery areas, expanding their use in appropriate circumstances. This is an important recommendation already addressed by the accident and emergency department in terms of producing statistics in relation to the waiting times of clients needing service in ACT hospitals.

We have recommended that former ACT Government Service employees that have been paid redundancy packages not be re-employed for a period of two years, except with the specific approval of the Head of Administration, and that instances of re-employment be reported in detail for the budget and estimates process. Again, this is an important reform in the area of the employment process and practice in the ACT Government at the present time.

We have also recommended that the Chief Minister give specific consideration at the earliest opportunity to the establishment of separate advisory councils to consider the needs of families, the aged and people with disabilities in the ACT, and that the membership of the councils be drawn from the relevant sectors of the community. Through the committee's questioning we identified a possible gap in the provision of advice to the Chief Minister which is worthy of her consideration, and I would encourage her to look carefully at this particular recommendation.

We have recommended, Madam Speaker, that the Government reduce the rate of the Construction Industry Long Service Leave Board levy as soon as possible, as recommended by successive actuarial reports. Madam Speaker, this is an issue which has been raised and debated in the Assembly and which, the Estimates Committee believes, needs further attention. Madam Speaker, we have recommended that the funding of the Health Promotion Fund be restored to at least 5 per cent of the revenue raised by the tobacco franchise fee. This would be an important reform and appropriate recognition of an important funding source aimed at health prevention in the ACT community. (*Extension of time granted*)

We have recommended that steps be taken to ensure payment of all accounts by agencies of the ACT Government, where no dispute exists, within 30 days of an invoice being rendered. The committee has drawn attention in this situation to circumstances which really should not exist within the ACT Government Service.

23 November 1993

We have also recommended that the Treasurer review the base funding of the Legislative Assembly to ensure that it is sufficient to maintain an appropriate level of service to members, particularly in the light of the move to the new building. This is an area of some concern. The level of funding is serious to the extent that services, or part services, to members essential to our roles as MLAs will not be provided unless action is taken in this particular area. I think it is sometimes difficult for us to look at our own needs, but this recommendation is certainly worth the Government's pursuing.

We have also recommended that progress in the development of a consultation process for the provision of bus-shelters and information relating to community demand for shelters to assess the adequacy of the reduction in funding be provided to the committee in 1994. The committee has recognised that this is an important issue, and I believe that the Minister for Urban Services has also acknowledged that this is an important issue. We can do better than we are currently doing with regard to consultation in this area. Madam Speaker, I could have spent a much longer period of time discussing each of these recommendations and other general and specific issues identified in the report. However, I extend an invitation to my committee colleagues to continue discussion and debate.

It remains for me to congratulate all of my committee colleagues - Mrs Carnell, Mr Cornwell, Mr De Domenico, Ms Ellis, Mrs Grassby, Mr Kaine, Mr Lamont, Mr Moore, Mr Westende, and in particular my deputy chairperson, Mr Humphries - on all of the fine work that the committee has done. Finally, Madam Speaker, the production of this report would not have been possible without the exceptional dedication and commitment to the task by staff of the Assembly Secretariat, most especially Ms Karin Malmberg. I congratulate her on her skill and professionalism. I have always been a person who has aimed for perfection in what I do, which makes me at times difficult to work with. Karin has responded willingly and contributed greatly to the work of the Estimates Committee in 1993. Madam Speaker, I commend the report of the Select Committee on Estimates 1993-94 to the Assembly.

MR KAINE (8.32): I think this is a report that is deserving of very careful consideration by the Government. As the chairperson has indicated, there are some 40 recommendations here. Those 40 recommendations have been distilled from a virtual mountain of evidence and information provided to the Estimates Committee. I believe that the report is a tribute to the secretary, Karin Malmberg, and her assistant, Karen Pearce. The fact that they have been able to reduce the amount of information that was provided to the committee into a report of this nature, I think, speaks volumes about their capacity and their capability.

The Ministers in the Government and their public servants who supported them at these hearings are to be commended also. This report is the result of many hours - in fact, days - of sitting in a committee room. The Ministers have always been there, to give them their due. They have generally responded very well to the questioning of the members of the committee. The public servants, the officers, who stand behind the Ministers are doing an increasingly better job year by year in meeting the demands of this committee. When you examine the mountain of information that was provided - much of it at short notice; much of it in minute detail - it is quite clear that the ACT Government Service is beginning to anticipate the kinds of things that the Estimates Committee might

seek and they are able to respond quite rapidly. That means that the information processes within the organisation are becoming better. I can remember the first Estimates Committee hearings of this Assembly, when a lot of the information that we asked for simply was not available. There were no databases from which it could be extracted. It is only fair to note that the performance of officers of the ACT Government Service is improving every year. I have no complaint whatsoever about the way they respond to the very heavy demands that are placed on them by this committee.

I think that the Estimates Committee process is becoming more effective. I am quite sure that Ministers sitting before the Estimates Committee must become quite exasperated with the sort of questioning to which they are subjected, the detail that members of the Assembly are now beginning to ask them to provide, and the accountability to which they are now being subjected. I can understand that they may get a little exasperated with that; but, for those ordinary members of this Assembly, this is the only time of the year and the only mechanism available to find out what is actually behind the budget and what the Government really intends to do. The budget documents, no matter how comprehensive they are, cannot tell the whole story, even if the Government wished to tell the whole story - and, of course, obviously there are times when they do not. It is a process by which ordinary members of the Assembly can inform themselves as to what the Government's intentions really are, what they intend to do with this very large sum of money that we are asked to appropriate for the purposes that the Ministers specify. It is a rigorous process. It is becoming more rigorous year by year. We are asking for more and more information.

There are essentially three things that the Estimates Committee is beginning to focus on. First of all, they are looking for the provision of comprehensive, cohesive information about the Government's programs. That is increasingly being provided in information contained in annual reports and very comprehensive supplementary information way beyond what would normally be provided in budget papers. Secondly, we are looking for reconciliations from one year to the next, so that we can see that what we appropriated last year was, in fact, spent for the purposes for which we appropriated it and how that translates into new programs or continuation of programs for the coming year. Did the Government achieve its objectives that it set for itself last year? If not, why not? If so, how well? What does the Government now intend to do to implement new programs or to carry on the old ones in some cases. Of course, in many cases, programs go on for years.

The third thing that the committee has been looking for and is still looking for, perhaps with less success than in the other areas, is to identify the performance criteria that agencies have set for themselves. I must say that this year I was quite disappointed. I had thought over the previous years that the specification of performance criteria was improving and that we were getting an improved ability to judge an agency against its performance criteria. This year, it seems to me, that somehow it has failed. It was not easy to find out, first of all, what the performance criteria were. It seemed that they were being expressed in very general terms. I believe that a performance criterion has to be something that is measurable. If you cannot measure it, how do you know whether you are meeting it or not? A performance criterion has to be something that you can measure so that you can make a judgment after the event about the degree to

23 November 1993

which that performance criterion has been met. This year I felt that the agencies failed on that particular measure. I hope that they will take that comment in the way in which it is meant - that is, that we are simply looking for some improvement from them in this regard.

Members of the Government have to be prepared to come before the committee and state fully how their budgetary objectives are to be achieved. Amongst the 40 recommendations there are in fact three that have to do with Ministers explaining to the Estimates Committee how they intend to achieve their budgetary objectives - that is, if they are going to save X million dollars, how they intend to do it. It simply is not good enough to say, "We have set a budgetary objective of saving \$5m", and at the end of the Estimates Committee hearing you have absolutely no idea how they intend to achieve it, whether they can or not - - -

Mr Berry: No; that is not true, Trevor. I gave you a generic list.

MR KAINÉ: Mr Berry, the Estimates Committee did not include three out of 40 recommendations on that point because we were satisfied, I can assure you. We did not waste our time writing recommendations that were not based on something fairly strong. The point is, Minister, that this is a case where it does not matter whether you are happy or not; it is the Estimates Committee that has to be happy. We are not going to be bound by what you consider to be a suitable level of performance. We ourselves will determine the level of performance that we measure you by, and we will continue to measure you by it year after year. We want you to be able to explain to us, first, what your objectives are, and, secondly, how you expect to achieve them. This year some Ministers did not measure up, obviously, or we would not have made three recommendations on the matter.

Madam Speaker, there are only a small number of the recommendations that I particularly want to refer to. I have referred to the three recommendations which require Ministers to explain to us in future how they intend to achieve their budgetary objectives, and those recommendations are not made lightly. They are made because the Estimates Committee wants to be informed and it wants to be satisfied. The second one that I want to refer to is that which requires all agencies to include, on a program basis, a reconciliation, including budget supplementation, of their budget estimate for the previous year - as shown in that year's budget papers - with the actual outcome for that year. We want to know what they did with last year's money. We want to know that they spent it. If they did not spend it, we want to know why. If they are attempting to carry some of it over into the current fiscal year, we want to know whether that is justified.

There are two recommendations which the chairperson has mentioned in connection with the home garaging of motor vehicles. I think my opinion on that matter is well known. I believe that it is a fringe benefit provided, either intentionally or unintentionally, by the Government to, as far as I know, 643 public servants out of 21,000. I think that in many cases the reasons given for allowing these vehicles to be driven home at night are quite spurious, but the Chief Minister has given an undertaking to review that matter, and I take her at face value that she will. I certainly look forward to seeing what her findings are and whether or not it is necessary and desirable that that number of vehicles be driven home every night.

One recommendation has to do with the review of the base funding of this Assembly. I asked that that be done, and I make no apologies for it. We are all looking for restraint in public spending, but when restraint gets to the point, in any government agency, where the agency is being hamstrung in doing what it is established to do one really has to have a look at the budgetary base. In the case of the Assembly itself, the budget base was established by some well-meaning public servants before the Assembly was ever in existence, and we have never to this day questioned that.

We have assumed and accepted that it was okay, and up until recent times it has been. But, when members are told that they cannot travel freely or that they have to travel at a lower standard than what was established as a reasonable standard, I think that it is time to have a look and ask, "Did somebody make a mistake somewhere? Is it time to review the budget base?". People will say, I am sure, "Politicians are always trying to feather their own nests". I make no apology for it. I think that the Assembly and the community have had a good return on their money from me. I do not advocate spending money unnecessarily. I never have. As Chief Minister and Treasurer, I exercised the restraint in public expenditure that I expect this Government to exercise - - -

Mr Connolly: But you vote against us every time we do it.

MR KAINE: No, I do not. I will vote against you if you are spending money unnecessarily. I have not told you to reduce your budget, despite your assertions that I have. I have not asked for that. I have simply said, "Spend the money that you have better". I am not asking you - - -

Mr Berry: Where would you like us to spend it, then?

MR KAINE: That is your job. Somebody else told you earlier today that it was your job to do that. That is what you are paid for, Minister. As a member of the Estimates Committee, I can and do hold you accountable. That is what this process is about. But I do not think that we, as members of this body, ought to allow ourselves to be put into the situation where there is insufficient money for us to do the job that we were elected to do. I repeat that I make no apology for that. I think we have reached that point where there is a danger of our being unable to do what we were elected to do, and I have suggested that the budget base be reviewed. Again, I assume that the Chief Minister will take that in the spirit in which it is offered. If she does a review and she decides that the budget level is okay, that is fine; but I think it is time that it was reviewed.

The only other recommendation that I want to comment on, Madam Speaker, because it is of particular interest to me, is the recommendation for advisory councils to consider the needs of families, the aged and people with disabilities. With all of the good things that government has done in the ACT in the last four years, we really have not yet addressed the question of the disabled and disadvantaged in our community. The Chief Minister constantly talks about the fact that the aged are an increasingly large sector of our community, yet year after year budgets are brought down and there is virtually no provision made for this increasingly large sector of our community. Real needs have been identified in at least two major reports, the most recent one chaired by Ms Ellis, which identified the need for dementia accommodation, convalescent care, all sorts of things that this element of our community needs; yet nothing is done about it.

