



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

21 November 1995

Tuesday, 21 November 1995

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MR SPEAKER (Mr Cornwell) took the chair at 10.30 am and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

DEATH OF MR PETER McAULAY, AO, QPM, MAICD, FAIM

MRS CARNELL (Chief Minister): Mr Speaker, I move:

That the Assembly expresses its deep regret at the death of former Police Commissioner Ronald Peter McAulay, AO, QPM, MAICD, FAIM, and tenders its profound sympathy to his wife and sons in their bereavement.

Mr Speaker, I and, I am sure, everybody here were saddened to learn of the death of the former Australian Federal Police Commissioner, Peter McAulay, from a respiratory illness on Tuesday, 14 November 1995. Peter had a distinguished career in policing both at the grassroots level and as an administrator. He began his career in 1951 as a junior constable in the South Australia Police and by 1966 had achieved the rank of inspector - the youngest member of the force to achieve such rank at that time. After serving in the Australian police contingent in the United Nations force in Cyprus in 1968, he was invited to command the multinational force in 1970. As a result of his outstanding contribution he was awarded the Cyprus Medal.

When he returned to Australia, Peter continued to make his mark in policing and by 1978 had risen to the position of Commissioner of the Northern Territory Police. Ten years later we welcomed him to the ACT as Commissioner of the Australian Federal Police. Some will remember Peter for his influential role in high-profile investigations such as the deaths of Azaria Chamberlain and Assistant Commissioner Colin Winchester and the search for the former head of the National Safety Council of Australia, John Friedrich. Others will remember him for his vision and energy in his contribution to the development of a more effective policing system throughout Australia.

Within the AFP he established mechanisms for a more efficient organisation that included the reform of the structure of ranks and management measures to combat corruption. However, he had a broader commitment to the fields of justice and criminal law. His energies were directed towards issues that included the problems of crime across State and Territory borders, the need for an effective national criminal code, the fight against organised crime, and the adversarial nature of criminal prosecutions that sought admissible proof rather than the truth.

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Peter had other qualities. At the personal level he was highly regarded by his colleagues of all ranks. They speak of his compassion, his humility and his enthusiasm. Peter McAulay made an enormous contribution to Australian policing and to the ACT. He will certainly be remembered by all who knew him and worked for him. Peter is survived by his wife, Avril, and their two sons, Peter and Angus. I am sure all members of the Assembly join with me in expressing our sympathy to Peter's family and friends.

MS FOLLETT (Leader of the Opposition): The early death of Peter McAulay on 14 November had a special significance for the people of Canberra and for me personally. I first met Peter McAulay in the Northern Territory before ACT self-government, but it was during the very difficult time of the ACT's transition to self-government that I really came to appreciate his special abilities. He played a very constructive role in a transition which will not be complete until we have an ACT commissioner answerable to the ACT Government.

Peter McAulay had been a policeman for 43 years, 16 of them as a commissioner, when he retired in May this year. He joined the South Australia Police Force as a cadet and rose through the ranks to become the youngest ever person promoted to inspector. He was seconded to the Commonwealth Police in 1968 and went for the first time to Cyprus to serve with the United Nations force there as a member of the Australian police contingent. He carried out his job so successfully that the UN Secretary-General invited him to return to Cyprus two years later as a police adviser. There he commanded a multinational force and filled various important advisory positions. His international experience, I am told, was a very good grounding for his later close involvement with Interpol.

Back from Cyprus and again with the South Australia Police, Peter McAulay rose further through the ranks, performing important work in management and planning research and acting as a police consultant to the Papua New Guinea Government. In 1978 he was appointed Commissioner of Police in the Northern Territory, where he earned the reputation for being scrupulously fair and honest which he enjoyed throughout his career. He championed the fight against organised crime, and he tirelessly pressed for more resources and better coordination between police forces and other government agencies.

Mr Speaker, as the endemic of police corruption became increasingly exposed, Peter McAulay, who was a man of the most uncompromising integrity, introduced reforms to the structure of ranks and management measures to combat what he rightly saw as a cancer in the profession to which he had devoted his life. He had served as the Northern Territory Commissioner for 10 years when he was appointed Commissioner of the Australian Federal Police on 15 February 1988. He provided the ACT with invaluable advice and assistance during the transition period when the ACT took over its own policing responsibilities.

Mr Speaker, my colleague Terry Connolly, as Police Minister, also worked closely with Peter McAulay and remembers him with great respect and affection. I had cause to consult Mr McAulay on some very sensitive, very difficult issues during the early days of self-government. I can say that he was unfailingly professional in his approach.

He demonstrated integrity of the highest order on every occasion. On a personal note, just talking to Peter McAulay about a problem engendered in you enormous confidence that he would be able to resolve it; that he would take it on and bring all of his abilities, all of his experience and his enormous sensitivity and compassion to bear and see the matter through. That is exactly what he did on every occasion.

It is particularly significant that upon his death enormous respect and affection were shown to Peter McAulay by police forces right around this country. They were all represented at his funeral. The real emotion that was there indicated to me that the police forces were not only losing a good colleague, a very respected and senior man, but also losing a real friend, somebody they personally looked up to and admired. That was certainly the feeling that I had about Peter McAulay as well. In fact, the Federal Justice Minister, Duncan Kerr, said, "We will all miss Peter's energy, drive and enthusiasm". It was very clear to me that, as his Minister, Duncan Kerr had also developed a great affection for Peter McAulay.

Mr Speaker, the Opposition wholeheartedly endorses the words of the motion of condolence, and we express our sincere sympathy to Peter McAulay's wife, Avril, and his two sons, Peter and Angus.

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

PETITION

The Clerk: The following petition has been lodged for presentation:

By **Mr Hird**, from 40 residents, requesting that the prayer be restored to the opening of the Assembly's sittings.

The terms of this petition will be recorded in *Hansard* and a copy referred to the appropriate Minister.

Legislative Assembly Prayer

The petition read as follows:

To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory:

The petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly our deep concern with the decision to abandon the formal prayer at the beginning of each sitting day of the Legislative Assembly. We believe this goes far beyond a well held practice in all other Parliaments in the Australian Commonwealth

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and was made without proper consideration of the opinions of the people of the Australian Capital Territory. We believe that no Party or individual has a mandate to endorse this decision.

We request that the formal prayer for God's blessings on the Assembly be restored to its rightful place at the beginning of each sitting day.

Petition received.

LEASEHOLD ADMINISTRATION Report of Board of Inquiry

MRS CARNELL (Chief Minister) (10.40): Mr Speaker, for the information of members, I present the Report into the Administration of the ACT Leasehold and ask for leave to move a motion authorising the publication of the report.

Leave granted.

MRS CARNELL: I move:

That the Assembly authorises the publication of the Report into the Administration of the ACT Leasehold.

Question resolved in the affirmative.

MRS CARNELL: I move:

That the Assembly takes note of the paper.

Mr Speaker, today I am tabling the report of the Board of Inquiry into the Administration of the ACT Leasehold. This is one of the most important documents to be tabled in this Assembly since self-government. It is lengthy and complex, and the Government will need some time to evaluate the report and its recommendations before responding in detail. While obviously the Government is not yet in a position to finalise its response, I am able to tell you that the Government is committed to ensuring that procedures for managing Canberra's land and urban development are as efficient and effective as possible. We will be using the board of inquiry's report to assist us in the implementation of necessary reform.

The board of inquiry's report represents a comprehensive examination of the administration of the Territory's leasehold and planning systems. It has examined the past and the present and has come up with ideas aimed at helping to restore not only certainty but also confidence in our system among the Canberra community, developers and investors alike. Most importantly, the board of inquiry found no evidence of corruption. On page 192 of the report it says:

The Board emphasises that it has no evidence that any politician or public official has acted in a position of conflict of interest or has ever put interest arising from personal or other relationships above that of the community.

In particular, I note that the report also says:

The Board accepts Mr Townsend's assurances that he has never acted in bad faith, incompetently, corruptly or favoured private interests over public interests.

On this basis I want to draw the line. We want to look to the future. We want to stop carrying on about the past. We hope that other stakeholders with an interest in Canberra's planning and development will share this view and support us in taking the necessary steps to implement change. We will report in full our response to the board of inquiry's report when the Assembly sits again in February. During this time the report will also be considered by the Assembly's Planning Committee. We look forward to their input.

The report is damning of the administration of Canberra's leasehold going back well before self-government. It is also critical of the administration of planning and land development in recent years. All of its criticisms may or may not be justified. I have asked my department to set up a task force to consider its implications and to develop an implementation plan. In the meantime we propose some immediate steps. The inquiry report is critical of the lack of strategic planning for the Territory's future. We have already taken steps to ensure that the development of strategic planning for the city's future is given a high priority. Last week, jointly with the Minister for Housing and Regional Development, Brian Howe, I announced a review of Canberra's metropolitan growth strategy. Canberra's dual community and national capital roles make it critical that the Commonwealth and ACT governments develop a shared strategic view of how Canberra is to develop and grow in the future. Ms Moiya Ford has agreed to take on the task of establishing the metropolitan growth strategy review team in the Chief Minister's Department. This highly significant initiative will ensure that the strategic framework of Canberra's future development is given a high priority within the context of broad community consultation.

In relation to the administration of strategy land use planning processes, the Government is currently considering its options. We are currently reviewing alternative ways of strengthening the independence of the Territory Planning Authority and improving local area planning. We will finalise our position on the administration of statutory planning in parallel with our deliberations on the recommendations of the inquiry into Canberra's leasehold.

While this work is taking place, the Chief Planner has agreed to temporarily move to another important position. He will be undertaking a task concerning the implementation of the high-speed rail project and its potential linkages to Canberra Airport. This will enable him and the Territory Planning Authority to undertake their tasks unfettered by the Government's deliberations on the recommendations of the inquiry and the related findings of the red tape task force report. Ms Annabelle Pegrum will be Acting Chief Planner.

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In relation to the administration of Canberra's leasehold, we will be appointing an experienced manager to oversight the Land Division and assist with necessary changes on an interim basis while the Government considers further arrangements. This will include responsibility for fast-tracking the implementation of recommendations of last year's "process review" to streamline land development-related application and approval processes. Mr Ken Horsham will act in this position in the interim.

Given the criticism of the Government's management of joint ventures, it has been decided as an interim measure to move the management of such ventures out of the Department of Business, the Arts, Sport and Tourism. In the short term, while the Government is considering its detailed response to the inquiry recommendations, the Department of Urban Services will be given responsibility for managing the Land Development Branch. This will help ensure that issues of past management practices can be looked at from a fresh perspective.

I would like to emphasise the point that, while the report says much about the skills of public servants in the various areas covered, it is the Government's wish to look to the future, particularly in relation to people on the front line of service delivery. The administrative system the Territory inherited from the Commonwealth had a focus on recruitment of generalists. Canberra's leasehold system is unique in Australia and as such requires some specific skills. We are committed to ensuring that management takes a thoroughly professional approach to land planning and development, including making sure that appropriate training and development opportunities are available to all staff to assist in the process of developing more customer-oriented, more efficient and more effective service. I hope that consideration of the board of inquiry's report will lead to the end of the controversy that has surrounded Canberra's planning and leasehold system. I hope that it signals the start of a new, more professional, more efficient and more effective approach to the administration of the planning and management of the Territory's land.

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

ESTIMATES 1995-96 AND BUDGET REVIEW - SELECT COMMITTEE Report on the Appropriation Bill 1995-96

MS McRAE (10.49): Mr Speaker, I ask for leave to present the report of the Select Committee on Estimates 1995-96 and Budget Review and move a motion in relation to the report.

Leave granted.

MS McRAE: Mr Speaker, pursuant to order, I present the Report of the Select Committee on Estimates 1995-96 and Budget Review, together with the minutes of proceedings. This report was provided to the Speaker for circulation on Tuesday, 31 October 1995, pursuant to the resolution of the Assembly of 21 June 1995. I move:

That the report be noted.

I would like to begin by thanking everyone who was involved, in particular the Assembly staff, who, as usual and as has come to be expected in this Assembly, performed their task with excellence and diligence. I have never had the opportunity to experience it at first hand before. I echo the sentiments of everyone in this chamber that I have often heard expressed and say how grateful I am that we have excellent staff who performed their task with care and persistence to help produce what I think is an excellent report. Secondly, I would like to thank all the bureaucrats who came and the Ministers and all who were involved. Estimates, by their very nature, are a very laboured, detailed, lengthy and tiresome process. I think we all came through it relatively unscathed. There were not too many black eyes in the process. On behalf of all the committee, I thank those who participated.

This year, with the changeover to a new government, there were a whole series of challenges that no estimates committee has really faced before. They led to a quite large number of recommendations which I think are really only one-offs. I sincerely hope that that is the case. The major difficulty that we encountered was that the combination of a new government and two sets of Administrative Arrangements Orders plus the tabling of annual reports the day before the Estimates Committee began meant that the information at hand made it extremely difficult to compare current budgets with past budgets. The changes to the government finance statistics format exacerbated the difficulties. In spite of all of that, we soldiered on.

The recommendations reflect the type of information that we need to take a bit more care with. In particular, this year we felt that very little attention had been paid to tracking previous reports to current budget papers and linking previous information to current budget papers. It was only through the extraordinary skill of Bill Symington that we sorted out which report went with what bit of the budget paper information. The information that we were provided with was trumpeted as being presented in the clearest possible format so that everybody in the street could read it. To a certain extent that objective was achieved, but there were still major problems with the type of information provided. We sincerely hope that the Government will take on board our recommendation that those papers be greatly improved.

We could only commend Budget Paper No. 2 and Budget Paper No. 4. The excellent format of Budget Paper No. 2 was unprecedented. It was an expansion of a small pamphlet that the Follett Government produced that was also an excellent production, but the new one has added to the level of clarity and information. A curious omission was a clear table of the cuts to be imposed on each of the departments, so that the general public could have a better idea of the impact they would have. Another omission was a detailed account of how your money is spent in the Chief Minister's Department. That is no small omission, because the Chief Minister's Department has become a quite large department. We have made a recommendation on that. With those inclusions next year, it will become a far better paper. Budget Paper No. 4 was very detailed and informative, but lacked consistency of information about the outyears. We rapidly found that the three-year construction was merely a series of wish lists. It was saying, "Well, if everything turns out in the first year, then that is where we will head for the second year. Well, if everything turns out in the second year, that is where we will head in the third year". After detailed questioning we found that really the three-year budget is not much different to forward estimates.

However, Mrs Carnell kept emphasising that the bottom line would not change. In fact, detailed questioning revealed many instances of how that bottom line could change because the ACT budget is so dependent on other factors. Nobody has shied away from that. I am not suggesting that that information was not given to us, but there is room for changes because nothing is set in concrete. It is a little disappointing when it is touted as a three-year budget and quite clearly it is a one-year budget with two years of forward estimates and a few wish lists and a few bottom lines written in. It does not really help us terribly much in the end. We have asked that future papers include further detail for the outyears, showing in particular the detail and depth of cuts so that we can assess their impact.

After extensive questioning we were told that the cuts were associated with efficiency measures and with changes. We were told, "We have to do better than this. We will outsource. The Government is paying too much or the Government does not know how much it is paying. If only you understood, then you would be on our side". I am afraid that we did not understand. There was no detail. We expect far better from something that is supposed to be a three-year budget. We have asked for better accuracy, better details of the outyears, better details of cuts in Budget Paper No. 2 and Budget Paper No. 3 and a far better set of performance indicators. For six, seven or eight years the people now in government had been saying that the performance indicators were dreadful. Now that they are in government their performance indicators are no better than anybody else's. That is extremely disappointing.

Along with the lack of detail about projected spending and projected saving, there was a disturbing lack of detail about grants, real and actual costs, the cost of accommodation, youth sector performance and outcomes in that particular policy area. Our report makes quite a number of recommendations to try to tidy up that detail. They involve merely superficial changes that I hope the Government will have no problem in implementing.

After giving an overview, our report deals with the substantive issues. Department by department we found where lack of real work had resulted in some pretty shoddy decision-making. Quite clearly, the Government had decided that there was an outcome that they wanted to achieve and that they were going to get to that bottom line helter-skelter in three years so that they could be re-elected as a debt-free, balanced-budget government. That was clearly the objective. There is nothing untoward about that. Every government has a political objective for its budget. Why not? Quite clearly, the re-election plan of Mrs Carnell is to have a borrowing-free, balanced budget in three years' time. If that were the desired outcome you would expect some pretty careful thought along the way about the impact on the various service areas and departments to be hit. As we went through each of the areas we found that no thought had been given to that. Although the budget had been delayed some months, the thinking, the depth of analysis and the explanations were simply not satisfactory. There had been a lot of thinking - that is for sure - about how to get to Mrs Carnell's bottom line. When we analysed the reasons for decisions that were taken, we found that they were very thin.

I give a telling example for the Assembly. We are to take \$300,000 out of the Assembly budget, which we have tossed around for the last three years. Anybody who understands can see that that decision will have a far greater impact than simply bringing in a bottom line. Once we could see how cuts were applied willy-nilly to a small budget like the Assembly budget, we were filled with horror about the impact of cuts on other areas of much more profound significance to the community. It is easy to argue that we can do with less, and we will; but it shows a lack of pride as well as a lack of concern and a lack of real knowledge about how any of the departments work when, after the Assembly had brought in a \$140,000 surplus in the last budget, money was taken from the Assembly. We were doubly penalised. Now we are under the threat that some of our excellent staff may have to go and some services to the community may have to be drastically curtailed. This is from a government that said, "We will save \$70,000 from not having Tuesday night sittings". We do not have Tuesday night sittings, but we do not have that saving within our budget - and at 5 o'clock we lock ourselves in and lock the public out. What absolute nonsense!

This is just a minor example of what has been done across the board to every department. The Government is saying, "You have been spending \$10. You are going to spend only \$5 from now on. Too bad about who gets hurt along the way. Too bad about the impact". When we went into detail in quite a few areas, our suspicions were verified. There was no justification. There was no thorough analysis of what the cuts to unemployment programs would result in. I refer to recommendation 18.

Mr De Domenico: The same ones you were going to make.

MS McRAE: You are in government. This is your report. This is a peer review. Our questioning produced nothing to make us feel secure in the belief that you know what you are doing. There was no analysis of the changes to the tips, what would happen with the closure of the Ainslie Transfer Station and what impact tip fees would have. I refer to recommendation 20. There was no analysis of what was going to happen with changes to the car fleet. We were told, "We are going to sell it". We were offered a confidential analysis. What a joke! We are not in here for information given in confidence. We want an open, accountable government that can argue its position with clarity. We did not find that.

We found no analysis of money forgone for advertising on ACTION buses. We found no analysis of how public transport was going to work. We were simply told that they were going to survey the people who use the buses and the people who do not use the buses. How can you survey someone who is not on a bus? I ask you! This is what we were told.

Mr De Domenico: You knock on their door and ask them why they do not use the buses.

MS McRAE: Mr De Domenico, if you knocked on my door, I would not talk about buses to you. I would just tell you to get lost. Through the estimates process we found that this Government is in a hurry to change things; but, when pressed, it could not make it clear why these changes had to happen.

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I come to perhaps the most serious of the recommendations. The cut to the education budget, to me, was one of the most damning bits of the Estimates Committee report - not because we called for the restoration of funding but because we were not satisfied that the Government had kept its promise. People may laugh and joke about politicians' promises, but when we on this side of the house were in government we kept our promises. We believe that clear promises were made. The evidence is in the report. We are not satisfied that those promises were kept, so there is an unprecedented recommendation that the Government consider the reallocation of funds.

We were similarly very disturbed about the lack of concern and planning for mandatory reporting of child abuse. I must give the Minister his due. Since the Estimates Committee report, Mr Stefaniak has had the sense to come back to say that he now has an interdepartmental committee, has helpers, and has put in \$50,000 to help with mandatory reporting. This is a recognition that the Estimates Committee found evidence that not enough thought was being given to what was being done. We found in the area of mental health, of all places, that claims were being made for initiatives that were directly against the purpose of Commonwealth money, and we were deeply disappointed by the lack of concern and the lack of commitment.

What we found most disturbing was the lack of concern about the impact of budget cuts. There was a glib statement about social justice impacts and environmental impacts being shown throughout the budget papers rather than in a single document. We could not find that information. There was nothing to indicate how the people for whom government is most important were going to be protected, how their services were going to be maintained or how they fitted into the scheme of things. In my book there is no reason for government unless government can ensure that people without resources and without means - the frail, the young, the elderly, those with disabilities - are given equal standing in our community. This is where this Government has failed. In its rush to get to a bottom line, it has knocked aside all those who cannot come in running with it. It has said, "In three years' time we will have a balanced budget and no borrowings". Big deal if people with disabilities, the elderly, those without adequate income and the young have no services!

MR KAINE (11.05): I sometimes wonder whether members of this Assembly sit on the same committee. I noticed that the chair of the Estimates Committee kept saying "we". I do not agree with most of what she has just said. She was not speaking for me. I do not know whom she was speaking for. In fact, I am quite disturbed that, on one particular aspect of the Estimates Committee report, Ms McRae and other Labor members have deliberately misrepresented the opinion expressed by the committee and as reflected in one recommendation in particular. I will come to that in a minute. When we talk about what the Estimates Committee found, I think we should stick to the facts and not use this as an opportunity to fabricate a political attack on the Government that is not substantiated by the evidence that was presented to the Estimates Committee.

You have to understand that the Estimates Committee examined a budget that had been prepared by a government under very extreme circumstances. They had to prepare a budget in light of the fact that we had had four years of financial mismanagement. I have said this before. The previous Government set in place a series of budgets but then managed none of them. At the end of every year there were a lot of serendipitous and

unexpected outcomes. We had a \$60m surplus one year because on the one hand they had underexpended by \$30m and on the other they had had windfall profits of \$30m. Then they said, "Didn't we do a great job with the budget". In my estimation, that is evidence of poor management of the budget. It is poor management on two counts. First, you did not know what your revenues were going to be. You understated them by \$30m in one area alone - land revenue. Secondly, this Assembly appropriated money for expenditure on capital and other works and you failed to spend it. The then Treasurer came in here and said, "Didn't we manage the budget beautifully. At the end of the year we had \$60m more than we thought we were going to have".

The former Speaker, whose experience in budgetary management is zero, now tells us what a terrible job this Government has done in preparing the budget. I do not agree. The budget was prepared in a climate in which all the reserves of the Territory had been spent by the previous Government. In fact, in February of this year the amount of money remaining in the Territory's Consolidated Fund was zero. This is the party that claims expertise in financial management. Our reserves were totally exhausted. We were placed in the position where we had to try to get expenditures down because Commonwealth revenues continue to decline. We were forced to consider whether we were going to cut expenditure, push taxes above the levels that apply anywhere else in Australia or increase our borrowing.

