



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

17 APRIL 1996

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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.

INAUGURAL SPEECH

MS REILLY (10.31): I seek leave to present my inaugural speech to the Assembly.

Leave granted.

MR SPEAKER: Before I call Ms Reilly, I wish to remind members that this is Ms Reilly's maiden speech and it is traditional that it be heard in silence.

MS REILLY: I am indeed proud to be standing here today making my inaugural speech to the ACT Legislative Assembly. Being a latecomer to this place, after the unexpected opportunity to represent the people in the Molonglo electorate, I am very glad that I have been given this opportunity. Being the first member to be elected to the ACT Assembly through the countback process of the Hare-Clark system of the new Electoral Act, I am happy to report that this process definitely works well. It was a great result. I was declared elected on 21 March, and I am sure that Mr Phillip Green, the ACT Electoral Commissioner, was also pleased to discover that the system does work. I must also mention Mr Green and his staff and thank them for their professional handling of the whole process of the countback. I am sure that the community also appreciates the system, as it did not require the expense of a by-election; but they still get a representative whom they voted for back in February 1995.

As a strong supporter of self-government, I am pleased to be able to participate in the ACT Legislative Assembly as an elected member. Through the Territory governments since 1989, the people of the ACT have had governments which are responsive to the needs of this community. Decisions about our education system, our health system, housing and planning matters and so on are made by us, the people of the ACT. There are various versions of who "us" really are, and there has not been full agreement on many decisions that have been made by the governments since 1989. But at least now the ACT community has an elected body which is making these decisions. These decisions are not made by a group of people who have no interest in the ACT, who visit occasionally and who are elected by people who are not residents of the ACT.

People continue to raise the halcyon days of the Commonwealth Government or, as the reality was, Commonwealth bureaucratic controls. It appears that then the sun always shone and rates never increased. But, as elected members of the Assembly, we must show leadership in persuading the community of the many benefits of self-government and the advantages which do flow to the ACT community.

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We now have a say in what sort of community we want to have. Like all other members of the Assembly - because I had a look at your inaugural speeches as well - I, too, enjoy living in the ACT; and I, too, have chosen to live here rather than in other places in Australia where I have lived. It is indeed a lovely place, both in its built environment and in the physical environment.

The ACT, as we all know, has many advantages. It is not only the physical beauty and its size; it is also the nation's capital. It is a planned city, so we do not have the ugly urban environment which is found in many other Australian cities. You will note, of course, as we all quite proudly talk about, that the ACT continues to be in the lead in surveys on satisfaction about lifestyle and quality of life. Because of these advantages, it is easy to assume that everybody in the ACT is able to access the benefits of this community on an equitable basis. However, despite Canberra's great reputation in the rest of Australia as being a well-off, middle-class city-state, the ACT does not always deliver all services equitably to all people in the ACT community.

Yesterday I raised the horrifying youth unemployment figures. These young people are not able to get jobs and, consequently, cannot access the other benefits which flow from having a job. This is beyond the obvious economic ones. What about self-esteem? What about pride in participating actively in the community in which you live? This is difficult when one is unemployed and faces the barrage of name-calling and labelling which the unemployed, particularly young unemployed, are subject to. It is not only young people who are excluded from the job market; men over 45 can face considerable difficulties in obtaining work, and this group is not likely to find it any easier in the foreseeable future, with the threatened redundancies in the Australian Public Service.

Growing housing waiting lists and hospital waiting lists would suggest that the ACT community is not able to provide service to all members of its community equally. Older people isolated in their homes, without the provision of community services, are not likely to be interested in the unit costs of such services but must wonder about the community in which they are living. Do we expect them to compete for such services? The discussions going on within government and within the community at the moment to address these issues do not appear to be focusing on the solutions but appear, instead, to be focusing on competition. With the use of the jargon of economic rationalists, this would appear to reduce all human activity into unit costs, with quantifiable outcomes. Where is the humanity in this discussion? Where is the community in which people provide mutual support - a concept which does not fit onto a balance sheet? The focus on the bottom line denies the uniqueness of people and their situations and fails to foster "community".

Obviously, the discussion on competition policy is not limited only to the ACT. This is a joint Commonwealth-State initiative. We need to look only at Victoria to see how these policies look when they are in place. Competition policy is not a policy as such that I can support in its current manifestations; but it continues to dominate the debate, with unit costs of services and quantifiable outcomes being the measure of success.

I realise that the competition policy debate is broader than the delivery of community services, as it addresses a number of issues such as duplication and inefficiencies in the system. I was heartened yesterday by the report of the Select Committee on Competition Policy Reform. This committee appears to be cautious in its findings, and there will be considerably more debate and consultation before the Competition Policy Reform Bill is finally passed. The use of economic terminology for community activities puts all users of services, and that includes all of us, into competition with each other to maximise the access to and use of the services. This encourages individual response to community issues and problems, rather than finding a community solution.

While economic terms may dominate the discourse on community service delivery in the late 1990s, I now want to shift the discussion to the social justice principles. Social justice is not the antithesis of competition policy; it is not mutually exclusive in the development of jobs and economic development, as has been suggested in this house previously. In fact, social justice principles should continue to overlay our consideration of "community" and our working towards an inclusive and supportive community. It is interesting to observe that in some cases people feel that we should throw out social justice as though it is no longer relevant to this more hard-nosed period of the last years of the twentieth century. But can we afford to do so? Do we want to encourage a community which is devoid of humanity and compassion?

Let us consider the discussion on social justice in the ACT before self-government. I think it still has relevance to our considerations now, as we move towards the end of this century. Late in 1988, Michael Salvaris was engaged to undertake a study on the development of an ACT social justice strategy. The report was titled "Canberra: Planning for a Fair Community". This study had many suggestions and recommendations which guided the first governments following the introduction of self-government. This report recognised that social justice, with its principles of equity, equality of rights, access to essential services and participation, requires the strong and visible commitment of not only the ACT community but also the ACT's politicians and administrators. Such commitment is still relevant today. Through the leadership of all of us elected to the ACT Assembly, we should be striving to ensure that the ACT is a fair community. This is not to deny that there are limited resources which any government has to take account of when providing services that are expected by the community, but it does not mean to say that we do not look at everybody's needs.

Social justice principles should influence our deliberations and our decision-making. We should be fostering an active and participative community which is working towards an inclusive and supportive environment for all its members, and we should guard against using only the unit cost, the bottom line, as the only criterion by which we measure success. These concepts are not only theoretical; they apply to my electorate of Molonglo. It is the largest electorate. It starts in the southern part of Weston Creek - it is an area which, of course, I could recommend to anyone; it is a delightful place to live - goes through the centre of Canberra, taking in all the old suburbs, and into the new area of Gungahlin.

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Obviously, these people access services, too, such as health and education; but they do not all require the same services. Their children are of different ages; their health needs are different; their community service needs are different; and their planning requirements are different. What might be needed in a totally new area like Gungahlin is not what is needed in Weston Creek at this time, as we sort of dodder to middle age after over 20 years of operation. We do not all require the same services, and we do not want the same model for everyone. The use of an economic model for services where all aspects of a service are costed does not allow for the flexibility to respond to individual needs. We live in a society where we have computers which can tailor home loans, where politicians can send voters personally addressed letters which reflect their individual circumstances. But we claim not to be able to provide services which reflect the needs of the members of that community on an individual basis.

As I said before, the community services required in Weston Creek are not the same as those required in Gungahlin. In Weston Creek we have a community where people have been living for 20 or more years, in most cases. We have had a number of cuts in services over the years. We need more opportunity to discuss what is required now, as people start to retire. They are still living in Weston Creek; they are still active members of the community. We need to look at what those services are. I have enunciated my commitment to social justice principles and working for my electorate and for the ACT community. These principles encourage the development of an equitable, accessible and inclusive community. This is a better community and is something that we should all be striving for.

ELECTORAL (AMENDMENT) BILL 1996

MS TUCKER (10.44): Mr Speaker, I present the Electoral (Amendment) Bill 1996.

Title read by Clerk.

MS TUCKER: I move:

That this Bill be agreed to in principle.

The purpose of this Bill is to lower the voting age in ACT elections from 18 to 16, with a three-year transitional period. Children or young adults under the age of 18 are the only group in our society who have no legal voting rights, apart from sentenced prisoners and psychiatric patients. The Greens believe that it is time this was challenged. Voting is a basic democratic right, and over time the notion of citizenship in relation to voting rights has gradually expanded. It was not until this century that women could vote in all States, and it was not until the 1960s that indigenous people could vote. It was in the 1970s that the voting age was lowered from 21 to 18. It is time for another debate about whom we include as citizens when it comes to voting.

I am very surprised that my colleagues have decided to rubbish this idea before we even table the legislation, particularly when it is an issue that is starting to be debated more and more around Australia and around the world. We would all see it as unjust to deny women or indigenous people the right to vote now; yet the response of our colleagues is similar to the response of the establishment when votes for indigenous people or women were flagged in the past.

Nearly everyone in our community would agree with the principles of universal suffrage and would agree that young people have a lot to contribute to political and social life. At the age of 14, young people are assumed by the criminal justice system to fully understand their actions; at 15, they can leave school or get a pilots licence; at 16, they can join most political parties; at 17, they can drive a car in the ACT; and at 16 they can make decisions about their health care. Young adults under 18 can marry, live independently and are certainly eligible to pay taxes. So why do they have no vote?

Children and young adults have very few avenues to participate in decisions made by our political institutions, despite the fact that children have quite different needs and views from older people. Mr Humphries says that jet ski rides at \$15 a go would be an answer to the recreation needs of young people in Tuggeranong. What did the young people think of that? Maybe if they had a vote, politicians would pay more attention to the special needs of young people and their views.

Education, youth recreation, employment and the environment are some of the key issues that young people want to have a greater say in. I wonder what youth unemployment would be if 16-year-olds could vote. There is much talk about crime in Civic, about under-age drinking problems. Young people are even blamed for their own unemployment. We expect them to be responsible citizens, but we deny them one of the most fundamental rights in our society - the right to vote. We call four young people on a street corner a threat. Police ask for move-on powers to move young people. No wonder young people are feeling unrepresented in our political circles!