23 November 1993

The people with disabilities seem to figure very small in the scheme of things. There is virtually nothing in the budget that talks about the family and, of course, other needy areas. We do not need to go past unemployed youth and homeless youth. I think that the Government really needs to give some priority to these matters in this budget and future budgets. I commend this report to the Assembly.

MRS CARNELL (Leader of the Opposition) (8.47): Madam Speaker, I concur with the comments made by Mr Kaine and Ms Szuty. I also compliment the various departments on the much better documentation than existed last year. My first experience of estimates procedures was last year, and certainly this year was substantially easier. I also agree with Ms Szuty that a better timeframe would be very appropriate, to make sure that what is a good process is even better and produces even better government accountability for the people of Canberra. It was interesting to note that, with a report that had so many recommendations and was so broad-ranging in its approach, we had unanimity in the committee. I think that really highlights the overwhelming weight of evidence that we had in support of the findings of the committee. That says a lot for the whole committee process, for the chairmanship of Ms Szuty and for the wonderful work that Karin Malmberg did on behalf of the committee.

Like Mr Kaine and Ms Szuty, I would like to highlight a few recommendations. I would particularly like to highlight the area of health. One of the recommendations the committee put forward arose from its concern about the artificial limits on the number of patient episodes - 50,500 in the ACT public hospital system - and its concern that that would produce longer waiting lists for elective surgery.

Mr Berry: You do not mind dollar limits, but you do not like patient limits. You have to make up your mind.

MRS CARNELL: This was the whole committee, Mr Berry. The whole committee - together, unanimously - supported this approach. After quite substantial questioning and debate within the Estimates Committee, the committee believes quite strongly that to set an artificial limit on the number of patient episodes in our public hospital system is unrealistic. Mr Moore asked a number of questions on this issue. We brought forward the issue that the ACT population is increasing yearly by some 1.7 per cent; that the ageing population in the ACT is increasing by some 4 per cent.

Mr Berry said regularly in response to these questions - questions asked not just by the Liberals but by the Independents as well - that it just would not happen. Madam Speaker, I was fascinated to see the activity reports that were released this week. It seems that in the first three months of this financial year the activity - - -

Mr Berry: The first quarter.

MRS CARNELL: In the first quarter of this financial year, Madam Speaker, the activity increased by just over 2.4 per cent. The number of separations for same day patients went up by 1.7 per cent. It would seem that the concern expressed by the committee in this particular area has borne fruit. At least it did in the first quarter, Mr Berry. So possibly, Mr Berry, it is a very good thing that you do not have any doctors any longer; otherwise you would really have trouble with your activity levels.

The Estimates Committee believed that it was very hard to reconcile activity levels, waiting lists and demographic trends, as previously talked about. It appears, as we see again in the activity reports, that waiting lists in the first quarter of this financial year went up again by some 300. This would tend to indicate that the concerns expressed in the committee have been validated.

Mr Berry: No, the waiting lists have not gone up 300.

MRS CARNELL: Mr Berry is suggesting that the waiting lists or the booking lists or whatever we want to say - - -

Mr Berry: Get it all right.

MRS CARNELL: I will just quote from the activity report, Mr Berry:

Waiting lists, including booked patients, have increased over the previous quarter to 3,418 compared to 3,119 in the June quarter.

Waiting lists, according to the activity report, have gone up by 300 in the last quarter.

Mr Berry: But they have not gone up by 1,600, as you said in your press release. They have gone up by only 1,000, haven't they?

MRS CARNELL: They have gone up by 300 in the last quarter. The committee - and I think that Mr Moore also made this comment - noted the comments made by Mr Berry about the difference between patients on waiting lists who had a booking date and those who did not. He suggested that the committee's comments in that area were unjustified. The committee noted that if you gave a significant number of people on the waiting list a booking date - in other words, you booked them in for surgery - however unrealistic that date was, the list would in fact disappear. It is fascinating. In this activity report, that is exactly what the Government has done. In fact, the Government has extended the period in which people will be given a booking date. In other words, they have booked further ahead. Doing that has actually achieved a decrease in the average waiting list over the period of time.

Mr Berry: No; that is wrong. You have got it wrong.

MRS CARNELL: That is exactly what your report says.

Mr Berry: No. You have got it wrong again. You are dead wrong.

MRS CARNELL: Madam Speaker, I am happy to have an ongoing conversation here. It appears that the Government took heed of what the Estimates Committee was talking about, but not quite in the way the Estimates Committee had in mind, which is somewhat unfortunate. The committee also expressed its concern about funding for the methadone program and expressed its concern that information that was given to the Estimates Committee in the 1992 estimates procedure appeared to be somewhat embellished - - -

Mr Berry: What does that mean? Tell me what that means. Give us the figures.

23 November 1993

MRS CARNELL: Unfortunately, I would be ruled out of order if I did, Mr Berry. Maybe you could use your imagination here. It appears that the information that was given was somewhat embellished when it came to looking at the actual costs in this year's Estimates Committee. I think the rest of the committee would share my concern at that sort of approach.

Mr Berry: No. You are talking about the revenue side, aren't you?

Mr De Domenico: Just ignore him. Everybody else does.

MRS CARNELL: Okay. Everyone else does; I accept that. The committee was putting forward that that sort of an approach to the Estimates Committee is not what we would expect. I hope that it did not happen this year, Madam Speaker.

The other area that I would like to speak about tonight is the Health Promotion Fund. The most positive recommendation put forward was that the level of the Health Promotion Fund be set at a percentage of the tobacco franchise fee - assuming that we still have a tobacco franchise fee, I suppose. I think it is very important in this day and age, as do the rest of the committee, to ensure that money spent on health promotion is kept at a level that will encourage healthy lifestyles in the community. I certainly hope that the Government will view that recommendation appropriately and positively. The other areas outside health which were of interest to me were the recommendations with regard to competitive tendering. The committee felt very strongly that it was important to have in place appropriate guidelines which would ensure that local products and local services, wherever possible, were used. I am sure that Mr Westende will speak more about that later.

I would also like to bring to the attention of the Government the recommendation with regard to the Hilmer report. I look forward to the Government's response to that later on. I think that report is one of the landmark reports that have been presented in this country over recent months. It has not had an awful lot of publicity, but I certainly hope that it is taken on board in the ACT, as it has been by some States and by the Federal Labor Government. I hope that the Follett Labor Government will take it on as positively as the Keating Labor Government has. There are lots of very important things in this report. Other members will bring them forward.

MR WESTENDE (8.57): Madam Speaker, I am glad to have the opportunity to lend some weight to what Mrs Carnell has just said about the findings of the Select Committee on Estimates. We all have our pet hobbies. I am particularly interested in the Supply and Tender Agency. In its findings, the select committee established that various agencies have divergent views in relation to the competitive supply and tender process. The committee expressed the view that these various agencies should have the option to source goods and services from other than the building and maintenance section of the Department of Urban Services for fitout, refit and building maintenance. The operations of existing government agency services and those arrangements that are bound to particular suppliers within the government sector need review and attention.

The committee further established that the ACT Government, which is a signatory to the July 1991 procurement agreement, does not have an agreement for giving preference to goods made in Australia over goods imported into Australia - in other words, local versus imported. Why does the Government

bother running presentation and awards nights for business and small business when it does not even give the locals a chance at supplying some of its goods and services? How can local businesses possibly prove themselves if they are not given a chance? Local businesses do not require handouts, but they do require an opportunity to quote. They require an opportunity to show that they are equal to, or better than, their interstate counterparts. This Government would be pleasantly surprised at the underlying quality of our local business people.

With this in mind, I ask the Minister for Urban Services for information on staffing numbers at the Supply and Tender Agency, whether the agency has compiled the various registers to enable the calling of tenders by local - I repeat "local" - as well as interstate organisations and when we can expect the agency to be fully operational. This agency was established in 1992 and has certainly produced a very nice and fancy brochure to give details of the agency; yet here we are, almost at the end of a full year, and it still has not compiled a total register and, I believe, sports only one full-time member of staff.

I know of case after case where the locals have been ignored in favour of interstate firms. We have all heard of the recent complaints by Rob Milliken of Sontec, who installed the audiovisual system in the present Assembly building and the new Parliament House on the hill yet was not considered good enough to quote for the new Assembly building. I would have thought that it was no small feat for a company that is told that it is too small to carry out the installation in the new Assembly building to boast that it has undertaken very successfully some much larger jobs in Canberra. It does not take many guesses to discover that the company selected to carry out the installation of the audiovisual system in the new Assembly building is from interstate.

This is a government that gives with one hand and reaches out and snatches back with two hands. In a letter to Professor Gruen, in his capacity as chairman of the ACT Economic Priorities Advisory Committee, George Snow confirmed his resignation from EPACT and stated that a requirement for government is to deliver the appropriate level of services efficiently and effectively, thereby being within a fiscal framework that is conducive to economic expansion. Mr Snow went on to state some of the increases that have occurred in general rates, land taxes, payroll taxes, stamp duties, motor vehicle insurance and taxes on share transfers.

You would think that a government that collects these sorts of rates and taxes from businesses would at least try to do some business with them, so that it in turn can extract even more taxes from local businesses. The Government's attitude is hardly surprising when, through its Business Forum, it has had only about one meeting in the last year. It is certainly not at all conducive to attracting prospective interstate businesses to Canberra, particularly when it does not support existing local businesses.

It is hardly a conducive atmosphere in light of the Government's most recent attempt to attract and encourage national associations to make the move to Canberra - it has joined forces with a prominent ACT law firm to run seminars in Melbourne and Sydney, not locally! Jim Service, in his recent address to the Canberra Business Council's annual general meeting on the subject "Canberra, Model for Australia", criticised the Government for its short-sightedness in putting together a plan for the future of Canberra in the year 2020. But what is the point of having strategies for the year 2020 when it cannot even achieve its strategies today, in this year, 1993?

It seems that the Government claims to provide the vision; and the private sector must provide the input through employment and reduction of dependence on the public sector. As Mr Service said, "Utopia comes at a cost", but at what cost - at what cost to the business community and at what cost to the overall ACT community? I repeat, Madam Speaker, that the Government would be pleasantly surprised by the underlying quality and the ability of local firms to supply its needs. That is all I have to add to this report. I recommend the recommendations contained in the report to the Assembly.

MR DE DOMENICO (9.04): Madam Speaker, I will try to be as brief as possible because I think my colleagues Mr Kaine, Mrs Carnell and Mr Westende have quite adequately covered the major points of the report. As Mr Kaine said, it contains 40 recommendations. Some of them might not be in line with the ideology or thinking of some - and I stress "some" - of the members of the Government. I think one of my colleagues alluded to the fact that this time we have a report that has been endorsed unanimously, by all members of the committee, which is no mean feat.

Like other members who have spoken, I comment on the work of the Ministers. This time I was privileged to attend all of the Estimates Committee meetings - unlike last year, when for all sorts of reasons I could not. Whether you are a Minister or a member of the Estimates Committee, it is not easy to stay there for hours and hours and provide the information at the level that it was provided this year. I think everyone who was a participant in the Estimates Committee this year ought to be congratulated.

Mr Kaine alluded to the measurement of performance against performance criteria. He thought that left a lot to be desired. No-one was able to tell members of the Estimates Committee how one could judge the effectiveness of the amount of money that is being spent by the Government in an attempt to reduce the youth unemployment situation. If governments of all political persuasions have spent millions and millions of dollars to try, as they have, to fix the scourge of unemployment, you would think you could gauge how effective that expenditure of money was and tell somebody how many jobs had been created. That was one thing that particularly stuck out, as far as I was concerned.