What do you do? The answer is that you cut the expenditure side of the budget. Any sensible Treasurer would do that. If the previous Treasurer had faced up to that simple concept over each of the last five years, we would not have been in the position that we are in today. There was no substantive reduction of the expenditure side of the budget under the previous Government in any of the five years. The Estimates Committee this year looked at a budget that was framed in an adverse situation created by five years of Labor mismanagement. There is no question about that. If we are going to place blame for any shortcomings in this year's budget, let us place it where it belongs.

I do not think that the budget suffers from all of the deficiencies that the chair of the Estimates Committee alleged. The committee made 35 recommendations, but most of them have to do with the process of budgetary development and the kinds of information that the members of this Assembly - this new Assembly was elected only in February - would like to see in budget papers. Interestingly, that is a process that has happened every year since self-government. Every Estimates Committee has said, "We would like to see different information. We would like to see information presented in a different way. We would like more of it". What happened this year is no different to what has happened in previous years. It does not reflect a deficiency in the budget. It is simply a measure of the changing expectations of members of this Assembly and what they want to see. Most of the recommendations are of that kind. I do not see the massive discrepancy in quality or the massive problem with the budget that the Estimates Committee chair just spent 20 minutes outlining. They simply are not there.

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Of those recommendations that do not deal with the process, there are a limited number of specific recommendations that suggest that some members of the Estimates Committee would like to see a different financial provision for some activities and some functions from the one the Government has provided. That is a matter of opinion. I refer to recommendation 14. It states:

The committee recommends that the Government take steps to provide adequate funds to implement the ACT mental health plan as a matter of urgency.

That reflects the fact that some members of the committee thought that the provision for the implementation of the ACT mental health plan was not sufficient. That is an opinion that they are entitled to have. Those of us on the committee, whether we agreed with that or not, were not prepared to die in the ditch about it. We said, "Okay, put that recommendation to the Government".

But then we get into an argument about what adequate funds are. The Government can argue, "We have already looked at that, and we believe that we have provided adequate funds". Some members of the committee think the Government have not. Where do we go from there? The final decision and the final responsibility rest in the hands of the Government. They have to justify the money. They have to raise the revenue. A year from now, when we are looking at their performance this year, the Estimates Committee, the budget review committee or whatever is established then will be looking to see how well they did.

There are only four recommendations that suggest that there was inadequate funding. The fourth of those has to do with the education budget. That recommendation is worded a little differently from the other three. In the first three, the Government is asked to take steps to provide additional resources to police illegal dumping and things of that kind. The one in connection with the education budget, however, asks that the Government "consider". It does not recommend that the Government provide more money; it asks the Government to "consider". That was very carefully worded, because one opinion in the committee was that the committee should say that the Government should restore the \$3.8m.

Ms McRae: Because it was a broken promise.

MR KAIN: You have had your say, and you did not make your point very effectively. There was one opinion that the Estimates Committee should firmly recommend that the Government add the money to the budget. There were others of us who did not believe that that was necessary. Some of us believe that the education budget is more than fair; that education as a function is getting more than its fair share of the taxpayers' money and that to add more money to it would build inequities into the system. Rather than have two recommendations from the committee, we reached a compromise on the wording and recommended that the Government should "consider" this matter.

As one of those who believe that the budget is okay, I have no trouble with suggesting that the Government consider the matter. That is fair enough. What they do after that is up to them. But - this is the point that I referred to before - that recommendation has been misrepresented to the community as the unanimous view of the committee that the education budget should be supplemented. No matter how you describe it, that is a dishonest representation of the opinion of the Estimates Committee. I need to make that point quite firmly. I did not join in any recommendation that said that the Government must reinstate \$3.8m to the education budget. I and others on the Estimates Committee did not participate in such a recommendation. In fact, no member of the Estimates Committee participated in that kind of recommendation. For members of the Opposition to say publicly that there was a unanimous decision of the Estimates Committee that the Government should put \$3.8m back into the education budget is a gross misrepresentation and it is dishonest.

Mr Wood: Semantics.

MR KAINE: It is not semantics, Mr Wood. The members of the Estimates Committee - I do not mean the drop-ins who were allowed to come in and ask questions but the members of the Estimates Committee who sat in a deliberative meeting of the Estimates Committee and framed that recommendation, and that includes Ms McRae - all knew what the intent of the committee was. It was not what has been misrepresented to the public. You can talk about semantics all you want. It is you who are entering into a semantic argument. I know what the recommendation meant, Mr Moore knows what it meant, and I submit to you that Ms McRae knew what it meant too. For her to go out and present it in some other fashion is, I repeat, dishonest.

Mr Speaker, we have had a few whinges along the way from the Opposition chair of the committee. It is interesting that the one thing that seems to have stuck in her craw is the Assembly's budget. The Assembly's budget, I believe, is adequate for the Assembly to do its job. I have the same staff I had under five years of Labor government. I have available to me the same resources of all kinds that I had under five years of Labor government. What has changed? The only thing that has changed is that because of the stupid decision of the Administration and Procedure Committee you cannot get in the door after 5 o'clock. It was not the Chief Minister or the Government that directed that; it was a decision made by the Administration and Procedure Committee. If you want to get in the front door after 5 o'clock, members of the Administration and Procedure Committee should change their decision about how one might be able to achieve that objective.

I do not agree that it is anything that the Government has done that has caused this problem. It is a wilful, deliberate decision by the Administration and Procedure Committee that has caused the problem. In fact, it does not cause me any problem. I can get in and out of the building at any time I like because I have a card that allows me in. So what are you whingeing about? Can you not run your card past the sensor at the door and get in?

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Ms McRae: If you had any visitors, it would be different.

MR Kaine: Do you think you are the only person in this Assembly that ever talks to anybody? Stop kidding yourself. Get off yourself. Some of us have been around for about 20 years longer than you have. There are some people I represent; the rabble I do not represent. The people who come to see me come to see me without any difficulty.

The chair of the Estimates Committee whinged about the Government claiming some credit for spending Commonwealth money in the Health Department. I can only suggest, Mr Speaker, that she go back and look at the Labor Government's last five budgets. Exactly the same thing occurred. They spent a lot of Commonwealth money that came by way of specific grants for all kinds of purposes, but I do not remember seeing in the budget papers any specific reference saying, "This is not ACT Government money. We did not get this from the ACT taxpayer. We in fact got it from the Commonwealth. Therefore, we should make the specific point that the Commonwealth is the benefactor". Never once in those five years did I see that in the budget papers. Again, what are you complaining about? You established the process over five years, and now you sit over there and whinge and throw rocks as though somebody else had committed a crime. Nobody has committed a crime. They have done exactly the same thing that you did for five consecutive years.

It is all very well to come in here and nitpick and complain, but anybody who is really concerned about the future of this Territory has to look at the estimates and look at the budget in their totality, the environment in which they are created. I submit, Mr Speaker, that in a year from now, when we look at this Government's performance over this year, this Government will be able to establish quite clearly that they acted in the best interests of the community; that the money was properly spent; and, more importantly, that the budget was properly managed, which is more than the previous Government can say for any one of the five years that they were responsible for it. It ran itself. The outcomes were merely fortuitous or serendipitous. There was no effective management of the budget whatsoever. You will see some effective management of it this year. Mr Speaker, the debate no doubt will continue, but I hope that the Opposition get their feet back on the earth; that they pull themselves down from the ceiling and deal with the budget in factual terms rather than fantasy terms.

MR MOORE (11.20): Mr Speaker, I would imagine that members of the media here today who were at the press conference on the release of the Estimates Committee report will remember a question directed to me as to how I felt now that I had the numbers to force the Government to restore the \$3.8m to the education budget. At that stage I clarified the meaning of recommendation 32, which says that the committee recommends that the Government consider the restoration. Mr Speaker, I would like to make it clear to this house that at no stage have I attempted to misrepresent that result. In fact, my view is exactly the same as Mr Kaine's. A compromise was reached in order to have a unanimous report from this Assembly committee. Mr Hird and Mr Kaine knew that I had it in mind to write a series of dissenting reports on some issues, as indeed I believe they did. As a compromise we said that the Government should "consider".

Mr Speaker, I took that very seriously. I believe that it was appropriate for the Government to consider it very seriously. In fact, I did everything that I possibly could to encourage the Government to change its mind. I would say that I have probably met with Mrs Carnell or the Minister for Education, Mr Stefaniak, daily for the last couple of weeks to try to encourage a change or to find a way to fund education appropriately. Why did I do that? The reason is that Australia has the lowest education funding of OECD nations. That is not something to be proud of. It is something we should be particularly embarrassed about. We should not look to the other States and say, "We can do it for a lower amount". We should be leading in this area and saying, "We believe that education is important. We do not believe it appropriate that we have the lowest funding for education in the OECD. We should be increasing expenditure, not decreasing it or keeping it the same".

My efforts to restore the \$3.8m will at best, I believe, keep the education budget the same. The education budget has taken cut after cut for a decade or so. There comes a point at which the impact this has on our kids has to be self-evident. I believe that that has already happened. I believe that it is already self-evident and that we should increase funding on education rather than decrease it. At the every least, we should maintain it. The claims that we have heard from the Government that they have done this are simply not true. There has been a bit of fancy paperwork to try to present it that way, but the truth is that there is a cut of at least \$3.8m and probably \$4.7m. There is certainly \$3.8m that we can identify in a simple and straightforward way. I was very serious about asking the Government to reconsider the education budget. I believe that my view was accepted by Mr Kaine and Mr Hird, although Mr Kaine has pointed out that he is not of that opinion. Nevertheless, he found it appropriate that the Government should consider it. I believe that the motion that Ms Follett puts up will encourage the Government to look at it carefully again. Once again I would ask the Government, as I have asked them every day for the last couple of weeks, to consider that very carefully.

Mr Speaker, I would just like to take up one point that Mr Kaine raised about the Assembly budget. He made a big fuss about the Assembly budget. He said that he had not lost any staff and that the Assembly budget was okay. Maybe Mr Kaine leaves early and is not subjected to the inconvenience of the way that security now operates in the Assembly. The Administration and Procedure Committee, of which I am a member, made a decision that the area of least pain and the area that least affected the workings of the Assembly was security. If Mr Kaine wants to offer as an alternative that some of those savings come from his staffing, we will consider it; but I imagine that he will not get much support from other members on that. I chose the area of least pain for a budget that runs to less than half of any similar budget of any other parliament in Australia. I remind the Chief Minister that she was part of an Estimates Committee that recommended bringing the Assembly budget to its former level, so I find some measure of double standards in the fact that only a year later she has cut it.

Mr Berry: Nay; hypocrisy.

MR MOORE: Mr Berry interjects with the word "hypocrisy". I did not use that word, Mr Speaker; I used the term "double standards".

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Mr Speaker, the committee drew attention to a couple of other funding issues. One was mandatory reporting of child abuse. The Minister has already responded positively on that, although I think entirely inadequately. Mandatory reporting can be introduced only if there is substantial funding to support it. Otherwise, the results are going to be disastrous. Mr Kaine rightly pointed out that the other recommendations are mainly about process. Having been a member of every estimates committee of the Assembly since its inception, I find it particularly frustrating that, although we continue to make recommendations about process and some of them are taken up, some recommendations are barely taken up. Perhaps we need to focus on one or two and reiterate those, rather than have the simple ones adopted and the others largely ignored.

Mr Speaker, I think we have a particularly good Estimates Committee report. I would like to thank all those people involved in getting it to this stage. It is a great deal of work to examine the budget estimates, to examine the appropriation proposals. The efforts of the Ministers and the members of the public service who appeared before us, the secretarial staff, and the chair and members of the committee have produced a good result. It is not a result that should be taken lightly. Each of the recommendations should be considered individually in the light of the text of the report. Often the government responds to the recommendations but ignores the text of the report. I think it is very important that the Government look not only at the recommendations but also at the text. For various reasons, a series of things that appear in the text did not become part of the recommendations, but it is important that they be considered by the Government.

MR HIRD (11.29): Mr Speaker, the function of the Estimates Committee is a very important part of the Legislative Assembly. The committee provides the opportunity for members of the parliament to scrutinise the budget programs. Scrutiny was undertaken not only by the members of this committee. All members of this parliament were allowed to question witnesses who gave evidence. All Ministers appeared before the committee, Mr Speaker. Members may be aware that this does not happen in some other parliaments. Not only were Ministers cross-examined; senior public servants were cross-examined also. The examination was full. The committee undertook a complete scrutiny of the 1995-96 budget, program by program.

The committee has a duty, indeed, a responsibility, Mr Speaker, to make all departments accountable for spending undertaken each year. The procedures undertaken by this select committee will, I suggest, improve as time goes on. As example of this, if we look back at former estimates committees over past years since the establishment of this place, there has been a marked improvement. An example of this, Mr Speaker, is Budget Paper No. 2 entitled "Your Money at Work", the easy-to-read guide to the budget details. This budget paper allows the person in the street to know and to understand where his money will be spent. This is definitely a progressive move by the Carnell Government; but, of course, there will always be room for improvement, and we acknowledge that.

I wish to draw members' attention to some of the recommendations from the select committee. Recommendation 15 says this:

The committee recommends that all agency annual reports provide complete and clearly identifiable information about outgoings in the form of community and other grants to non-Governmental bodies.

In essence, this recommendation makes the government agencies more accountable and therefore more responsible to the people that they represent, the electors of Canberra. Recommendation 18 reads:

The committee recommends that the Government publish a strategy for addressing unemployment in the ACT, particularly for the long term and youth unemployed.

I believe that this parliament and the Government should be involved, in conjunction with its agencies, with programs to develop urgent strategies to direct resources to achieve this in the short and long term. Recommendation 28 reads:

The committee recommends that the Government assess the possible cost benefits of establishing a central purchasing office for Government agencies.

This was not achieved by previous governments over the last five years. This recommendation would immediately produce cost savings across all budget programs and provide the Government with considerable dividends, thereby benefiting the people of this Territory.

I would now like to turn to what I call a sharp political stunt by the Opposition. The Opposition has been saying that my colleague Mr Kaine and I support the budget being amended, in particular recommendation 32, which says:

The committee recommends that the Government consider the restoration of the \$3.8 million wage increase for teachers as part of the education budget.

Mr Speaker, I draw your attention to two words, "recommends" and "consider". The Opposition, when they were in government, failed to take up a considerable number of recommendations contained in previous Estimates Committee reports. They were not taken up in the five years of the Follett Government. Now they expect to change the rules. Really, when you analyse those two words, Mr Speaker - "consider" and "recommends" - neither should they. Quite simply, as I said, it was a recommendation. It was a nice try.

However, as a member of that Estimates Committee, I must say how disappointed I was with the chair of that committee, Ms McRae. She supported this political sham, this political stunt, this political skulduggery. I would like leave to table a press release.

Leave granted.

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MR HIRD: I will table it, but I would like to read out part of it. It says:

... the Chair Roberta McRae, had expressed a strong view to the Government on where its priorities should lie and where cost-cutting was clearly unacceptable.

The Committee's recommendations included the need to:

. . . restore the \$3.8 million ...

It does not say "consider". It does not say that at all. Further on the press release says this:

If the Government does not heed this unanimous Report, then Labor MLAs will not support the Budget ...

Ms McRae: Whose press release is that?

MR HIRD: Yours.

Ms McRae: Has it my name on it?

MR HIRD: Do not worry; I will give you a copy if you want it. It goes on to say:

There is clearly all-Party support within the Assembly ...

You take it out of context. That is typical of those people across the other side. That is why they are in opposition. I will give that to you if you like. I hope Ms McRae has learnt her lesson. These very important deliberations of this very important select committee must be apolitical, as they have been in the past. The rules are now changing, not only for this committee but also for other committees. We should not go to a compromise situation. What we should do now is tough it out and bring in minority reports. That is what you have started.

I believe that the Carnell Government is to be congratulated because in its first year in office it has brought in the new style three-year budget program which corrects the financial mismanagement of the previous Follett Government. A former Auditor-General once said that the cupboard was bare. It certainly was bare in March of this year. It had nothing in it. We will put the financial arrangements back into the black at the end of the next triennium, all things being equal.

I would like to thank the staff and all those people who assisted the committee in its deliberations. It was a difficult time. We pushed it through. It is a shame that the blight on this committee was caused by the action taken by the chair. I hope that she has learnt her lesson. If she has not learnt her lesson it does not augur well for our committee system in this parliament.

Ms McRae: Mr Speaker, I raise a point of order. Could we have this clarified? I think that Mr Hird might have misled the Assembly. He is quoting from a press release that was released by Ms Follett, not by me. I was no longer the committee chair at that time. I think Mr Hird owes an explanation to the Assembly rather than mislead it.

Mr Humphries: But he quoted you.

Mrs Carnell: He quoted you.

Mr Humphries: Did you say it or not?

Ms McRae: He did not say that, though. You make it absolutely clear.

MR SPEAKER: Order!

Mr Hird: It does quote you.

Ms McRae: You did not say that. You said that it was my press release.

MR SPEAKER: Order!

Mr Hird: I said "the Opposition's press release".

Ms McRae: No; you said that it was mine, when I said, "Is it mine?". Just get your facts clear, Mr Hird.

Mr Hird: Does it say, or does it not say, the chair of the committee? Just answer that question. Who was the chair of the committee?

Ms McRae: It is not question time. You said that it was my press release.

Mr Hird: Do not do your flim-flam. Just answer the question. You were the chair.

MR SPEAKER: Order! The Chair has not seen the media release.

Ms McRae: It is Ms Follett's. He should explain himself. It is Ms Follett's, not mine. That is what I asked you, after all.

Mr Hird: You were not the chair?

Mr Humphries: But you are quoted in the release.

Mr Hird: Your quote.

Mr Humphries: They are your words.

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Mr Moore: Harold, just say exactly what it is.

Mr Hird: I just said exactly what is in there.

MR SPEAKER: Order! The media release is issued under the name of Rosemary Follett, MLA, Leader of the Opposition.

Ms Follett: And it is a very good release, too. Thank you, Mr Speaker.

MR SPEAKER: I have not read it, Ms Follett, so I really cannot comment on that. It does state in paragraph 2:

... the Chair Roberta McRae, had expressed a strong view to the Government on where its priorities should lie and where cost-cutting was clearly unacceptable.

Ms McRae: Mr Speaker, as a point of order: I think it is only fair that you read the entire paragraph. It does not say “the Chair, Ms McRae”, on her own. That is the point I am making and it is not my press release. Would you please read the entire paragraph?

MR SPEAKER: Very well. I have already read the heading on the media release, which is from the Leader of the Opposition. I will, however, read the paragraph.

Ms McRae: Thank you.

MR SPEAKER: It states:

Ms Follett said that the Estimates Committee, which consisted of two Liberal Party members, Independent Michael Moore and Green Kerrie Tucker, as well as Labor’s Andrew Whitecross and the Chair Roberta McRae, had expressed a strong view to the Government on where its priorities should lie and where cost-cutting was clearly unacceptable.

I uphold the point of order because my reading of the paragraph indicates that it was a comment from Ms Follett that referred to the entire Estimates Committee.

Ms McRae: That is a good ruling, Mr Speaker. Thank you.

Mr Hird: Quits.

MR SPEAKER: Order!

MS TUCKER (11.40): Mr Speaker, the Select Committee on Estimates is obviously a very important part of the budget process and, as this was my first year on this committee, the experience was a challenging and interesting one. While I recognise that there has to be a limit to the time available, it is my belief that the process was severely truncated, thus making it sometimes difficult to deal with issues appropriately.

Nevertheless, the committee did cover a lot of ground, and I would like to take this opportunity to thank Ms McRae for chairing the committee, other members of the Assembly who were part of the process, and Mr Bill Symington and the secretariat for all their support.

Much of the time we spent in the Estimates Committee was devoted to trying to get answers to questions the Government appeared to be unable to answer, either because they had not fleshed out their economic blueprint or because they did not want to answer the questions. For this reason, it was at times a frustrating process. While the Government appears to be totally opposed to changes to their budget, they do not appear to have much knowledge about the ramifications of the budget on the people of Canberra. They have cut spending here, and introduced new procedures there, but when questioned on the detail they were very unclear about the potential results. The Government does not seem to know what the ramifications are of dismantling the industrial relations system, the meagre pay rise and the separate agency bargains for ACT government employees. There is a lack of detail on executive contracts, little knowledge about the so-called community service obligations that agencies will have to meet, and a significant lack of detail in the health portfolio. Who knows what is happening to urban services or public transport.

In short, this Government brought down a budget which we feel did not have sufficient depth to it. That was the impression I was left with from the Estimates Committee. Of course, the other key message from the Government was that, despite its election rhetoric, there would be no consultation or inclusive decision-making processes - nothing that comes even close to consultative government. Mr Speaker, it is clear that the system is not working as well as it could. We believe that the Government should immediately put in train a process by which it becomes more consultative and which gives Assembly members and community members who wish to be involved an opportunity to do so in a less antagonistic manner than is necessary now. While the Greens believe that it is imperative that this Assembly maintain its ability to amend budgets, we also believe that it would be better to have more input at the beginning of the process. We believe that the budget should go to the Estimates Committee as a draft budget - a budget that can still be changed and worked on without too much loss of face. The draft budget would be presented to the Assembly but not agreed to in principle until after it had returned from the Estimates Committee and been modified accordingly.

It is imperative that the Estimates Committee recommendations be taken seriously; that they be implemented and acted upon wherever possible. However, the Greens recognise that, at the end of the day, the Executive is responsible for bringing down a budget. In a minority government the Government is as responsible for ensuring stable government as the crossbenchers and the Opposition. This Government has abrogated its responsibilities to the Assembly by refusing to consult. It has abrogated its responsibilities to stable government by breaking its key election promise on open and consultative government.

Some of the issues that were of particular concern to the Greens, issues we raised time and time again during the estimates hearings, were public transport, mental health, education, labour market programs - and the list goes on. On a general level, we were very concerned about the lack of integration in the budget of social, economic and

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environmental priorities, and the inadequate performance measurement tools to reflect the need for this integration. One of the recommendations in the Estimates Committee's report addresses this issue. It is recommendation No. 2, which advises the Government to identify social and environmental objectives and outcomes on a program by program basis. Acting on this would be a step in the right direction towards a more holistic approach to budget formulation. I notice in the State of the Environment Report that the Commissioner for the Environment also recommends that that sort of integration occur.

Another issue that the Greens, along with other members of the committee, plugged away at was that of more widespread representation on boards advising government. Once again, I hope that the Government - a Government that is supposedly committed to open government and intersectoral action - does not merely pay lip-service to the recommendations in these areas. These advisory boards and committees are an excellent opportunity to gain a variety of views and opinions and assist in the development of policy which is holistic and visionary.