Mr Osborne: I have 29-year-old friends who are not responsible.

Ms McRae: I am hoping not to be responsible until I am at least 60.

MR SPEAKER: Order! Ms Tucker has the floor.

MS TUCKER: Young people are also our future; they have good ideas that should be listened to. They contribute to our society economically, in sports and in the arts. If young people are so fundamental to the future of our community, they deserve to have a say.

The Greens believe that the denial of political rights on the basis of an arbitrary age restriction is discrimination. It should be for those who argue against lowering the voting age to justify their position and come up with compelling reasons for differential treatment. I have yet to see in research any such argument. All I have heard from anybody in this place is, "Rubbish!". There is no debate happening here yet, obviously.

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Many of the arguments against it do not hold water. There is, of course, the tautology that children cannot vote because they are children. That is a tautology, not an argument; that is usually based on the competency argument. That is an interesting one, because it leads to extreme elitism if you apply it to the whole voting population. What we could say, of course, is, "Yes; if you really agree with that, then we have to test everyone before we see whether they can vote".

Most people in Australia have little in-depth understanding of our political institutions. If it is assumed that someone has to have a reasonable knowledge of our political institutions before they can cast a vote, then few people would be voting. The best way to get young people, and consequently the whole community, informed is to introduce the concept of voting earlier. Once 16 is the voting age, obviously there will be a much greater interest in schools to educate young people about their responsibilities. This Bill is proposing a transitional period of three years so that we can have more voter education in our schools. Over this transition period young people will be entitled to enrol to vote; and, if they so choose, they will then be legally required to vote. There will not be any obligation to enrol over this transition period. There will obviously be benefits for the whole community in the long run if this education starts at an early time.

Another common argument put forward is that children will vote according to their parents' views. That is another unreasoned argument. Research shows quite clearly that very many people vote according to their parents' views up to the time that they die. The reasons people vote for whom they vote for are quite complex, and research has been able to tease out exactly which are the main factors. For that reason, you certainly cannot make the accusation that it is inappropriate for children or young people to vote.

Another argument which is put against the proposal and which I would like to mention is that the right to vote has often been linked with the age at which young people can fight in the armed forces. There is obviously not a logical connection between young people's capacity to fight and their capacity to make political choices. It is a strong emotional argument, however, because what it is saying is that if you are able to die or suffer for a nation - and you are probably male - then you have the right to vote. This is a definition of citizenship based on military service, and it is another interesting one that needs to be looked at carefully. It is about your experience of citizenship; and whether, therefore, according to that experience, that gives you a right to vote.

It is interesting that many of the arguments put forward are arguments that were used in the past against giving women or indigenous people the right to vote; and many of the arguments are an insult to young people, as they were an insult to women and indigenous people. I think it is quite reasonable to argue that the level of understanding of politics among 16-year-olds today is probably similar to the level of understanding among 18-year-olds in the 1970s anyway.

This is not just an erratic idea, as Mr Humphries claimed in the *Canberra Times*, being put forward by the ACT Greens. Mr Humphries may be interested to hear that the Liberal Minister for Youth Affairs in South Australia has said that lowering the voting age is an important issue which he is giving careful consideration to. He opened up a 008 number for young people to voice their concerns, and the No. 1 issue was the

right to vote. Is this a cynical exercise in getting votes, or is this a politician who actually has an interest in democracy? Why are we so cynical? This is about democracy. Maybe the Liberal person in South Australia is sincere; but the Greens must be cynical.

A New Zealand royal commission in 1988 considered that a strong case could be made for lowering the voting age to 16. They rejected the idea that young people lack the capacity to make political judgments. The Liberal and Social Democratic Party in England supported a reduction in the voting age to 16. Richard Jones, a former Democrat in New South Wales, has announced his intention to table a private members Bill to that effect in New South Wales. Both the Australian Youth Policy and Action Coalition, which is a peak community group dealing with youth issues, and the National Children's and Youth Law Centre at New South Wales University have discussion papers on the issue, and both are favourably inclined towards lowering the voting age. The Youth Affairs Council of South Australia has produced an extensive document called "A Piece of the Action". In this report, 85 per cent of young people surveyed wanted to know more about politics and have more control over political decisions.

In this Bill we have established that the age at which young people can vote is 16. We acknowledge that the choice of 16 is somewhat arbitrary, and we are not locked into this age. There are good reasons why it could be argued that it should be 15 or even 14. Nelson Mandela has proposed lowering the voting age to 14. At the moment everyone under the age of 18 is lumped together as children; from 0 to 18, you are children. Obviously, in reality, it is usually divided into much smaller sections, and a 16-year-old has a lot more in common with a 19-year-old than with a three-year-old. There are obviously discrete stages of development, and it is a nonsense to try to continue to legally lock them into one group. In our legal institutions there is not an instantaneous transformation from childhood to adulthood - it is an evolving process - and neither should there be in our democratic institutions.

The Greens think it is appropriate that this Bill go to a committee. I think it is highly unjustified that my colleagues have spoken so negatively about this proposal before any of the arguments were even put. Why not debate this issue? It is an important part of the debate about government and participation in the ACT.

Mr Osborne: Not all your colleagues.

MS TUCKER: Not Mr Osborne. Mr Osborne has been very reasonable, and I apologise. I did not mean to include you in the general mass there. Mr Moore has even conceded that he has not quite made up his mind, which is slightly encouraging.

This Bill also ties in with initiatives that the Government is promoting, such as "Governing Canberra". If we are talking about the shape and nature of government in the ACT, the Greens believe that it is appropriate to also raise the issue of not only how we involve people in the political process but also who. I would like to conclude by reading this quote from Moira Rayner, the former Equal Opportunity Commissioner of Victoria:

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We expect people to stand up for their own rights. Children cannot demand remedies for their wrongs. They are a largely uninfluential section of the community. They do not have access to the means of exerting power, or protecting their own vulnerability. They do not play any part in the processes which determine the policies which affect them. They, unlike other subjects of discrimination, are peculiarly unable to organise themselves politically.

A key principle of democracy is that people affected by rules should be able to participate in changing them. Voting is one of the most fundamental democratic rights, and it is time that young people under the age of 18 were included in our political institutions.

Arguments against lowering the voting age, when examined in detail, are usually not strong at all. We have the competency-based argument, which does not apply unless you want to have an elitist system of voting. We all know that initially only land-holders could vote. We could look at that issue again, I suppose. On the question of responsibility, some people even argue that if you do not pay tax you should not be able to vote. That is similar to the argument about land-holders in a way. That would rule out a lot of people in our community who are presently able to vote. Basically, all that we are asking this place to do is, instead of being so negative - through insult more than any logical argument - to discuss the issue.

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

WORKERS' COMPENSATION (AMENDMENT) BILL 1995 **Discharge from Notice Paper**

MR BERRY: Mr Speaker, pursuant to standing order 152, I move:

That order of the day No. 1, private members business, relating to the Workers' Compensation (Amendment) Bill 1995, be discharged from the notice paper.

Question resolved in the affirmative.

UNIT TITLES (AMENDMENT) BILL 1996

Debate resumed from 28 February 1996, on motion by **Mr Moore**:

That this Bill be agreed to in principle.

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

WODEN VALLEY HOSPITAL - TREATMENT OF ANIMALS

MR BERRY (10.59): Mr Speaker, I move:

That this Assembly, in recognition of the serious nature of the issues surrounding the admission of Woden Valley Hospital Management that animals are being treated or have been treated in the facilities of the hospital, require that the Government set up an inquiry to examine the following issues:

- (1) the protocols in place at Woden Valley Hospital in relation to the examination and treatment of animals, whether they were adhered to and whether they are appropriate and accurate;
- (2) the processes and requirements of both salaried and visiting medical staff at Woden Valley Hospital as they relate to the treatment of animals, whether they were adhered to and whether they are appropriate and adequate;
- (3) the responsibility of the hospital in relation to the funding for staff and facilities provided by the Commonwealth Government through grants and Medicare payments;
- (4) the inter-relationship between public and private patients, their treatment, costs, access, referral patterns and billing practices; and
- (5) any other related matter.

Furthermore, this inquiry should be conducted by someone independent of the ACT Government, the ACT Administration, the management of Woden Valley Hospital and also the health professions involved. The choice of someone to conduct the inquiry shall be made after consultation with the Members of the Assembly.

In setting up this inquiry the Assembly makes clear its conviction that the treatment of animals in ACT Public Hospitals by salaried or visiting medical officers is inappropriate and it is important to remove the stigma placed on the many dedicated hospital staff by such acts.

The report of the inquiry is to be presented to the Assembly if it is in session or, if not, to be made available to Members as soon as it is received.

Mrs Carnell: Now, can you explain it?

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MR BERRY: Mrs Carnell asks me to explain it. The community is asking us: Why is not Mrs Carnell managing her hospitals properly? That is the big question here, and that is what this motion goes to. It is a motion which sets out to restore confidence in the community and our hospital system - a confidence which has fallen dramatically over the recent publication of the treatment of animals within our hospital system and the way that some people in the medical profession treat our hospital system.

Last evening I viewed the sad story of a concerned person in the community because of the treatment which his mother had or had not received in the context of these animals being treated in the hospital system. That person and many others are concerned about the way that Mrs Carnell is managing her hospital system. We know that morale within the hospital system is at an all-time low, because the credibility of the hospital is being damaged and the actions of Mrs Carnell have not been sufficient in any way to restore the credibility of the hospital system.

So far we have seen an inquiry put in place at an administrative level. There is an inquiry by the Clinical Privileges Committee, and one by the Medical Board. None of those can be described as independent inquiries; not one of them can be described as an independent inquiry. The only way that an independent inquiry can be conducted into the hospital system is to have it done by somebody that is independent from it. None of the people involved in those inquiries can be regarded as being independent.