As I said, it was certainly a learning opportunity and a learning experience, as far as I was concerned. I must admit that I was helped in the process by being able to avail myself of the briefings, especially in the very important and complex area of the urban services portfolio, which I have responsibility for. I would like to thank Mr Connolly in particular and officers of his department for the most comprehensive briefings that I was given. They made my job a lot easier in attempting to ask the Minister, the members of his staff and others the questions that I thought were important at the time of estimates. I recommend those briefings to all members of the Assembly. I am sure that all of them have availed themselves of that opportunity. In fact, there is nothing wrong with doing that every year, to make sure that before the estimates process begins you are up to date with what is happening in the administration. That might make things a lot easier. I would like also to thank Mr Wood for the way he has allowed the people in his areas of responsibilities also to provide briefings, as have other Ministers from time to time.

To a certain extent, I agree with Mr Berry's interjection that the real world will still be here next year. I say to Mr Berry and to others that things never change. Once again, it is a pity that some recommendations made in last year's Estimates Committee report about certain Ministers again show up in this year's Estimates Committee report. It seems to me that the real world is still with us from year to year. It does not change.

Mr Berry: Make it clearer what you are talking about. If you are making an allegation, go to it. You cannot do it, can you?

MR DE DOMENICO: Madam Speaker, in the little time I have left I will, first of all, disregard the interjections from Mr Berry and, secondly, comment on the specific areas of my responsibility and interest. One is Comcare. I agree entirely with the recommendations made by the committee in that area. I look forward to seeing the Government's response. That is one area that should provide very interesting reading when the Government response comes.

All members of the Estimates Committee, or at least the ones on this side of the house, are very much looking forward to what is going to happen in terms of the construction industry long service leave levy. We have heard from all sorts of experts over the years about what the Government ought to be doing. We have also heard from the Government what it intends to do by the end of this year. I am sure that members of the Opposition and also the Independents very much look forward to what the Minister, Mr Berry, intends doing and seeing whether he in fact makes good his promise to do something by the end of the sittings this year.

The competitive tendering issue was handled very adequately by my colleague Mr Westende, and I think the Government ought to take heed of what has been said. Mrs Carnell mentioned the recommendations made in the Hilmer report. I agree that it is one of the most significant reports ever presented in this country, and I am sure that members from time to time, as they travel the length and breadth of the country, and some of them around the world, would realise that corporatisation, spending money in the most effective way possible, is the methodology used by not only conservative political parties. It is being used by all sensible political parties all over the country and in fact all over the world, and I look forward to hearing the Government's response to the committee's recommendations on that matter.

I also look forward to the response to recommendations in relation to ACTION buses. Once again I have had the privilege of travelling round all the ACTION bus depots and speaking to the people at the coalface. It is surprising to hear the personal views of those members who are prepared to talk to people from time to time. Even Mr Connolly might be surprised at the attitudes of some of those who work for ACTION buses, and I look forward to hearing - - -

Mr Connolly: And not many of them vote for you, Mr De Domenico; I can tell you that.

MR DE DOMENICO: You would also be surprised about that, Mr Connolly, believe it or not. As Ms Szuty mentioned, Mr Connolly, I must admit, has tried very hard in his own way to make sure that those savings that can be made are made. He has to be congratulated on that. So let us not criticise all the time without giving credit where credit is due. I would also like to comment on the

23 November 1993

Government's so-called voluntary separation scheme. I need do no more than refer to what the Industrial Relations Commission thought of that. Mr Berry always waxes lyrical about the importance he places on the views of the Industrial Relations Commission. We look forward to seeing the outcome of that as well.

Finally, Madam Speaker, I would like to comment briefly on the so-called \$10m worth of savings, whether they be from land sales or whatever. If people read the report of the Estimates Committee carefully, they will find that we have various different government departments and programs each blaming one another or passing the buck on to one another over who is responsible for the \$10m - or is it \$11m, or is it \$9m?

Mr Lamont: Mr Kaine could understand it, Mr De Domenico.

MR DE DOMENICO: With the greatest of respect, Mr Lamont, had you been here for all the estimates processes, you would have realised that even Mr Kaine agreed, as did all other members present at the time, that very few, if any, understood the whole situation. Having said that, Madam Speaker, I will reserve the rest of my comments until we have heard what the Government has to say on the report of the Select Committee on Estimates. Like my colleagues, I would like to congratulate Ms Malmberg and her assistants. I would like to congratulate members of the staff of members of the Estimates Committee, who worked long and hard hours preparing with members of this Committee a most significant report. The report has 40 very significant recommendations, and hopefully the Government will take heed of them all.

MR HUMPHRIES (9.12): Madam Speaker, the Estimates Committee has handed down its report on the 1993-94 budget and highlighted some practices on the part of the Government that need addressing. There seems to me to be an absence of commonsense in a large number of government operations. It is a sad and sorry reflection on this Government that after three years in power they still do not understand that the people of Canberra want non-ideological, commonsense government.

Some of the examples of government practice and policy entrenched because "that is the way we have always done things" really make *Yes, Minister* look like a documentary on some occasions. For example, the Minister for Health seemed to think that members of the committee spoke another language when he was asked how ACT Health was going to deliver dollar savings that had been identified in the budget. Either he did not understand the question or, if he did, he answered another question when that question was asked. The Estimates Committee has recommended that the Minister for Health and the Minister for Education and Training in future justify the expenditure reductions that they propose and provide the committee with some understanding as to how they intend to achieve them. That might seem to Mr Berry to be a tall order. It seems to me, Madam Speaker, to be nothing more than commonsense.

Madam Speaker, I very much support the role of the Estimates Committee in scrutinising government expenditure and operations, but in order to do that more effectively a better lead time needs to be provided to enable members to raise matters of concern from the budget. I was interested to overhear several officials present at one hearing comment that members of the committee were just raising issues as they were presented by the public over the telephone. Quite simply, we

are here to answer questions that the public raise on budget matters. If people raise a matter with me by telephone and I cannot answer that question, I will certainly try to raise it on the floor of a body such as the Estimates Committee or this Assembly.

Perhaps with a better lead time some of the simpler questions might be answered in other ways, while the Estimates Committee will be able to go about addressing more detailed matters. For this reason, I am a strong supporter of bringing forward the budget, handing it down much earlier, and providing the Estimates Committee with time to scrutinise the budget in more detail. I think the Chief Minister had something to say about that earlier today. We all agree that we are hardly at our most effective in scrutinising the budget at midnight on a day when we have started at 9.00 am and that more time in which to hold sittings would be a valuable step in enabling better scrutiny.

Madam Speaker, there are a number of particular matters I want to address in my comments today. First, I want to refer to one of the poorest decisions I have ever seen on the part of any government, and that is the choice to use a Sydney based, Japanese owned travel agency, Japan Travel Bureau, to organise the Chief Minister's Japan delegation. Madam Speaker, Canberra has over 60 licensed travel agents which employ over 500 locally based staff, yet the Government channelled its business through a firm employing travel consultants in Sydney and providing dividends to its owners, the Japanese Government. It is bemusing to me, even some months after finding out that this was the case, that local businesses did not even get a look in for this business. Were no ACT firms good enough for Ms Follett? Why was there the need to start searching interstate for a firm to organise the travel?

Madam Speaker, it is no surprise to learn that the ACT Government Service entered into a service contract with Australian Airlines, now Qantas Australian, to provide travel arrangements some time ago. Qantas employs well over 150 staff here in Canberra. Many of them depend on revenue from Canberra customers to sustain their positions. Simply, if the business leaves town, there is nothing to keep the staff employed. Qantas have five major offices in Japan, all earning millions of dollars in exports for Australia and all in their own way promoting Canberra. It is nothing short of silly, it seems to me, to argue that Qantas could not have provided excellent ground arrangements for the delegation once it had arrived in Japan.

The president of the ACT chapter of the Australian Federation of Travel Agents, Mr Jonathan Howse, commented that his members might even have been able to offer a cheaper priced itinerary than that provided by Japan Travel Bureau. We will never know. Madam Speaker, I hope that the Government accepts the recommendation made by the Estimates Committee to use Canberra firms wherever possible for the business of Government travel arrangements, even overseas.

Another area of extreme concern to me was the attitude taken by the Attorney-General on crime statistics. There was some considerable discussion about the rate of increase in major crimes which have occurred in recent years in the ACT. Detailed figures from the Australian Institute of Criminology were tabled by the Minister. They demonstrated very clearly that Canberra has a problem with sharply rising crime in a number of important areas. Mr Connolly's explanation was that rates of crime are lower in the ACT than elsewhere in Australia.

23 November 1993

Let us put this on the record: He is absolutely right. But he seemed to suffer from the same hearing difficulties that Mr Berry suffered from while being questioned about his budget. He did not answer the questions that were being asked of him on that matter. Rates of crime, Madam Speaker, are different from rates of increases in crime. It is very sad for the ACT's future safety record, I suspect, if Mr Connolly does not realise that there is a difference between those two matters. The rates of increases in crime such as break, enter and steal, robbery, motor vehicle theft and violence offences reported to police all rose considerably above the national average over the previous year's figures. Mr Connolly dismissed the trends shown over the period of a year, telling the committee:

We see it when you go year by year, but the pattern for most of ACT areas is fluctuation from year to year, which is why I say that the sensible thing to look at is trends over time.

"Trends over time" - is a very important phrase. As the committee report shows, trends over the past five and 10 years indeed show massive increases in rates of crime in the ACT. Let me give you some examples. The Minister said, "You cannot look at just the last 12 months". All right; we went back over the last 10 years to examine break, enter and steal offences. Those offences have risen by 139.2 per cent in the ACT, against a national average of only 36.3 per cent. In the last 10 years the national average for robberies has doubled, but in the ACT robberies have risen by a massive 366.7 per cent. These are the figures Mr Connolly tabled in the Estimates Committee, not my figures. That means, Madam Speaker, that for every extra robbery across Australia in the last 10 years there have been three-and-two-thirds here in the ACT. In the past five years violent offences reported to police have increased in the ACT by 75.26 per cent, while the national average has increased by 32.36 per cent. So, Minister, there are trends over time which prove that, while the ACT has among the lowest rates of crime, it is still recording the highest increases in the whole of Australia.

Madam Speaker, there are a couple of other things I will touch on briefly in the remaining time. The Attorney-General expressed surprise that some legal claims against the Government were being met by different agencies - in one particular matter, by ACT Health. I am pleased that the Minister acknowledged the need for some consistency in the handling of such claims against the ACT Government and undertook to take that matter on board. It would be helpful if we knew that the one agency was overseeing payment of very large sums of money on occasions by the ACT Government to claimants.

Members might recall also proposals to legislate to require government departments and agencies to pay accounts to suppliers on time or face penalty interest. At that time Mr Connolly said that there was not a problem with payment of accounts on time and that his advice was that accounts were being paid on time. In fact, he challenged me to find cases where they were not being paid on time. I had before me the responses of a great many local businesses which said that they, in fact, did have a problem with getting accounts paid on time, even where there was no dispute. I sought information from ACT Health, which from the information appeared to me to be the main culprit, and found that as of 30 June 1993 there were 11 accounts outstanding for a period of over 30 days, and those accounts were not disputed such as to have held up payment.

They were, coincidentally, paid on 6 July, after the beginning of the new financial year. So, Madam Speaker, I have met Mr Connolly's challenge, and I hope for that reason that he might reconsider his position on the legislation that I have commissioned. Ms Follett also said that I was uninformed about that matter, and I hope that she also will reconsider her position.