Mr Speaker, we believe that the Government should respond positively to the recommendations of the Estimates Committee, and we believe that the Government should restore the funding to education. It will be very disappointing to the Greens if the Government does not do this. Not only would they be turning their back on an important parliamentary process; they also would be ignoring the fact that they are, after all, only a minority government. Budgets are the financial expression of government policy, and, as a minority government, the Liberals ignore the input of other members at their peril. The recommendations did represent a compromise to a degree, and I support Mr Moore's concern about the value for the Government in actually reading the text and responding to some of the issues raised there that did not receive the support of the whole committee. For example, one of our own concerns was that in the tourism strategy - this was once again in line with the State of the Environment Report - there be some real attempt to look at the impact of numbers in an overall strategy, and that there is not a market-rules-what-happens approach to these sorts of issues.

When the word "consider" is debated to the degree it has been today in this place, one is obviously left with the question: Does using that word do little more than offer a way out for the Government? I urge the Government not to use it so cynically. At this point we are prepared to work with words such as "consider" because we do so in good faith. But, if "consider" is obviously used cynically as a way out - for example, "Yes, we considered it; but, sorry, we cannot do it" - and without any real justification, then obviously words like it will not be featuring in future motions.

MR WHITECROSS (11.47): Mr Speaker, this has been my first estimates process and I was proud to take part in it because I believe that the estimates committee process is a very fundamental part of our system of government. I would like to reflect a little on that before coming to some of the specific issues that came out of the Estimates Committee consideration. It seems to me that in a lot of the debate that has gone on the role of the Estimates Committee has been muddled a bit. Mr Speaker, what we have here in Australia is a parliamentary system in which governments bring down budgets. Governments announce what they intend to do over the next year. As far as the management of the Territory goes, the government sets its priorities and submits its

budget to the parliament for consideration by the parliament. Parliaments in various parts of Australia, including here, have set up an estimates committee process to undertake that consideration on behalf of the parliament in order to inform the parliament about the views of the - - -

Mrs Carnell: No, the figures.

MR WHITECROSS: Mrs Carnell interrupts. A representative cross-section of the parliament informs the parliament about what the government is attempting to do, what its financial management strategy is, and whether they agree with the directions being taken. The Estimates Committee's report forms the background against which the parliament decides whether they believe that the government's budget should be passed or not, whether the government has done the right thing or not. That is the parliamentary system that we work under. That is how the Estimates Committee contributes to that process.

The committee may report on relatively small matters, such as saying, "We have added up the numbers and we cannot get to the same number that the government did". Mrs Carnell appears to think that that is the role of the Estimates Committee. But it may also report on much more substantial matters, such as the priorities of the government. However, in the end, under our system of government, the government must take responsibility for the management of the Territory, and the government must take responsibility for what it does. The parliament can say, "We disagree with the approach you are taking". If the government ignores the parliament, the only option open to the parliament is either to vote down their budget or to move a motion of no confidence in the government. While the government are entitled to their budget, if they fail to be responsive to the parliament, if they fail to be accountable to the parliament, they are open to being removed. That is the background against which the Estimates Committee considers the government's proposed appropriations.

Mr Speaker, in looking at the budget this year, it is interesting to reflect on the recommendations of the Estimates Committee in the light of the claims made by Mrs Carnell when she brought her budget down in the first place. Mrs Carnell's first claim was that it is a budget for sound financial management. She hailed the fact that she was going to bring the budget into a surplus of \$21m by the end of the third year and reduce borrowings by the Government. She hailed these features as indicating that this budget was going to represent sound financial management.

As a background to that, Mrs Carnell sought to misrepresent the financial management of the previous Government and to exaggerate perceptions of how the previous Government was managing things in order to justify her program; but more of that later. Mrs Carnell has claimed that her budget will bring about a surplus of \$21m by the end of the third year, exactly the same surplus as we were projecting that we would bring in by the same time. While Mrs Carnell hails this as sound financial management, it is identical to what Labor would have done had we been in government. Mrs Carnell trumpets about borrowings under Labor, but this budget brings us the highest level of borrowings ever - higher than the level of borrowings projected by Labor for this financial year.

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Mr Speaker, far from being a model of sound financial management, at best you would have to say that it was more of the same in the financial management stakes, and at worst you would have to say that it is worse because not only is the direct amount of borrowings greater but she also is increasing the amount of unfunded liabilities by not fully funding things like superannuation.

The second claim Mrs Carnell made for her budget was that it delivers improved services while reducing costs. She says that over the next three years Canberrans will get more services, including from Health, and Health, in real terms, will spend less. We have seen already in the first quarter how true that claim is. We have seen, in a range of areas highlighted by the Estimates Committee, how services are not getting better, are not improving; they are getting worse. Mrs Carnell boasted in her budget speech about a \$12m cut to the ACTION budget, and already we are seeing proposals to reduce the number of services provided by ACTION, to make the services inferior, and to make the journey times longer. That is what we are seeing under the Carnell Government. That is the difference between the rhetoric of Mrs Carnell and the reality, which is reduced services.

Mr Speaker, the third claim that she makes is that they are committed to working closely with the private sector to achieve lasting growth. That is a noble ambition, on its own, but there is an interesting twist to this claim, this boast, by Mrs Carnell to be working closely with the private sector. She boasts about \$10m extra for cooperation with the private sector, publicising Canberra and all that. We have seen the secret deals to give free land to assist businesses that Mrs Carnell is fond of. We have seen that sort of thing. The reality is that before this budget came down we had alarmist rhetoric from Mrs Carnell about deficits, about going down the drain, about the parlous futures of our children and our children's children, in order to justify cuts in libraries, cuts in ACTION, cuts in education, and cuts in community services; yet money can be found to assist the business community. Here we have the reality of Liberal government. The reality of Liberal government is that financial management is used as an excuse to justify cuts to the community sector and cuts to community services while still finding money for the business sector.

The fourth claim by Mrs Carnell is that she is delivering a three-year budget and that in some way this is different from what has gone before. The Estimates Committee's scrutiny demolished that pretty comprehensively. The Office of Financial Management admitted that this was just forward estimates with out-turn prices. We simply do not have anything new. What we do have, Mr Speaker, is the reality of the three-year budget. We have accommodation expenses. There is no out-turning of the prices for accommodation expenses. The failure to out-turn the prices for accommodation expenses will mean that in the next financial year there will be a gap of \$900,000. In the year after that there will be a gap of \$1.7m and in the year after that a gap of \$2.6m because of the failure to out-turn accommodation costs. So the budget already understates the real state of expenditure compared to what it would be if they had out-turned accommodation costs.

This budget is being brought in with \$41m worth of asset sales. This budget is being brought in with capitalisation of ACT Fleet, which they are using to pour \$22m into the bottom line of the budget without at any stage being able to justify to the Estimates Committee how that is going to benefit us in the long term. We know what its benefit is in the short term. We know how it fixes Mrs Carnell for the next three years, but nobody can explain whether it is going to be good for us in the long term, and our recommendations pick that up. Again and again we have seen short-term measures being taken in order to bring this budget in, but the reality is different from the rhetoric.

MR SPEAKER: Order! The member's time has expired.

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

That the debate be adjourned and the resumption of the debate be made an order of the day for a later hour and have precedence of Executive business.

**ESTIMATES 1995-96 AND BUDGET REVIEW -
SELECT COMMITTEE RECOMMENDATIONS
Motion**

MS FOLLETT (Leader of the Opposition) (11.58), by leave: Mr Speaker, I move the motion which has been circulated in my name and which reads:

That this Assembly requests the Government to adopt the unanimous recommendations of the Assembly's Estimates Committee, namely:

- (1) Recommendation 14 - The Committee recommends that the Government take steps to provide adequate funds to implement the ACT mental health plan as a matter of urgency.
- (2) Recommendation 20 - The Committee recommends that the Government monitor illegal waste dumping occurrences and employ additional resources to police illegal dumping as appropriate.
- (3) Recommendation 32 - The Committee recommends that the Government consider the restoration of the \$3.8 million wage increase for teachers as part of the education budget.
- (4) Recommendation 34 - The Committee recommends that the Government give an assurance that appropriate funding, by way of supplementation, will be made available to implement mandatory reporting.

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Further, the Assembly requests the Government to bring forward amendments to the Appropriation Bill 1995-96 to implement these recommendations, or to report to the Assembly on its reasons for not agreeing to the recommendations prior to the debate on the Appropriation Bill 1995-96.

In moving this motion I believe I am putting forward the only responsible course of action by which the Government can be made to alter its budget in a manner that is correct in law and that reflects the majority view of this Assembly.

Mr Speaker, the motion that I have moved is the only course of action for making changes to the budget that is consistent with the self-government Act, which is the ACT's constitution. This is a view which has been made very clear in the legal advice which has been put to both the Government and the Opposition on the question of amending the budget. It is clearly the case that only the Government, in the person of a Minister, has the legal power to make amendments to the budget that increase the amount of money appropriated for any of the various functions of government. Mr Speaker, I realise that this interpretation of the self-government Act will be put to the test when we come to debate the Appropriation Bill in the detail stage, and I trust that you have armed yourself with all the advice you possibly can muster to enable you to rule on all of the permutations and, I should say, convolutions that have been suggested as possible amendments to the budget.

MR SPEAKER: Lotto would be easier, Ms Follett.

MS FOLLETT: I think that is right. Mr Speaker, no government in the history of this Legislative Assembly, or its predecessors, has commanded a stable majority of its own on the floor of the Assembly. Nor, in my opinion, in view of the electoral system in place in the Territory, can any future government reasonably expect to command such a majority. Given this fact, it is critically important that those of us in this chamber today, as the Territory's legislators, get these processes for dealing with the budget absolutely right. There is no margin for error in this. A sloppy approach to allowing amendments to the budget could very well lead us down the slippery slope to the American model - if in fact you could dignify it with the name - of budget-making, which has led to uncontrollable deficits and the present impasse between the President and the Congress which we are currently watching nightly on the television news. I also believe that I am accurately reflecting the majority will of this Assembly as expressed in the Estimates Committee report which has been tabled.

There are a number of points that I want to make in relation to what my motion proposes. First of all, Mr Speaker, members should be aware that this year's Estimates Committee report has done something which is of unprecedented significance in the life of this Assembly. This is the first time that an estimates committee has ever recommended that a government make changes to its budget priorities and has specified in detail the functional areas in which those changes ought to be made.

The role of the Estimates Committee is one which this Assembly in the past has always taken very seriously, and this year has been no exception. All members of the Assembly but one took an active part in the committee's work, and the task of scrutinising the Government's budget was as thorough and as detailed as the inadequate documents and the evasive evidence provided by the Government would allow. It has always been the task of the Estimates Committee to undertake this kind of scrutiny, Mr Speaker, but this is the first time that the scrutiny has resulted in the kind of recommendations that the Assembly now has before it.

In making those recommendations I know that the committee examined very closely both the Government's own spending proposals and the evidence which was put before the committee from the community by way of reaction to the budget. The committee deliberated at length over this evidence and in the end decided that the Government's proposals were not adequate in a number of areas of the budget. Those areas, put briefly, were education, mental health, the mandatory reporting of child abuse, and the control of illegal waste dumping.

Mr Speaker, the fact that these recommendations have come forward is illustrative of a number of important things. First, the Government clearly did not do its consultative homework on the budget before it was delivered. I think this is a great shame at any time, but from a government which promised to be open and consultative it is a real insult. In fact, this minority Government did not even find time to consult all parties in this Assembly on the make-up of its budget. The Labor Party somehow slipped from the appointment book altogether, and I know that some other MLAs consider their consultation opportunity to have been cursory at best.

The second problem for the Government is that this report demonstrates that its promises simply cannot be trusted. This is certainly the case in relation to education. We had repeated assurances from this Government, both before and after the election, that there would be no cuts to the education budget; but, when it came to the crunch, what did they do? They left Education with a shortfall in their budget of some \$3.8m, which can be accommodated only by reducing teacher numbers and reducing educational opportunities and outcomes for Canberra's students.

On the issue of mandatory reporting of child abuse, Mr Speaker, we have had continuing assurances from the Minister that his Government has a policy of implementing a mandatory scheme. What did we find in the budget? In Mrs Carnell's budget - her three-year budget, so-called - there is no provision whatsoever for the funding of such a scheme. Instead, there is a paltry amount of \$50,000 each year, when the Minister himself conceded to the Estimates Committee that the scheme would cost some millions to implement. Nowhere in the budget is the real cost of a genuine mandatory child abuse reporting scheme reflected, not even in the forward estimates. It is the same with illegal waste dumping. The Government has made no provision in its budget to monitor occurrences of illegal waste dumping, or to employ the additional resources necessary to police what has become a serious problem in this Territory.

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Finally, there is the question of mental health. I am sure that all members are only too well aware of the tragedy which occurred recently in Canberra, and I do not propose to engage in cheap point-scoring on that. I will confine myself to the findings of the committee. It found that the budget in the area of mental health was presented in a misleading way that appeared to be trying to take the credit for Commonwealth initiatives. The committee was concerned that the Commonwealth funding in question might end in 1998, leaving the ACT with little support in this area. The Estimates Committee sought a guarantee from Mrs Carnell's department that adequate resources would be provided to overcome this problem. However, the department's response was less than satisfactory.

On the one hand, it was advised that increasing funding for mental health would be premature, as - according to the department - sufficient trained staff and structures are not in place to utilise increased resources. On the other hand, Mr Speaker, the committee was told that the ACT mental health plan would be implemented when the funds were available. In the words adopted in the committee's report, this suggests something of a catch-22 situation - it does more than suggest it; it casts it in concrete, in my view - and I urge members to endorse the committee's unanimous recommendation to remove the roadblocks to the implementation of the mental health plan as speedily as possible. This means that the Government must take the necessary steps to provide adequate funds to implement the ACT mental health plan as a matter of urgency.

Mr Speaker, Mrs Carnell's much-vaunted 1995-96 three-year budget has proved to be a real shocker. It has created new records, of Olympic standard, in the political depths it has plumbed and in the speed with which election promises were broken. I could point to any number of other instances where this Government has proven that its promises are as empty as they are glib. I made many such observations in my reply to Mrs Carnell's budget speech, and I will not go into them again today.

I would like to point to a further important aspect of the Estimates Committee report, and that is that it is a unanimous report. There is no dissenting or minority report, although there was clearly the opportunity for such reports to be made. The unanimous Estimates Committee report means that all parties represented on the committee - that means all groups within this Assembly, including the Liberal backbenchers - agreed that these recommendations should be made to the Government. Only one non-Executive member of this Assembly, Mr Osborne, took no part in the Estimates Committee process, although I see that he has now joined the throng wishing to amend the budget, Mr Speaker. My motion gives him and, indeed, all members of the Assembly the opportunity to urge the Government to do so in a legally and fiscally responsible way.

In moving this motion, Mr Speaker, I am giving the Government the opportunity to take the Estimates Committee's report as seriously as the rest of this Assembly has taken the task. The Government can go away now, if the motion is passed, and look seriously at how they can implement the majority will of this Assembly. The Government has been aware since the Estimates Committee reported on 31 October that it was likely to be

faced with this situation. It effectively has been on notice since then that there would be a need for it to make some amendments to its budget. It can, if it has been taking the Assembly and the Estimates Committee process seriously, still report back in time to have the Appropriation Bill passed in the timetable in which it wishes to have it passed.

Mr Speaker, I was appalled, after the Estimates Committee report had been made public out of session, that the Government's response was immediate and was negative on the Estimates Committee recommendations.

Mrs Carnell: That is not true. On one of them it was.

MS FOLLETT: Well, it was the Government's response as reported, Mr Speaker. It seems to me that this is a very serious piece of work. It has been taken seriously by everybody involved in it. It would well behove a minority government, if not any government, to take such a serious piece of work seriously on board and explain, if they must, to this Assembly why they differ with the Estimates Committee's recommendations.

It is my view that the Estimates Committee could have made a raft of recommendations to the Government. They could have taken on every issue - some of them extremely serious, like the cut to libraries, like the future of our health system, like the reductions in public sector employment. Mr Speaker, the Estimates Committee has confined itself to a small number of legitimate criticisms of this budget, and I believe it is now up to the Government, and to those who support the Government, to ensure that those legitimate criticisms are acted upon. I commend this motion to the house.

MS HORODNY (12.10): The Greens will be supporting this motion. We are disappointed with the Labor Party members, who profess to be the champions of virtually everything but have not shown any inclination to amend the appalling budget brought down by the Liberals earlier this year. Some may say that this motion is more about politics than about education and the Estimates Committee recommendations. We have decided to ignore its political intentions and concentrate on its contents. We believe that the Government should respond positively to the unanimous recommendations of the Estimates Committee, and we believe that the Government should restore the funding to education.

We have stated our opinions about the budget process already today, so I will not be reiterating those. However, if the Labor Party believes that it would govern better, it must first demonstrate its desire to consult more widely and to listen to the views of members of this place. Despite the rhetoric of the Liberals during the election, they have failed to demonstrate any of these characteristics, and, by their failure, we believe they have abrogated one of their principal responsibilities. An easy way for Labor to make that demonstration is by voting for the amendments to the budget that will be moved this afternoon. Those amendments carry legislative weight, while this motion may carry merely some political weight. As for those members who may wish to vote against this motion and vote for the amendments, or those members who are planning to vote for the amendments but not for the motion, I urge them to think again. We must use all means at our disposal to try to get this Government to do the right thing. Half-hearted attempts that suit the political purposes of members are just not good enough.

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MR HUMPHRIES (Attorney-General) (12.12): Mr Speaker, having seen this motion this morning, my initial inclination was to damn it outright and to oppose it outright. Having heard Ms Follett speak to her motion, I am forced to agree with an important point she makes, a point which I think is lost on the Greens, and that is that there seems to be a fundamental misconception about the way in which budgets are put together in this place. My party has indicated that it stands for reviewing and revising the way in which government is delivered in this Territory, and that is a task on which we are currently bent. But, until an alternative model is devised, it seems to me that there is simply no alternative but for governments duly elected in this place to service government to put together a document called a budget which proposes the expenditure of money and the raising of revenue for the succeeding or the present 12 months for which it is framed, and then to seek the passage of that document through the Assembly. The thrust of what Ms Follett said to the Assembly is that it is difficult for the Assembly to assume the role of framer and deliverer of the budget in an environment where the self-government Act, and many decades of parliamentary precedents, require that governments take on that role, and only governments take on that role.

It may be, Mr Speaker, that in future years there is some alternative method devised whereby, as Ms Tucker and Ms Horodny have suggested, there is some capacity for the rest of the Assembly effectively to take a blank sheet of paper and between them frame the budget document. It seems to me that that role is necessarily tied up with not just the delivery of a document entitled "The Budget" but also the question of making fundamental decisions about the administration of all the portfolios of government, and we cannot divorce one from the other. Nonetheless, Mr Speaker, at present that is not the case.

Mr Berry: And convincing the Feds - convincing people up there that it should change.

MR HUMPHRIES: Mr Berry points out that convincing others that this is the right way to go may be an issue as well. In the present context it is simply not practical to suggest that all and sundry are involved in producing a budget. It simply does not work. I realise that the Greens - - -

Ms Follett: Beforehand it works.

MR HUMPHRIES: In terms of consultation beforehand, exactly what Ms Follett urges us to do in fact happened. Ms Follett did not avail herself of any chance to consult about the budget, but members of this place, including the Greens - - -

Ms Follett: So the health unions agreed to this, did they?

MR HUMPHRIES: I was present when unions were invited to come to the table and discuss this budget. I was there. I can name the union leaders who stood around the table taking part in that debate. They might not have liked the decisions that we made in consequence of that consultation, but we did consult with them. We are constrained by the fact that, although many people will come forward and say, "We representatives of this particular area of government spending and activity in this Territory" - be it health, education, public transport, mental health, or whatever - "want you to do certain things, we want you to protect our area", ultimately, only one party, one group of people in the

entire framework of this decision-making, has the responsibility to reconcile all of those claims and all of those demands, and balance the budget, bring down a responsible budget in the long-term interest of the people of this Territory. That group of people is the Government.

It is very easy for those opposite to say, "You should have done things differently. You should not have cut education. You should not have cut community services. You should not have cut libraries. You should not have cut ACTION". But, Mr Speaker, the record shows that in government, over five of the last six years, that is precisely what they did. They did cut education. They did cut public transport. They did cut community services. They did cut libraries. They did so, Mr Speaker, because of one overpowering fact of life which it is convenient now for those in opposition to ignore, but which we on this side of the chamber cannot ignore, and that is that the Commonwealth's support for the ongoing functions of the Territory has not continued. We have had to cut our cloth to fit our purse and that is what we are now in the process of doing, just as the previous Government attempted to do it. I might say, a little more forthrightly, that we are looking at the fundamental issues in a way which the previous Government never got around to doing. We are still doing that. With respect, for Mr Whitecross to say, "How dare they cut education! How dare they cut community services!", is to make a very shallow, very hollow claim.

Mr Speaker, despite saying that, I share with the Labor Party the fundamental view that only governments can frame those budgets, and the governments have to be judged on those budgets. Their budgets are their major work, their magnum opus, during the course of their term of office. This Government will go to the next election at the end of the three years, we hope, and we will say, "We have achieved these things from our budgets". No doubt those opposite will say, "They have failed in certain respects in their budgets". But those budgets are our budgets. They are our hallmark. We must be judged on those budgets.

Mr Speaker, I therefore suggest that the request that we consider these matters is logically redundant because we have already done so. We have already looked at the issues raised in the Estimates Committee report. The motion would seem to suggest that we have overlooked the Estimates Committee report, and I assure members that we have not. We have seriously considered every one of those recommendations, including the four referred to in this motion. Despite that fact, it is, I suppose, reasonable for the Assembly to request us to look at those issues. I can advise members of the Assembly that we have done so already and will respond in those terms when the Chief Minister hands down the Government's response to the Estimates Committee report.

MRS CARNELL (Chief Minister and Treasurer) (12.19): It is extremely difficult to respond to this motion because it is stating the bleeding obvious. Obviously the Government, this afternoon, when we bring down our response to the Estimates Committee report, will consider each one of these recommendations, and all the other recommendations as well. I tried to work out why these particular recommendations were picked up in this motion. Why would not all recommendations of the Estimates Committee - - -

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Ms Follett: They are the only ones that involve money.

MRS CARNELL: Yes. Ms Follett makes a very interesting point. I would like to quote Ms Follett from page 4316 of *Hansard* of 20 November 1990. Ms Follett said this:

... the function of an estimates committee is one of accountability for the money that the Government has spent and is proposing to spend.

I might just say it again:

... the function of an estimates committee is one of accountability for the money that the Government has spent and is proposing to spend.

There was no mention of policy setting, no mention of the Estimates Committee having as its role a grab bag of new policy initiatives. That was a very definite statement from Ms Follett that the role of the Estimates Committee is one of accountability for the money; not deciding whether it is the way to go, but accountability for the money that the Government has spent or is proposing to spend. This motion is suggesting new money. This is suggesting money that the Government has not proposed to spend at all. It is an interesting turnaround for Ms Follett, but obviously she has changed her views over that period.