Mrs Carnell: Are you suggesting that the fraud investigation unit is not independent?

Mr De Domenico: What about the police?

MR SPEAKER: Order! Mr Berry has the floor.

MR BERRY: You would never think so, Mr Speaker. Thank you for your defence.

This is an inquiry which sets out to look at the way that doctors treat our hospital system. The first point, of course, is about the protocols in place at Woden Valley Hospital in relation to the examination and treatment of animals. Of course Mrs Carnell will ridicule the motion - so she ought to - being, as she is, so defensive about this issue and being, as she is, so guilty of mismanagement of our hospital system, as already proven in this Assembly.

Mrs Carnell: Wayne, you are a joke.

MR BERRY: Mrs Carnell is the joke in this Territory when it comes to the treatment of patients within our hospital system.

Mrs Carnell: The patients are treated very well in our hospital system - extremely well.

MR BERRY: That was not what somebody on the television was saying last night. They were most unhappy about it. Nurses and professional staff within the hospital system are deeply concerned about the issue as well.

All of those points which have been raised in the context of the inquiry which I have requested are valid points in the context of a full, open and independent inquiry into what has been going on at that hospital. Mrs Carnell would not want an independent inquiry. She would rather have a situation where her administrative inquiry defends her reputation; the doctors would rather have an inquiry which defends their reputation; and so on. This motion is about somebody who is outside the establishment inquiring into the system, and that is the important part. So far as the people of the ACT are concerned, they want this matter out in the open. They do not want a behind closed doors, professional inquiry into the issue. There is a need to convince the community that something is being done and that there are outcomes from an inquiry which results in changes to the hospital system to the point where the people can have confidence.

There are questions about the management of our public facilities. There are questions about access to our public hospitals by public patients. How is it that doctors can do a little foreigner, moonlighting in the hospital system, instead of looking after patients? There are questions about accountability of our public assets. In recent weeks, there have been concerns raised about the treatment of dogs at Woden Valley Hospital.

Mr Humphries: On a point of order, Mr Speaker: I am a little disturbed by the comment just made by Mr Berry about “a little foreigner”. Let me say that I recall a ruling by your predecessor, Ms McRae, about reference to Vietnamese nurses being out of order. I am not sure what Mr Berry was getting at. But I would ask you to ask Mr Berry to withdraw any reference to people of foreign birth being somehow less entitled to services in our hospital than people who are born in Australia.

MR BERRY: It is obvious that you have never worked in a real job, Mr Humphries.

MR SPEAKER: Mr Berry, were you referring to people of foreign birth?

MR BERRY: No; of course I was not. “A little foreigner”, for those people who have never had a real job, means that you are doing an extra job for your own benefit.

MR SPEAKER: I see. It was moonlighting.

MR BERRY: For those people who have never worked in a real job, today you have been educated.

Mr Hird: Mate, I knew what you meant.

MR BERRY: Harold knows what I am talking about.

MR SPEAKER: Order! I will accept that as a clarification.

MR BERRY: The only bloke that has had his hands dirty is Harold Hird.

MR SPEAKER: I will accept that as a clarification; thank you.

MR BERRY: For the Minister responsible for culture to leap up and take that point of order gives you a bit of an idea how much he keeps his finger on the pulse.

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The concerns about these issues are fundamental. It has been an issue that has been broadcast on television throughout this country; Mrs Carnell has been made to look like an idiot in front of the community of the ACT. Our hospital system, sadly, has been made to look like a veterinary system or its alternative, depending on what doctors may think about the issue. There are issues of cross-infection which have to be addressed; there are concerns about whether doctors should be allowed to treat animals or whether that should be exclusively the domain of veterinarians. We have heard all of the argument. Even overseas media have been interested in the issue, and they are all laughing at this place.

Mrs Carnell: They would laugh more if we had four inquiries into the same jolly thing.

MR BERRY: None of your inquiries have been - it could be argued - independent. I have no doubt that the community want this matter treated seriously and separately. They have seen before the way that the club in the system works, and they are not going to be satisfied by an outcome which is conducted by the club. This has to be an independent inquiry into the professional standards at our public hospital. Mrs Carnell keeps raving about the fraud investigation unit and the police. They can get on with their job quite separately from an independent inquiry. That could extend to a criminal matter which would not be in the area of concern by the inquiry that I propose. Stop rabbiting on about it.

Mr Humphries: On a point of order, Mr Speaker - - -

MR BERRY: Is there something else you do not understand, Gary?

Mr Humphries: No, not at all, Wayne. I understand this motion; that is one thing. I must say that I am a bit concerned, Mr Speaker, by the inference in Mr Berry's comments about the independence of ACT public servants, particularly ACT Australian Federal Police. I would think there is some real inference in what Mr Berry is saying that these people are the playthings of the Government and will accept direction from the Government. The police and others conducting fraud investigations do so with a statutory level of independence. I would ask Mr Berry to withdraw any inference that the police are not independent of the Government in matters such as this.

MR SPEAKER: Mr Berry, if there is any inference that the police are not independent, I would suggest that you withdraw it.

MR BERRY: Mr Speaker, I am not required to withdraw that in terms of the standing orders. I am quite able to make those accusations, but I have not.

MR SPEAKER: Thank you.

MR BERRY: It was a silly point of order from Mr Humphries; just about as silly as his last one.

The biggest problem that has arisen from this incident, of course, has been the crisis resulting from the lack of confidence in our health system and in our professionals that work within the system. Mrs Carnell thus far has gone soft on the issue. After she was goaded into action, we had an inquiry set up by the Clinical Privileges Committee and one by the Medical Board. They cannot be considered to be independent.

Mr Humphries: That is a bit rough.

MR BERRY: No; and I make no bones about it. They are not independent of the profession that was involved in the issue. It has to be conducted by an independent person quite clear of the system. If there are matters of fraud, they are criminal matters and outside the professional investigation that I am seeking to have. Do not give me that sort of nonsense.

As I have said, we have become the laughing-stock of the country. Many members have had phone calls from those in the community concerned at what goes on at Woden Valley Hospital. They are all having a great old chuckle at our expense. Mr De Domenico, as the Minister responsible for tourism, might think that this is a boon to tourism; that people will be coming to see what is going on. No; they will not, because they would be fearful of being involved in some sort of medical crisis and ending up in a hospital where some animals had been treated.

I am not suggesting that this is a widespread incident at all. Nobody is. But the fact of the matter is that it has to be cleared up once and for all. It has to be cleared up decisively, and the only way that can be done in a way that will convince the community is if there is an independent inquiry. You can oppose this motion, Mrs Carnell, because you will be the one that will be embarrassed by the inquiry; but it is your management that is in question and it is the disregard that these doctors have had for the public hospital system and for your management that has resulted in their actions. It is your management that is being drawn into question here.

Mrs Carnell: Why do you not have that as one of the points on the list? It is not even in the motion.

MR BERRY: Have a look. Read the motion.

Mrs Carnell: I have. Where does it say “management of the Minister for Health”?

MR SPEAKER: Order!

Mr Humphries: Which paragraph?

MR BERRY: “Any other relevant matter”, Mr Humphries; have a look.

Angry and frightened constituents want some clear and independent answers on this issue. They will not accept the answers from the inquiries that Mrs Carnell claims will deal with the issue. This is an issue that has to be dealt with independently, and the community deserves an independent answer. The Government ought to be embarrassed about this issue because it is another sign of their absolutely dismal record on health management

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in the Territory. Each time that they have been in office the hospital system has ended up in trouble. Mr Humphries is twitching on his seat in fear that he will be mentioned. Mr Humphries will never escape mention when it comes to mismanagement of the health system. Of course, the only people to come in on budget in this system were Labor.

MR SPEAKER: Order! Relevance, Mr Berry.

MR BERRY: Mr Speaker, the situation is clear; there must be an independent inquiry into this matter. It must be independent of the administration, it must be independent of hospital management, and it must be independent of the health professionals involved. Mrs Carnell should stop kidding herself about the inquiries that she claims are independent. They are not acceptable to the community, and there needs to be an independent inquiry which is seen as truly independent by the community.

Mrs Carnell keeps trumpeting about the fraud investigation unit. That relates to a criminal matter, and they are entitled to get on with it. That would not come within the purview of the inquiry that I am suggesting. What is required here is a very close look, on a professional level, at the conduct of the doctors; a very close look in terms of the management of the hospital system; and a very close look at the means by which we can prevent this from occurring again and the means by which we can restore the confidence of the community. The confidence of the community in our health system has been plummeting since Mrs Carnell came to office. We reached the nadir yesterday, with Mrs Carnell's call for more money because she had failed again. It is an absolutely dismal performance. She has failed on all scores. That is why the confidence in our health system needs restoration, and it needs restoring quickly.

MRS CARNELL (Chief Minister and Minister for Health and Community Care) (11.14): Mr Speaker, this has to be the strangest motion I have ever seen put to this Assembly - we have all seen some pretty strange ones - with the sole exception, perhaps, of some of those that Dennis Stevenson put to us from time to time. Those of us who were around then do remember some fairly strange motions from those days. I am not even sure that Mr Berry himself understands the motion that has been put on the notice paper, because he seems to have come up with some incredible furrphies on this situation.

Mr Berry: It sounds like it is raining cats and dogs out there, Kate. The hospital might be interested.

MRS CARNELL: Again, Mr Berry believes that this is a joke. We do not believe that the health system is a joke.

I was also interested in Mr Berry's comments that professional treatment in our hospital is not up to scratch. I am sorry, Mr Berry; the professional treatment in our hospital is up to scratch.

Mr Berry: When did I say that?

MRS CARNELL: Right in the middle of your speech. Professional treatment in our hospital, I must put on record, is extremely good. We have some very good doctors, nurses, and other allied health professionals. In fact, I think we have the best in Australia.

We now have an accredited hospital that does an extraordinarily good job. There is no doubt, though, that we have some problems, predominantly access problems and financial problems, but certainly not professional treatment problems. I suggest that Mr Berry, when he closes this debate, should withdraw that comment because it is unacceptable.