Madam Speaker, this Estimates Committee report demonstrates very clearly that there is a quite considerable problem with a whole series of areas of government administration. The Government ought not to get into the business of dismissing these comments out of hand on a political basis, as some Ministers are wont to do, but ought to assess the means by which these recommendations would provide for a better system of management of government assets and government revenue and expenditure; and I hope that the opportunity that this presents will be embraced fully by this Government.

MR CORNWELL (9.23): Madam Speaker, I will not take up too much of the Assembly's time. I would like to refer to two recommendations of the Estimates Committee which I believe should prove quite interesting. One of them is that the Social Policy Committee of the Assembly consider a reference to review the allocation and distribution of grants to community groups. I trust that we will not end up in a situation where we are investigating the allocation of grants a la Ros Kelly in terms of political favouritism; nevertheless I believe that there is a need to examine the system of grants that applies here in the Territory, because it seems to me that there are a number of organisations that feel that they have been hard done by. Indeed, the whole question of the funding of community groups, as a principle, needs to be regularly reviewed. Therefore, I would hope that the Social Policy Committee, of which I am a member, does take on board this reference as soon as it is convenient to do so, given that we have other references before us.

I also support the recommendation that calls for the funding of the Health Promotion Fund to be restored to at least 5 per cent of revenue raised by the tobacco franchise fee. Let me be charitable about this. There has been a slippage over time in the percentage of the funds from the tobacco franchise fee going into the Health Promotion Fund. It is not a question of the amount of money. It is simply that the franchise returns have increased; the money itself has not.

Mr Berry: What happens if it falls?

MR CORNWELL: We believe that it should be on a percentage basis.

Mr Berry: So, if it falls, health promotion money goes down?

MR CORNWELL: If it is on a percentage basis, Mr Berry, obviously that is the case.

Mr Berry: You are not doing anybody any favours. I instigated the fall. No, we want the franchise returns to fall.

MR CORNWELL: You are doing very nicely out of it at the moment, and I suggest that it operate on a percentage basis.

Mr Berry: Tobacco sales are not going up.

23 November 1993

MR CORNWELL: Whether tobacco sales are going up or not, once again we have this strange double standard, Madam Speaker, that whilst the Government, or at least Mr Berry, is violently opposed to cigarette consumption they are quite happy to take money out of it. I will not use a word that is unparliamentary, but let me say that it is a double standard. Madam Speaker, the other matters I would like to raise in relation to - - -

Mr Berry: Price is one of the great disincentives.

MADAM SPEAKER: Order!

MR CORNWELL: It does not matter. I am not worried about his gibbering, Madam Speaker. The other matters I would like to raise are not in the report. This is no fault of the committee, I hasten to add, but rather because we were not able to obtain the information we would have liked to obtain. I refer particularly to education. Despite quite intense efforts to obtain details of what was happening in terms of the cuts in education proposed in the budget, we were thwarted, frustrated, by a lack of information provided by the Government. That is still the case. Indeed, as we discovered this afternoon, we are still no further advanced than we were in the estimates in terms of where the 80 teachers are going to be cut or indeed what plans the Government has for the future, though we have made a very sensible recommendation, I believe, in relation to both education and health, Mr Berry, for future years.

The second area that I would like to refer to in respect of not being able to find out all the information - and this, I hasten to add, is not the fault of the Government - relates to the ACT Housing Trust. The reason we were not able to find out information relating to the trust, at least to my satisfaction, was simply that they have recently moved over to a new computer system, ISIP, which I understand comes from Victoria. Indeed, numbers of the programs are not yet in place and therefore it was not possible to provide the information. I would, however, like to place on record - as I am sure Mr Connolly is well aware - that I will be most vigorously and with alacrity chasing up the information in next year's estimates to see what has been achieved.

Mr Connolly: There is not a computer big enough to answer all your questions on the Housing Trust.

MR CORNWELL: Then you will just have to find one, Mr Minister, because I wish to pursue the question of voluntary deductions from social security payments. I think this is a step in the right direction - though I believe, nevertheless, that the Government is wrong in its approach, because I believe that the people who will agree to a voluntary deduction from their social security payments are people who are going to pay their rent anyway. I think that the people we have to address are those who are tardy and would not agree to such voluntary payments.

Mr Lamont: And when we have the money?

MR CORNWELL: After all, in spite of Mr Lamont's interjection, there is \$5.5m outstanding in arrears. I would imagine that a government that is faced with considerable reductions in Commonwealth funding, as they have been telling us all this afternoon that they are, might like to chase up a not insignificant amount of money. I do not believe that any business in Australia, even large ones

such as BHP, would be prepared to tolerate \$5.5m worth of arrears. But that is a matter for the Government to address, and I shall be certainly pursuing it next year. The other matter which is related to the arrears is the debt collectors that have been appointed by the Government to chase up at least some of this outstanding money. I would hope again that we can have some better results in the 1994 estimates.

Finally, it is a pity that these matters did not come up during the Estimates Committee, Madam Speaker, but I would hope that the Housing Trust would recognise its commitment to energy efficient houses and that the houses - 131 of them, I think - proposed to be built in this financial year will all face north, which I believe is a fundamental point in terms of energy efficiency. I also hope that it addresses the question of water savings that has been a matter of some concern over the last couple of weeks. Mr Connolly is well aware that I have written to him about a meter beater, which I understand from the gentleman concerned, a Mr Thistlewaite, could save a considerable amount of money in the average suburban home through water savings.

Mr Connolly: I am currently getting advice on that, Mr Cornwell.

MR CORNWELL: I would hope that that is the case, Mr Connolly. As you know, it is being trialled in some Housing Trust properties in Tuggeranong. Surely the trials should be over by now and we can move towards doing something positive rather than talking about it and putting out a lot of pretty pamphlets. Therefore, I look forward to those initiatives in the near future.

Debate interrupted.

ADJOURNMENT

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

That the Assembly do now adjourn.

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

Question resolved in the negative.

ESTIMATES - SELECT COMMITTEE Report on the Appropriation Bill 1993-94

Debate resumed.

MR LAMONT (9.31): Madam Speaker, now that the B team has finished making its comments - I, of course, exclude Ms Szuty, who always belongs with the A team - we can actually get some semblance of sanity into the debate on what indeed is, in general, a fine comment on the stewardship of the chair of the Estimates Committee - this Estimates Committee report. Madam Speaker, traditionally in this Assembly the partisan political line has not been to the fore in the recommendations that the Estimates Committee makes.

23 November 1993

That, however, has not occurred this year with a number of the recommendations. I believe that it was just a little bit too much for some of our colleagues across the chamber to allow the spirit of cooperation that existed last year to continue this year. That may be a reflection, I suggest, of the change of leadership of the Opposition and the obvious change of style they have adopted since.

Madam Speaker, the Estimates Committee process is a process by which members of the legislature are able to call to account, as it were, the particular program areas of the budget and to have placed before them in as much detail as possible justification for expenditure on particular items of administration. That is a positive thing for the Government, for any government. An estimates committee functioning properly can provide great assistance to a government. When Mr Kaine was Chief Minister the Estimates Committee made a raft of recommendations in relation to providing a better focus for particular areas within his administration. Mr Kaine, with due humility as Chief Minister, accepted a great number of those recommendations, as indeed the current Chief Minister accepted recommendations of the Estimates Committee report which was tabled here last year.

This chamber has a very proud record of non-partisan scrutiny of the budget through the Estimates Committee process. Obviously, it is pretty hard for some people to resist having a press release printed up in the morning before they enter the Estimates Committee hearing, asking their question, racing out, distributing the press release and then disappearing for the rest of the Estimates Committee hearing for that day. I am not suggesting that that was done by members on the other side of the chamber every day, but it was fairly obvious that one or two members of the Estimates Committee certainly believed that that was the extent of their involvement with the Estimates Committee process. That was unfortunate, but, if that was what they wanted to do, so be it. I still believe that we came up with a fair degree of unanimity in our weighty tome, with a number of exceptions. Indeed, it is because of the stewardship of the - - -

Mr Cornwell: What is this "we"? You were in Japan when it was being written.

MR LAMONT: That is not correct. If you had attended the last two meetings, you would have been aware of that; but you were off doing something else.

Mr Cornwell: You were in Japan when it was all being worked out.

MR LAMONT: It was not you; it was somebody else. It is okay. You were not there; you were away - with the fairies.

Mr De Domenico: He did not have far to come back, though.

MR LAMONT: He never does. That is part of the problem. Madam Speaker, at the time that committee considered a number of these recommendations, the three Labor members indicated to the committee that, while we were not going to submit a minority report - and we determined not to do so more out of respect for the chair of the Estimates Committee than indeed - - -

Mr De Domenico: That was because you did not have the numbers.

MR LAMONT: I am sorry; this is where the absolute rank stupidity of some of the members of the Opposition comes through. In fact, we could have submitted a minority report. We chose not to do so because of the concerns expressed by Ms Szuty last year. Ms Szuty prides herself on the fact that, as far as practicable, she negotiates a reasonable outcome in the recommendations. She does it very well.

However, she was not able to get the recalcitrants on the other side of the house to see reason in relation to two specific issues. I turn to them now. The first one is the recommendation in paragraph 3.24:

the Select Committee on the Establishment of an ACT Public Service review the commitment to Comcare; and

the outcomes of the initiatives currently being developed by the Chief Minister's Department in relation to Comcare be reviewed by the Select Committee on the Establishment of an ACT Public Service.

Madam Speaker, I have no difficulty with the Comcare and workers compensation arrangements that exist within the ACT administration or that should exist within the ACT administration being the subject of discussion and inquiry by an appropriate body of this Assembly. I just do not believe that it is appropriate for the Select Committee on the Establishment of an ACT Public Service, which has been established by resolution of this chamber, to now inquire into that particular matter.

Mr Humphries: You should have dissented, should you not?

MR LAMONT: I certainly did, Mr Humphries.

Mr Humphries: You did not.

MR LAMONT: Yes, I did.

Mr Humphries: You did not.

MR LAMONT: Mr Humphries, you were asleep again.

Mr Humphries: I am also blind, obviously! I cannot read it in the document.

MR LAMONT: Yes, you can. You certainly can.

Mr Moore: You will find a record of it in the minutes.

MR LAMONT: And you will also find, as is pointed out by our colleague - by your colleague; by the person who voted with you this afternoon, Mr Moore - that it is recorded in the minutes of the proceedings of the committee. If you like, I will have those minutes tabled. I did not believe that the reference was appropriate then, and I do not believe that it is appropriate now. Unlike you, Mr Humphries, at least I can be consistent.

Madam Speaker, the second matter that I had some difficulty with was the recommendation in relation to the "Himmler" report - I am sorry; the Hilmer report.

Mrs Carnell: Have you read it?

MR LAMONT: Yes, I have - probably unlike you, Mrs Carnell. That report, sponsored by the Federal Government, came out with a range of recommendations. Mr Hilmer is quite at liberty to make the recommendations that he makes, but the philosophy and policies which govern the workings of this Government are such that most, if not all, of the recommendations need some further scrutiny before agreement could be reached on them. That was the point that I raised in the Estimates Committee and it is the point that I raise now. I simply do not support the recommendation in paragraph 3.48. I also said that at the time.

I indicated, after great debate within the Estimates Committee on the two matters that I have risen to speak about tonight, that I did have some concern about them. I am being consistent in relation to those two questions. What I said then, Madam Speaker, is also appropriate now. By and large, the Estimates Committee process provides a very useful mechanism for the Assembly to scrutinise the operations of the administration and the efficiency of the administration. Like Ms Szuty, I believe that it is probably time for us to move on in the evolution of the Estimates Committee. I believe that 90 hours of Estimates Committee hearings is possibly too long in the current format, and that there are better strategies for getting information than that we adopted this year.