There is no doubt that the Government has considered, and will consider over the next hour or so, the recommendations that are in front of us here, and all of the other recommendations of the Estimates Committee. The Estimates Committee is a very important committee, but its role, very definitely, is to look at the budget and to make sure that the public has been well served - that accountability is there for the money that the Government spent in the previous 12 months, or the previous financial year, and the way that the Government is planning to spend the money in the next 12 months. In other words, to look at the amount of money that is proposed to be spent in each area to ensure that accountability is there.

I must admit that in all the questions I was asked by the Estimates Committee there were very rare questions about the figures that were in front of us. There were lots of questions about policy directions. There were lots of questions about things that were not in the budget or were not in the previous financial statement, but very few about the actual accountability issues that the Estimates Committee is supposed to be set up for. I can guarantee to this Assembly that the Government has looked, and will look over the next couple of hours, at all the recommendations of the Estimates Committee, very definitely and very seriously.

MR KAINE (12.23): Mr Speaker, I have to say that I find this, in light of the history of this Assembly, a rather curious motion coming from the Leader of the Opposition, a former Treasurer. It has been well established, I think, over the life of this Assembly, that only the Executive can appropriate or seek to appropriate money. It cannot be done by the ordinary members of this place. Yet, in a sense, that is what this motion attempts to do. So, for the first time, the Leader of the Opposition is truthful in one sense when she says that this is a unique year in that for the first time the Assembly seeks to increase the Government's budget. That is the unique thing about it, and that despite the fact that

our legislation prevents it; secondly, that the conventions of this place since its inception would not support it; and, finally, that the Leader of the Opposition herself, many times over the last five years, has said - she has said it repeatedly - that the budget is the property of the government. The government have to put their budget up and they have to then live with it. Today the Leader of the Opposition attempts to set aside all of that. She attempts to set aside the law, attempts to set aside conventions, and attempts to jump ship on what was consistently her own view while she was Chief Minister and Treasurer.

There are two interpretations of the various elements of this motion. In some cases one could argue that it merely upsets the balance that the Government has determined within a program. The Government can implement several of these recommendations without adding another dollar to the budget. They can do it without transferring any money between programs. That means that they simply distort the equity that was inherent in their budget when they put it together. So the Government's balance of equity is set aside in favour of that of the Leader of the Opposition, although she has not put forward any evidence to suggest that her proposal, her apportionment of the money within a program, her concept of equity, is any better than that of the Government. She simply asserts that it is true and therefore we must do it.

In one case in particular there is a real implication that the Government shall produce additional money. I am referring to recommendation 34, which says:

The committee recommends that the Government give an assurance that appropriate funding, by way of supplementation, will be made available to implement mandatory reporting.

It could be that that would require the Government to appropriate more money than it had previously done, and this runs contrary to the view of the former Chief Minister and Treasurer that it should not be done and that it cannot be done; but suddenly today it can be done.

The real matter of concern in this motion, Mr Speaker, is the implication or the assertion that the Government can or should add \$3.8m to the education budget. It has even been asserted that that might not be enough; that it should be \$4.7m, or \$10.9m, or \$15.1m, or some other figure that has not been dreamed up yet. That cannot be done, as I understand it, within the operating processes for our budget as set down in the self-government Act and in our Audit Act. It could be done by transfer from the Treasurer's Advance, but the Treasurer's Advance is not there for such a purpose. The Treasurer's Advance is there for unforeseen and unexpected arisings during the course of the year that cannot otherwise be appropriated. To tell the Government that at some time during the year it can take \$3.8m, or some additional sum not yet determined, out of the Treasurer's Advance and transfer it to the Education Department would be acting contrary to the intention and the decades of practice in terms of Treasurer's Advances in the Territory. So I find this a rather incomprehensible motion for a number of reasons, but it is an interesting one.

In fact, the minute this debate is over the Treasurer could get to her feet and say, "We have done all that. We have considered the \$3.8m. In fact we had thought about it before. We cannot do it. So, regrettably, we have met the requirements of the Estimates Committee, in that we have considered it; but that is all there is to it. As for the others, we are already doing that. We are already providing adequate funds to implement the ACT mental health plan". The Government can say that. They can say that they have sufficient resources to police the illegal dumping. There is no requirement really for the Government to do anything as a result of this, because they can reasonably argue that they have done all of the things that the Leader of the Opposition is now asking them to do.

This motion is a fairly pathetic attempt to get some kind of publicity, and for the Leader of the Opposition to stretch her muscles a bit, to flex them and to say, "I am really pushing the Government around". In fact it is achieving nothing. Because it achieves nothing, and because it stretches the reasonable interpretations that I have seen of the legal situation and of the conventions of this Assembly, Mr Speaker, it will not have my support.

MR MOORE (12.29): Yes, Mr Speaker, there have been some changing views. Mrs Carnell quoted some views from Rosemary Follett, but we could look at the Government and say, "What about the whole notion of council-style government? You ran into the election calling for council-style government". Council-style government means a sharing of responsibilities, particularly in terms of the budget. How convenient it is for Mr Humphries to stand up and say, "Well, we might get to the stage of reviewing and revising government". I guess the rest of us understand that you would do that when you are out of government. At the moment it is convenient to retain the powers and convenient to rely on legal opinions. Labor cannot laugh at this because they are comfortably relying on legal opinions from Mr Connolly and from the Attorney-General's office. I have provided one that gives the opposite opinion.

Mr Connolly: That is an assertion, not an opinion, Michael. There is a difference.

MR MOORE: I draw your attention to the fact that the opinion from the Attorney-General's Department points out that it is non-justiciable, so in fact the decision would be made in this Assembly. Mr Connolly disagrees with them. He makes an assertion - he is keen on using the word "assertion" - that he thinks it is justiciable, without attempting to justify that. I believe that we ought to deal with this matter in the budget debate. Labor find themselves in an awkward position because they might be in government at some stage. Therefore, they want to be able to ensure that nobody can interfere with the budget process. They will pretend to work on that so that they can avoid taking action which would protect education. We would hardly expect them to be supporting education, having cut it and cut it themselves.

The next interesting thing is that we get Mr Kaine talking about precedent and convention. Mr Kaine's party moved an amendment to the 1993-94 budget that said:

The Executive shall not use money appropriated by this, or any other, Act for the purposes of reducing:

- (a) the number of persons employed as teachers in schools or colleges in the Territory; or
- (b) the number of teaching hours provided overall in those schools and colleges taken as a whole.

That amendment was passed. The precedent was set. What was the effect of that? The effect of that was to blow the education budget and therefore to transfer money from the Treasurer's Advance to the education budget. That is what happened. I think Mr Wood, who was Minister for Education at the time, made it clear in this house that if that motion was passed he would not be able to meet his budget requirements. So, in fact, it was the Liberal Party that set the precedent of putting amendments to the budget. At that time, Mr Speaker, I agonised for some time over whether I would support that or not - I agonised over the process that we are talking about now - or whether I would protect education. The decision that I came down with at the time was that it was more important to protect education.

There are only 17 members in this house and it is possible for us to sort things out, to look at a budget and to have more involvement in preparing the budget. Like the Greens, Mr Speaker, I would prefer that involvement to occur before the budget process. Indeed, I was involved in it before the budget process. I made it very clear that I would do whatever I could to stop cuts to education. I made it clear in the election. I made it clear prior to the budget process. I made it clear in the budget process. I made it clear in the Estimates Committee. I made it clear, as I said earlier today, every day for the last couple of weeks to Mrs Carnell, and I will continue to do that. I will support this motion because it just might help a little to restore the money to education; but I do so, Mr Speaker, recognising that there is an awful lot of doubletalk going on in this Assembly at the moment.

MR Kaine: Mr Speaker, I seek leave to make a personal explanation under standing order 46.

MR Speaker: Leave is granted.

MR Kaine: Mr Speaker, Mr Moore just said that I had misstated fact because it was, in fact, the Liberal Party that established a precedent for changing the budget. Mr Speaker, that is not the case. The Leader of the Opposition obviously has forgotten the year 1990-91 when the then Estimates Committee report, prepared largely by the then Opposition, made a recommendation that from 1 January 1991 the Government increase the amount available for capital grants for distribution to sporting and other community organisations. The Leader of the Opposition obviously has forgotten a great deal that happened in the past. The precedent, if there is one, was established in 1990-91, and not by the Liberals.

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MS FOLLETT (Leader of the Opposition) (12.35), in reply: Mr Speaker, in closing the debate I would like to thank the members who have spoken for their comments, and reiterate that I think this is the legitimate way to get the Government to change its budget. I think it has been made very clear that it is the unanimous view of the parties in this Assembly that the changes should be made. As I said before, there are any number of other changes that the Estimates Committee could have recommended, but did not. In arriving at just these few the Estimates Committee acted, I believe, with a great deal of restraint.

Mrs Carnell asked why these particular recommendations had been picked out of the 35 or so recommendations of the Estimates Committee. The short answer to that, Mr Speaker, is that I picked them out because they are the recommendations which involve the expenditure of money. It is my view that only the Government can make amendments to the budget which involve the expenditure of money. Mr Speaker, that makes absolutely no judgment on the relative importance of other issues. The fact of the matter is that they are simply not in the Estimates Committee's recommendations. I believe that there are other extremely important issues, such as health, continuing public sector employment, and the commitment to public sector employment, and the question of libraries. Those matters are all of enormous significance to the community, but they are not in the Estimates Committee report. In moving the motion in the way that I have I am saying to the Government, "You must act on the Estimates Committee's report". I believe that that is the correct course of action.

I was shocked and appalled in the course of our last sittings in the Assembly to hear members of the Government calling upon me and other members of the Assembly to amend the budget. That was a constant interjection from Mrs Carnell and Mr Humphries, knowing full well that that could not be done. It was the height of irresponsibility. I believe that the fact that the Government apparently was in possession of legal advice saying that that could not be done only adds to that level of irresponsibility.

I commend this motion to the Assembly and I thank members who have indicated their support for it. If the Government wants a responsible attitude to its budget it should take one itself. It should take seriously the Assembly's views, and it should take seriously its responsibilities to present a budget that can be supported by the Assembly. I have said, Mr Speaker, that, if the Government does not take seriously this Estimates Committee's report and make the changes which have been recommended, my party will be voting against the budget. That is the course of action that we will be taking.

Question resolved in the affirmative.

Sitting suspended from 12.38 to 2.30 pm

QUESTIONS WITHOUT NOTICE

Mental Health Crisis Services

MS FOLLETT: I direct a question to Mrs Carnell in her capacity as Minister for Health and Community Care. I refer Mrs Carnell to the tragic events of last Friday night and the media reports today that Mr I'Anson sought unsuccessfully to be admitted to the psychiatric unit at Woden Valley Hospital shortly before this tragedy occurred. I ask Mrs Carnell: Could you advise the Assembly, first of all, how many beds were available at the Woden Valley Hospital psychiatric unit on the day or the night that Mr I'Anson sought admission? Secondly, was a medical practitioner, that is, a doctor, involved in the decision not to admit him?

MRS CARNELL: Unfortunately, the *Canberra Times* report today that suggests that Warren I'Anson tried to admit himself to the psychiatric unit at Woden Valley Hospital on 16 November - I think that was the Thursday night - was not correct. I am advised that on 16 November 1995 a clinical assessment was made of Mr I'Anson, and the decision was that he did not require admission to the hospital at that time. He did not present for admission at the hospital that night or, for that matter, at any time during that period. On the Thursday, when the decision was taken by the mental health crisis team support worker and Mr I'Anson himself to determine whether at that stage admission was a good idea or not, a decision was taken not to admit him but to put in place a crisis plan to work Mr I'Anson through the period he was going through. I understand that he agreed with that plan at that time. It was also pointed out to Mr I'Anson that, if he felt that he needed to be admitted at that stage, arrangements would be made for him to be admitted during the evening of the 16th or the 17th. It is important to emphasise that, had Mr I'Anson considered that he required admission or, alternatively, if a clinical assessment had been made that suggested that he needed to be admitted, then he would have been admitted. It is that simple. So the report this morning in the *Canberra Times* was not correct, and I will certainly be writing to the *Canberra Times* to correct the story.

MS FOLLETT: I ask a supplementary question, Mr Speaker. Given the broad community concern about both mental health and the police responses to the events and this tragedy and what I believe to be the need for all of us to work together to improve both the services and the procedures, will Mrs Carnell give an assurance that her Government will work cooperatively with members on this side of the chamber and the crossbenches and the community to learn all we can from this tragedy in order to address all of the concerns that have emerged? From the Opposition's point of view, I can assure the Minister that we will be approaching this whole issue on the basis of finding workable solutions.

MRS CARNELL: I can assure the Assembly that that is the case. In fact, I have already had discussions and sent a letter to Ms Libby Steeper, who is chair of the Mental Health Advisory Council, to suggest that this sort of cooperative approach be put in place. This came about after representations from Libby and discussions we have had over the last couple of days with lots of people. We believe that there are a number of approaches that can be taken, not the least of which would be a forum to ensure that the views of all the stakeholders here are taken into account. We have also initiated a full review of the mental health crisis team - an approach that will happen, I think, in January.

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In fact, it was planned before this happened, but we were waiting on a particular person who has been doing similar reviews in New South Wales and Victoria and who was not available until January. So that will go ahead in January. We would be happy to work together to make sure that procedures are in place to limit the chances of this sort of thing happening again.

WorkCover Investigation

MR HIRD: I address a question to the Minister for Industrial Relations. Is the Minister aware of allegations by the Deputy Leader of the Opposition of political interference in an investigation by ACT WorkCover? Can the Minister comment upon these allegations? Will the Minister release documents relating to the attendance of members of his personal staff during the course of an investigation?

MR DE DOMENICO: I thank Mr Hird for his question. Yes, I am aware of allegations made by the would-be Leader of the Opposition, Mr Berry. There was no personal interference, of course, with an ACT WorkCover investigation. There is no basis to the outrageous and specious allegations made by the would-be Leader of the Opposition, Mr Berry.

In July 1995, I am advised, ACT WorkCover was made aware of the presence of asbestos in non-occupied areas of the Canberra Rex Hotel. I am further advised that this information was made available by an employee of the Canberra Rex, a Mr Johnston. In response, the chief inspector of ACT WorkCover issued verbal instructions that no-one was to enter the plant rooms or riser shafts until an inspection had been made. Prior to this inspection, the employee of the Canberra Rex was dismissed by the Canberra Rex. The circumstances of the dismissal are in dispute and are the subject of unfair dismissal action currently before the Industrial Relations Court. I am advised that Mr Johnston requested an investigation into a possible breach of section 92 of the Occupational Health and Safety Act 1989, which provides protection for employees being discriminated against for having an interest in an occupational health and safety matter.

On 19 July 1995 I received a number of complaints from a number of parties, including but not limited to the proprietor of the Canberra Rex, about the activities of ACT WorkCover officials. It was alleged that government officials were acting in an illegal manner, particularly that they were acting beyond their legal powers. I was informed that a meeting would be held that day where such practices could be observed. At that stage, I was not made aware of the subject matter of the meeting; nor was that my particular concern. My concerns were confined to the very serious allegations made against government officials.

A member of my personal staff did attend this meeting as an observer. During the course of the meeting he asked a number of questions merely to clarify for the record that the officials were acting pursuant to the powers vested in them. The answers to those questions established that the meeting was being conducted with complete propriety, and the member of my personal staff then observed the balance of the meeting. Upon his return to my office, I was informed that all the proprieties had been observed, that the

officials were fully entitled to conduct the meeting, and that there was no substance to the allegations made to me. Having been satisfied that ACT WorkCover's investigation was proper and that it was being conducted in a professional manner, I took and have continued to take no action in relation to this matter.

My staff member was contacted by the director of ACT WorkCover on 20 July regarding his attendance at the meeting. The director was informed that his presence was merely as an observer and that he had no intention to interfere in the investigation and would not interfere. I table the file note of that conversation as generated by the director of ACT WorkCover.

Mr Berry: Is that all that exists on file?

MR DE DOMENICO: Back down a bit; you will learn a bit. Take notes. On 24 July 1995, the inspector who attended the meeting on 19 July wrote a memorandum to the director about the attendance of a member of my staff at the meeting. I table the memorandum. The inspector seems to feel that the presence of a member of a personal staff at a meeting constitutes interference. The tone of this memorandum is more reflective of the inspector's lack of knowledge of the political process, whereby it is not unusual for members of staff to attend meetings, rather than providing any substantiation of interference. This memorandum is drafted in quite florid terms and, while that is the prerogative of the author, his complaints relate to how he interpreted the facial expressions of my staff member, who was sitting there observing the meeting. I cannot comment on someone's feelings. However, it is difficult to deal with someone's response to what they perceive as body language they do not like. What is clear is that this is a far cry from interfering in the conduct of an investigation. This is not surprising, as there was no such conduct.

It should be noted that that document was generated after the telephone conversation between my staff member and the director, a conversation to which the inspector was not a party. It should also be noted that neither I nor any member of my staff has spoken to the inspector before or after this meeting on this matter or, to the best of my recollection, on any other matter. On 28 July 1995, four days after the inspector's minute was drafted and eight days after the conversation with the director of ACT WorkCover, the inspector's supervisor generated a minute which appears to be a commentary on the earlier comments made within the memorandum of 21 July. I table that memorandum as well.

It should be noted that the person who wrote the memorandum was not present at the meeting on 19 July 1995 and, as such, his comments are no more than an opinion on what appears to be the earlier minute and/or conversations with WorkCover officials who were in attendance at the meeting. The conclusions drawn by the author - a Mr Purse, who I believe is well known politically to Mr Berry - do not, in my opinion, follow from what he regards as the cogent facts, which are described in fairly emotional terms. I disagree with his views on this issue and with his conclusions. There is nothing within this or any other documents which constitutes impropriety on the part of my personal staffer or on my or anybody else's part.

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Mr Berry seems to be of the opinion that the presence of a staffer at any meeting constitutes political interference in the course of that meeting, whether that meeting is part of an ongoing investigation or not. This is strange, coming from a member, Mr Berry, who was well known, if not infamous, for sending staff members to meetings involving officials of agencies under his responsibility. As far as I am concerned, this is just a grubby, childish attempt to grasp any opportunity, or should I say make any opportunity, to score cheap personal points. I caution members, though, that the investigation commenced by ACT WorkCover, of which this interview was part, is continuing. I have been careful in answering this question because of that fact. I will not prejudice any ongoing investigation. Similarly, I remind members that there is a claim for unfair dismissal before a court, and matters arising out of that claim are now sub judice.

Leasehold Administration

MR MOORE: My question is to the Chief Minister and refers to the report on the administration of ACT leasehold that she released today. Chief Minister, recommendations 3, 4, and 5 read, respectively:

3. the public leasehold system be retained and the Government actively promote and explain the system both inside and outside the ACT in order to seek to attract and encourage investment.
4. the four identified objectives of the ACT leasehold system be included as the guiding principles of the Land Act in order to assist in interpretation and administration.
5. the ACT not seek to change its form of land tenure to freehold or perpetual leasehold.

Will the Chief Minister accept the umpire's decision and now work to enhance the leasehold system, consistent with the Stein report?

MRS CARNELL: The report, as Mr Moore is aware, was tabled only this morning, so a Government response has not yet been written. I will give the Assembly an undertaking that this Government will be working within the recommendations of the Stein report to ensure that certainty - one of the overriding factors the Stein report talks about all the time - is achieved. The Stein report is very clear about its attitude to the leasehold system. The Liberal Party has a policy which suggests that we should move to leases in perpetuity or a freehold system, if the Commonwealth were amenable; but we said right from the beginning, when we moved down the path of this inquiry, that we were willing to work within the results of this inquiry to achieve the things we all want, and the things we all want are certainty and a real future for this city.

MR MOORE: I ask a supplementary question, Mr Speaker. To achieve that certainty, Chief Minister, I presume that you will work within your party to get a policy that is consistent with the recommendations and very strong arguments put by Justice Stein.

MRS CARNELL: We understand that we are a minority government, Mr Moore, and we will be working within those parameters to achieve the outcomes this report speaks about. The recommendations certainly are not in line with Liberal Party policy, but we believe that we can achieve the outcomes the report talks about within the recommendations put forward. Certainly, that will require some changes in the approaches we have taken in the past. The bottom line here is to achieve an outcome that everyone can be confident about. It means that, whether they be commercial or residential leases in the future, people have to know the rules. I believe that they should be in legislation; there is some thought that some of them are and some of them are not. I believe that that is the approach this Assembly should take, so that people who have commercial or residential leases know exactly what the rules are, how much money they may be up for, and when they will be up for it.

Industrial Relations Consultant

MR CONNOLLY: Mr Speaker, my question is to Mr De Domenico in his capacity as Minister for Industrial Relations.

Mr Berry: Minister for interference.

MR CONNOLLY: Yes, indeed, Minister for interference, as we see in notes from his public servants to their superiors complaining about the conduct of his private office. Thank you, Mr Hird, for your dorothy dixer.

Mrs Carnell: You would have had one or two of those in your day, Mr Connolly. We can still see the marks on the walls.

MR CONNOLLY: Why do you not go outside and say that, Mrs Carnell?

My question is in relation to the appointment of a Mr Houlihan as an adviser or consultant to the ACT Government on industrial relations. Were you, as Minister for Industrial Relations, consulted on the terms of reference for this consultancy, the length of the consultancy, and the selection of the consultant to carry out the job? If not, why not?

MR DE DOMENICO: I thank Mr Connolly for his question. I am delighted to say that Mr Houlihan is a very fine appointment by the office of the Chief Minister.

Mr Berry: You would.

MR DE DOMENICO: I think Mr Connolly ought to be delighted with the appointment as well. As far as I am aware, Mr Houlihan was the vice-president of the Federated Clerks Union for a number of years, and has a very strong background in the labour movement, I am told. No, Mr Connolly, I was not consulted prior to the appointment of Mr Houlihan; nor should I have been, I have to say.

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Mr Berry: “No, I am only the Industrial Relations Minister”. Why would you want to know?

MR DE DOMENICO: No, nor should I have been. I take that comment from Mr Berry and I will answer it too. It is wonderful that Mr Berry is the one who talks about political interference, when it suits him. I am delighted with Mr Houlihan's appointment. I know that some members of the trade union movement are not delighted with Mr Houlihan's appointment, but this Government and the public service that works for this Government will not rely on advice as to whether the trade union movement is happy or not happy with the people we appoint to give this Government advice. Mr Connolly, I am delighted that Mr Houlihan's appointment was made. No, I was not consulted prior to Mr Houlihan's appointment; but I was advised after his appointment, and I think Mr Houlihan is a great appointment.