This is a motion from somebody who stands accused as a Minister for all of the things that happened at Woden Valley Hospital while he was in charge - similar incidents to this one, four budget blow-outs out of four, which is a pretty good effort. What did he do about it? What did Mr Berry do about four out of four? He stopped being Health Minister; I suppose that was something. I am somewhat stunned by this motion. Perhaps Mr Berry should stop treating this as a joke and milking it politically for everything he can.

There are significant problems associated with health - there is no doubt about that - and this particular incident is totally unacceptable to everybody in this house and to almost everyone in the community. There were a few letters to the *Canberra Times* from people who thought it was all right; but I think they were unusual ones, to say the least. Everybody is saying that this is unacceptable behaviour. The good part is that the two doctors involved have also admitted totally that it is unacceptable behaviour, and they are cooperating with the inquiries that are under way. In fact, there are four separate inquiries under way. Mr Berry did not seem to be terribly interested in that. He just wanted another inquiry to look at something different.

The allegation centres upon the inappropriate use of hospital facilities at Woden Valley Hospital by medical officers who treated a dog - one dog; not dogs, animals, thousands of them, as Mr Berry has said - on 20 March this year. Quite clearly, this action was contrary to policies and procedures of the hospital. The two doctors involved have already been counselled and chased up and down their drives by people with cameras and all the rest of it, and I think they deserve everything they get. That is certainly my view. But the matter does not stop there. At the instigation of my office, a series of investigations have been launched into the incident and other unsigned allegations, which I am sure other members of this Assembly have also received.

Senior management at the hospital are currently conducting a preliminary inquiry, the results of which are expected later this week. An authorised officer under the Public Sector Management Act has been appointed. I do not know how Mr Berry can think for a moment that our fraud prevention unit in the Office of Public Administration is not independent. Quite seriously, if our fraud investigation unit is not independent, then we should not have a fraud investigation unit; but I know that it is. It was set up under the Public Sector Management Act, which we all passed in this place, exactly for a situation where it is alleged that public assets are used inappropriately, where there is inappropriate performance by people while working for the ACT Government in any area. Our fraud investigation unit is that independent body and has the powers to be so. Following this report, that is, the Public Sector Management Act report, a bill will be sent to the doctors involved requiring payment for the use of facilities and the professional time involved. I have said time and time again that I expect them to pay, and I expect them to pay big. I expect that this account will run into many thousands of dollars.

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A second investigation is already under way. As I said, an officer from the fraud prevention unit of the Office of Public Administration was appointed more than a week ago now to conduct a full inquiry into these allegations. I would also state that it is not appropriate for me to detail these allegations at this time. The ones that were forwarded to a few of us, I suspect, were not signed, and it would be inappropriate for unsigned, unsubstantiated allegations to be spoken about in this place when at this stage we are not sure just how much credibility they have.

There is a third inquiry in place. The Clinical Privileges Committee has also requested information from the doctors involved and is considering the implications of this action. A special meeting was called on 24 April. This committee considers matters relating to practice standards and ethics. Quite seriously, if Mr Berry believes that our Clinical Privileges Committee, which looks at ethics and all of those sorts of things within our hospital, does not take that job extremely seriously - - -

Mr Berry: Do you believe it?

MRS CARNELL: Yes, I do. The Clinical Privileges Committee does an extremely good job at Woden. It looks at issues that are certainly not always in the best interests of the medical profession - in fact, regularly are not - and it does that very professionally. Finally, the ACT Medical Board is now undertaking an independent inquiry to consider the implications of these actions by medical staff at Woden Valley Hospital in regard to their fitness to practise and any other necessary disciplinary action. There are four inquiries, all from different angles, certainly. All of those inquiries, I believe, are independent. At least two of them are totally separate from the hospital, and one could say that the Medical Board is at arm's length from the hospital too.

I think we have to return now to the absolute hypocrisy that Mr Berry has shown here today. If Mr Berry were serious about looking at this issue, and if he believed that somehow the four inquiries we have currently put in place were not sufficient to get to the bottom of this issue, why do we not go to an inquiry by the Commissioner for Health Complaints - another independent body that we have available in this city to look at exactly these sorts of issues? I do not believe that we need to go to the Health Complaints Commissioner at this stage; but I have no problems in the world with sending all of the information pertaining to these allegations to the commissioner, who I believe is doing an extremely good job and is doing it at arm's length both from the ACT Public Service and from the medical profession, whether it be public or private, in this city. I do not think anybody in this place should suggest that the commissioner is in some way biased towards the medical profession. I know that the medical profession do not believe that to be so. If it had happened while Mr Berry was Minister, Mr Speaker, what do you think would have happened? He would have laughed and he would have done what he had always done, and that is bugger all.

In relation to the third point of Mr Berry's motion, I am unclear exactly what Mr Berry is getting at. Possibly Mr Berry would like to sort out what he is talking about in the third paragraph of his motion. The Commonwealth Government provides funding under the Medicare agreement on the basis that the ACT and the other State and Territory governments operate under certain principles. These are, for Mr Berry's information - he should already know; he was Health Minister under four blown-out health budgets -

firstly, that eligible persons must be given the choice to receive public hospital services free of charge as public patients; secondly, that access to public hospital services is to be given on the basis of clinical need; and, thirdly, that, to the maximum practical extent, a State will ensure the provision of public hospital services equitably to all eligible persons, regardless of their geographical location. That is the reason we service so many New South Wales patients.

For some specific programs, the Commonwealth also may make specific grants or enter into cost-sharing arrangements with the ACT. In all cases, there is a reporting process in place with the Commonwealth. The ACT meets those responsibilities in relation to Commonwealth funding under the Medicare agreement and from other grants. Mr Berry should have known that. He should have known that paragraph (3) is all tied up in the Medicare agreement. It is all there right now. It is a contractual arrangement between the two organisations, between the two governments.

Mr Berry: So the Commonwealth Government would be quite happy with animals being treated in the hospital?

MRS CARNELL: I am sure that they are no more happy than I am, Mr Berry, and that is the reason these people will get a big bill. They will pay, and pay big.

Mr Berry: Why did you laugh about it on television, right across Australia?

MRS CARNELL: I did not laugh, Mr Berry. The fourth point is the interrelationship between public and private patients, their treatment, costs, access, referral patterns and billing practices. There is no mention of dogs anywhere in this, so I am a bit at a loss to know what Mr Berry is talking about. As I have already said, one of the principles of the Medicare agreement is that access to public hospital services be on the basis of clinical need. The ACT totally follows that principle. Treatment cost depends solely on the needs of the patient and is not dependent at all, as Mr Berry should know, on their insurance status. Should a patient elect to be treated privately, they will be billed for their accommodation, in line with hospital practice. The medical costs for these patients are a matter for the patient and the doctor concerned. If by "referral patterns" the motion means referrals to specialists by general practitioners, then the choice of specialists certainly is a matter for the patient to decide, usually in consultation with the general practitioner. The same process applies to both public and private patients, although some specialists may not necessarily accept a referral.

This situation of the dog that was treated at Woden Valley Hospital on 20 March - there is no doubt about that - is unacceptable to everybody. The doctors involved have been hauled over the coals. They are subject currently to four different inquiries. There is a capacity, and I am very happy to follow it up if the Assembly wants to, to go to the Health Complaints Commissioner, to make that five inquiries into this incident. I have given an absolute undertaking to the community and to this Assembly that they will be billed, and billed for the total cost of the facilities they have used.

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There is no indication whatsoever and no evidence whatsoever that there were any other dogs or animals involved; but the inquiries we have in place at the moment will look at that, to ensure that that is the case. At this stage we have no evidence to suggest otherwise, and I do not think Mr Berry has any evidence to suggest otherwise either. I think that what we are doing is appropriate. I do not believe that we should be running off to six inquiries into this particular issue, or even five, necessarily.

Mr Wood: One decent one.

MRS CARNELL: Mr Wood, are you suggesting, as Mr Berry was, that the fraud investigation unit is not a decent inquiry?

Mr Berry: It is not an inquiry about the professional standards in the hospital.

MRS CARNELL: That is exactly what it is about. The fraud investigation unit is looking at abuse of public assets, inappropriate use of assets, and how it could have happened. The hospital inquiry is looking at procedures, how this could have happened in the circumstances. The Medical Board is looking at the professionalism of the doctors involved. The Clinical Privileges Committee is looking at the ethics of this situation. So we have the procedures being looked at, the ethics being looked at, whether these doctors should have their registration looked at is being looked at, the usage of public facilities is being looked at; whether using public facilities for this sort of purpose would constitute fraud under the Act is being looked at.

For the life of me, I cannot see what else you can look at with regard to this particular circumstance. It was not acceptable behaviour at all. The two doctors involved have been hauled over the coals; they have admitted that it was not an acceptable approach. People at the hospital are well aware of it and, I think, are very negative to the approach these two doctors have taken. I think the approach that we as a Government have taken has closed off all of those loopholes. What Mr Berry is trying to do here has nothing to do with the incident of the dog at all; it is straight political grandstanding.

MR OSBORNE (11.30): Mr Speaker, I would like to echo many of the thoughts and comments of my colleague Mr Berry, and I will be supporting this proposal of his. It certainly is one of the most bizarre episodes I have ever heard of. Like most members in this house, I was a little taken aback when I heard that a dog had been treated at Woden Valley Hospital. I thought it was a big joke. It was a lot like when someone told me that Harold Hird had been elected at the last election. I thought, "Come on; pull the other one". To find that this story is true is absolutely beyond belief. If the *Canberra Times* had printed it in the paper a few days later, on 1 April, nobody would have believed it. Yet it happened, and now Mr Berry has put up what I think is a sensible proposal.

The most offensive thing for me in this fiasco has been the attitude of the doctors involved. We all saw them on *A Current Affair* on Monday night. They did not care that they had treated the dog in hospital. They simply did not show any remorse at all. I guess that I would be a lot more sympathetic towards them if they were even the slightest bit sorry for what they had done, but to date there has been no real sign of that.