One possibility I favour is identifying the standing committees of the Assembly - and there are five of them - as estimates committees with portfolio responsibility. There are a range of other possibilities. One factor that militates against that possibility is that there are a number of Assembly members on more than one committee. That would have to be looked at. But it would also mean that the amount of time that everybody had to spend waiting to get to some particular area would be reduced.

Madam Speaker, with the exception of the two recommendations I have outlined, I believe that this is a fine report. I congratulate Ms Szuty on her stewardship. Unlike most of the Liberals opposite, at least this year I was there for most meetings.

MS ELLIS (9.41): I want to touch briefly on the enormous amount of work done by everyone concerned in the Estimates Committee process - not only the 11 committee members but also the Ministers, their staff and the officials who spent an enormous number of hours in front of the committee and in providing additional information in response to almost endless requests by the committee. I am not in any way reflecting on the requests for additional information, but I think that in the future some members of the committee need to consider seriously to what degree they require the sort of information that they request. In the deliberations of the committee towards the end of the process, I do not recall a great deal of that written information actually being referred to. By the same token, the committee has every right to request information, but I think the load that that imposed on people needs to be recognised. I also endorse Mr Kaine's comments in relation to the contribution by Ministers, staff and officials. I also found it very useful compared to the only previous experience I have had, last year's process.

The recommendations in this report should not be read in isolation; people who are going to consider them ought to read the report in its entirety. I say that with two examples particularly in mind. Recommendation 3.68 and recommendation 3.112 both suggest that certain actions be undertaken. I fully support that; but, if you read either the transcripts of the hearings or the report, you will see that in both those cases the Minister stated that the recommended action is in fact under way or is about to be undertaken. I think it is reasonable to expect people to understand that in some cases the recommendations the committee is making pre-empt something that is already under way or is going to be considered.

I have no problem in agreeing with all of the 40 recommendations in the report except for the two that Mr Lamont has mentioned. I might add that my thoughts on those two recommendations are also noted in the minutes. I recall that when they were noted some members of the committee had already left, even though the meeting had not finished. There was a certain amount of noise, and I am not surprised if those who remained were unaware that I made those notes.

Mr Moore: Hear, hear!

MS ELLIS: Thank you, Mr Moore. I think you realise that that is true. Recommendation 3.57 suggests that the Social Policy Committee consider a particular reference. I am chair of that committee. There is no doubt that that Social Policy Committee will in fact consider that; but I have no idea at this stage when that can be done, given that we already have two comprehensive inquiries - one already very much under way and one about to be undertaken. That does not in any way mean that the committee will not examine the issue, but it may be a little while before we are able to do it justice.

Ms Szuty noted in her presentation speech the rather interesting aspects of dealing with a large number of people on a committee, all of whom have wide-ranging views on the issues at hand. As a member of the committee and a member of the Government, I want to attest to that aspect and sincerely compliment Ms Szuty on her role as chairperson. I think she guided the process through in a very useful fashion, sometimes in fairly difficult circumstances when - fair enough - people were attempting to have their particular views reflected more than other members of the committee probably wished. Ms Szuty's role as chairperson was a very valuable one. I think that all members of the committee learned a great deal. As it was only my second experience in this process, I did. Ms Szuty learned from being chair for the first time last year. Her performance this year can only be put down to that experience. The whole process has been incredibly valuable to everyone.

My thanks also go to Karin Malmberg and to her team. The amount of paperwork that they had to go through had to be seen to be believed. One comment consistently made by all members of the committee, no matter which part of this Assembly they come from, was, "How can we see each other over the pile of paper?". Karin and her team did a marvellous job in putting in front of us various drafts of the report that we could work with and comprehend easily. They condensed a large volume of material into a succinct document. My praise goes to Karin. Except for recommendations 3.24 and 3.48, which I am uncomfortable with, as has been recorded in the committee minutes, I think this is basically a very good report. A great deal of work has gone into it and I have no problem at all, under those circumstances, in endorsing the report.

MRS GRASSBY (9.47): Madam Speaker, I would like to respond to the Estimates Committee report and make some comments on the process. I think many ACT Government Service officers, including the Assembly Secretariat staff, deserve praise for the vast volume of information they provided us with in a very short period. Too many people think Ministers can press a button on a computer and an answer will be available. It is only because of the hard work of dedicated government officials that these answers can be obtained and processes such as this can work.

The estimates process this year has been the most comprehensive to date. Government agencies have provided an inordinate volume of information on resources and how they are being applied. Unfortunately, I think some members of this Assembly are abusing this process, asking for information that should properly be dealt with by the Public Accounts Committee. For example, asking for the assets register of the Milk Authority, which I recall was not used by any member to either ask a question or challenge the basis of its estimates, was both a waste of time and a waste of resources.

Additionally, hypothetical "what if" questions and advance questions asked by many Liberal MLAs added nothing to the estimates process. What if the world should end tomorrow? Who can tell you what is really going to happen?

Mr Berry: Personal witch-hunts, too.

MRS GRASSBY: I will get to that, Mr Berry; do not worry. Questions were also asked in an attempt to scandalise either the workings of the bureaucracy or the types of assets being used by government employees. Certain questions asked by members were obviously just part of a witch-hunt. Typical among these were questions like, "How many cars, mobile phones or laptops do you have?". Whilst to some people these may seem like luxuries, they are nevertheless necessary modern office equipment. They have enhanced the efficiency and productivity of the public sector and improved service delivery to the residents of Canberra. In some situations they also form part of a salary package which would otherwise result in a drain of talented officers to the private sector.

Many questions were also asked about how aspects of policy were working and about administrative processes. Yet again these had nothing to do with the process of the estimates and wasted considerable time. At times it appeared that these questions were designed more to solicit a particular answer for a media grab than to genuinely ascertain the basis of an agency's estimates in the Appropriation Bill. I was ashamed at times to see Liberal MLAs acting on the advice of their hero Bronwyn Bishop in dramatising minor issues and creating scandals. Resorting to cheap shots to appeal to the unthinking elements is no real substitute for the hard slog of challenging the basis of a government's Appropriation Bill.

What the estimates process highlighted was the complete inability of the Leader of the Opposition to challenge the estimates of the Appropriation Bill. She preferred to go down the track of jumping on the band wagon of a couple of popular issues by opposing certain expenditure reductions.

Madam Speaker, the

Leader of the Opposition has been shown up by the performance of her own Treasury spokesman, Mr Kaine, during public and private meetings of the committee. The public know that Mrs Carnell's policy knowledge extends only to the last newspaper article she has read. We on this side of the house await Mr Kaine's return as Opposition Leader to get a real debate on the issues.

Madam Speaker, I would also like to take issue with the *Canberra Times* report which stated that members of the Government fully supported the Estimates Committee report. The Government backbenchers made up three of the 11 positions on the committee. We, therefore, did not constitute a majority of its membership. Whilst Government backbenchers did participate in the process and agree to a final report, it does not indicate our acceptance of its contents or its recommendations in their entirety.

Mr Humphries: You should have dissented, then.

MRS GRASSBY: There are various aspects of the report which I disagree with but which do not warrant a dissenting report.

Mr Humphries: Come on; tell us which ones.

MRS GRASSBY: When you hold your tongue - - -

Ms Follett: Madam Speaker, I really believe that the amount of interjection on Mrs Grassby is virtually intimidatory, and it ought to be brought to a halt.

MADAM SPEAKER: Ms Follett, I was just about to call for order. Could we have some order, please.

MRS GRASSBY: As members of the Government, it is not our function to perform the duties of the Opposition in the estimates process. Opposition and Independent members of the Assembly have the right to put forward their criticisms of the budget in this report. They must either stand or fall on this report, and I believe that they have fallen.

The Government has carefully considered the recommendations of the Estimates Committee report and accepts completely or in principle 36 of the 40 recommendations made by the committee. However, the Government opposes four specific recommendations. In particular, recommendations 32 and 34, dealing with foreshadowing expenditure reductions in health and education and providing full details of where and how the reductions will be achieved, are opposed. The Government cites strong arguments in its response to the Estimates Committee report on these matters.

Furthermore, I would be concerned at any move within this Assembly for it to start intervening in the expenditure process. Although members here are charged with ensuring accountability through the scrutiny process, nothing would be gained from members trying to second guess expenditure several years out. Just about every accountant, financial controller, manager or director will tell you that estimates which are several years out are subject to considerable variability and are inaccurate. We all know that the Sydney 2000 Olympic budget has come in for criticism by some doomsayers, but even the independent auditors which looked at the figures said that they are as reliable as any projections that are several years out can be.

23 November 1993

Madam Speaker, I support the Government's response to the Estimates Committee report.

Mr Humphries: We have not heard it yet.

MRS GRASSBY: They are about to give it to you; do not worry. I think Ms Szuty handled a difficult task well. She tried to keep everybody happy, and that is very difficult when you are dealing with people in the Opposition. Some absolutely stupid questions were asked, and some people thought they were being smart by trying to blacken people's background.

Mrs Carnell: At least we know what we are talking about.

MRS GRASSBY: Really? That is not what I am told. As I say, I support some of the recommendations but not all of them.

MR WOOD (Minister for Education and Training, Minister for the Arts and Minister for the Environment, Land and Planning) (9.57): Madam Speaker, this is the fifth time there has been an estimates committee to look over the budget, the Appropriation Bill. I think it is fair to say that as a result of that the way that budgets are presented is much improved. The presentation of documentation is a good deal better, and I think we all understand the processes better as a consequence.

I think it is fair to say also that the Estimates Committee members learn as they go along, but I think there is still a great deal to be learned. For example - and this is what struck me and has me on my feet - Ms Szuty said that the committee secretariat did a marvellous job in reducing the size of a mountain of material. I do not think it was a difficult job. There was so much padding and there was so much in response to the fishing expeditions that Mr Humphries mentioned that finding some meat would not have been difficult.

I think that the Estimates Committee has a great deal to learn yet in getting to the point and then moving to other pertinent issues. It seemed to me that it was with some pride that Ms Szuty said, "We spent 83 hours in the Estimates Committee". To me that is a great criticism. I do not believe that for 83 hours - 20 hours and a bit per Minister - this is a marvellous output. You have to add to that 83 hours at the committee the enormous amount of time that our public servants around Canberra spent on getting this information together.

Mrs Grassby mentioned the assets register of the Milk Authority. The assets register of the Education Department was also sought. It was a thick document, and I bet nobody looked at one page of it. You simply could not read it all, but you required it. When someone says, "We have information", some members say, "Yes, please". They will grab for anything without a critical assessment of what they really want. In many circumstances it is, as Mr Humphries admitted, a fishing expedition. I think the committee has a fair deal yet to do to improve its techniques so that they match the way that the two governments - Labor Government for four budgets - have refined procedures and made them better. I do not think it is to the committee's great credit to say that it spent 83 hours in this process.

MS FOLLETT (Chief Minister and Treasurer) (10.00): Madam Speaker, on behalf of the Government, I present the Government's response to the report of the Select Committee on Estimates on the Appropriation Bill 1993-94. Madam Speaker, as we have heard, members of the Estimates Committee devoted 83 hours to public hearings and, I am sure, considerable time outside of those hearings as well, and their efforts are appreciated.

The Government's response to the committee's report supports all but four of the 40 recommendations. Detailed responses to each recommendation are contained in the response and I therefore do not propose to deal with each one individually now. Rather, I will outline those recommendations which the Government has not fully supported and our reasons.

Madam Speaker, two of the committee's recommendations concerned the level of detail to be provided on future expenditure reductions in health and education. The committee has recommended that Ministers provide details of where and how expenditure reductions are to be achieved. The Government does not support this where expenditure reductions relate to general efficiency targets. Program managers must retain the flexibility to implement efficiency improvements as part of their management responsibilities. Departments have a strong commitment to the principles of industrial democracy and do not unilaterally introduce savings measures without progressing through the consultative process. Madam Speaker, to detail cost savings and the timing of all initiatives could breach the Government's commitment to consult in good faith with all parties and may prejudice the negotiations required to implement budget initiatives.