MR CONNOLLY: By way of supplementary question: What is the cost of the Houlihan consultancy and how was Houlihan selected? Will you table the terms of reference for that selection?

MR DE DOMENICO: I do not know what the cost was, Mr Speaker, but I will take those questions on notice and get back to Mr Connolly as soon as I can.

Education Funding

MR KAINE: I ask a question of the Chief Minister and Treasurer. Chief Minister, there has been considerable public debate since the tabling of the 1995-96 budget concerning the funding of education. Much of that debate has been uninformed; some of it has been based on a misunderstanding of the budget base; some of it has, in my opinion, been deliberate misrepresentation of the facts. Will you inform the Assembly and the community of the full facts about the education appropriation for this year, in simple terms that even the Opposition can understand? In particular, will you answer the question whether this year's budget appropriation for education increases the provision over last year's, reduces the provision as compared to last year's, or maintains the level of expenditure that was achieved last year?

MRS CARNELL: Thank you very much, Mr Kaine. I think one of the great furrphies that have been put around about our budget has been with regard to cuts in education spending. I use the word “cuts” because that is the word that has been used around this place and around the union movement as well. In fact, education spending has gone up, not down. This Government's commitment was to maintain education funding in real terms based on the 1994-95 budget. That commitment has been kept in the 1995-96 budget and will be kept for the life of this Government. In other words, we have factored in CPI increases for the whole term of this three-year budget for education, which I must say is the only area that has that luxury.

The mathematics here are simple enough, I think, even for those opposite, so Mr Moore should have no trouble whatsoever in working out the figures. Last year, the budget allocation for government schooling was \$199.9m. Preschools have been transferred to another part of the department, so to avoid confusion we will take those off the equation. We then get down to a starting line of \$192.2m. That is last year's budget allocation. The inflation forecast for the year right across this budget was 4 per cent, so maintaining funding in real terms means increasing that budget from last year by 4 per cent, which comes out at \$7.7m. It so happens that our education policy statement released before the election said that we would maintain education funding in real terms. In brackets it said, "This will amount to approximately a \$7m increase". The \$7m figure was already there in our policy statement before the last election, so people knew exactly what the story was.

We have a \$7.7m increase as a result of a 4 per cent inflation figure. On top of that, we have another \$2m to cater for increased enrolments and an extra \$4.7m for additional functions transferred into the department. That produces a total appropriation in 1995-96 of \$206.6m - well above the figure for 1994-95, which we worked out was \$192.2m. We have an extra \$7.7m for the 4 per cent CPI increase; an extra \$2m for increased student numbers; and an extra \$4.7m for increased functions. No matter how you look at that now, it more than covers the \$3.8m that Mr Moore and others have suggested we should have added. We have added more than that.

Some observers have pointed out that the education budget blew out. The comment has been made that the education budget blew out in 1994-95 due to a pay increase granted to teachers - one that was not traded off against efficiencies and so on, in line with the Federal Labor Government's view in this area. But, for all of that, it has been suggested that the education budget blew out. So how does our budget stack up, taking that into account? In current outlay terms, the outcome for 1994-95, that is, in actual terms, was \$200.1m. My budget provides \$206m. So, even if you compare actuals from last year with the appropriated amount for education this year, you get an increase of approximately \$6m - again, more than enough to cover the \$3.8m that is spoken about regularly by those opposite and Mr Moore and some other members as well. What we have is a situation where, if you compare actuals with this year's budget, you have an increase of \$6m. If you compare, as we did in our policy statement, last year's budget with this year's budget, you have an increase of \$9.7m. All of that more than covers the \$3.8m pay increase that was not part of last year's actuals.

MR KAINE: I ask a supplementary question. Chief Minister, from your explanation, the argument that is being advanced that you should add at least \$3.8m to your budget to maintain last year's expenditure is a gross misrepresentation of the facts?

MRS CARNELL: It is a gross misrepresentation of the situation. The bottom line here is that, if you compare actuals with this year's budget, there is an increase of \$6m; if you compare the budget for last year with the budget for this year, there is an increase of \$9.7m. Certainly, when I did mathematics, \$3.8m was less than \$6m and less than \$9.7m. On that basis, there is no doubt that the \$3.8m has been more than adequately covered by the \$6m or the \$9.7m.

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Mr Moore: Why, then, does the department have to find \$4.7m? You do not want to answer that one, do you?

MRS CARNELL: I will answer Mr Moore's comment, which he said he did not want me to answer.

MR SPEAKER: Which is out of order.

MRS CARNELL: It is totally out of order. Mr Moore has suggested that somehow education funding does not have to change over time. The priorities change. We do things such as opening new high schools down at Lanyon. We do things such as planning for new schools at Nicholls. Interestingly, we change priorities with demographic changes. That requires saving some money in some areas so that we can spend it in others.

Industrial Relations Consultant

MR WOOD: Mr Speaker, my question is to Mr De Domenico in his capacity as Minister for Industrial Relations. Considering Mr Houlihan's past involvement with the Mudginberri case and the H.R. Nicholls Society, does his appointment as a consultant by your Government indicate your endorsement of confrontational, extreme right-wing industrial relations tactics?

MR DE DOMENICO: I thank Mr Wood for his question. The answer is no.

MR WOOD: I ask a supplementary question, Mr Speaker. Mr De Domenico might say how it is, then, that he will take advice from this person. Is it also a case of a vote of no confidence in his own industrial relations specialist staff?

MR DE DOMENICO: I thank Mr Wood for his supplementary question. No, it is not a case of not having confidence in the staff who are currently there. Had Mr Wood asked the right questions he would have realised that the appointment of Mr Houlihan was made as a result of the staff in the office saying that they needed someone like Mr Houlihan to assist them in their negotiations with the unions.

Chief Minister's Department - Chief Executive

MR OSBORNE: My question is to the Chief Minister, Mrs Carnell. Chief Minister, can you inform this Assembly of what the total salary package is for the position of Chief Executive of the Chief Minister's Department?

MRS CARNELL: The total salary package of the Chief Executive is gazetted; it is in the Remuneration Tribunal's findings. I can take that on notice and give it to you exactly, but it is information that would have been distributed to you.

Australian Alps National Park

MS HORODNY: My question is to the Minister for the Environment, Land and Planning, Mr Humphries. In relation to management of Australian alpine areas covering parts of the ACT, New South Wales and Victoria, does the Government support a World Heritage nomination for the Australian Alps national park and, if so, will you be actively working towards such a nomination?

MR HUMPHRIES: I thank Ms Horodny for this question because it is an issue that has come across my desk in recent days. I opened a seminar of transborder alpine management authorities a couple of weeks ago at the Pavilion Hotel. It was looking at issues concerning management of national parks. In the context of that particular issue, I was asked to look at the question of whether the ACT should support nomination for World Heritage listing of our element of the alpine national park, that is, Namadgi National Park, as part of that chain of three national parks going down the Australian Alps.

The answer basically is that yes, the ACT Government does support the nomination. It is not a matter that has been discussed in detail, however. As I understand it, at this point in time it is exceedingly unlikely that such a nomination would proceed. My advice is that, although the position of the New South Wales Government is not clear, certainly the Victorian Government strongly opposes the listing of its element of the alpine area as part of a World Heritage listing. In the circumstances, it is very unlikely that the Commonwealth would proceed to list any of those three elements, with the resistance of one government.

However, I believe that it is an appropriate issue to continue to raise. I think there are some advantages in World Heritage listing, and I will certainly take the opportunity, when I next have it, of talking to my colleague in Victoria about how we can best proceed to protect the values of those areas in our respective national parks. If World Heritage listing achieves that, then I am sure that ultimately the parties will realise that they should support nomination in those terms.

Government Service - Employment Contracts

MR BERRY: I direct this question to Mr De Domenico in his capacity as Minister for Industrial Relations. Along with the appointment of Mr Houlihan, your proposal to put all senior executives on individual contracts - the cry of the New Right - and your tactic of approaching directly all ACT public servants, dealing directly with the workers rather than properly through their unions, why is the Government following the CRA example of moving away from collective bargaining and towards individual contracts with all staff?

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MR DE DOMENICO: I thank Mr Berry for his question. Is it any wonder that former Senator Graham Richardson wrote what he did in the *Bulletin* about this poor, sad version of what the Labor Party once was. I will answer the question quite happily. If Mr Berry had the time to go out and talk to the senior executives in the ACT public service, or most of them, he would realise that most of them are quite happy to go on contract. What this Government will do is what every other government in this country, both Labor and Liberal, has done. Go and talk to your colleague Mr Carr in New South Wales, Ms Follett. I know he will not talk to you because you are in the wrong faction, but if you ever go and talk to your colleagues elsewhere in the country you will realise that this is the best way to go.

As for Mr Berry's connotation that we ought to get permission from the Trades and Labour Council before we do anything, this Government, unlike the previous Government, does not require permission from the Trades and Labour Council before it takes the decisions it thinks it needs to take. It is up to this Assembly to then have a look at those decisions and, if they are not happy with them, attempt to change them. This Government will continue to do what is best for the people of the ACT. If that means putting senior government servants on contracts, that is what we will do, and we will not be getting permission from the trade union movement before we try to do it.

MR BERRY: I ask a supplementary question. I thank Mr De Domenico for his advice that compatibility is the major requirement for a contract with the Government. Compatibility is a condition. Given that the Government has directly approached all staff about enterprise bargaining, will the Government extend to unions who represent those staff in the enterprise bargaining negotiations the ability to directly contact the staff in the same way that the Government does?

MR DE DOMENICO: I dare say that, if those staff members who are union members wish to be contacted by the unions, they can be. This Government does not get involved in that sort of thing; but, if the unions want to contact the staff, they can.

Mr Berry: On a point of order, Mr Speaker: I might inform Mr De Domenico that advice through the same channels has not been allowed for union officials in order that they can contact their members. Will Mr De Domenico guarantee that, like management, the ability of trade unions to contact their members through the Internet is guaranteed?

MR DE DOMENICO: Mr Speaker, can I say that the information the Government sent out to its employees was factual information. Can I also suggest to Mr Berry, based on some of the information that has been sent out by the CPSU, that you can call it anything you like but certainly it is not factual.

Homeless Youth

MS TUCKER: My question is to Mrs Carnell as Chief Minister. I understand that you had a meeting with Mo Hughes regarding homeless kids in the ACT and generally in Australia. She was asking for support to lobby the Federal Government or for us to take some kind of action as local government. I am interested to know what your response was to her proposals and whether you are prepared to support them in any way.

MRS CARNELL: Thank you, but I am somewhat bemused by this question. I have to admit that it was given to me by one of my staff very close to question time. I have never met Mo Hughes and I have certainly never been down to her tent in Grevillea Park, as I read on the front page of the *Chronicle*. I have no more knowledge of this than I read on the front page of the *Chronicle*.

Griffith Preschool

MS McRAE: My question is to Mr Stefaniak in his capacity as Minister for Education and Training. Recently a request was made by staff at the Stokes Street preschool in Griffith to have a cubbyhouse either repaired or replaced. On inspection by your department, the structure was deemed to be beyond repair and was removed from the grounds of the preschool. Minister, can you inform me and the house who carried out the inspection, what qualifications that person had to perform the inspection, on what grounds the structure was condemned instead of being repaired, and when the cubbyhouse will be replaced?

MR STEFANIAK: I thank the member for the question. The short answer is no, at present. I think I heard something today on the radio about a cubbyhouse, but that is the first I have heard of it, Ms McRae. I will get some more information and get back to you on that one. I will have to take that on notice.

MS McRAE: Can I just confirm, then, Minister, that you know nothing about the removal of this cubbyhouse or the fact that it took four working days to remove it or what then happened? You know nothing about this? This is what you are telling the house?

MR STEFANIAK: I will find out what I need to find out about it, Ms McRae. I heard something on the radio about it and I do not believe I have any other information. I will find out as best I can and get you an answer to your question.

Griffith Preschool

MR WHITECROSS: Mr Speaker, my question is to Mr Stefaniak in his capacity as Minister for Education and Training and again relates to the removal of a cubbyhouse from the Stokes Street preschool, which Mr Stefaniak knows nothing about but which is apparently described in the Department of Education and Training as “the bungle”.

Ms McRae: I thought they were talking about Mr Stefaniak, Mr Whitecross.

MR WHITECROSS: Yes. Will the Minister, in investigating this, confirm that the cubbyhouse was made of white asbestos cement sheeting? Will the Minister advise the house, in providing further information, why the decision was taken to remove the cubbyhouse, who authorised it, whether staff or students were endangered in the removal of the cubbyhouse, and whether any assessment has been made subsequently about that? Will the Minister also advise us whether anyone from the department consulted Urban Services about government guidelines for the removal of asbestos cement structures?

MR SPEAKER: I call you, Mr Stefaniak, if you can remember all those questions.

Mr Kaine: Be careful, Bill. This is the one that will bring the Government down if you do not get it right.

MR STEFANIAK: You never know, Trevor. Stranger things have happened. Mr Whitecross, again I will take on board the questions you have asked, get some information, and get back to you with appropriate answers.

MR WHITECROSS: I put a supplementary question to the Minister. Will he also ask the department how an incident which can be described in his department as “the bungle” is not the subject of a question time brief?

MR STEFANIAK: You raise some very interesting questions, Mr Whitecross. I will certainly be asking a number of questions in relation to this. I am intrigued by this matter.

Mrs Carnell: I ask that all further questions be placed on the notice paper.

SUBORDINATE LEGISLATION AND COMMENCEMENT PROVISIONS

Papers

MR HUMPHRIES (Attorney-General): Mr Speaker, I hope to move off important issues like cubbyhouses and on to other matters like legislation. Pursuant to section 6 of the Subordinate Laws Act 1989, I present subordinate legislation in accordance with the schedule of gazettal notices for a determination and regulations. I also present a notice of commencement for section 4 of the Motor Traffic (Amendment) Act 1995.

The schedule read as follows:

Administrative Appeals Tribunal Act - Administrative Appeals Tribunal Regulations (Amendment) - No. 41 of 1995 (S276, dated 2 November 1995).

Bookmakers Act - Determinations -

No. 156 of 1995 - Location of the sports betting venue (S279, dated 6 November 1995).

No. 157 of 1995 - Directions for the operation of the sports betting venue (S279, dated 6 November 1995).

No. 158 of 1995 - Rules for sports betting (S279, dated 6 November 1995).

Buildings (Design and Siting) Act - Determination of fees - No. 153 of 1995 (S272, dated 27 October 1995).

Motor Traffic Act -

Determination No. 154 of 1995 - Registration of Motor Vehicles (S277, dated 2 November 1995).

Motor Traffic Regulations (Amendment) - No. 40 of 1995 (S261, dated 18 October 1995).

Motor Traffic (Amendment) Act - Notice of commencement (18 October 1995) of section 4 (S261, dated 18 October 1995).

Rates and Land Tax Act - Determination for the purposes of the *Rates and Land Tax Act 1926* - No. 151 of 1995 (S268, dated 25 October 1995).

PAPERS

MR HUMPHRIES (Attorney-General): I present the Department of Health and Community Care activity report for the September quarter of 1995.

For the information of members, I present the Treasurer's monthly financial statement for the month of September and year to date period ending 30 September 1995, and the aggregate financial statements for 1994-95 prepared by the Treasurer pursuant to subsection 73(1) of the Audit Act 1989, together with the Auditor-General's report, which were provided to members when the Assembly was not sitting.

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I also present a report for 1994-95 for the National Crime Authority, including financial statements and the report of the Acting Executive Director from the Australian National Audit Office; a report for 1994-95 from the Director of Public Prosecutions, pursuant to section 30 of the Director of Public Prosecutions Act 1990; and a report for 1994-95 from the ACT Vocational Training Authority, pursuant to section 12 of the Vocational Training Act 1989.

Pursuant to standing order 83A, I present a petition lodged with Mr Osborne with 33 signatures and relating to euthanasia, which does not conform with standing orders.

LAND (PLANNING AND ENVIRONMENT) ACT LEASES Papers and Ministerial Statement

MR HUMPHRIES (Attorney-General and Minister for the Environment, Land and Planning): I present the schedule of lease variations for the period 1 July to 30 September 1995 and, pursuant to the Land (Planning and Environment) Act 1991, the schedule of leases granted in the quarter ended 30 September 1995. I ask for leave to make a brief statement on the schedule of leases granted.

Leave granted.

MR HUMPHRIES: The Land (Planning and Environment) Act 1991 requires a schedule to be tabled in the Legislative Assembly of leases that were issued by a direct grant during a quarter. The Act also requires that the schedule be tabled within five sitting days of the end of each quarter. Due to an administrative oversight, the schedule for the period 1 July 1995 to 30 September 1995 was not available by the required date, and I apologise for the oversight.

Ms Follett: Yet another oversight.

MR HUMPHRIES: Yes, we do make mistakes occasionally. I am glad to hear that Ms Follett never does. A record of all new leases and applications to vary crown leases is available for public inspection at the Environment and Land Bureau shopfront in John Overall Offices in Northbourne Avenue.

SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION - STANDING COMMITTEE Report and Statement

MR OSBORNE: I present Report No. 15 of 1995 of the Standing Committee on Scrutiny of Bills and Subordinate Legislation, and I ask for leave to make a brief statement on the report.

Leave granted.

MR OSBORNE: Report No. 15 of 1995 contains the committee's comments on one Bill and 11 pieces of subordinate legislation. I commend the report to the Assembly.

PUBLIC ACCOUNTS - STANDING COMMITTEE
Report on Access to Cabinet and other Deliberative Documents

MS FOLLETT (Leader of the Opposition) (3.12): I present Report No. 6 of the Standing Committee on Public Accounts entitled "Access to Cabinet and other Deliberative Documents, the Property of Previous Governments". I move:

That the report be noted.

This inquiry arose out of actions in the Assembly on two occasions this year, in May and August, when a Minister, Mr Humphries, quoted from selected departmental minutes sent to me as the Chief Minister in the previous Government. On both occasions the Minister adverted to departmental briefing minutes tendered to the Government at the time and used that advice to attempt to suggest that by receiving those minutes the Government had adopted the views expressed in them. As the then Chief Minister, I was challenged to provide documentary evidence of the actual deliberations and notations made in respect of those minutes. One of these matters, Mr Speaker, is dealt with quite fully at about page 295 of the Stein report, which has been tabled today, if anyone is interested. It was clear also that the Minister had access to related papers which had been dealt with by my Government.

Following the May incident, when I raised the question of the convention relating to access to the Cabinet documents of a former Government and the Cabinet handbook provisions concerning such access, the Minister acknowledged the importance of the principles involved. The Minister undertook to establish and inform the Assembly of the circumstances in which the document used had then been made available. I regret to say that the Minister has not yet delivered on that undertaking.

These two episodes serve to illustrate what should be a serious concern that, in the interests of good and effective government, the government of the day must have absolute confidence that the record of Cabinet discussions and the basis for Cabinet decisions are confidential to that government. In the light of that concern, the committee decided to undertake the review of the Cabinet handbook provisions which has led to this report. The review has brought to light a number of inconsistencies which require close consideration and rectification by the Government.

In essence, the committee has found, and recommends, that the ambiguity in the handbook needs to be eliminated; that the convention on access needs greater emphasis; that in the particular circumstances of the ACT, where the Ministry is small and there has been an alliance government, there must be provision for access to a previous government's documents by the present leader of the political party which formed a previous government, and there must be provision for access to documents dealt with personally by Ministers of a former coalition government; and that there must be appropriate consultation where access to Cabinet and other deliberative documents of a former government is sought by investigatory bodies and under the Freedom of Information Act.

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At the end of the day, the Cabinet handbook is a self-imposed discipline on the Government, but the discipline reaches well beyond the immediate administrative environs to the heart of what constitutes confidence in that administration by the public. Therefore, it is vital that the soundly-based conventions which have been developed over a very lengthy period in our system of government be reinforced and that officials be in no doubt as to the importance of those conventions in providing stability and certainty in the exercise of government. I commend the report to the Assembly.

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

PLANNING AND ENVIRONMENT - STANDING COMMITTEE
Report on Draft Variation to the Territory Plan - Residential Land Use Policies

MR MOORE (3.16): I present Report No. 5 of the Standing Committee on Planning and Environment entitled "Draft Variation to the Territory Plan (No. 42) for Minor Corrections Series - Residential Land Use Policies", together with extracts from the minutes of proceedings, and I move:

That the report be noted.

Mr Speaker, this is a fairly mechanical set of amendments, and I think we will be seeing more of this style of amendment to the Territory Plan - things that clearly were the intention of the plan in its generality but had been missed in the specifics. There is a series of minor amendments the committee went through one at a time, and the committee believed it was in the best interests of the people of Canberra that those minor variations proceed.

Question resolved in the affirmative.

PLANNING AND ENVIRONMENT - STANDING COMMITTEE
Report on Draft Variation to the Territory Plan - Monash

MR MOORE (3.17): Mr Speaker, I present Report No. 6 of the Standing Committee on Planning and Environment entitled "Draft Variation to the Territory Plan (No. 48) for Monash, Section 20, Block 1", together with the extracts from the minutes of proceedings, and I move:

That the report be noted.

This report refers to a block of land in Monash which was originally set aside for a retail centre and was not able to be sold, even though there were attempts made to sell it for that purpose. When members of the committee went out and inspected the site in Monash, it was quite clear that it had been put in totally the wrong position, that the very poor planning processes that had led to that - which were conducted before self-government, I should add - had left us with a result that was simply untenable.

Members of the committee were reluctant to allow this variation, in one way; but we could see no other reasonable alternative for the use of the land and felt that, in the best interests of the community, it would be better to allow the variation. I think this is a warning for us about development of land and where we put shopping centres. The sad part is that that shopping centre should have been put very close to the school in Monash, which would have made for a much more viable shopping area and community.

Question resolved in the affirmative.

ESTIMATES 1995-96 AND BUDGET REVIEW - SELECT COMMITTEE
Report on the Appropriation Bill 1995-96

Debate resumed.

MRS CARNELL (Chief Minister and Treasurer) (3.19): I present the Government's responses to the Estimates Committee report on the Appropriation Bill 1995-96 and to the Standing Committee on Planning and the Environment Report No. 3 on the 1995-96 draft capital works program. I would like to use this opportunity to thank the Estimates Committee for its examination of government expenditure and revenue estimates for 1995-96. The Government supports either in principle or in full all but six of the recommendations. That compares somewhat favourably with the previous Government's response to last year's report, where they rejected seven of the recommendations. So we will support either in principle or in full all but six of the recommendations.