There has been no statement from them saying, "What we did was stupid. We made a mistake; we realise that. We got caught". Instead, they appeared embarrassed only because they got caught. One of them even said on *A Current Affair* the other night, "What did I do?", implying that he had done nothing wrong. The two doctors who treated this dog have betrayed the trust that has been placed in them by this Government on behalf of the people of Canberra. That trust now needs to be taken back.

We have heard a lot recently about the police culture in New South Wales. I would suggest that we could coin a new phrase here in the ACT, the VMO culture. They have for too long been gods unto themselves, allowed to run rampant in the ACT, and this latest incident just reeks of arrogance. The people of Canberra, with very few exceptions, are expecting some heads on a platter, and I would like to remind Mrs Carnell that I do as well. If I could sack them myself, I would do it right here and now. If these guys want to be vets, I am sure that there is a shortage in some other town and, as far as I am concerned, the sooner they go the better. I have absolutely no faith in these two doctors being judged impartially by their peers or the Department of Health when the director of the intensive care unit is willing to go on the public record and say that, as far as he is concerned, these men had done nothing wrong and their actions were totally justified, given the circumstances.

Mr Speaker, it is blatantly obvious who is running this hospital. It is not Mrs Carnell and it is not her highly-paid executives. In fact, it is the even higher paid VMOs, who have the run of the place, and a licence to print money for themselves in this process. We have seen the role they have had to play in the recent homebirth saga, in which they felt that some potential clients were being taken away so they put their foot down. As far as I am concerned, it stinks. The real scandal that should be investigated here is not the dog on the operating table; it is the dog of a deal that was made by Mrs Carnell at the start of her reign as Health Minister. These visiting medical officers, who profess such high moral and ethical standards yet treat their animals while the waiting lists of humans grow, conned the Chief Minister into accepting a deal that lined their own pockets and blew out the health budget. How that dirty deal came about should be exposed through another investigation. Light should also be shed on the financial contributions that VMOs made to the Liberal Party election campaign funds and the influence they have had on the local Liberal Party.

While Mrs Carnell dithers and instigates no immediate action against the dog-treaters, suspicions about the influence of the medical profession on this Government are understandable. This lack of action defies all commonsense. I would like to remind everybody that right now the Woden Valley Hospital is a joke right around the world. We are now on a par with some of the hospitals you hear about in the slums of Asia, and perhaps some of the hospitals in Pakistan that were reported on in the *Witness* program last night. We are going to have dog and vet jokes for years to come over this issue, so let us at least be serious in trying to sort out the mess we have. I am sure that members are all aware of the allegations coming to light in the past two weeks of the possibility of other dogs and animals being treated in the hospital as well, so the sooner we have an inquiry that is independent of the hospital the sooner we will expose the truth and restore confidence in our ailing health system.

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MR HUMPHRIES (Attorney-General) (11.36): Mr Speaker, I have to express the view that I think the Assembly is blowing this issue out of proportion. I fully stand behind the sentiments expressed by the Minister for Health that what occurred in the hospital was quite reprehensible and deserves to be roundly condemned by this Assembly and to be properly actioned by those mechanisms already well established within our hospital system and outside it to deal with people who misbehave in this way. Let no-one pretend, as Mr Berry pretended, that because we oppose this motion the Government somehow believes that the doctors ought to be given a slap across the wrist and not dealt with with the full force of the available rules and laws available to us.

We are managing here a hospital system facing enormous difficulties, and I ask members to consider whether they think any of these difficulties are going to be resolved by having a fifth inquiry, a further independent inquiry, into this matter. The fact of the matter is that any inquiry anywhere at any time in our public service system takes resources and money. We have all sat in this place in the last year or so and talked about how we have a need to be able to better use resources within our hospital system. Mr Osborne has talked about the problems of getting proper funding to our health centres. We have all talked about the problems of budgets blowing out. We cannot in the one breath express concern about those things and in another call for a further superfluous inquiry into these matters. It really does cause people to ask what we are about in this place.

Mr Osborne said that he would be more sympathetic with the doctors concerned if they expressed remorse. Perhaps we would all like to take the doctors out the back somewhere and give them a piece of our mind about this matter, but this motion does not put much pressure at all on the doctors. They are already facing four separate inquiries. One further inquiry on top of the existing inquiries, including an independent inquiry, is going to make not one jot of difference to those doctors. What it will mean is that the hard-pressed hospital system we are all trying to defend in this process - some more strenuously than others - is going to be further strained while an inquiry is taking place, drawing in resources that necessarily have to come from somewhere else within the health system. The Government does not have a pot of money put aside for inquiries set up by the Legislative Assembly. This inquiry will have to be funded by the hospital system. That comes out of the health dollars, and that, I think, is most unfortunate. (*Quorum formed*)

I thank members for turning up. I am glad also that there is someone from the Greens here in this debate. They lecture us about prejudging issues; one of them is not even here and the other one has been off doing other things. I do not direct my comments towards the Greens, because I know that they have already made up their minds about this matter before, without talking to us before this motion even appeared on the floor of the Assembly today. But I would ask members on the other side of the crossbenches to consider whether they are doing any favours at all to our hospital system by having this inquiry, which obviously is a foregone conclusion nonetheless.

Mr Osborne: Get rid of the two doctors and I will not support the inquiry.

MR HUMPHRIES: Mr Osborne says, "Let us get rid of the two doctors".

Ms McRae: He is on my sacking theme.

MR HUMPHRIES: I know what you think. You think, "Sack them all", Ms McRae. Sack the doctors, sure, sack the workers; but consider this: Supposing we had discovered that somewhere else in the hospital system, for argument's sake, some workers had been using a government photocopier to photocopy recipe books.

Mr Osborne: How can you compare that with a dog on an operating table?

MR HUMPHRIES: With respect, it is the same thing in nature. People are abusing the resources available to them, the Government's resources. The question is: What penalty would you impose in those circumstances? In those circumstances, I think, people would attribute to that crime a penalty akin to something like a reprimand and a decision to repay the resources stolen from the public purse. I really wonder whether a more severe penalty is to be expected in a case such as this, particularly if it is the first offence. Mr Osborne obviously believes that, even if it is the first offence, these doctors deserve to lose their livelihoods in the hospital on the basis of what they have done. I do not think that what they have done is a very good thing. I have to say that I think that what they have done is quite wrong, and they deserve to have a very significant kick up the backside. I am not conducting these inquiries, so I do not know; but I think sacking them, frankly, is an overreaction.

Let me return to what Mr Berry had to say about this matter. Mr Berry is all for an investigation. Mr Berry wants the culprits tracked down and dealt with decisively and emphatically. I ask members to cast their minds back to about two years ago, to calls for an inquiry of another sort, when the Territory was facing a loss of something like \$3m or \$4m through a shonky deal with a betting agency in Vanuatu. Where was Mr Berry, the uncoverer of the truth, at that stage? Where was Mr Berry, the inquisitor extraordinaire? For weeks and weeks in this place he resisted the notion of an investigation into what he wanted, and it was only under extreme pressure in this Assembly, it was only with the looming threat of a motion of no confidence, that his Government agreed to have an investigation by Professor Pearce. It took a long time to get to that point. Go back and look at the records. It took weeks and weeks of questioning by the Opposition at that time before Mr Berry would agree to anything about that. So for him to come in here and say, "We need a full independent investigation into the ultrasounding of a dog", when his mishandling, his blowing of \$3½m of Territory funds, deserved, in his view, for some weeks at least, no investigation whatsoever, is hypocrisy of the first order. I wonder what members think would have happened if this situation had been reversed. Would Mr Berry be welcoming an inquiry at this point, if he were on this side of the chamber? I think not.

The fact is that a series of independent inquiries are already taking place on this matter. Members say, "We do not believe that". Members voted for the Public Sector Management Bill that went through this place. In that Bill was a reference to strong investigative powers, independent investigative powers, by the fraud investigation unit within the Chief Minister's Department. If we did not believe that that process was independent, why did we support it? I assume that we thought at the time it was independent, otherwise we would not be giving the sorts of powers that unit possesses on

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a wide-ranging basis to the officers within that unit. If we have established a watchdog, so to speak - perhaps an unfortunate expression - why do we not let it bark? The fraud investigation unit is there for this purpose. It is independent. This is its job - to investigate these matters. Why do we not let it get on with the task? Those who claim that there is not an independent inquiry into this matter, frankly, are casting a slur on the status of those officers. Those officers can and will conduct a fully independent inquiry.

Let us put to one side, however, the fraud investigation unit, let us put to one side the Medical Board, let us put to one side the medical ethics committee in the hospital, and so on. Let us put them all to one side. I think Mr Berry may have been in opposition - I forget now - but he established a mechanism for investigating complaints within the health system. That, of course, is the Commissioner for Health Complaints. He established it. He gave it independence in legislation. Why is that not a sufficient mechanism to make an independent inquiry into this matter? Mr Berry does not seem to have an answer to that.

Mr Berry: I will give it to you in a minute.

MR HUMPHRIES: I do not think there is an answer to it. You do not want to give me an answer now, so that I can shoot it to bits, obviously. That can happen right now. (*Extension of time granted*) I do not think members opposite are serious when they suggest that the Commissioner for Health Complaints ought to have been established in the first place and yet now say that the commissioner is not the appropriate person to conduct an inquiry of this kind. If that is the case, if you are suggesting that this motion is addressing that issue of the Commissioner for Health Complaints doing it, you should say so in the motion; but you do not.

Let me turn to the contents of the motion for a moment. I do not know whether members have read this motion, but it is one of the most confusing and random pieces of drafting I have seen in this place for a long time. I ask members to direct their attention to a few phrases in here, phrases such as this one: The inquiry is to investigate "the inter-relationship between public and private patients, their treatment, costs, access, referral patterns and billing practices". What have billing practices between public and private patients to do - - -

Mr Osborne: Where do the VMOs send them?