The committee has also recommended that funding of the Health Promotion Fund be restored to at least 5 per cent of the revenue raised by the tobacco franchise fee. Funding for health promotion services is not hypothecated on the tobacco franchise fee. To apply the percentage approach would mean that expenditure on health promotion could potentially reduce, given strategies to discourage tobacco consumption. The amount allocated is an annual allocation based on priority needs. There has been no reduction in the annual allocation. The apparent reduction results from the unexpended balances from the previous year being carried forward into the subsequent year.

Madam Speaker, the committee recommended also that consideration be given to the centralisation of legal claims against the ACT Government. Legal claims against the majority of budget funded agencies are currently centralised. However, ACTION, Health and the Department of Education and Training have the capacity to meet a normal annual level of claims arising against them. For these agencies, it is advantageous to utilise the program-specific expertise in the decision making process as to whether to compromise any legal claims by offering to settle.

Another issue raised in the report was funding of the Legislative Assembly itself. The committee recommended that I review the base funding of the Legislative Assembly to ensure that it is sufficient to maintain an appropriate level of service to members, particularly in the light of the move to the new building. Madam Speaker, this matter will be addressed in the context of the 1994-95 Budget.

23 November 1993

The Government's budget strategy has the twin objectives of maximising the capacity to maintain services by focusing on gains in efficiency and cost-effectiveness and at the same time meeting urgent social justice objectives. This budget will assist the ACT to maintain its sound financial position while achieving these objectives. As I said earlier, the budget represents the second year of the three-year budget strategy which was introduced in 1992. The measures in the budget are consistent with the strategy and have been developed after extensive consultation with the community. This is a budget which responds to the single highest reduction in Commonwealth funding of any State or Territory. Madam Speaker, this is a responsible budget which avoids disruption but makes the adjustments essential for long-term budget restructuring.

In conclusion, I am very pleased that the Government has been able to respond positively to so many of the recommendations put forward by the committee - 36 out of the 40. Once again I would like to thank the members of the committee for their report, and I commend the Government's response to the report of the 1993 Estimates Committee on the Appropriation Bill 1993-94.

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (10.05): The Chief Minister has just tabled the Government's response to the Estimates Committee report, and of course that is fully endorsed. However, as Minister for Health, I would like to make a few comments about the estimates process and some of the issues that were raised during the proceedings. Firstly, I want to say that the outcome of the process for the department is pleasing. In particular, the committee will agree that there has been a marked improvement in the content and quality of information provided in budget documentation. It was good before, but it is better now. I think Health's reporting of issues generally these days is outstanding compared with what I first experienced in 1989.

Mr Humphries: That is cold comfort when the system is hanging in ruins.

MR BERRY: This is the sort of hyperbole that the Liberals insist on using. Mr Humphries says, "The system is hanging in ruins". It is not. We have a problem with doctors' salaries because of your inaction, Mr Humphries. One issue mentioned in the course of the Estimates Committee proceedings was the issue of rosters. I said then that it was a sensitive industrial issue, and we are working through the problem. We will continue to work through the problem. What you ought to understand, if you have a look at the nurses' award, is that management has a right to make decisions about rosters. Sometimes employees disagree, but at the same time management has an obligation to act responsibly in accordance with awards and acceptable management practice.

Sometimes there is a resistance to change. Industrial relations, of course, involve some conflict in the workplace, and we have to work our way through it. There is a set of rules that the nurses have to comply with - the Industrial Relations Act. They are quite happy to comply with that Act and we are quite happy to work within it. But the doctors are a different matter. Your mates, Mrs Carnell, do not want to work with any rules. They just want to have their own way, stamp over everybody, hold a gun at the head, hold patients to ransom.

Mr De Domenico: That sort of language does not help.

MR BERRY: The truth has to be said. The heat has to be put on these people.

Mr De Domenico: You are the Minister. You fix it.

MR BERRY: The only way that Mrs Carnell can see for me to fix it is to give them the money. It is only a matter of how much it costs. "Just give them the money", says Mrs Carnell.

Mrs Carnell: I said that I would fix it for you. Just give me a go.

MR BERRY: I have never seen you fix anything, Mrs Carnell.

Mr Humphries: Make Kate the Health Minister for a couple of days. She will fix it.

MR BERRY: Yes, she will give them the money because it is not hers.

Mr Humphries: She will fix it.

MR BERRY: Do not worry about it. You will not have the opportunity. The dispute is going to the right place, the Industrial Relations Commission, on Thursday. If the doctors are committed to an outcome, if they have good faith, they should involve themselves in those proceedings.

Mrs Carnell: Why should they?

MR BERRY: "Why should they?", she says. Because they might get a fair result, says I. But they do not want a fair result.

Ms Follett: They signed an undertaking to do just that.

Mrs Carnell: We will talk about that tomorrow.

MR BERRY: You can talk about it as much as you like, because they did sign an undertaking that they would do just that. If Opposition members want to interject they can get a burst or two out of it. We are talking about people who are overimpressed with their own power. They are not used to conforming to the usual community norms, but they are going to have to learn to.

As I mentioned, the responses to questions were timely, and I believe that this has assisted the committee in its examination of the Department of Health in terms of not only its budget and financial management but also the services it provides to the ACT community. My department will, of course, continue to work towards further reasonable improvements in both of those aspects.

I am also pleased that the committee took a long time to discuss health service delivery issues within ACT Health and acknowledge that improvements have been made in many areas. For example, in the discussion on the Alcohol and Drug Service the committee was satisfied with the improvements in services available to the ACT community. The methadone program has successfully increased its accessibility, with client numbers increasing from 120 to 300 in 1992-93; and there is no waiting list for high priority cases. Mr Moore would remember 1989, when that was a very serious issue; and it remained so until 1991,

23 November 1993

when we started to move. The opening of the clinic in Civic and the approval of four community pharmacies have further expanded access, although I do not think the community pharmacy access has been as successful as first anticipated; but that remains to be seen.

The early intervention service is another area recognised in discussions with the committee. It is a readily accessible service with no waiting time for admission. In addition, in 1993-94 ACT Health, through a Commonwealth special education grant, will implement a family centred support program to work with families of young children with a severe disability. The committee also raised questions of tuberculosis reporting and legislation. I am pleased to note that, as a result of the discussions with officers from my department at the Estimates Committee hearings, Mrs Carnell has agreed not to seek the repeal of the Tuberculosis Act until the Public Health Act has been modernised to address the issues currently addressed in the Tuberculosis Act.

One other matter that I would like to just refer to, Madam Speaker, is the issue of the cost structure within the ACT public health system relative to national averages of diagnostic related groups. The study referred to, the KPMG study, was the first national initiative of its type in Australia. The data is still being analysed, but there are many limitations in that data - - -

Mrs Carnell: Every other State is very happy.

MR BERRY: Mrs Carnell says, "Every other State is happy", but they probably do not have somebody like her misinforming the community about the real picture. Comparisons between States and Territory are always easy to do when the numbers appear good or bad. The reality is, however, that it is not sensible - dealing with things in a nonsensical way is something that comes pretty easily to you - to compare the KPMG costs between States and Territories, especially for the ACT. As pointed out in the KPMG report:

Tables derived from a small number of hospitals or data for DRGs with a small number of separations should be interpreted with extreme care.

Not so for the Liberals. They do not interpret anything with extreme care; they just go ahead full bore. Furthermore, differences in data definitions, data quality and economies of scale make comparisons between States and Territory misleading, but that has never bothered the Liberals either. That study was set up so that the methodologies - - -

Mrs Carnell: So it is all wrong?

MR BERRY: No, I am not saying that at all. I am saying that it is the first time that this information has been collected and there is some question about the data. You knew about that, but you have used it to death - - -

Mrs Carnell: It is our data.

MR BERRY: I am sorry. The data in the ACT, according to the people who collected it, should not be used to compare it with what goes on in other States, because it is data which is unreliable. Of course, the study was set up so that methodologies could be developed to provide each State and Territory with a standardised approach to monitoring and making decisions about health

planning within their region. The ACT costs may be higher than nationally; but this situation is expected, surely, given our unique circumstances. But, of course, Mrs Carnell says, "You must get costs down, but you must not save money on the doctors and you must not make efficiencies with the nurses, or anybody else for that matter".

You are the person who says that we must cut costs but that we cannot cut costs. The costs may be higher because we have only two major hospitals and we service a large region. In fact, the ACT is the major trauma centre for the region, as you all know. (*Extension of time granted*)

Of course, the hospital system is still working well, despite the actions of the VMOs. I notice that Mrs Carnell still has an infatuation with waiting lists. She sought again to misrepresent the picture in relation to waiting lists. A little while ago I was reading a letter from Senator Richardson in relation to the waiting lists. Nobody else in Australia provides the information that we provide on waiting lists. We are frank. When this difficulty about booked patients was discovered, I immediately moved to make sure that the full picture, the big picture, in terms of waiting lists, was made available to the community.

Mr De Domenico: The picture of waiting lists is getting bigger and bigger.

MR BERRY: We are doing pretty well in the ACT. Of course, it will get bigger now that the doctors have refused to treat elective patients.

Mrs Carnell: They are happy to treat them.

MR BERRY: They will not treat elective patients unless they are emergencies. They want to discriminate against the public - - -

Mr De Domenico: Because you will not let them. You have locked them out. You have put the padlocks on the doors.

MR BERRY: They can come and treat the public patients if they like, but they will not. They will not treat the public patients. They want to discriminate against the public patients and do just their private ones. That is not on.

Mr Kaine: That is because you will not pay them. Why should they come and look after your public patients when you will not pay them?

MR BERRY: We will pay them rates among the highest in Australia if they will just work.

Mr Kaine: Give them a contract, then.

MR BERRY: We gave them a contract for \$132 an hour. They will take that bit all right, but the other bits they are a little bit worried about.

Mrs Carnell: Sit down with them and discuss it.

MR BERRY: I have done that.

Mrs Carnell: Once!

MR BERRY: My officers have been doing that for six months.

23 November 1993

Mr De Domenico: What about you? You are the Minister. You are responsible.

MR BERRY: It is the old story. I have done it, and I recognise intransigence when I see it. Madam Speaker, there have been significant positives in the development of the health budget and in service improvements. Health is moving forward, regardless of the doctors, who want to hold us back, who want to maintain controls that they are not entitled to. We will still press forward. There will be some suffering as a result of the doctors' actions. They are using patients as bargaining chips. Of course, that cannot be allowed to continue, and they have to be exposed for it. I will continue to do that. The heat has to be turned up on the doctors until they realise that their behaviour is unacceptable.

Mrs Carnell: Who is suffering?

Mr De Domenico: The patients. The queue is getting longer.

Mr Humphries: Do you care about them?

MR BERRY: The doctors can just go back to work. It will be right. They will get paid rates among the highest in Australia and have a great contract.

Mr De Domenico: What is going to happen when the nurses go out tomorrow? Are you going to savage them as well?

MR BERRY: The nurses, of course, are bound by rules. The doctors do not want to play by any.

Mrs Carnell: Because they are contractors.

MR BERRY: Mrs Carnell interjects that they are contractors. They are not contractors at all. If you were contracting for something, you would put a bid in for it; and, if you happened to be the best bid, you might get the contract. You might get the contract if your bid was good enough. Not this lot. They collusively tender and force people, with a gun at their head, to cop what they have on offer.