I will not respond in this tabling statement to all of the recommendations as they are outlined in the response. I would, however, like to take the opportunity to comment on some of the issues raised. The Government notes the committee's recommendation that we consider supplementing the education budget by a further \$3.8m. I can tell this Assembly that we had a party room meeting at lunchtime, after the motion was passed this morning, to reconsider this and a number of other issues. We have considered the proposal and we have rejected it. This Government has honoured its commitment to maintain education funding in real terms. As a result, this budget discriminates positively in favour of education and the funding adequately covers the salary requirements of the department.

The Government will consider options to allow the members of the Assembly to be fully involved in the preparation of the Assembly's budget. We are very keen to ensure that we have maximum input into the budget process. However, the Government rejects the view that a penalty was applied to the Assembly's budget due to underspending in 1994-95. The Assembly's budget was started at the forward estimates published in the 1994-95 budget papers, and all subsequent adjustments were made known at that time. In other words, the underspent actual was not the basis of our budget figure. Further details of the Government's position on matters of disagreement are outlined in our response.

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Many of the recommendations of the committee will be achieved through the implementation of the Government's financial management reforms. These will see a departure from the current focus on inputs to an output-based budgeting model. The output-based model will mean greater accountability and transparency of the budget to the Assembly and the community. In that way, the Assembly will be able to assess the performance of agencies, and ultimately the Government, on how well or to what degree outcomes are achieved. The committee drew to the Government's attention specific issues relating to health, illegal dumping, fleet and public transport. I am sure that all members will see the benefit of the Government's actions in the future.

Turning to the 1995-96 budget, I believe that it provides a sound basis for responsible and accountable financial management over the next three years. As was stated earlier this morning, we will be judged on that by the community in three years' time. We will turn around a deficit of \$44m in 1995-96 to a surplus of \$21m by the end of the third year, with this surplus increasing from then on. Mr Speaker, I commend the Government's response to the Estimates Committee's report for the 1995-96 budget to this Assembly.

One thing that needs to be said here, before I go on to the response to the next report, is that Ms Follett said this morning that never before had recommendations been made by an estimates committee with regard to changing the actual appropriations within the budget or financial recommendations generally, and that somehow that meant that the Government had to respond to the Estimates Committee report. I think many of those who have been in this Assembly for longer than this term will remember that the last two estimates committee reports suggested that the Health Promotion Fund should have at least 5 per cent of the revenue gained from the tobacco franchise fee. That was knocked back by the Government on two occasions. Never once did we consider bringing forward a motion, even though we would have had the numbers on the floor to do so, to force the Government's hand to allocate that revenue in that way, because we believed strongly that the Government must be judged on the basis of its budget.

There was another circumstance in 1991-92 where the Estimates Committee brought forward a recommendation that funding for the three non-government schools be reinstated pending appropriate consultation and negotiation on future support. What did the Government do? It knocked back that recommendation. Again, the Government had every right to do that, as governments have regularly knocked back recommendations of estimates committees.

I think we are very lucky in this Assembly that estimates committees have had almost all of their recommendations picked up - all but six this year, all but seven last year, and all but four the year before. I think that, in total, estimates committee reports are being picked up by the government of the day, but never have they been picked up in full and, to my knowledge, never has a recommendation of the estimates committee that requires a change in the figures within the budget been picked up by the government of the day. We have to understand what the precedents are that were set not by us but by the previous Government in this area. We have seen on quite a number of occasions recommendations that came from the estimates committee that would have changed allocations knocked back by the government of the day, and the government of the day was Rosemary Follett's Government.

Ms Follett: No, that is not true.

MRS CARNELL: I am sorry; the reality is that on two occasions the estimates committee recommended that 5 per cent of the tobacco franchise fee be allocated to the Health Promotion Fund and on two separate occasions the Government, under Ms Follett, said categorically that this would not be accepted.

I turn now to the Planning and Environment Committee Report No. 5 on the draft capital works program. I would like to thank that committee for its work and for its cooperation in considering the draft program within what was a very short timeframe. A total of 18 recommendations were made by the committee. Of these, six related to individual projects, while 12 related to the capital works process generally. The committee report confirms many continuing difficulties with capital works, including poorly defined links to government objectives and service delivery outcomes, inadequate provision of alternative options, an apparent short-term planning focus, treatment of capital works as a free good with a consequent unproductive bidding process, and a lack of accountability and management responsibility for better costing, evaluation and analysis of capital works requirements.

There have been some major changes over recent years in the level and detail of information required to support capital works. Current specifications and guidelines are comparable to, if not more rigorous than, those that apply in other jurisdictions. The capital works group was also established to examine proposals for technical feasibility and to clear proposals for further consideration in the budget context. Criticisms by the committee have continued, however, and in particular have centred upon a lack of adequate justification for proposals. Further substantial changes are being planned to improve the capital works process. These changes will be linked to the Government's financial management reforms, including, where appropriate, contestability and outsourcing of service delivery. The objective of these reforms will be to place the formulation of capital works proposals, decision-making and delivery of works onto a much more businesslike basis.

Key elements of these reforms include providing agencies with capacity, through funding for depreciation, to plan for and undertake replacement works, providing incentives for more effective use of existing assets and requesting that new works be treated as a capital injection and be subject to a business case in the context of the Government's service delivery requirements. (*Extension of time granted*) Fundamental to the reforms will be much greater ownership of proposals by sponsoring agencies. This will require agency budgets and financial reporting to include all capital funding relevant to that agency.

For 1996-97, the draft capital works program will be substantially brought forward in time, compared to past practices, and it will be referred to the Planning and Environment Committee in January 1996 to enable the commitment of approved projects to occur as early as possible after 1 July. The Government is committed to improving the way capital works are considered and managed. This will lead to maximising the effectiveness of capital expenditure.

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I thank the committee for their examination of the 1995-96 capital works program. I believe that their recommendations will lead to a much better approach to capital works in the future and quite substantial changes at departmental level. I commend the Government's response to the Assembly.

MR HUMPHRIES (Attorney-General) (3.31): Mr Speaker, I will make a few brief comments on the Estimates Committee report. I have to confess to being not so impressed as members of the committee, particularly those from the other side of the chamber, about the report of the Estimates Committee. In some ways I found the experience of appearing before the committee to be an unusual one. I had expected more focus on the achievability of the targets the Government had set itself in the budget.

Mr Moore: We did not ask you, Gary, because every time we asked anybody else they said, "We will leave that up to the bureaucrats". There was no point.

MR HUMPHRIES: I do not know what happened to other Ministers who appeared before the committee. I was prepared to answer and surprised that I was not asked for information on those matters, but I suppose that is a matter for members of the committee to discuss. In the sense that we expect and hope that the Estimates Committee will provide useful information to help the Government frame budgets in future years, I have to ask seriously whether that was a target or a goal achieved by this year's Estimates Committee. There are a number of recommendations in the report dealing with how the committee should get information in future years. They could be described as mechanical recommendations related to how the committee does its job in future years. They are of some importance to the committee but not of much importance to anybody else. Other recommendations that I would describe as being of a political nature basically second guess the Government on a whole series of areas.

Ms Follett, in speaking to her motion earlier today, suggested that this was the first time that there had been a request to a government of the day to change its budget in line with recommendations made by the Estimates Committee. I have to say that that simply is not true. I perused a number of previous years' reports and found occasions when recommendations of that kind had been made. As the Chief Minister has pointed out, on those occasions the former Government quite unambiguously rejected such recommendations and refused to amend its budget in accordance with those requests. To the credit of the then Opposition, it did not proceed to grandstand and demand that the Assembly force the government of the day to make amendments that had been requested, in some cases unanimously, by the Estimates Committee. But the contrast will be made by other people. They can draw their conclusions from that.

To be specific about my assertions, I note that in the Estimates Committee report of 1991-92 it was recommended that the funding for the three non-government schools - that was a reference to an earlier recommendation - be reinstated pending appropriate consultation and negotiation on future support. That was clearly a recommendation relating to that year's budget, not to future years' budgets. That recommendation was rejected by the government of the day. Similarly, there was a recommendation in the previous year's Estimates Committee report that from 1 January 1991 - that is, within the period of the budget - the Government increase the amount available for capital grants for distribution to sporting and other community organisations previously assisted by the

Community Development Fund by an amount equivalent to the interest that would have been paid if the Community Development Fund had continued to operate. That is rather similar to the suggested changes that are before the Assembly today. It is bizarre for the Leader of the Opposition to suggest that this is the first time that this has happened and that therefore she is entitled to move a motion of this kind on the floor of the Assembly. She did not do her homework very well, I would suggest, in that respect.

Mr Speaker, returning to the subject matter of the Estimates Committee report generally, I have to say that I disagree with the thrust of some of the recommendations made in the report. That comment has been made by other members. For example, the suggestion that the Government is not adequately preparing for the change in the environment in which people will dispose of rubbish at waste dumps in the ACT is a false suggestion. The committee appears to have totally overlooked a very significant allocation of some \$188,000 in the budget to monitor illegal dumping. It has completely ignored that fact. It has suggested that we should put money aside when in fact we have done so to a very significant degree.

That issue aside, as Minister for the Environment I have to express grave concern about the willingness of the committee to overlook important salutary effects of those sorts of decisions. I am not sure that my colleagues in the Labor Party would be particularly prepared to do that, but I certainly expected the Greens to come forward and acknowledge the considerable courage the Government showed in deciding to impose tip fees in the ACT. The decision has met with some adverse reaction from members of the community. The decision was taken to protect the ACT's environment. Tip fees cause people to say, "Do I really need to take this to the tip or can I recycle it?". That is a very important step. If members opposite are prepared to excoriate the Government on the areas where they do not feel the Government is up to scratch - and they have done that in the Estimates Committee report - it is also incumbent on them to recognise areas where the Government have made courageous decisions and deserve to be congratulated or commended on their course of action. That is not the case in this year's Estimates Committee report.

I also have to express complete disgust - no better word comes to mind - with the protestations of members of the Estimates Committee about the so-called cuts to unemployment programs. Mr Speaker, it is hypocrisy of the most sheer and breathtaking kind to run to the community saying how desperately angry and upset members are that they see the Government not continuing to fund unemployment programs, when they themselves, in their own forward estimates in the 1994-95 budget, projected no money at all of the kind they are now calling for in those programs. It is a wonder that members' toes are not curling from the sheer arrogance of those statements.

Ms McRae: You are in government. That is the problem.

MR HUMPHRIES: The old accusation comes across, "You are in government. Because you have done what we were going to do, you have to wear it and we can criticise you, even though it is exactly what we ourselves were going to do". Is there no honour among thieves? Apparently not.

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I have to say that I think that there will be a great need for us to restructure and reorganise budget processes if we are to achieve the kind of cooperative budget development that the Greens particularly called for earlier today. It will mean members being prepared to put aside petty grandstanding of the kind I have just referred to. It will mean members not making decisions in government and then in opposition criticising precisely the same kinds of decisions because they cannot resist the temptation to put the boot in when somebody is under attack by sections of the community. We need to develop more maturity in our approaches. Mr Speaker, I confess to having succumbed to that temptation in the past as well. The recommendation that I am making is one that I will take to heart as much as I offer it to members opposite and on the crossbenches to take up. It is a process that will need to be taken up seriously if we are to adopt a wider and more consultative process of discussion on how we formulate budgets, not merely how we process them and approve them through the Assembly.

MS McRAE (3.40), in reply: I am afraid that my understanding of the world was not much advanced by hearing from my colleagues opposite. There is nothing I like hearing more than a personal attack, because I know that then all else has failed. They have nothing of substance to talk about. They did not challenge the detail, the numbers or the recommendations of the Estimates Committee report. They simply said what a terrible and awful person I was. I score that as a very big success. It seems to me that by playing the person and not the ball they have concurred with our conclusions, the process, the outcome and the very good report.

When we look at the Government's response, at first blush it is very positive, will lead to ongoing dialogue as each estimates committee looks at the budgets for the following two years and forms some basis for negotiation for a much improved process for this Assembly. There are, however, a few grave concerns. We are being told that, because of the adoption of output and accrual budgeting principles, the 1996-97 budget papers will be presented in a form substantially different from that of previous years. This is not news, but what is of grave concern is that we can again end up with the mishmash of uncomparable papers that we had this year. If that happens, I will personally lead the charge in a no-confidence motion. We put you on notice now that there must be clear explanatory notes so that everyone, including me, can understand from one page to the next what you are talking about. That was not evident at all this year.

Mr Humphries: They would have to be very expansive notes in that case.

MS McRAE: Mr Humphries, if you do not like the way the Estimates Committee conducted its business, you are very welcome to join this side of the chamber, become a member of the Estimates Committee and conduct business your way. I like to hear such criticism, because this seat is just waiting for you. We will swap any time you like. Other areas of the Government's response are of concern. Page 3 states:

The Government does not agree with the request to spell out all Budget cuts, as, in many instances, the strategies for achieving efficiencies are in the process of negotiation with relevant parties and should not be pre-empted by management. Moreover, the focus of future budgets will be on outputs and the performances of agencies, rather than spending per se.

That makes me very anxious indeed. How do we know how much is to be cut out of a total department, what the possible outcomes can be or what the possible variances can be? It is not solely a question for management; it is at the heart of what we have seen to be wrong through the entire budget process. The fact is that this is not driven by concern for the people of the ACT; it is driven by an arbitrary bottom line figure that has nothing whatever to do with the department, with the services, with the people who run the services or with the people who need the services.

To put through random cuts which will not be spelt out in a public way means that we have absolutely no idea what this Government intends to do to the people of Canberra and how it intends to achieve its objectives. I find that totally unsatisfactory. I think it is unacceptable. The community has a right to know that 9 per cent of the services provided by the Department of Urban Services are to be cut. The community and the Assembly have a right to know which services are being targeted, why they are being targeted and what the effect will be on the people who are going to lose out on those services. At the very least, the Assembly has the right to know what options are being examined, how proposed savings can be achieved and how the people who most need protection - both the workers and the recipients of service - are being protected.

I find the comments on page 3 to be a totally unsatisfactory response. Again you are on notice that if it is not spelt out in next year's estimates the questions will persist until we know exactly what it means. The community does not accept arbitrary cuts without basis or rationale, without analysis or fair and open explanation of why things are being mark of a responsible government that it can face up to that openly and fairly. Page 8 of the response states:

However, in the case of grants to the commercial sector, the publication of full details of all grants and other forms of assistance to be made public may not be appropriate.

I also find that an appalling response. Why should government money given to the community sector, which has its own enterprises and services to run, be the subject of open scrutiny in every single detail, when money given to the commercial sector is a commercial-in-confidence secret? I do not find that acceptable. I do not think anybody else in the community would find that acceptable. It is our money. It is taxpayers' money. We are fully entitled to know who receives it, on what basis, what the acquittal of that money is and how they are going to use it.

Finally, we come to the biggest cloud of all, the ongoing debate about whether or not education has had \$3.8m cut from it. If Mrs Carnell's protestations are to be believed, why is it that five teachers are being taken out of every secondary college? Why is it that every specialist in the central office has had their contract terminated? Why is it that my desk is covered with letters from people protesting against the cuts to their services? Why is it that the people who are looking to complete their Year 12 studies - the most basic education you now need to be guaranteed a job - now have to pay \$1,200 for something that they could previously pay \$120 for? It looks like a cut to me. It sounds like a cut to me. It feels like a cut to the people who are having services taken away.

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I think the Government has a major public relations problem. If in fact what they are trying to persuade us of today is true, then why on earth is every serious commentator on education, everyone who is involved in the education world - the parents and citizens associations, the Education Union, the Independent Teachers Association, the secondary colleges, the secondary evening college association - up in arms about what is happening in education? They are just dreaming it up, are they? What nonsense!

Mrs Carnell: Yes.

MS McRAE: “They are dreaming it up”, says Mrs Carnell. I hope you are all listening. The transcript will go to everybody who has been involved in this debate, every person who has come to me, every child who has gone to Charnwood and found that their school has disappeared, everyone at Stirling who is worried about their future. We are told, “There are no cuts at all. The Government is giving money away to education. It is swimming with money. Therefore, there are no reasons at all why cuts should be made”.

I am afraid that I am not the only one who needs to be convinced of this. An awful lot of other people in the education world find your answer less than convincing and find the situation that the education world is now in totally unsatisfactory, given the promises that you made. There is no use squirming and saying, “We had \$7m in the brackets”. That does not help. The promise was twofold: “We will retain money in real terms, and we will have free school buses”. We have not seen a school bus going around for free. In fact, children are thrown off buses these days. Never mind about getting a free ride. They have to walk. The second promise about maintaining education money in real terms - - -

Mrs Carnell: Which is exactly what we did.

MS McRAE: “Which is exactly what we did”, says Mrs Carnell. It seems that the entire education sector has missed the point. I think the Government has to do a lot of convincing. It needed to do a lot of work to convince the Estimates Committee, but it did not. It will need to do an awful lot of work to convince the 40,000 or so students in our schools and all the lobby groups that are involved with education that somehow what they believe is not true; that the truth is really something else; that they are all living under a cloud of delusion. I am afraid that a lot more work will have to be done.

I thank all concerned with the report. I believe that we have done the groundwork for some very positive and continuing work between the Ministers and the Assembly. The response to the report has been overwhelmingly positive and constructive. It offers the community the right sort of information about their money and the way that it has been managed. We look forward with interest to how the Government responds next year when the next budget is formulated. Having had some advice from Mr Humphries, perhaps we will change our tack a little in a way that he will not like one bit next time.

Question resolved in the affirmative.

SUSPENSION OF STANDING ORDER 176

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

That standing order 176 be suspended so that the order of the day, Executive business, relating to the Appropriation Bill 1995-96 can be called on forthwith.

APPROPRIATION BILL 1995-96

Debate resumed from 21 September 1995.

Detail Stage

MR SPEAKER: Standing order 180 sets down the order in which this Bill will be considered; that is, in the detail stage the Schedule must be considered before the clauses and, unless the Assembly otherwise orders, the Schedule will be considered by proposed expenditure in the order shown.

MR MOORE (3.52): Mr Speaker, pursuant to standing order 180, I move:

That consideration of the Schedule be taken as a whole.

Mr Speaker, I have made it very clear publicly that it is my opinion that it is appropriate for us to take \$3.8m from the Treasurer's Advance and move it to division 180, government schooling. A series of legal opinions have been circulated to members. There are three main legal opinions. There is one from Terry Connolly, one from the Attorney-General's Department - in fact, you could say that there are two from the Attorney-General's Department - and one, the only independent one, from Colquhoun Murphy, which suggests the opposite to the other two opinions. The opinions presented by Mr Connolly and by the Attorney-General's Department hinge on the word "vote". It seems to me that by using the option that we have in standing order 180 we can take the Schedule as a whole and treat it as a single vote. I have flagged my intention to follow this motion, if it is successful, with a motion that the Assembly, when considering the Schedule as a whole, shall treat the Schedule as a single vote. That is my circulated amendment No. 2.

Up till now the Labor Party has basically said that they cannot take any other action to protect education because legal opinion - their own legal opinion, plus the one from the Attorney-General's Department - says that this is impossible to do. Mr Speaker, it clearly is not impossible to do. It hinges on the word "vote". If we take the Schedule as a whole and we consider it as a single vote, the Assembly will effectively define the word "vote".

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We have not done that. Nowhere is the word “vote” defined; rather, the word “vote” has been taken to have a series of different meanings. It is certainly within the powers of this Assembly, if enough members agree, to define it. That would lift the Labor Party in particular, and other members, out of this bind where they consider that their legal opinions prevent them from moving to protect our children. It is for those reasons, Mr Speaker, that I have suggested that we use our power under standing order 180 to consider the Schedule as a whole. That will provide us with an opportunity to do what is necessary to protect the education of our children.

We have heard Roberta McRae and indeed the Leader of the Opposition argue eloquently about why we need to have \$3.8m added to education. We have heard the Chief Minister try to justify a bit of fancy accounting. She said, “The figures can all be accounted for. We are definitely increasing education funding. It is just that we have to get rid of college teachers and take a whole series of other actions because we have to find over \$4.5m”. If you have not cut anything, then why are we having to find money for education? We had a very weak explanation by the Chief Minister. She said, “We have to open schools and a few other things”. By no stretch of the imagination was that an answer to the questions. She knows as well as I do that the figures set out first by the department were reviewed by the Australian Education Union and, using a very different methodology, the P and C council, and that came up with a similar figure - about \$3.8m.

The challenge is for the Labor Party, for once, to actually support education and to stop the rot that we have had to put up with from them for five of six years when they cut education. Now they can stand up and, for once, support education. There is a method for doing that and they ought to support it. To do so would require supporting this motion, which is within our standing orders.

MR SPEAKER: Assembly standing order 180 makes provision for the consideration of appropriation Bills for the ordinary annual services of the Executive. It provides that the Schedule expressing the services for which the appropriation is to be made shall be considered before the clauses and, unless the Assembly otherwise orders, the Schedule shall be considered by proposed expenditures in the order in which they are shown. The practice in the Assembly has been to consider Part II of the Schedule by division.

Mr Moore has circulated two motions. The first motion, which he has moved, proposes that the Schedule be taken as a whole. It certainly is in order to move that the Schedule be taken as a whole and for the Assembly to so order. However, to provide by way of order of the Assembly or by resolution for the Schedule as a whole to be taken as a “vote” as proposed in the second motion, irrespective of the problems this creates in respect of provisions of the Australian Capital Territory (Self-Government) Act, would require a suspension of standing order 201 at least. The provisions of standing order 180 permit the Assembly to “otherwise order” but permit it to do so only in relation to the order in which the Schedule is considered, not in relation to the definition of “vote” or otherwise. The second motion is therefore out of order.

Mr Moore: I think I will take a point of order at this point, Mr Speaker. The second motion has not been moved, although it has been circulated; so to declare it out of order now is entirely inappropriate. To indicate to members that it will be out of order, if moved, is another situation that we can deal with. Although I have circulated a second motion so that members can see what it is, it is appropriate for us to deal with the motion that is before us. If that is carried, Mr Speaker, I shall move the second motion and then consider whether dissent from your ruling on whether it is in order is appropriate or not, but for the time being I think it is appropriate that we deal with just the motion in front of us.

MR SPEAKER: Mr Moore, I pointed out that you had circulated two motions. I did not say that you had moved two motions. I think even you would agree that the second motion, which you have not yet moved but propose to move, as you indicated, is germane to the first. Therefore, I believe that I was correct in making the statement that I have made, namely, that, whilst your first motion is in order, your second motion is out of order.

Mr Moore: No, not at all.

MR SPEAKER: When you choose to move it.

Mr Moore: Thank you. That does make a difference.

MR HUMPHRIES (Attorney-General) (4.01): Mr Speaker, I rise to oppose the first motion on the sheet that Mr Moore has circulated, which I understand is the only motion that he has moved at this point. He proposes that the Schedule be considered as a whole. The Schedule is a relatively long document with a great many components, and traditionally members of the Assembly have considered the line items within the Appropriation Bill Schedule item by item in order to debate issues arising out of those particular items.