MR HUMPHRIES: Maybe so, but this is not an inquiry into VMOs generally. This is an inquiry into a particular incident that abused the privilege of working in the public hospital. That is what it is about. Why are we having an inquiry into the interrelationship between public and private patients? This is an extraordinarily wide-ranging brief being given to someone here, a wide-ranging brief which pushes up the cost of having this inquiry in the first place. Why are we doing this? Do we need this? Can we justify this to the taxpayers of this Territory, when there are already four other inquiries going on, when there is massive cost involved in that process, and any new inquiry costs money? Why are we imposing that on the people of this Territory?

We all get a great deal of satisfaction from calling for another inquiry, another review, another independent process, to take place. But we make a mockery of our own confidence in the legislation we ourselves set up when we override existing processes to do that in the first place. We also consume resources we do not really have. There are not the resources in the system to waste on things of this kind. It was bad enough that resources were wasted on the ultrasounding of a dog. To throw additional resources after that rather belies our supposed concern about the problems the health system is experiencing. I think this motion is silly. Obviously, it is going to pass; but I think members are doing a great disservice to the health community and the people that community is supposed to serve by needlessly laying this inquiry onto a system that is already coping adequately with the problem that this issue has given rise to.

MR MOORE (11.49): I must say, before I start on the substantial part of my speech, Madam Deputy Speaker, that we really had an interesting precedent set by Mr Humphries in his speech. First of all, he called a quorum on himself while he was speaking and thus cut his own time down. Then he turned around to the Assembly and asked for leave to speak longer, to make up the time he had lost, I presume. It reflects the generosity of this Assembly and its members that we did allow that to happen and now have this precedent sitting on the book.

It is a serious issue that we are dealing with. We know that the issue was the subject of news reports right across the world, and that reflects the fact that it is something that is particularly unusual, and also that it is incredibly unacceptable that this could occur. One of the things that concern me is that the issue appears to have gone beyond the treatment of a dog on 20 March. Certainly, I am conscious of allegations of at least two more occasions on which animals were treated in the hospital. The issue Mr Berry raises is whether we have an adequate process to assess that sort of issue and to deal with what Mr Osborne has described as the VMO culture. Perhaps Mr Osborne, although he has the concept right, has narrowed the culture a little too much to VMOs. There is a medical practitioner culture, certainly a senior specialist medical practitioner culture, that is clearly arrogant and would allow them not only to make a stupid mistake like this - I think at best we can say that yes, this was a stupid mistake, and probably from reasonably high motives - but also have other medical practitioners, senior specialists, saying, "What is wrong with it?". I think that is what has been the major concern, the most important concern.

How has the Government reacted? There are four investigations, we hear. The Clinical Privileges Committee is conducting one of those, and the Medical Board another, both of those being professional bodies, doctors investigating doctors. Already we have seen in letters to the editor and other places the doctors' attitudes to each other. They certainly are not going to break or assess or look at what Mr Osborne calls the VMO culture. Mr Osborne tells me that he has the copyright on that, so each time we say it we are going to have to flick over a coin. I wonder where he would patent it. The arrogance associated with that VMO culture that Mr Osborne talks about is something that needs to be investigated, and it will not be adequately investigated by the Medical Board.

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That is emphasised even more, obviously, by the fact that the professional body did not jump in right from the word go and say, "This is an unacceptable concept. We will investigate it". The royal colleges of whatever that these doctors have set up are supposedly to protect the ethics, supposedly to protect the standards, of such specialists; but where are they when these standards need to be protected? We hear of them when the standards of their salaries need to be protected. We hear of them when they are going to limit the number of people who can do the job, to ensure that they make enough money. They are probably the same people who otherwise would advocate free enterprise. But where now is the royal college that should be investigating its own members? There is a great big silence. That is not the issue Mr Berry has raised; but it is an issue we should consider, and we should consider it in conjunction with our Federal counterparts. Have these royal colleges that protect specialists had their day? It is my opinion that they certainly have had their day and it is time we got rid of them, and I take this opportunity to call on Mrs Carnell to approach her colleague Dr Wooldridge to deal with this issue.

Mrs Carnell: It is already done.

MR MOORE: Mrs Carnell says that she has already done it, and I think that is a great step forward. I think they are outdated, outmoded and entirely inappropriate for our health care. They undermine our health care. It is part of this whole VMO culture, which has more emphasis on looking after them than it has on general health care. That is not to take away the specific issue of their looking after individual patients and the health care of individual patients. It is not to confuse that issue, because I am not aware of anybody challenging that, when it comes to an individual patient, they are going to do their best. Maybe there is, but I am not aware of it. What we have in Mr Berry's motion is a call for re-establishment of the confidence of our community in our hospital and in our medical profession.

The other two investigations I have not yet mentioned - the internal investigation and the fraud prevention investigation - are specific investigations of a particular way of doing things, but certainly they are not set up to look at the general cultural issue. Mr Berry's motion really does have an appropriate place here to ensure that that is dealt with, and I hope that that would be part of what will come out of this inquiry.

Mr Humphries: It is not in the motion.

MR MOORE: Mr Humphries waves around the motion and says "It is not in here". Having carried on this debate, Mr Humphries, on the issue being raised by Mr Osborne, have a look at that motion. It says "any other related matter". I am quite happy to modify this motion and specifically talk about culture, if that would be an appropriate way to go. I am also prepared to consider the possibility that such an investigation, in attempting to avoid extra costs on our community - the issue Mr Humphries raised - could be carried out by the Commissioner for Health Complaints. Mrs Carnell mentioned in her speech the Commissioner for Health Complaints. That would be an appropriate body to carry out this investigation, and I think that would be a very sensible way of

dealing with this issue. I should emphasise that the motion certainly does not exclude that possibility. The motion quite clearly would include that possibility. It just calls for investigation. No doubt Mr Berry will talk about this when he exercises his right of reply, but my understanding is that it is something that needs to be done.

We want to know whether the allegations of other animals being treated are true, and we also want to understand what it is about this general culture of arrogance, and how we should change it, that would not so much allow doctors to take this action in the first place but allow them to stand up and defend the action as being right and reasonable.

MRS CARNELL (Chief Minister and Minister for Health and Community Care) (11.58), by leave: I have two amendments to the motion that I want to put at this stage.

MADAM DEPUTY SPEAKER: Have they been circulated?

MRS CARNELL: I am doing it right now.

Mr Berry: Is one to get the Commissioner for Health Complaints involved?

MRS CARNELL: Yes.

Mr Berry: Well, do not worry about it. I agree with that. If you offer that as a solution, that will be fine.

MRS CARNELL: As I said in my speech, I am happy for the Commissioner for Health Complaints to look at this issue. Under section 11 of the Health Complaints Act, I, as Minister, can refer issues of this ilk to the Health Complaints Commissioner. I was going to suggest that we amend this - - -

Mr Berry: You do not have to.

MRS CARNELL: I think we do. I think paragraph (5), "any other related matter", can stay in, but paragraphs (3) and (4) of this motion have nothing to do with the dog or the related allegations or whatever.

Mr Berry: Yes, they do.

MRS CARNELL: I do not think they do. I think the Health Complaints Commissioner would have an enormous amount of difficulty in looking at the responsibility of the hospital in relation to our Medicare agreement and so on.

Mr Berry: All right.

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MRS CARNELL: Paragraphs (3) and (4) are not related, as I read them anyway, to the issue of the treatment of the dog in the hospital, or the doctors who are associated with it, or the other allegations that have come forward since then with regard to the performance of VMOs in this area. I suggest that we delete paragraphs (3) and (4) and add “that the Assembly, through the Minister, refer these allegations to the Commissioner for Health Complaints under section 11 of the Health Complaints Act”.

Mr Berry: I do not agree with that and I will resist it.

MADAM DEPUTY SPEAKER: We will put the amendments and then vote on them.

Mr Berry: She will have to seek leave to move the amendments, first of all.

MRS CARNELL: Okay. I seek leave to move the amendments.

Leave granted.

MRS CARNELL: I move the following amendments:

(1) Omit paragraphs (3) and (4).

(2) Add the following new paragraph (3):

“(3) that the Assembly, through the Minister for Health, refer the matter to the Commissioner for Health Complaints.”.

MR BERRY (12.01): Madam Deputy Speaker - - -

Mr Moore: I raise a point of order, Madam Deputy Speaker. I see that Mr Humphries has jumped to his feet. Mr Berry will close the debate.

MADAM DEPUTY SPEAKER: No, he will not. He is speaking to the amendments now. We have a new question before the house.

MR BERRY: Madam Deputy Speaker, if that is the wish of all of the members of this Assembly and if this is something that the Health Complaints Commissioner is capable of dealing with in the context of the legislation, I would be quite content with that. There is no need to include that reference in this motion. All you have to do is offer it to the members as a solution. If they agree, that is good enough in the context of this motion.

Mr Moore: Mr Berry has said already that he will agree. I have said that I will agree. The numbers are there.

MR BERRY: So there is no need to do that. In relation to the other paragraphs that Mrs Carnell wants to omit, I am very keen to ensure that they stay in. Paragraph (3) refers to “the responsibility of the hospital in relation to the funding for staff and facilities provided by the Commonwealth Government through grants and Medicare payments”.

Mrs Carnell: But what has that to do with the dog?

MR BERRY: It is most important that the issue of funding for capital equipment, some of which is provided by the Commonwealth Government, and Medicare payments is raised in the context of the misuse of that equipment.

Mrs Carnell: But that is what the fraud inquiry does.

MR BERRY: It is most important that that is considered in the context of an independent inquiry because none of the other inquiries can treat this issue adequately, in my view. Paragraph (4), “the inter-relationship between public and private patients, their treatment, costs - - -

Mrs Carnell: What has that to do with dogs?

MR BERRY: You will get your chance. Paragraph (4) says, “the inter-relationship between public and private patients, their treatment, costs, access, referral patterns and billing practices”. That is an important issue because it is about the way that those doctors with private practice rights within the hospital use hospital resources in the context of their profession. That must be investigated closely because at least one of the doctors involved in this issue had a private practice which was conducted outside the system. There ought to be a general review of how private practice arrangements are dealt with within the hospital system, so that we can remove any of these suspicions about the use of government provided resources in their private practice. It is a most important issue to be examined in the context of this whole matter because at least one of those doctors ran a private practice outside the system.