Madam Speaker, as I have said, health is moving forward, regardless of those who are opposed to Medicare and the public hospital system, and we will continue to work forward. I thank the committee for its efforts in examining health matters. A lot of information has been provided which I believe will be of use to those who wish to look at these matters objectively. I trust that there will be a sensible approach to the use of information and the treatment of our health system in the ACT in the future.

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

Motion (by **Mr Connolly**) agreed to, with the concurrence of an absolute majority:

That so much of the standing and temporary orders be suspended as would prevent the resumption of the debate being made an order of the day for consideration as a cognate debate with the executive business order of the day relating to the Appropriation Bill 1993-94.

MOTOR TRAFFIC (AMENDMENT) BILL (NO. 4) 1993

Debate resumed from 20 October 1993, on motion by **Mr Connolly**:

That this Bill be agreed to in principle.

MR DE DOMENICO (10.21): Madam Speaker, the Liberal Party will be supporting the Bill, and also the amendments that are to be put forward by Mr Connolly. The Bill seeks to amend the Motor Traffic Act 1936 in four ways. Firstly, it will provide for priority for buses at traffic signals - a special white B traffic signal - and when leaving bus-stops and bus-bays, but this will be limited to roads with speed limits of 80 kilometres or less. Secondly, it will provide a licensing scheme for hire cars and taxis which do not fall within the current definition of a hire car or a taxi. Thirdly, it will increase the required amount of third-party property insurance for taxis and private hire cars from \$2,000 to \$5m, in line with other jurisdictions, and that is most welcome. Fourthly, it will remove the current requirement for commercial operators to obtain separate third-party property insurance even if the third-party property insurance usually granted in a comprehensive policy meets certain standard conditions.

Madam Speaker, as I said, the Liberal Party will be supporting the Bill. It also wants to commend Mr Connolly and the officers of his department once again for the outstanding briefings given to the Opposition. Might I also commend the Minister for accepting some of the recommendations made by the Opposition. We are in the process of organising a consultative group with industry and the Transport Workers Union to address the operational part of aspects of this Bill. The suggestion made by the Opposition - I am told that the Minister is inclined to support it - is to extend this consultative group into a quasi-appeals group, in the first instance, in order to prevent things going directly to the AAT, at perhaps great cost and a great waste of time and effort as well. It is legislation that seems to please and appease all the interested parties. For that reason we have no hesitation in supporting both the Bill and the amendments being put forward by the Minister.

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (10.24), in reply: Madam Speaker, I will be brief, as the hour is late. I thank the Opposition and members for their support. This is the sort of Bill where it is not easy to necessarily get it right on the first strike. It is not a broad issue of public policy; it is a very detailed issue of regulation of industry. There were considerable concerns, legitimate concerns, held by people in this industry. They had extensive meetings with the Government members. For the Opposition and Independent members we provided departmental officers to liaise in some meetings, and as a result we have come up with some compromise changes.

I should just broadly explain the amendments. The amendment to new subsection 28A(1) puts in another factor in deciding whether to grant one of these special licences. That says that the registrar needs to consider whether there is an existing hire car that can do the job. That is an important protection for those small business operators who have invested quite heavily in their equipment and their licence, and that resolves a lot of industry concerns. It also became apparent on close examination of the amendments to section 29 that we probably should not have been saying "tourist". It was a little restrictive. We should have had "sightseers", to broaden it. We also had some references to the old Canberra Tourist Bureau which were inappropriate.

Mr De Domenico's suggestion that the consultative body that we are working on might act as a filter for appeals is something that we welcome and will look at very carefully. It is the Government's overall policy that we launched with the Law Society that we should mediate before we go into a general dispute. It may well be that this consultative body could be the appropriate forum for mediating a lot of the minor procedural disputes about licences that arise from time to time, at lower cost and greater speed. It is a sensible suggestion and we will look at it very carefully. I thank members for their support.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail Stage

Bill, by leave, taken as a whole

MR CONNOLLY (Attorney-General, Minister for Housing and Community Services and Minister for Urban Services) (10.24), by leave: Madam Speaker, I move:

Clause 14, page 7, line 4, after proposed new subsection 28A(1), insert the following new subsection:

"(1A) In considering whether or not to grant a licence under subsection (1), the Registrar shall have regard to whether a private hire car can be operated to provide the services that could be provided by the operation of the vehicle to which the application relates."

Clause 15, page 9, lines 30 to 33, omit the clause, substitute the following clause:

Licences for the carriage of visitors to the Territory

- 15.** Section 29 of the Principal Act is amended -
- (a)** by omitting from subsections (1) and (4) "tourists" and substituting "sightseers"; and
- (b)** by omitting subsection (6) and substituting the following subsection:

"(6) In this section, a reference to the carriage of sightseers shall be read as a reference to the carriage of persons on a sightseeing tour."

I present a supplementary explanatory memorandum.

MADAM SPEAKER: Do you wish to speak to the amendments?

MR CONNOLLY: Madam Speaker, I explained those briefly in the remarks I made earlier.

Amendments agreed to.

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

FOOD (AMENDMENT) BILL (NO. 2) 1993

Debate resumed from 21 October 1993, on motion by **Mr Berry**:

That this Bill be agreed to in principle.

Debate (on motion by **Mrs Carnell**) adjourned.

CHIROPRACTORS AND OSTEOPATHS (AMENDMENT) BILL 1993

Debate resumed from 21 October 1993, on motion by **Mr Berry**:

That this Bill be agreed to in principle.

Debate (on motion by **Mrs Carnell**) adjourned.

ADJOURNMENT

ACTTAB - Contract with VITAB Ltd

MR BERRY (Minister for Health, Minister for Industrial Relations and Minister for Sport) (10.27):
I move:

That the Assembly do now adjourn.

Madam Speaker, during question time today, in response to a question by Mr Kaine about potential inducements being offered by VITAB to Australian punters, I replied that I was advised that the agreement between VITAB Ltd and ACTTAB specifically excluded the capacity for VITAB to offer such inducements. This advice, which was provided by an ACTTAB official, is incorrect and I am advised that in fact the agreement is silent on the issue of inducements. In fact, while ACTTAB maintains commercial agreements with the Northern Territory TAB and VICTAB, both are silent on the issue of inducements. Members should appreciate that the offering of inducements to investors is purely a commercial decision and TABs, like any other business, are not legally precluded from using such methods to attract business.

23 November 1993

Despite the fact that the question of inducements is not covered in the contract, following a direct question from ACTTAB, VITAB Ltd provided a letter which categorically states that they have not offered any inducements to any Australian bettors and that they have no intention of doing so. To fully clarify the queries of the Opposition, I would like to quote from the correspondence between VITAB Ltd and ACTTAB. They say:

We have received your facsimiles of 19 and 22 November 1993 regarding alleged inducements being offered to Australian punters.

First, let me categorically state that we have not offered any inducements to any Australian bettors and we have no intention of doing so.

These allegations are of great concern to us and we would welcome further details so that we may take appropriate and substantive legal action against the party or parties engaged in what appears to be "whispering" campaign.

We have been approached by a number of persons who wish either to purchase a shareholding in VITAB or who wish to bet with us on non-standard terms. None of these proposals has been entertained. However, some parties have felt aggrieved and have made known their displeasure in various ways.

We are appointing overseas representatives who will be working on a commission basis (But not 5 per cent) and some of these will be expatriate Australians who are providing form and related services to Asian punters in locations such as Hong Kong. Consequently, we wish to be cautious about referring to Australian-based persons as these people see themselves as working temporarily in Asia.

We have already secured Asian clientele and are continuing to quietly and professionally market ourselves in that region.

In answer to your three questions.

1. VITAB will not at any time be knowingly seeking the business of Australian resident customers by way of rebates, any other inducements or any other similar means.
2. VITAB will not at any time be knowingly seeking the business of Australian resident customers by means of advertising or promoting its betting activities.

Notwithstanding the foregoing, we cannot ensure that Australian residents will not be betting with us if they go to Vanuatu. In order to protect ourselves from allegations of poaching Australian TAB's custom, we will be requiring each account customer to sign a declaration to that effect.

Finally, we wish to impress upon you that our investment and long term viability will depend upon establishing and maintaining our reputation. Consequently, we will take whatever steps are required to restrain and prosecute malicious and "anonymous" gossips.

Question resolved in the affirmative.

Assembly adjourned at 10.31 pm

23 November 1993

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ANSWERS TO QUESTIONS

**MINISTER FOR INDUSTRIAL RELATIONS
LEGISLATIVE ASSEMBLY QUESTION**

QUESTION NO. 979

Wright Corporate Group Companies

Mrs Carnell - Asked the Minister for Industrial Relations upon notice on 14 August 1993:

- (1) Has the ACT Government and any of its agencies had any business or other dealings with any of the following companies or organisations (a) Cinnavon Pty Limited ACN 061 141 295; (b) Canberra Mail and Print Pty Limited ACN 008 537 406; (c) Canberra Mailing and Print Company Pty Limited ACN008 537 406; (d) Canberra Mailing Co. Pty Limited ACN 008 537 406; (e) The Wright Corporate Group Pty Limited ACN 008 557 668; (g) Professional Fund Raising Services Pty Limited ACN 008 577 668; (h) Envelope House; and (i) Wright Anderson Pty Limited ACN 061 340 010.
- (2) On what dates did these dealings or transactions take place, and what was the value of the transaction.
- (3) What was the nature of the dealings or transactions.
- (4) How was any work or contract awarded and who approved it.
- (6) If the tender was not the cheapest, why were any of the above entities selected and who approved it.

Mr Berry - The answer to the Members question is as follows:

Administrative support services for the minister for Industrial Relations are provided by the Industrial Relations Branch of Chief Ministers Department which has had no business dealings with the Companies referred to in the Question.

**MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 1000**

Urban Services Portfolio - Advertising

Mr Humphries - asked the Minister for Urban Services - In relation to the 1992-93 financial year.

- (1) What services were advertised by (a) the Ministers department; or (b) each of the agencies under the Ministers control.
- (2) What was the total cost of advertising of these services by (a) the Ministers department; or (b) each of the agencies under the Ministers .control.
- (3) In what publication were advertisements placed by (a) the Ministers department; or (b) each of the agencies under the Ministers control.
- (4) How many advertisements were placed for positions vacant by (a) the Ministers department; or (b) each of the agencies under the Ministers control.
- (5) What was the total cost of advertising positions vacant by (a) the Ministers department; or (b) each of the agencies under the Ministers control.
- (6) How many positions vacant were filled by external applicants with respect to advertisements placed and detailed in (4) and (5).

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

- (1) Advertisements were placed in the following general categories: Public Notices, Early General News, Supplements: General, Rugby League Liftout, Motor Vehicles, Tenders, Computer Pages, Landuse Notifications, Local Government Section, Features: General, Arts pages, Building, Design and Siting, Marketplace, Positions Vacant, ACTEW Services, linen services, waste management, zoning of milk runs,
- (2) \$309 065.07
- (3) Canberra Times, Raiders Magazine, Valley View, Chronicle, Real Estate and Community Times, Canberra Doctor, Melbourne Age, Sydney Morning Herald, Australian, Financial Review, Motorcycle New Magazine, Canberra Cyclist, National Forest and Timber, Australian Timberman, Engineers Australia Journal, Canberra Festival Souvenir Program, Truck and Bus Magazine, ANU 1993 Students Assoc Diary, ANU Postgraduate Information Handbook, ANU Unit Guide, Sacota News, Contact Community Handbook, Queanbeyan Age, Albury Border Morning Mail, Bathurst Western Advocat, Goulburn Evening Post, Orange Central Western Daily, Wagga Daily Advertiser, Tumut Times, Eden Imlay Magnet, Merimbula News Weekly, Bega and District Times, Yellow Pages, MBA and HIA journals.