I would suggest that, in the absence of any decision on the second motion circulated in Mr Moore's name, it is unfortunate for the Assembly to deal with the Schedule as a whole. If the Assembly were to resolve that it should treat the Schedule as a single vote, as Mr Moore's second motion proposes, then certainly there is some point in treating the Schedule as a whole.

Mr Moore: Why do you not indicate what you would do with the second motion?

MR HUMPHRIES: I think I have already made it perfectly plain. We intend to oppose the second motion. Since we intend to oppose the second motion, we think that it is dangerous to consider the first motion in isolation from the second motion. If the first motion passes and the second motion fails, then we are stuck with considering the whole of the Schedule as a block without achieving Mr Moore's goal. Mr Speaker, I would urge members not to support this motion. If Mr Moore wanted to move both parts together, there would be more point to that; but moving only the first part of the motion makes very little sense and I therefore oppose it.

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MS FOLLETT (Leader of the Opposition) (4.02): Mr Speaker, the Labor Opposition will also be opposing Mr Moore's motion to consider the Schedule as a whole. There is a fundamental problem that all members should be aware of in voting on this matter. I acknowledge that Mr Moore is pursuing a course for particular reasons; but the effect of what he is seeking to do is to give the Government a single-line budget, a one-line appropriation, of \$1,343,690,900. It seems to me, Mr Speaker, that that offends mightily against any question of accountability or scrutiny of the Government's budget.

Mr Moore: That is not what it does, and you know it.

MS FOLLETT: Mr Speaker, as I said, I accept that that is not the reason Mr Moore is doing it. He is using it as a device to achieve other objectives. Nevertheless, that is the result of it. Members on this side of the Assembly hold dear the regular debate of the Schedule to the Appropriation Bill division by division. Indeed, members have comments on the vast majority of those divisions. What Mr Moore is attempting to do, while it might be technically possible to do, would be very much a backward step for the accountability of the Government's proposed budget and very much a backward step in the kind of debate that we might see in future on budgets that are put forward. Through the Estimates Committee and elsewhere, we have all criticised the lack of information, the lack of detail, from this Government in all of its budget proposals. To propose that we, in effect, have a one-line budget I find quite ludicrous. We will not be supporting the motion.

MR MOORE (4.04), in reply: I would just like to reply not so much to Mr Humphries - I can understand his position - but to Ms Follett, because I believe that she has misrepresented the situation. She said that there would be a one-line budget of \$1.343 billion. In fact, that is not the case at all. I take her point that you would not have the opportunity to debate the appropriations line by line. I agree that that is the case. But taking the Schedule as a whole does not mean to say that you have not agreed to the divisions that are in place. Of course you have. That is part of the reason I want to move an amendment within that structure to ensure that the moneys are specifically moved from the Treasurer's Advance to division 180, government schooling. To suggest that we would end up with a single-line budget is simply nonsense and to suggest that we would therefore lose accountability is simply nonsense. To suggest that we would not have the opportunity to speak on issues line by line is true, but we have already had that opportunity through the Estimates Committee. It seems to me that there is a more important issue in taking the Schedule as a whole. A series of amendments could be moved to the Schedule taken as a whole, if that is what people wanted.

Mr Speaker, I think it is appropriate to clarify for members that we would not wind up with a single-line budget which Ms Follett implies would give the Government \$1.3 billion to spend as they want. If she is saying that we would get a single vote, that is true; but if the Schedule were taken as a whole and voted on as a whole it would not mean that the Government would get \$1.3 billion as a single-line item that they could spend as they wanted. That simply would not be the case. That is certainly how I understood Ms Follett from the way she presented her argument. If that is not the case, I do not know what she means. I would encourage members to support this motion.

Ms McRae: Mr Speaker, I think I had better take a point of order on this. Could you please explain to us what "as a whole" means and whether in fact we end up with this - - -

Mr Moore: The same as with a Bill.

Ms McRae: I am asking the Speaker. Mr Speaker, we are not dealing with the Bill; we are dealing with the Schedule. We are dealing with a schedule that, if it is taken as a whole, would add up to one number. I simply do not understand what Mr Moore's problem is. Given that it is a definitional problem, perhaps you could explain to us what your interpretation is.

MR SPEAKER: I am advised, Ms McRae, that if we take the Schedule as a whole each member will be able to address the Assembly only twice. You will be taking as a whole pages 5, 6, 7, 8, 9, 10, 11 and 12 of the Appropriation Bill.

Ms McRae: In total.

MR SPEAKER: In total. I am advised by the Clerk that you would be able to address individual items but you would not do it on the line-by-line basis which has been the means of debating the budget in previous Assemblies.

Mr Moore: But the divisions would still exist if passed as a whole. That is the critical point. They would still exist in the same way as clauses in a Bill taken as a whole still exist.

MR SPEAKER: Mr Moore's statement is correct, except that each member would have the opportunity to address the total Schedule only twice. Pages 5 through to 12 could be addressed by each member only twice. As Mr Kaine pointed out by interjection, which naturally was out of order, that may be a blessing in some cases. That is the situation.

Question resolved in the negative.

MRS CARNELL (Chief Minister and Treasurer) (4.12): I present a corrigendum to the explanatory memorandum.

Schedule - Part II

ACT Legislative Assembly

Proposed expenditure - Division 10 - Legislative Assembly, \$5,489,000

MS FOLLETT (Leader of the Opposition) (4.12): Mr Speaker, I want to address a few remarks to the question of the budget for the Legislative Assembly. I have taken note of the Estimates Committee's recommendation in their report that, in the preparation of future budgets, the Government allocate funds to the Legislative Assembly, the allocation to be determined by the Assembly Standing Committee on Administration and Procedure and advised to the Government during the budget preparation period.

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Mr Speaker, I note that the Government has agreed to that recommendation in principle and I very much hope that in future we will see a much more consultative approach to the Assembly's own budget. I think that the savings that have been made in the Assembly's budget are fairly major for a budget of this size. They also have had a quite severe impact on the operation of this Assembly. That impact is being felt more and more as time goes by. The fact that at 5 o'clock this building is irretrievably locked to anybody from the community is very much a backward step.

I accept, Mr Speaker, that, in taking on the nature of these savings and the nature of the implementation of the savings, the Administration and Procedure Committee was really between a rock and a hard place. They were faced with a series of relatively unacceptable options for coping with the Assembly's budget. In fact, they found very few areas where the Assembly's budget could be reduced without affecting the operation of the place and also the access of the community to this Assembly. Mr Speaker, I am aware that the Administration and Procedure Committee have considered this matter, but I do not think their consideration was exactly an open or unstructured process. They were faced with having to implement a very severe budget cut and that has had an impact on all of us.

The lack of security in the building and the fact that the building closes at 5 o'clock is absolute foolhardiness, in my opinion. A large number of people work in this building well after 5 o'clock. None of them have any security whatsoever. There are a number of people who visit this building after 5 o'clock. In fact, most of the community find it most convenient to come and see members on their way home from work, or after school, or after the end of business hours. I think the inconvenience and lack of security that is now characteristic of this Assembly building is very much a retrograde step. I hope it is one that will be addressed, at least in the next budget.

Mr Speaker, the other matter that I want to refer to in relation to the Assembly's own budget is the fact that in previous Estimates Committee reports, when I was in government, there was a recommendation that the Assembly's budget be restored when it had been subject to a budget cut. My memory of that is that my Government took that action and responded to the Assembly's concerns. So, Mr Speaker, I think there is a precedent there. Over and above the political points about who did what, I think we must all accept, and I call on the Government to accept it wholeheartedly, the fact that in a small Assembly like this the Assembly's own budget simply must be an agreed budget. There are not that many of us and I think our requirements are fairly modest. In fact, it is a very modest Assembly indeed. That has not been the case in relation to this year's budget, and I certainly hope it will be the case in future years.

MRS CARNELL (Chief Minister and Treasurer) (4.16): An awful lot of misinformation has floated around about the Assembly budget, some of which has been to do with lack of consultation and all sorts of other things. As you would know, Mr Speaker, that is simply not the case. In fact, I attended an Administration and Procedure Committee meeting - - -

Mr Berry: Dragged down, kicking and screaming.

MRS CARNELL: Not kicking and screaming. I did not have to come to it. I was very happy to do so to explain the basis of the Assembly budget. Obviously, I did not do that very well because there was still an enormous amount of misinformation floating around.

That ran right through until we got the Estimates Committee report, which somehow suggested that the Assembly budget was formulated on the basis of last year's actuals, which was an underspend. Hopefully, I have made it clear, for this Assembly and for the community generally, that that is not the case. In fact, we would never adopt that sort of budgeting approach.

Mr Berry: You used actuals.

MRS CARNELL: We did not use actuals or underspend. That is the case. The Legislative Assembly was treated, I think, in a very fair and open manner during budget deliberations. After allowing for one-off expenditure in 1994-95, the budget of \$5.489m represents an increase of 6 per cent in funding compared to the expenditure in 1994-95. I accept that expenditure in 1994-95 was an underspend.

This is really interesting because the forward estimate from the former Government for 1995-96 was \$5.085m, which increases to \$5.473m after indexation and other technical adjustments are made. As you can see, the amount of money that we allocated to the Assembly was marginally above the forward estimate put in place by the previous Government. I honestly cannot see what all the belly-aching here is about. The decisions with regard to security and other things were made by the Administration and Procedure Committee, not by the Government. We have made it very clear that we believe that some of the decisions made, such as not to allow security cards to certain people and so on, are ridiculous decisions, particularly as security cards cost, I think, \$16.80 each. I thought that we could probably handle that out of the Executive budget, Mr Speaker, if necessary.

I think the bottom line here is that the amount we have allocated is very much in line with the forward estimates of the previous Government, and the way we have treated the Assembly is in line with everybody else. I would be surprised if the community, the people out there in the ACT getting services such as health, education and all of the other things provided by this Government, would believe that politicians should somehow be treated differently.

MR BERRY (4.20): One of the things I want to dwell on is the hypocrisy here. This person, now in the form of the Chief Minister, once insisted that certain funding in this Assembly be restored. She laid it on the Labor Government of the day that it was a requirement. That funding - - -

Mrs Carnell: We have never done that. That is wrong.

Mr Moore: That is yet another example of when we said that funding had to be changed.

MR BERRY: You can read between the lines. Of course, it was restored. Do not give us any of this nonsense that it has never happened before. There is another thing that I want to dwell on, too. Things have changed since Mrs Carnell went from being a member in this place to being in the Executive. It was very important for Mrs Carnell to have funding restored in the Assembly for the servicing of MLAs in the place when she was one.

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Mr Moore: She wanted open government then.

MR BERRY: Indeed. It was a demand for open government. Things have changed since the election. She is now in the Executive, so the boot is on the other foot. She says, "We do not really care about the MLAs, and if we can keep them down they will not be much of a bother for us".

Mrs Carnell: What a lot of rubbish! I promise you that we have treated the Executive budget exactly the same way. The Executive budget is identical, except that we have to find your overspend in the Executive budget.

MR BERRY: You can cut the funding to ordinary members in this place and they will wear it, and the Executive will get off scot-free. You ought to be a little bit agitated about this, Mrs Carnell. Hypocrisy in the extreme, I would call it.

A few other things need to be drawn into focus as well. Mrs Carnell makes much of the fact that it was the decision of the Administration and Procedure Committee, not hers. First of all, the decision to cut funding was hers. So, in effect, the decision was hers.

Mrs Carnell: It costs \$16.80 for cards. We can afford it.

MR BERRY: It was up to the Administration and Procedure Committee to find a solution to the problem which did not impact on the operations of MLAs in this place, the representatives of the people. You have forgotten your past very quickly, Mrs Carnell. It was fine to have open government and extra expenditure when you were an MLA, particularly if that extra expenditure and that open government suited you in opposition. Now you are in the Executive it is different.

Another thing I want to dwell on for a moment is Mrs Carnell's attitude to the parliament. I heard her say, "You only have to buy a few swipe cards and everything will be okay. Give them to a few of my senior executives". What a joke! Security in this place is a very important matter. As an MLA in this place, I do not want the Government's minions wandering around the corridors of this place with a free pass to go anywhere. This is the parliament, Mrs Carnell, in case you have not noticed, and it is where the representatives of the people are entitled to have security.

Mrs Carnell: I am the only one who is here at night.

MR BERRY: Giving a range of bureaucrats throughout the public service free access to the parliament is just not on. It cannot be done. What I think is paining you most is that you are going to have to share a little bit of the pain from the security arrangements which we have had to impose to ensure that this place is a proper parliament. I can see that you do not like it, but that is a problem for you. The responsibility lies with you. This Government has not provided adequate funding to the Assembly. The Assembly was forced to take the least painful course in determining how we would implement the salami slicing which you decided to impose upon the Assembly. No thought was given to the effect on the parliament; no thought was given to the effect on the representatives of the people. You were worrying about only yourself.

Mrs Carnell: No; we worry about the people.

MR BERRY: You worried about yourself when you were an MLA and you ensured that the funding was restored; but as soon as you get yourself up on the next floor you start to lose interest in the people beneath you. Free and open government loses its meaning once you go up one level. What a joke! I think, Mr Speaker, that the hypocrisy of the Government, and in particular Mrs Carnell, has been clearly demonstrated in relation to this issue. There has been, in effect, an attempt to undermine the way this parliament operates, and now Mrs Carnell does not want to accept the responsibility for the changes that had to be implemented in the least painful way. Well, they are her responsibility and she has to wear it.

MR MOORE (4.25): Indeed, she does have to wear it, Mr Speaker. Mrs Carnell, just as she did at question time with reference to the education budget, stands up now in regard to the Legislative Assembly budget and says that it has not been treated any differently from any other budget; that they have added money to it, not taken money away from it. Why, then, is it that we have to find an extra \$110,000 or so, if money has not been taken away? She can explain that when her turn to speak comes around again. The point is that money has been taken away from the Assembly.

Why should this vote be treated any differently? Well, it is the only part of the budget that, according to the Grants Commission, is running at under half the cost of any comparable body in any other State or Territory in this nation. If you could manage that with all your other administrative areas except education and health, we would have plenty of money for education and health. We could have the best possible systems in the world. I bet Treasury is not running at half the rate of every other Treasury in Australia and then - - -

Mr Kaine: There is not a Treasury any more, Michael. It is zero.

MR MOORE: I do not care what you call it. I do not care whether you call it Treasury or Financial Advice - whatever you change its name to. The point is, Mr Speaker, that Mrs Carnell, as an MLA in opposition, was prepared to say "Yes, more money is needed to allow MLAs to do their job". In government she says, "We advocate open government". The best way to get open government is by ensuring that members of the Opposition, members of the crossbench and members of the backbench have an opportunity to carry out their task of scrutiny in the best possible way. The funding of this Assembly is under half the funding of any other Assembly. A great deal of credit for that is due to the Speaker, and the Speaker before him, and the Clerk. We also have, by miles, the most active committee system of any parliament in Australia. Members are committed to doing a huge amount of work here and they need support.

When the Administration and Procedure Committee, of which I am a member, sat down to consider what we were going to do about this \$100,000-odd cut, we agonised over what was the way which would have the least impact on members. We came out with a decision on security. That is the way that is going to have the least impact on members.

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Mr Kaine can stand up here, as he did earlier today, and say, "I have not lost any money from my staffing". That is quite right. We believe that that would be an entirely inappropriate way to proceed with this cut. Yes, it is inconvenient in terms of security. There is an inconvenience. However, as Mr Berry put it, the least painful way for us to deal with the cut was to recommend to the Speaker that that was the way that it should be dealt with.

Mr Speaker, the Chief Minister likes to practise this fancy accounting footwork. I do not know where she gets it from. Wherever she gets it from, she is swallowing the whole lot of it. It is the same sort of fancy accounting footwork that she is doing with education. We know, and the community knows, that you are actually cutting the Assembly and that you are actually cutting education. We will come to education in a little while. It is an irresponsible act. Clearly, it is going to be carried in this Assembly; but Mrs Carnell ought to consider very carefully, in her forward projections, just how she is going to treat the Assembly. It may well be the case one of these days, Mrs Carnell, that you find yourself sitting on the backbench in opposition, or on the backbench in government - that might happen even more quickly - and you will realise that having the ability to scrutinise things is, indeed, a critical factor in open government, and, dare I say it, a critical factor in a council-style government, whatever you meant by that during the election.

MR HUMPHRIES (Attorney-General) (4.30): Mr Speaker, I have to say that I am rather glad that there are members of the press gallery present for this debate, because it is quite edifying for them and for members of the public to see members of the Assembly, in the face of a budget which makes no apologies for having to tighten the collective belt of the Territory, standing up here and specially pleading for themselves to be treated differently from the rest of the ACT government work force.

Mr Moore: You supported the Estimates Committee that added money to the Legislative Assembly last time.

MR HUMPHRIES: Mr Speaker, the allegation has been made, against both me and the Chief Minister, that we supported a recommendation that there be supplementation to the Assembly budget. I asked during an earlier part of the debate when this occurred. I am told that it occurred during the debate on the 1992-93 Appropriation Bill.

Mr Moore: It was 1993-94.

Ms McRae: It was 1993-94.

MR HUMPHRIES: I asked before and you said 1992-93. Mr Speaker, I was told before that it was 1992-93. I have looked through the 1992-93 report and there is no recommendation relating to the Legislative Assembly. I will look at the 1993-94 report as well. If it is not there either, then I will make a further statement by leave. If you say that it is 1994-95, or 1989-90 or something, I will look there as well.

Mr Speaker, I do not believe that it is appropriate to exempt members of the Assembly from a process that we are imposing on other members of this ACT government work force. We are asking people to tighten their belts. Yes, that is true. Yes, Mr Moore, we are reducing the budget in this respect.

Mr Moore: Gary, doing it like that is dumb. Some places are already efficient. You should reward efficiency.

MR HUMPHRIES: Mr Moore says that he is very efficient. That may well be the case. Mr Moore may well be able to show that we spend less on the Assembly in the ACT than other parliaments spend on themselves. That may also be the case. Whether we can justify quarantining the ACT Assembly from cuts that are being imposed in other areas of the budget, in light of people's general view about the way the Assembly works, is another matter altogether.

We have quite consciously and deliberately said that, unless a special case can be made out, we will treat areas equally. We have made a special case of education. You would not think so, hearing the way people have debated this issue in the course of today, but we have made a special case of education. We have significantly increased education spending in this current budget. Mr Speaker, it is quite extraordinary. We have delivered the largest increase in education spending since self-government began, yet we are under attack for having not done what people want us to do in respect of education. It is a quite extraordinary state of affairs. Other areas of the budget are being treated on the basis that they should sustain a reasonable share of the cuts. Admittedly, not all are treated in the same way. We have increased allocations to arts funding in line with promises made in the lead-up to the election. We have frozen expenditure on policing in real terms, again in line with a promise - - -

Mr Connolly: With a promise to increase it by \$1m.

MR HUMPHRIES: Yes, a promise we could not keep because of the state of the budget that we inherited. Mr Speaker, notwithstanding that, we attempted to honour the spirit of that agreement. We made no promises in respect of funding the Legislative Assembly at a particular level and it therefore will experience cuts at the same level and to the same degree as other areas of the Government, including, I might note, the Executive budget as well - a budget which those opposite could not live within and blew out dramatically in the last - - -

Mr De Domenico: By \$410,000.

MR HUMPHRIES: I thank my colleague. They blew it out by \$410,000 before the last election. That is the kind of irresponsible and special treatment for politicians which this Government does not stand for, and therefore it will not quarantine that part of the budget.

Mr Speaker, the other point to note is that there is a fundamental misconception on the part of those opposite and those who have sat on the Estimates Committee concerning the basis for the cut in the Assembly's budget. The allegation was made repeatedly - it forms the basis of the Estimates Committee report - that we took the actual expenditure for 1994-95 as the basis on which to cut that amount from the line item for the Assembly for 1995-96. That simply is not true. We took the forward estimates. The Government, therefore, has not penalised the Assembly for underspending in 1994-95. You have made a mistake in your Estimates Committee report.

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Ms McRae: I do not think so.

MR HUMPHRIES: We can prove that you have made a mistake. We can sit down with you and prove that you made a mistake. How about having the guts to admit that you made a mistake and acknowledge it in the debate here today? It is too late with the printed report. You have already printed it. You cannot do anything about that. How about acknowledging in the debate that, yes, you made a mistake?

Ms McRae: It does not get you off the hook, Mr Humphries.

MR HUMPHRIES: If you made a mistake you ought to acknowledge it. If you have not the guts to do so, we will do it for you.

MR WHITECROSS (4.36): Mr Speaker, it is not surprising that in relation to this first allocation a number of us might want to get up and speak, not just because it is the Legislative Assembly budget but because we are seeing in this debate some of the arguments being put by the Government. Let us go through a few of these just to get a flavour of the way this Government goes about its business. We have Mrs Carnell saying, "No, I did not decide that. It was nothing to do with me". Mrs Carnell's standard line, the Government's standard line, on everything is, "It was not my decision; it was somebody else's decision". Mrs Carnell sent a budget down to the Speaker, down to the Administration and Procedure Committee, and said, "You are going to have to find \$110,000 in savings". The Administration and Procedure Committee then goes out and does that and Mrs Carnell says, "That is nothing to do with me. That was not my fault. I did not make that decision". That is simply irresponsibility on Mrs Carnell's part. No-one buys it, Mrs Carnell. You made the decision by the bottom line you gave. When you put that same argument in relation to the other items in this budget as we go through it, you will get the same reply. No-one believes that. You made the decision to cut the budget and you cannot walk away from it.

The second interesting thing is that in the Estimates Committee we repeatedly heard from Mrs Carnell the rhetoric about bottom up: "This is the new world that we are in now. We do not just hand out arbitrary figures to people and then say, 'Go away and find the savings'. That happened in the bad old days. What we do is figure out what services we need to provide and then how much it is going to cost to provide them". That is what she told us in the Estimates Committee. Yet, Mr Speaker, what do we have in this case? She did not come to the Administration and Procedure Committee or to you as Speaker and say, "How much money do we need to provide the service we want to provide?". She said, "Cop this \$110,000 cut. Go away and find out how you are going to do it". Of course, we know that she has done that in relation to program after program in this budget. This is just one more example of that. She cannot turn around and say that it had nothing to do with her, and she cannot sustain her argument that she has taken the responsibility, that she has constructed this budget from the bottom up. Everyone knows in relation to this item, as in relation to a number of items, that she constructed the budget from the top down. She picked a number and then she said, "Go away and find the savings".