Mr Humphries: But what? To treat dogs?

MR BERRY: Do not be silly. He could well have and it would not have been a controversy then.

Mr Humphries: It was his own dog. It was not somebody else's dog.

MR BERRY: Why did he not do it in his own practice? Mr Speaker, the issue here is to look at the - - -

Mr Moore: In the context of the dog. That is what you are talking about - the context of the treatment of animals.

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MR BERRY: No; I am talking about the general scheme of things, the way doctors deal with private and public patients in our public hospital system, and the referral patterns to private practice need to be investigated as well. The Health Complaints Commissioner, I think, could deal with that.

Mrs Carnell: I do not think so. It is not a complaint about something.

MR BERRY: The issue needs to be examined so that the community can be satisfied that it is dealt with. If the health complaints unit cannot deal with any of these issues, I would be quite happy if some of them are separated and somebody else deals with them. In the context of the motion which has been put forward, that is where you have to consult with members before appointing people to conduct these inquiries.

So far as the Health Complaints Commissioner's activities would be involved, I would be happy if you said to members of this Assembly, "I make a reference to the Health Complaints Commissioner in relation to paragraphs (1), (2) and (3), and, in relation to those other matters, if the Health Complaints Commissioner cannot look at them, I will make a reference to this other person I have appointed to look after the problem". If you want to look at it that way, we are quite happy to do it. But it has to be an independent inquiry, well away from the hospital system, the management of the hospitals, and so on.

Mrs Carnell: So the fraud investigation unit is all right?

MR BERRY: The fraud investigation unit in the context of this independent investigation can be regarded as irrelevant.

Mrs Carnell: Why?

MR BERRY: If you do not understand that by now, I am not going to spend any more time explaining it to you. Mr Speaker, this motion needs to be passed. So far as the Health Complaints Commissioner is concerned, if he can examine the whole lot of it, I would be quite content with that, provided that other members are content with it as well. If there are issues that the Health Complaints Commissioner is not comfortable about investigating and somebody else needs to look at it, provided that all other members of this Assembly agree, I would be happy with that process as well. I am entirely flexible on this issue. I think the motion deals with all of the issues that need to be looked at. In the context of the treatment of those dogs in the hospital, other issues were raised, and I have received complaints in my office in relation to some of the private practice issues which need to be dealt with. They need to be clarified.

Mrs Carnell: We fully agree. They are related issues.

MR BERRY: They need to be clarified. If you want somebody else to investigate them, you offer somebody else, and that is fair enough; but I believe that they need to be investigated. That is why they are included in this motion. It is a most important issue.

Mr Humphries made a bit of play about a previous inquiry which was conducted by the Follett Government. That issue, of course, was - - -

Mr Humphries: You talk to the amendment, Wayne, not to my comments.

MR BERRY: I will come back to your comments after. I will leave it there, Mr Speaker. I think the motion deserves to be supported in its entirety. I repeat that if Mrs Carnell comes back with an offer which is agreed to by all of the members in this Assembly - that it go off to the Health Complaints Commissioner - I would be content with that. If there are some issues here that the Health Complaints Commissioner is not content to deal with, I will be happy if somebody else deals with them; but it has to be somebody independent, and that has to be agreed to by other members of this Assembly as well.

MR HUMPHRIES (Attorney-General) (12.09): Mr Speaker, I support the amendments moved by Mrs Carnell. It seems clear to me from what Mr Berry has just said that he has in mind an inquiry which is rather broader than just investigating the circumstances of these particular doctors' abuse of the privilege of using the facilities by having their dog ultrasounded. Clearly, Mr Berry has other things in mind. I ask members to consider whether it really is appropriate for an inquiry to be based partly on this issue and partly on Mr Berry's concerns about doctors in the system and the abuse by doctors of the system more broadly. I would ask members of the crossbenches, particularly Mr Moore, to consider paragraph (3), for example, which reads:

the responsibility of the hospital in relation to the funding for staff and facilities provided by the Commonwealth Government through grants and Medicare payments;

Clearly, Mr Speaker, the Commonwealth contributes to the capital cost of items within our hospital system. We do not need an inquiry to tell us that the Commonwealth is not going to be happy with the idea of their money being spent, in part, by doctors ultrasounding dogs. We do not need an inquiry conducted by the Health Complaints Commissioner or anybody else to tell us that. That question is already answered. It is axiomatic. We do not need an inquiry into that aspect of it.

Does Mr Berry have in mind a broader inquiry into other elements of the hospital system's use of Commonwealth funds, or its general relationship with Medicare payments, or funding of staff facilities vis-a-vis the ACT and the Commonwealth and what share we have of those two matters? If that is the case, Mr Speaker, this is a vastly broader inquiry than that which Mr Berry portrayed to this place when he first spoke to it half an hour ago. This is an inquiry about the hospital system, the fundamentals of its funding, the nature of its building system, the way in which it operates in relation to Medicare, and issues concerning all of those things. In fact, there is almost no limit on what might be examined in that respect.

Paragraph (4) makes that even more abundant because it refers to "the inter-relationship between public and private patients". Mr Speaker, I do not understand what the interrelationship between public and private patients has to do with this particular incident to do with dogs. Mr Speaker, it is alleged, as I understand it, that this particular surgeon

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X-rayed or ultrasounded his dog using a facility intended for human beings. It was not somebody else's dog. He did not, as far as I am aware, bill or charge the dog for the privilege of having been ultrasounded, and he did not bill or charge anybody else. We will be billing or charging him for that, I can assure you; but nobody else was billed or charged for it. So, what billing practices have to do with the abuse for personal and private reasons of this facility is beyond me.

Similarly, there is a certain mix of public and private patients in the hospital system. What has that to do with the abuse of the hospital's facilities for the purpose of ultrasounding a dog? If the doctors concerned have a certain proportion of their clients who are private and a certain proportion who are public, again, what has that to do with the ultrasounding of a dog? Is it not equally possible that a salaried medical officer who had access to the ultrasound machine might ultrasound his dog as well? Is it not possible that a doctor who was exclusively servicing private patients within the hospital system and who had access to the ultrasound machine could do the same thing? This just does not make any sense.

I do not know why I am talking about this, because all the people on the crossbenches are talking to each other and all the members opposite have made up their minds anyway. I might as well just be reciting Shakespeare.

MR SPEAKER: I uphold your comment. At great expense we provided lobbies for this chamber. I suggest that members might like to use them.

MR HUMPHRIES: I could call a quorum, I suppose. No, I will not do that. Mr Speaker, I think we are rushing in where angels fear to tread.

Mr De Domenico: Or dogs.

MR HUMPHRIES: Or dogs. We are being asked for a very broad inquiry. I do not think, with respect, that the Commissioner for Health Complaints is really equipped to be able to conduct an inquiry, not based on a specific complaint, into the relationship of the ACT with the Commonwealth Government and into the interrelationship between public and private patients as a philosophical question. That is not the commissioner's job. If he is going to conduct part of this inquiry and somebody else is going to conduct another part, we really are getting into a very confused state of affairs. Now we are talking about six inquiries into this issue. Mr Speaker, I think members should ask themselves whether this is being well thought through. We should reconsider this whole approach.

MRS CARNELL (Chief Minister and Minister for Health and Community Care) (12.14), by leave: From discussions with other members of the Assembly, I understand now that Mr Berry's concern with the original paragraphs (3) and (4) was to do much more generally with private practice rights for VMOs generally. That has been a concern for, I think, every member of this Assembly at some stage or another; but one of the things the Assembly should understand is that private practice rights exist for VMOs all over the country. They exist everywhere.

I have given an undertaking to Mr Berry that, on the passing of the amendment to refer the dog issue, shall we say, but not the more general issues, to the health complaints unit, I will write to the Auditor-General and ask him to look into private practice rights for VMOs, their appropriate payments, the usage of public facilities and so on. I think it is a reasonable issue for the Auditor-General to have a look at. It is one that we have had some problems with. With a bit of luck, that separation will mean that my amendments can go through. The Health Complaints Commissioner can look at the dog issue, shall we say, and issues associated with that, and the Auditor-General can look at private practice rights and the usage of public facilities by VMOs and any related issues as a separate entity.

MR BERRY (12.15), in reply: Mr Speaker, I am pleased to see that the Chief Minister now accepts that an inquiry is necessary in relation to both areas. From my point of view, if one person could have been found to do the job, that would have been entirely acceptable. In so far as the Health Complaints Commissioner can deal with the investigation, that is perfectly acceptable to me, and so it ought to be because it is a statutory body that I think I was responsible for introducing. I am puzzled at the early resistance by the Chief Minister in relation to this, because this truly is a formula which will get an independent view of the issue quite separate from those early inquiries, which I do not think would be highly regarded out there in the community, for a variety of reasons.

There is one thing that Mr Humphries raised that I must put to rest because it was quite wrong. He complained that Labor, in office, had not dealt with an inquiry quickly and appropriately in relation to arrangements with ACTTAB. I have to say that when the inquiry was announced, Mr Humphries, I thought, "Gee, that inquiry got off quickly". I would also like to have Mr Humphries remember the record of the inquiry, and that was that it entirely cleared me.

Mr Humphries: Not of misleading the house, it did not.

MR BERRY: I would not keep raising that issue in this Assembly because it was you people who took the debt from ACTTAB and gave it to the people to pay. The people who should have paid the debt are not paying it these days.

Mr Speaker, that being put to rest, the amendments will be supported. I welcome the support of members in general for these inquiries, which I am sure will go a long way to restoring the loss of confidence which has occurred as a result of this unfortunate incident and, I think, the lack of a suitable response by Mrs Carnell and her Government to the incident as it was reported across Australia, and, indeed, across the world.

Amendments agreed to.

Motion, as amended, agreed to.