(4) 172

(5) \$134 392.49

(6) I am not prepared to authorise the use of the very considerable resources that would be involved in providing the detailed information required to answer this part of the Members question.

4031

**MINISTER FOR URBAN SERVICES
LEGISLATIVE ASSEMBLY QUESTION**

QUESTION NO: 1011

Motor Vehicle Registrations

Mr Cornwell -asked the Minister for Urban Services: -

- (1) How long is allowed for new residents of the ACT to transfer their .
 - (a) motor vehicle registration; and -
 - (b) number plates from another state to the ACT?
- (2) What procedures .exist to chase up outstanding or overdue interstate registrations that have not been transferred?
- (3) Has any estimates been made of revenue lost because of registrations not being transferred?
- (4) Is registration of a "typical family car" less or more expensive in the ACT relative to each other Australian state? _

Mr Connolly .- the answers to the Members questions are as follows:

- (1) Under current legislation, new ACT residents have three months in which to transfer their interstate vehicle registration or number plates to the ACT.
- (2) A mechanism to follow up motorists who move to the ACT but maintain an interstate . registration does not exist.
- (3) No.
- (4) It is more expensive than the Northern Territory and South Australia, but less expensive than all other states.

**MINISTER FOR EDUCATION AND TRAINING
LEGISLATIVE ASSEMBLY QUESTION NO 1024**

Lanyon High School and Palmerston Primary School

MR CORNWELL - asked the Minister for Education and Training on notice on 13 October 1993:

- (1) What is the estimated peak student capacity of (a) Lanyon High School and (b) Palmerston Primary School.
- (2) For how many years will this peak capacity exist and when will these peak capacities occur.
- (3) What means will be employed to accommodate the excess capacity at each school above the permanent capacity.
- (4) Is the permanent capacity 800 students for Lanyon High School and 460 students for Palmerston Primary School; if not, what is the permanent capacity.

MR WOOD - the answer to Mr Cornwells question is:

Lanyon High School

- (1) A peak enrolment of 980 is expected to occur in the year 2007.
- (2) Projections indicate that enrolments will exceed 900 from the year 2003 until 2009.
- (3) Transportable accommodation is being planned for in the design and siting of the school to cater for necessary expansion.
- (4) Permanent construction is for 800 students.

Palmerston Primary School

- (1) Peak enrolment from the initial catchment area for the school is expected to be 560 - X00 students.
- (2) This high enrolment is expected between the years 2000 and 2004. In the longer term the catchment area for the school will be expanded to include part of the suburb of Crace where the first residents are expected in the year 2017. A new peak enrolment of 750 is then anticipated.
- (3) Additional accommodation in the form of transportable buildings will be located adjacent to learning modules when permanent school building capacity is exceeded.
- (4) Permanent construction is for 460 students, with core facilities to cater for up to 750 students.

4033

23 November 1993

**MINISTER FOR EDUCATION AND TRAINING
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 1025**

Government Schools - Maintenance

MR CORNWELL - asked the Minister for Education and Training on notice on 13 October 1993:

- (f) Has there been a significant rise in maintenance at ACT government schools in the past four years; if so, (a) what is the percentage increase in this period and (b) what does this percentage rise represent in dollar terms.
- (2) What is being done to address these maintenance issues.
- (3) Will these maintenance issues be addressed in 1993-94; if not, is there a school maintenance program in place to correct the identified problems; if so, when might it be completed.

MR WOOD - the answer to Mr Cornwells question is:

- (1) No
- (2) . Each year, following their inspections of schools, the Asset Management Service from ACT Public Works provides a list of recommended maintenance works. The recommendations are prioritised by the Department and maintenance works of the highest priority are undertaken.

(3)

Yes

MINISTER FOR EDUCATION AND TRAINING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 1026

Government Schools and Colleges - Discretionary Grants

MR CORNWELL - asked the Minister for Education and Training on notice on 13 October 1993:

- (1) What has been the percentage decrease/increase in discretionary grants to (a) primary schools; (b) high schools and (c) colleges between 1992-93 and the 1993-94 Budget.
- (2) How much does this represent in dollar terms at each level.

MR WOOD-- the answer to Mr Cornwells question is:

- (1) The discretionary per capita grants were increased generally in line with the CPI (rounded to the nearest dollar). However, the primary school per capita grant was increased at a rate greater than CPI due to this sectors previous lower level of per capita rate.

The percentage increases are:

Primary Schools 3.60

High Schools 2.0%

Colleges 1.8%

- (2) The impact of the increased per capita rate is expected to amount to an increase in funding to each sector of approximately:

Primary Schools \$57,300

High Schools \$21,800

Colleges \$15,600

4035

23 November 1993

MINISTER FOR EDUCATION AND TRAINING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 1031

**Jervis Bay Primary School
and Preschool**

MR CORNWELL - asked the Minister for Education and Training on notice on 13 October 1993:

In relation to Jervis Bay Primary School

- (1) How much ACT Government funding has been provided to this school in 1992-93 for (a) staffing costs, (b) cleaning costs, (c) capital works and (d) all other resources.
- (2) How many pupils attended the school in (a) 1992 and (b) 1993 .
- (3) How many teachers and other staff were employed at Jervis Bay Primary School in (a) 1992 and (b) 1993.
- (4) Does the Jervis Bay Primary School operate as part of the ACT education system with regard to curriculum, management, testing or any other relevant aspects.

MR WOOD - the answer to Mr Cornwells question is:

- (.1) Nil. Under a Memorandum of Understanding the Commonwealth pays for all costs associated with the Jervis Bay Primary School and Preschool.
- (2) Pupils attending at July 1993 census: (a) 1992 - 88 primary, 38 preschool (b) 1_.93 - 79 primary, 37 preschool
- (3) Total staff employed for both the Preschool and Primary School (full--time equivalent):
 - (a) 1992 - 9.25 teachers and 5.5 others;
 - (b) 195 - 7.5 teachers and 5.5 others.
- (4) Yes.

Question No. 1040

Weapons Licences - Entry of Premises

Mr Cornwell: To ask the Attorney General -

- (1) Is the practice of the police, pursuant to paragraph 69 (1) (b) of the Weapons Act 1991 to seek a blanket written consent to enter premises at any time from owners of weapons when they register such weapons.
- (2) If not, why is such an approach being adopted by some police officers.
- (3) What penalties apply if people fail to sign a blanket consent.

Mr Connolly: the answer to Mr Cornwells question is as follows:

- (1) No.
- (2) I am advised by the Chief Police Officer that such an approach has not been, and will not be, adopted by members of the Australian Federal Police ACT Region Weapons Registry Section who are responsible for processing applications for weapons licences and renewals.

However, I am advised that on occasions, for example when attending premises to check on the safe keeping and storage of weapons, police do attempt to obtain consent to enter premises without the authority of a search warrant, pursuant to Section 69 (1) (b) of Weapons Act 1991 (the Act). In these circumstances police are required by Section 70 (1) to advise the occupier of the premises that he or she may refuse to give consent to enter the premises. Should the occupier consent, that person is requested to sign a written acknowledgment of his/her consent for police to enter at that time, pursuant to the provisions of Section 71 of the Act. Consent can be denied or withdrawn by the occupier at any time. Should consent be denied or withdrawn, police may then attempt to obtain a search warrant.

The normal police practice when seeking authority to enter premises and search for weapons is to obtain a search warrant pursuant to Section 72 of the Act.

- (3) Not applicable

23 November 1993

**MINISTER FOR EDUCATION AND TRAINING
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 1047**

**Education and Training Portfolio - Purchases
of Furniture and Consultancy Services**

MR CORNWELL - asked the Minister for Education and Training on notice on 19 October 1993:

In relation to Purchase References in Gazette No. 41, 13 October 1993

(1) In Purchase Reference No. 140302: (a) what is a "clerical writing task chair"; (b) why does it cost \$5481.00; (c) who is it for; (d) was supply of the "chair" advertised locally; if so, when and where; and if not, why not; (e) how many (i) local and (ii) "out of ACT region" tenders were received for supply of the chair and (t) why was the North Sydney company chosen to supply the "chair" in preference to a local company.

(2) In Purchase References Nos 140331, 140332, 140333, 140334 (totalling \$128,142.00)

(a) were tenders for these items advertised locally; if so, where and when; if not, why not; (b) how many (i) local and (ii) "out of ACT region" tenders were received for supply of the items and (c) why was the Granville company chosen to supply the items in preference to a local company.

(3) In Purchase Reference No. 140264 Consultancy Service, Telephone Survey (\$15,900)

(a) what was the purpose of the survey; (b) has a report on the results of the survey been provided; if so, can a copy be provided to interested parties; including myself and (c) what benefits have resulted from the survey.

MR WOOD - the answer to Mr Cornwells question is:

(1) Purchase Reference No. 140302:

(a) "Clerical Writing Task Chair" is the manufacturers catalogue description for a standard clerical chair. The description on the Purchase Order was per the catalogue and the information supplied for the gazettal notice was extracted direct from the Purchase Order.

(b) The cost of \$5481.00 was for a total of 27 clerical chairs.

(c) The chairs are for the new Charles Conder Primary and-Preschool due to open

Term 1 in 1994.

- (d) The chairs were purchased under the provisions of NSW Government contract
 - (e) & No. 300 using the best value for money principle. A threshold level of \$50,000 is
 - (f) applied before the tendering process is used.
- (2) Purchase Reference Nos. 140331, 140332, 140333, 140334.

(a) & Tenders were not invited for this requirement.

(b). This requirement is for student furniture for the fitout of the new Charles Conder Primary School and Preschool. The Department has for many years purchased its student furniture from the NSW Department of School Education Furniture Complex.

In September this year the Furniture Complex advised the Department that, due to uncertainty regarding the proposed sale of the Complex to private enterprise, the timely delivery of any orders placed with respect to Charles Conder Primary School could not be guaranteed.

Insufficient time remained to draft furniture specifications and invite tenders with a view to meeting the Term I opening date deadline.

(c) The Granville company was chosen because the company has manufactured school furniture for many years and has a product range compatible with the Furniture Complex. The company has provided school furniture to this Department before and has proved reliable. The Department is satisfied that the company has the capacity to provide the furniture by the due date.

The Department prefers to purchase school furniture which has a high degree of conformity and compatibility, thus facilitating the movement of furniture between schools, for changing student numbers and for furniture replacement.

(3) Purchase Reference No. 140264

(a) The survey was undertaken on behalf of the Ministerial Advisory Council on Public Education to seek information from the Canberra community on future educational requirements.

(b) A report has been provided to the Advisory Council. The report will not be made available as it was conducted to provide information as one aspect only of a wider consultation process. The results of the survey are to be used in conjunction with results from all other consultation processes and cannot be used out of context of the whole consultation process.

(c) The findings of the process will give direction for future planning for education in the ACT.

23 November 1993

**MINISTER FOR EDUCATION AND TRAINING
LEGISLATIVE ASSEMBLY QUESTION
QUESTION NO 1053**

High Schools - Examinations Timetable

MR CORNWELL - asked the Minister for Education and Training on notice on 19 October 1993:

- (1) Is it a fact that all high school examinations must conclude by 19 November 1993, and if so, why.
- (2) Is this date some four weeks before the official end of the school year; if so, (a) what incentive is there for students to continue attending high school after the exams and (b) what procedures are in place to ensure that students do continue to attend.
- (3) Has this early end to exams and the possible lack of incentive to attend high school resulted in complaints by working parents and, if so, how many complaints have been made.
- (4) Is it intended to correct this early end to the 1993 high school examinations in future years and, if so, why; if not, why not.

MR WOOD - the answer to Mr Cornwells question is:

- (1) No.
- (2) Not applicable.
- (3) Not applicable.
- (4) Not applicable.