Mr Humphries says, "You have to cop a cut like everything else". Once again, we have Mrs Carnell saying, "We construct our budgets from the bottom up. We figure out what we need to provide and how much that is going to cost, and then off we go". Mr Humphries says, "You have to cop a cut because everyone else is copping a cut". Never mind about what services you are trying to provide under this item or any other item, never mind what it costs to provide the service; you just have to cop a cut. Never mind how this area might be performing in comparison with other State governments; you have to cop a cut. We have a situation where the Government, in its internal rhetoric, is confused. We have Mrs Carnell saying that she constructs budgets from the bottom up. We have Mr Humphries saying, "It is an arbitrary cut because you have to take your share". We have Mrs Carnell saying, "It is not my problem; it is nothing to do with me".

Finally, we have the allegation that the Estimates Committee did not know what they were talking about; that they made a recommendation in their report based on a false premise. I can assure Mr Humphries, because I was in the Estimates Committee when this was discussed, that at no stage did anybody contradict the Estimates Committee in relation to that item. We had a quite extensive discussion involving you, Mr Speaker, and officials of the Legislative Assembly, and there were Treasury officials present in the back stalls. Nobody came forward and said, "With respect, Madam Chair, your committee is mistaken about this". On the contrary, all the way through that process, we were allowed to labour under this belief. If there is any responsibility to be taken for the fact that the Government are now coming up with a different explanation of what has happened with this cut, it is to be taken by the Government and their officials, who apparently have not managed to convey it to anybody else. If there is any apologising to be done, the apologising should be done by the Government, who have failed to communicate what they have done, not by the Estimates Committee, who were not correctly advised by the people who were there telling the Estimates Committee about the way the Legislative Assembly budget was constructed.

I reject any suggestion that the Estimates Committee have stuffed this up. If there is a problem, the Treasury officials who were there should have brought it to the Estimates Committee's attention. I do not think there is any basis for saying that anyone owes anyone an apology, except that the Government, perhaps, owes the Assembly an apology for not correctly explaining what they have done. Regardless of what they have done, one thing we know is that they came down to the Administration and Procedure Committee and said, "You have to take a \$110,000 cut". They are now trying to run away from it and say that they are not responsible for services that had to be cut because of that cut in the budget. Mrs Carnell is going for the Goebbels technique of saying, "That has increased your budget, not reduced it".

Mrs Carnell: It is true.

Mr Connolly: "True", she says.

MR WHITECROSS: "True", she says. I rest my case. Her explanation of her approach to budgeting has been contradicted by Mr Humphries, who says, "We just hand out arbitrary cuts to everyone and you have to cop your share".

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MRS CARNELL (Chief Minister and Treasurer) (4.43): I have to respond to those comments. Mr Whitecross is right; we did say in the Estimates Committee that our approach in the future would be away from the arbitrary cuts we had seen in the past, but we did say that this budget was formed on their basis - a cash-based accounting approach which meant that we did not know what anything cost. We said that time and time again. That will not be the situation in the future because we will know, with the reforms that are in place, exactly what services cost and where the appropriate pruning will be able to occur.

One of the things that have been misunderstood by a number of speakers today is the Grants Commission's figures on Assembly expenditure. Mr Moore, I am sure, does know that the figures that he quoted were several years old. Most importantly, they did not include any accommodation costs, any associated corporate costs, any of the things like parking, and all of the things that were - - -

Mr Moore: You know - - -

MRS CARNELL: As well, Mr Moore, in every other parliament, to my knowledge, there are such things as - - -

Ms McRae: Electorate offices.

MRS CARNELL: As electorate offices, all of those things which were not included - - -

Mr Kaine: Members' bars, members' dining rooms.

MRS CARNELL: Yes, members' bars, members' dining rooms - all the things that were not included in those figures. I think it is a bit unwise to use those sorts of figures when you simply cannot compare the two situations.

It was also said by those opposite that somehow we were treating the people on the second floor differently from those on the first floor. That is definitely not the case. The only people who ever did that were those opposite when last year they overspent their salary budget by \$284,000 and their administration budget by \$126,000. In other words, there was an overrun of \$410,000. That is treating the second floor differently from the first floor. We have brought the Executive budget back in line so that we do not have those sorts of dramatic overexpenditure in things like administration and salaries generally. I think one of the things that also have been ignored by those opposite or those in the Assembly is the \$12m we recently spent on a new Assembly building. I do not think that is an insignificant amount of money.

Just to top off the hypocrisy that we have been talking about today, I seem to remember that once before security was cut. There was one other time that, I think, Mr Kaine introduced security over at the old building. Who cut security afterwards? Ms Follett put her hand on her heart and said, "This is unfair. This is awful. We are all unsafe". This is a secure building. That one was not particularly safe. Ms Follett took away the security.

Mr De Domenico: Except on the fifth floor.

MRS CARNELL: That is right; except on the fifth floor, where they had a person who sat at the desk making sure that the fifth floor was well protected. It was a pity about everyone else. I think the issue here is that everybody has to be judged on the same basis. That is the way we put together this budget. The members of this Legislative Assembly are being treated in exactly the same way as all other people getting services as a result of the expenditure of taxpayers' money.

MS TUCKER (4.46): There are another couple of points I would like to make, apart from the many that have been made. I would have to say once again that after listening to Mrs Carnell through the election campaign I was impressed by her commitment to committees and the work of the committees. I did not realise that once we were in this place, because of the undue haste with which her Government has tried to introduce major changes to a lot of services to the community, we would have to be resorting to committee inquiries on so many issues, and there are a couple more coming up now. We are already overstretched and it is going to get worse, judging by the way it is going, because it appears that that is going to be the only way to influence what this Government is doing. We obviously cannot do it through the budget process.

I agree, as a member of the Administration and Procedure Committee, that the decision to cut security was a difficult decision, but the point is: What do we value most? Considering the ability of this place to operate in a democratic system where we have a committee system that works - as I said, the committee system is going to be needed more and more - we had no choice but to choose security. Mrs Carnell says that that was our choice. Indeed it was, and I think we made the best choice; but to lay the blame at our door if we are not happy with that choice is totally unethical. It has extremely worrying implications for such issues as school-based management. We are going to have a government which hands over a lump of money to a school. If the school does not do too well the Government will say, "Oh, you are not a very good financial manager. It is your fault".

The other issue I would like to raise is that everybody has not been cut equally. I do not see that the business section was cut. You have already stated other areas. There was an increase in funding to the arts as well. So you cannot say that it has happened right across the board. I think this is not a sign that Mrs Carnell has a real respect for the processes of this place and wishes to see that they continue to work efficiently. As for the swipe cards, we do not want to be treated differently from everybody else. We did get a request to have some more swipe cards issued. I would like to do that for my children, who sometimes miss the bus, in order that they can get in here. They are outside and they cannot contact me. There could be a very large number of swipe cards issued here. If that is appropriate security in her view, it is not the view of a lot of other members here. We in the Administration and Procedure Committee are seeking a solution to this problem, but it is not easy.

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The other point is that according to her budget we have another \$200,000 to find. This has very serious implications for the ability of this place to work effectively, particularly - I say it once again - because of the increasing need for us to use the committee system, which is a good thing anyway, although I think the reason for having to do so is not very encouraging.

MS McRAE (4.49): What I find absolutely amazing about this debate, Mr Speaker, is the constant assertion by Mrs Carnell that we do not know what anything costs and from now on we will do a bottom up budget. With regard to the Assembly, we do know what everything costs. We knew that there was less than \$100,000 in discretionary funding. We had every detail. It is one of the most detailed budgets presented anywhere. As Speaker for each of the three years, those details were always there before the Assembly committee. It was absolutely clear what every single item of expenditure was about. This just happens to be the first of all the items that we are going to debate, but I think this encapsulates Mrs Carnell's approach to budgeting all over. She has some delusion that we do not know. We do know. The education sector is going to lose 36 teachers. They know very well what \$1.5m equals in the secondary colleges. A furphy is being perpetrated that somehow this Territory is run without our knowing what our services are, how much we pay for our services, and what we choose to spend our money on. It is a nonsense and it is no more clearly encapsulated than in this budget for the Assembly.

When Mr Moore stood up and spoke I was reminded of the days when we removed pot plants, when we took away Christmas cards, and when we reduced travel to economy class. We were pared back, along with everything else. After representations at the Estimates Committee and after representations from the Administration and Procedure Committee, what did I do? I represented the views of the Assembly through the Administration and Procedure Committee to the then Chief Minister, who re-examined the very detailed budget that we had, with every single service itemised, dollar for dollar, as is every single service across this Territory itemised, dollar for dollar, and we then improved the level of money for the Assembly.

This nonsense about there being dining rooms and this and that in other parliaments is all irrelevant. This Government has no pride in this Assembly or in the services that are offered to the people of Canberra through the Government. We keep hearing about how we do not know what we are paying for, instead of hearing, "Look at what a fantastic education service we have; look at what a fantastic health service we have; look at what a fantastic library service we have; look at what we need to preserve". This Assembly is part of that overall picture which this Government has taken no pains whatsoever to ensure is protected along with all the other people that I spoke about earlier who need their protection.

I know that it is very galling for Mr Moore and for many others that we cannot amend this budget; but what is at essence here today is to show how this Government does not listen and, what is worse, does not understand what it is dealing with. It comes at it from entirely the wrong end of things, and this Assembly budget encapsulates that. Instead of beginning by saying, "What does this service do? Whom does it do it for? How does it compare with other services?", as we have done with the Assembly budget in the past,

the Government simply says, "Oh, my God, we are going to combine. Remember that we have combined capital works with recurrent expenditure. We are going to create a new arbitrary accounting system, which we did not have before, and suddenly we have found ourselves in major debt". You have to remember that the Follett Government returned a recurrent budget in surplus.

Mr De Domenico: Rubbish!

MS McRAE: You have now amalgamated that. We have seen what you do with figures today and it does not look very good. The GFS combination of capital works borrowing plus recurrent budget has created a new picture, and from that new picture we suddenly have gloom and doom, and the sky is falling in. Let us look back at the reality of what was there. The recurrent budget was in surplus. We knew what our services were. We knew what we paid for our services, as we know exactly with this Assembly budget. We knew exactly what services we got for each little item. It was itemised down to every single detail, down to the stamps, and what it said to the people of Canberra was, "Here is something that you can be proud of; here is something that is open to you". What happened to that? Tuesday night sittings were cut. Where is the \$70,000 saving from Tuesday nights that we were promised? Where is it in the budget? Maybe it was a mistake. We hear about these mistakes from the Government, who says that I am the one who does not understand; but 36 teachers are going from secondary colleges. I am the fool, but 36 teachers are about to be moved. I do not understand, because you are deliberately mistelling the story.

The Assembly budget encapsulates exactly what we are talking about. You pick an arbitrary number and apply it because Mrs Carnell's re-election plan says that in three years' time she does not want to have any borrowing; she wants a balanced budget, and that is all that matters. It is too bad if people cannot get into the Assembly, too bad if this place cannot work, too bad if we lose committee staff, too bad if the general public cannot have access to us, too bad if we cannot keep offering the same level of service that people need. That is just too bad. This encapsulates the whole-of-government approach to the budget. There is absolutely no concern and no understanding of the services provided, of the essence and importance of those services, of which ones have to be protected and corralled for the good of the people of the ACT, and, worse than that, a continuing breaking of promises as if they never existed. This Assembly budget is wrong. It is badly executed, it shows no understanding whatsoever of how our costs are achieved, and it encapsulates in one single line exactly what is wrong with the entire Carnell budget.

MR MOORE (4.56): Mr Speaker, I think the thing that horrified me most of all was the Chief Minister's response when I made a comment about the Grants Commission. She said, "Yes, but we might have a bit more of this and they might have a bit more of that", and so on. I suppose, if you want to, you could compare the value of the land here with the value of the land beneath the New South Wales Parliament or the Queensland Parliament. If the Chief Minister understood how the Grants Commission worked she

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would know that the whole role of the Grants Commission is to get reasonable comparisons. That is what they do. Their job is to try to work out exactly how to get those comparisons and to do it. I suspect that the Chief Minister was getting a bit carried away with the debate. The same thing is happening in terms of the way she comes up with the fancy figures.

I would like to take us to the issue of hypocrisy, Mr Speaker, and I quote from the report of the 1993 Select Committee on Estimates, at page 54:

The Committee notes that the 2% expenditure reductions imposed on the Legislative Assembly has had unintended consequences, particularly in view of the move to the new building in 1994. The original budget for the Assembly was developed prior to self-government actually commencing and, despite a number of changes in activity over the last four and a half years, the budget base has not been reviewed.

During the hearing it was acknowledged that a review of the budget base needs to be conducted.

The Committee recommends 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.

Mr Speaker, the only Minister who ought not be squirming at the moment is Mr Stefaniak, and the one who should be squirming most of all is Mr Humphries. The reason Mr Humphries should be squirming most of all is that he cannot remember it and he was deputy chair of the Estimates Committee at the time. It was chaired by Ms Szuty and the deputy chair was Mr Humphries. What a shame he is not here. I am sure he must be squirming up there in his office somewhere as he hears this. What is the very next name under the deputy chair in the membership of the committee? You guessed it. It is Mrs Carnell. A couple further down is the name of Mr De Domenico. It was your recommendation then that the base was wrong, that we had not had a review, and that we had to get the money right.

Finally, we got a small amount of extra money. It was a small amount but it was adequate and the Assembly managed because it fell into two categories. There was extra money in terms of the new building, which was a one-off payment which Rosemary Follett, as Chief Minister, found for us, and then there was the extra recurrent funding for us to change the base. I can see Mr Humphries walking in and squirming, as he should, having been deputy chair of the Select Committee on Estimates which considered the Appropriation Bill 1993-94 that he cannot remember.

Mr Speaker, the reason why members are so highly motivated about this small issue and a relatively small amount of money is that it is about that fundamental issue of democracy. The easiest and most effective way to cut your Opposition out is to disempower them, to remove their funding, and to make things hard for them. That is the easy way to do it. That is the way to close down government and to make sure that you do not get so much criticism. You make sure that members of the Opposition, your backbench and members of the crossbench do not have the necessary support and infrastructure to be able to challenge what you are saying. That is what this is about.

Debate interrupted.

ADJOURNMENT

MR SPEAKER: Order! It being 5.00 pm, I propose the question:

That the Assembly do now adjourn.

Mr De Domenico: I require the question to be put forthwith without debate.

Question resolved in the negative.

APPROPRIATION BILL 1995-96 Detail Stage

Schedule - Part II

ACT Legislative Assembly

Proposed expenditure - Division 10 - Legislative Assembly, \$5,489,000

Debate resumed.

MR MOORE: Mr Speaker, this is really about democracy. That is why members are fired up about a relatively small amount of money. I think Ms Tucker really put her finger on the pulse of this one when she said that it is not just a matter of \$100,000 now; it is the forward projections - taking another \$100,000 next year and another \$100,000 after that. Mr Speaker, this has caused a great deal of pain for members and for others in terms of security. Where do we get that extra \$100,000 next time around, or the time after that? That is the real question here, and that is the real message that I want to go back to, Mrs Carnell. When it comes time to think of the budget next time, do not make this same mistake. Do not adopt this salami-slicing approach that Mr Humphries talked about, although you suggested a different approach. Take care, because we really are cut to the bone.

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MR CONNOLLY (5.01): I want to come into this debate briefly because there was a clever little piece of sophistry from Mr Humphries earlier that I can see the Government seizing on, particularly as we have spent a little time this afternoon debating this program. That was Mr Humphries's shot at each and every member here, Opposition and crossbench, in saying, "You are just being selfish and focusing on your own budget". I think he said he hoped that the press were noticing that members were all getting upset about their own budget. That was a cheap shot, Mr Humphries, but a very misleading shot.

The point that members are making about this arbitrary cut by the Chief Minister to the budget for this Assembly is not that we should have more for allowances, cars, staff, telephones or travel. What we are saying is that you are locking the public out of this building. That is the absurdity of this budget cut that you have imposed. How surreal, Mr Speaker, in the period before daylight saving, in the glowering gloom of about 6 o'clock, it is to see the head of the administration or other senior officers having to scamper through the doors when a member or a member of staff from inside happens to be leaving. We have been running a bit of a sweep in the Opposition rooms to see who is going to be the first person to get caught in the fishbowl between the outside door and the inside door as somebody tries to scamper through. Senior officers will get good exercise through getting their timing right to make their little dash and step to get through the two doors, which can be a problem. Some senior officers can get around that by using their mobiles. It is another common sight in the growing darkness outside, to see people furiously - - -

Mr Humphries: The glowering gloom.

MR CONNOLLY: Yes, the gathering gloom. We see people dashing away to their mobiles to get ministerial office staff to come down and let them in. That is all right for senior officers because they have their mobile phones; but, if a member of the public, who during the hours from nine to five has to devote their energies and attentions to paying the mortgage and is out there working and earning a crust, wants to come in and see a member, they have to stand in the corridor here or out the front and throw pebbles against the window in the vain hope that they can attract the attention of a member who will come down and let them in.

Mr Berry: Do not throw it at the Greens' offices. The windows will be open and they might hit somebody.

MR CONNOLLY: Yes. Colleagues, you may wish at least to get some flyscreen across your windows, or not sit doing any work near the windows. It is, Mr Speaker, absurd. It is insulting not to members of the Assembly so much as to the public who pay our salaries, who provide the taxes to fund this place. The shot from Mr Humphries that members are just looking after themselves in grizzling about division 10, and that that is somehow selfish politicians trying to feather their own nests - that was the sort of - - -

Mr Humphries: That is about right, yes.

MR CONNOLLY: “That is about right”, he says. No, this is not about allowances for politicians, for members of this place; this is about an absurd decision by the Government which results in locking the public out of this building at 5.00 pm. Locking it at 6 o'clock at least would allow people on their way home to pop in, to see their member and to express their grievance. In trying to say why the Estimates Committee might have it wrong, Mrs Carnell said, “Of course, we do not have electorate offices”. No, we do not have electorate offices - at a considerable saving to the ratepayer, but at inconvenience. Our offices are here. If you happen to work in Tuggeranong or Belconnen you have absolutely no hope of getting in to see your member before the shutters come down at 5 o'clock. I say that deliberately because we now have great big steel shutters that do come down at the entry point. If you are in the know you lurk about waiting for the doors to open and then make your little dash because you know that the doors are going to close. If an unsuspecting member of the public saw that and wandered in, then thought, “Oh, I have left my keys”, or, “Have I left my lights on in my car?”, and stopped for a minute, they would be trapped. They would be trapped within the doors. It is absurd, Mr Speaker.

We laugh about it because it is so absurd, but it is a serious point and one that members are entitled to make. This arbitrary cut by the Executive Government, quite contrary, as Mr Moore pointed out, to their view about these things when they were in opposition, is an insult not to members of this Assembly - we have broad shoulders and we can cop insults from the Government - but to every elector in Canberra whom this Government is shutting out from seeing their members.

MR DE DOMENICO (Minister for Urban Services) (5.07): Mr Speaker, my contribution will be brief, too, but I thought I should stand up and talk about what Mr Connolly just said. When he starts raving on about it being an insult to every elector, I think he is taking the political language a bit too far. As someone who was locked out at 5 o'clock a couple of weeks ago, I had the temerity - - -

Mr Berry: You could have slithered under the door.

MR DE DOMENICO: That was a good comment, was it not, from the snake oil salesman? First I had a look at the rock, but you were not under that Mr Berry, so I decided to go for a walk. I had the temerity to suggest that I should come out and have a breath of fresh air after 5 o'clock one night and found that I could not get back in. Unfortunately, when I threw the rock at the window it did miss the Greens' offices. It might have gone straight through and hit someone. I literally had to pick up a piece of stone and try to attract somebody's attention in order to get back into the building. I could not go home because my car keys were in my office. I agree with you, Mr Connolly, that, whoever made the decision to shut the doors at 5 o'clock, it was a stupid, silly decision. Anyone who does not agree with that is suggesting something that is stupid and silly.

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Let us get to the bottom line of this. It is all well and good to criticise bottom line budgets and what have you, but what is everybody standing up and whingeing and moaning about? The forward estimates tell us that, inflation included, the allocation for the Assembly should have been \$5.473m. What did the Assembly budget get? It got \$5.489m. What are we standing up here whingeing and moaning about? Most other areas in this budget had to take a cut. The belt had to be tightened. According to the forward estimates, inflation included, the Assembly should have got \$5.473m. It is getting \$5.489m.

Ms McRae: You are not comparing apples and apples, Mr De Domenico.

MR DE DOMENICO: Yes, we are comparing apples and apples, Ms McRae. You should know, because you were Speaker for a while. When your Executive, Ms McRae, overspent their budget by \$410,000 - - -

Ms McRae: It was not my Executive.

MR DE DOMENICO: You belong to the same party, Ms McRae. I did not hear you stand up and say anything about that. You said nothing at all. The bottom line is that the forward estimate, including inflation, was \$5.473m, and we are getting \$5.489m. So for anyone to stand up now and whinge and moan, and spend all this time talking about democracy and all sorts of other things, to me is just utter nonsense. Let us get on with debating this budget.

We were talking about costs before. I am advised that the cost of a plastic card - one of these - is \$16.80. That is 10c more than it costs when people go into the Ainslie Transfer Station. We are talking about other security measures now, like push-button things. I reckon that a push-button, or whatever, outside would cost at least \$4,000, for heaven's sake. Where is the sense in that? We can allocate these, at \$16.80, to whoever wants them. I do not care who gets them, to be very honest. Let the public have one. Our doors are always open as long as you can get in to them.

Mr Connolly: No. Your doors are locked at 5 o'clock. That is the point.

MR DE DOMENICO: No; my door is always open, Mr Connolly. I do not know about yours. You are never here at 5 o'clock anyway, so you would not know. Anyway, it costs \$16.80 for one of those. But no; we are going to go back to the Administration and Procedure Committee so that they can work out this wonderful way of getting access to this building. It is probably going to cost about 40 times more than just allocating 10 or 20 of these.

MS TUCKER (5.10): I want to pick up something Mr De Domenico said that conflicts a lot with what Mrs Carnell has said about democratic processes in the Assembly and the role of committees. Mr De Domenico just said that we should get on with discussing the budget and not talk about democracy and such nonsense.

Question put:

That the proposed expenditure be agreed to.

The Assembly voted -

AYES, 9

NOES, 8

Mrs Carnell
Mr Cornwell
Mr De Domenico
Mr Hird
Mr Humphries
Mr Kaine
Mr Moore
Mr Osborne
Mr Stefaniak

Mr Berry
Mr Connolly
Ms Follett
Ms Horodny
Ms McRae
Ms Tucker
Mr Whitecross
Mr Wood

Question so resolved in the affirmative.

Executive

Proposed expenditure - Division 20 - Executive, \$1,526,400 - agreed to.

Auditor-General

Proposed expenditure - Division 30 - Auditor-General, \$841,600 - agreed to.

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

ADJOURNMENT

Motion (by **Mr Humphries**) agreed to:

That the Assembly do now adjourn.

Assembly adjourned at 5.15 pm