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MITCHELL WASTE DISPOSAL STATION

MR HIRD (12.19): Mr Speaker, I move:

That this Assembly calls on the Minister for Urban Services to give due consideration to conducting a feasibility study to upgrade the Mitchell Waste Disposal Station to accommodate surplus household waste.

With the rapid growth of Gungahlin and added pressure from parts of Belconnen, consideration should be given to whether there is a need for more facilities for the disposal of household waste in that immediate area. There is a recycling centre at Mitchell, but it does not provide for the disposal of household waste. It is only a small recycling centre with facilities for recycling glass, paper, cardboard and plastic. There is unlimited space in the centre which would allow for extension of services already provided. I would like to see a plan put in place to upgrade the existing facilities to include provision for the disposal of household waste at the Mitchell disposal station. I commend the motion to members of the parliament for their consideration.

MR MOORE (12.20): Mr Speaker, I had expected Mr Hird to speak for a little longer. I was just drawing up my amendment to the motion. The amendment reads, That we add the following words, "to be located at the site of the old Ainslie Transfer Station". I think that makes good sense. Mr Hird's motion reveals the stupid action of the Government in closing the Ainslie Transfer Station. Mr Hird has pointed, once again, to his own Government's inadequacy. That is exactly what has happened. They closed the Ainslie Transfer Station and then, less than a year later, we have Mr Hird saying in this Assembly, "We do not have an adequate disposal station to accommodate surplus household waste and maybe we should put it at Mitchell, two or three kilometres away from the Ainslie Transfer Station". It just reflects their inadequacy.

Mr Speaker, I move this amendment, which I hope that I will be able to circulate in my name:

That the following words be added to the motion: "to be located at the former Ainslie Transfer Station".

Mr Speaker, I apologise to members. I got a little involved in the previous debate and thought that this debate would not come on, but that if it did Mr Hird would take time to give a whole series of reasons as to why that would be necessary. I would have thought, Mr Speaker, that he would have talked about the distances that people now have to drive in order to get to the various tip sites in the ACT and the impact that that has had on the environment. I thought he would have dealt with issues such as people tipping rubbish in spots where they ought not go. I thought he would also have dealt with the highly successful recycling and bin system that we have now. I must say that I was quite critical of that system; but, having seen it in operation, I think most people would accept that it works. I believe that it was mostly Mr Connolly's work but it was completed in the end by Mr Lamont. I believe that it has worked extremely successfully.

A study would also take into account whether collecting the recycling bins every second week is the right way to go. In my household of five people, and sometimes six people, we put our small garbage bin out once a week one-third full or half full, although occasionally it is full. In the case of the recycling bin, we seem to be always waiting for that second week. Perhaps we should do it the other way round. Perhaps we should be picking up the landfill bins every second week and the recycling bins each week.

Mr Speaker, it is quite clear that the Government and the backbencher, Mr Hird, recognise that it is necessary to have an extra transfer station in North Canberra. There is a beautiful site already set up. It does the job perfectly. It is the Ainslie Transfer Station site. While you are considering this you ought to take into account the logical and sensible way of dealing with it and reopen the Ainslie Transfer Station. That is why, Mr Speaker, I have moved the amendment that has now been circulated in my name.

MR HIRD (12.25): I will speak to the amendment. Mr Moore obviously has not read the motion. It is very clear. When the Ainslie Transfer Station was operational there was a recycling centre at Mitchell. The recycling centre in Mitchell is in the centre of the growing area known as Gungahlin. We are talking of a feasibility study. Should it go ahead, it would make more sense to have the facility centrally located so that it would take the pressure off the Gungahlin area, North Canberra and Belconnen. I said that in my opening remarks.

This amendment does very little. Mr Moore does not understand the motion. There has already been a series of inquiries as to whether we should or should not have the transfer station operational in Ainslie. I am not talking about that. The Government made a decision some 18 months ago to close that station. We did close it, knowing full well that we had a recycling centre in a central location. This central location affords all people within that immediate area the opportunity to recycle glass, plastics, et cetera. Now I am asking the Urban Services Minister, Mr De Domenico, to ask his officers to undertake a feasibility study as to whether it is practical to have this facility in a central location. We are not going to turn back the clock. We are not turning back the clock to have the transfer station recommissioned in Ainslie.

This is a nonsense amendment. As its mover, Mr Moore, indicated in the beginning, he was concerned about other matters at the time. He has rushed in where, I suggest, fools would. He has moved a nonsensical amendment. It has not the slightest relevance to the motion that I moved. Mr Speaker, I urge members to disregard this amendment and to stay with the original motion.

MS HORODNY (12.28): This proposal, Mr Speaker, which effectively is about providing more facilities for collection of household waste, is in contradiction of the Government's commitment to no waste going to landfill by 2010, as outlined in their draft waste management strategy for Canberra that was released in January. It is also contrary to the national waste management strategy, which the ACT Government has endorsed and which seeks to reduce waste going to landfill by 50 per cent by the year 2000. What the Government should be doing is examining ways of reducing waste generation overall, not examining ways of making it easier for people to dispose of whatever waste they want to produce.

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The proposal for a feasibility study to upgrade the Mitchell Waste Disposal Station cuts across the work being done, both within government and through community consultation, to finalise the draft ACT waste management strategy. What we should be doing is looking at waste management across the ACT with a specific focus on implementing ways of reducing the total amount of waste being generated. A proposal to establish a Mitchell waste disposal station would pre-empt the broader decisions that need to be made about waste reduction measures in the ACT. The ACT already has one of the best household recycling schemes in Australia. We do not want to go backwards by simply setting up mechanisms to dispose of those household waste items that are currently difficult to dispose of through the existing collection system. What we should be doing is examining ways of setting up new recycling schemes for these items, not sending them to the landfill via Mitchell.

Another consideration that is not clear from the motion is the financial impact of this proposal. At present people disposing of surplus waste at landfills are required to pay a tip fee. If a transfer station is set up away from the landfills there should also be a fee levied on waste disposed of at these transfer stations, so that people cannot avoid paying the levy. The administration involved in establishing a fee collection facility at a small and relatively less frequented transfer station may be quite inefficient. To put a positive side to this motion, there may be scope for establishing a transfer station in Mitchell for the collection of waste materials that are too bulky to be included in the household recycling system. That will then be transported to the appropriate recycling facilities. It is unclear, however, whether this is the real intent of the motion. It seems that it is not. There is also the question of how such a recycling transfer station - - -

MR SPEAKER: Order! It being 12.30 pm, the debate is interrupted in accordance with standing order 77.

Sitting suspended from 12.30 to 2.30 pm

QUESTIONS WITHOUT NOTICE

ACTION - Enterprise Bargaining

MR WHITECROSS: Mr Speaker, my question without notice is to the Chief Minister in her capacity as de facto Minister for Industrial Relations.

Members interjected.

MR SPEAKER: Order! Mr Whitecross is about to ask a question.

MR WHITECROSS: Thank you, Mr Speaker. Chief Minister, when you entered into the recent union agreement with the Transport Workers Union, you gave an undertaking that no corporatisation, privatisation or contracting out of ACTION or the ACT Ambulance Service would occur unless agreed between the parties. Does this mean that you will stand by your commitment not to privatise, corporatise or contract out services, and how will this impact on the budget, given that corporatising or contracting out of ACTION services was high on the agenda of reforms?

MRS CARNELL: Our approach to corporatising and privatising - or to anything else, for that matter - has always been about bottom lines, about reaching the savings that we need to reach on behalf of the people of Canberra. Quite seriously, I do not mind how we do that, and that was the point we made to the TWU the whole way through the negotiations. They agreed to our requirements in terms of becoming more efficient - having a much more efficient bus service or public transport system in the ACT. As they agreed to our bottom line, I really did not mind how we got there. We stand by our agreement.

MR WHITECROSS: I have a supplementary question, Mr Speaker. That did not sound like a categorical statement that the Government had abandoned corporatising ACTION. Chief Minister, can you confirm that your Government has let a consultancy to Ernst and Young to draw up proposals for corporatising ACTION bus services? Can you also tell us how much that consultancy cost and what purpose it will serve if you are not planning to corporatise ACTION?

MRS CARNELL: We stand by our agreement. I reached an agreement with the TWU with regard to the rest of this term of government. As long as they stand by the agreement as well, it is in place.

Ms Follett: What about the consultancy? Have you no answer?

MRS CARNELL: It was a very definite answer: We stand by the agreement.

Contaminated Sites

MS HORODNY: My question is to the Minister for the Environment, Land and Planning. Minister, I would like to follow up the answer to my question yesterday about the absence of a contaminated sites register in the ACT. You may be aware that there is a large number of old landfill sites and farm dumps in the ACT, as it was the practice in the past to set up new landfills on the edge of new suburbs as they were developed. Some work was done a couple of years ago by the previous Government to identify their location because evidence of such sites started to appear in some unexpected places, such as on Black Mountain Peninsula and under some open space in Curtin. Given the absence of a contaminated sites register in the ACT, what process has been employed by the ACT Planning Authority, since the Territory Plan was gazetted, to ensure that no developments were approved on the sites of old landfills without an environmental assessment?

MR HUMPHRIES: Mr Speaker, I do welcome the question. The process used was a very simple process; it was a process of commonsense. If a proposal to develop a site happens to coincide with the site of previous landfill or known contamination through, for example, the conduct of a sheep dip on that site - or anything else, for that matter -

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then commonsense dictates that you take special care to ensure that the process of developing that site takes that into account. It may be that on occasions you will need to have some elaborate process like a preliminary environmental assessment, a public environmental report, or maybe even an environmental impact statement where there is some significant problem, or potential problem, with the proximity to a particular site. The Belconnen Soccer Club site at McKellar, for example, may have some elements of that dimension which need to be looked at, and that is why a public environmental report is now being conducted in respect of that site.

Mr Speaker, I think Ms Horodny confuses in her mind the issue of the knowledge about contaminated sites with the existence of a register. You do not have to have a register to know about those sites' existence. Indeed, Mr Speaker, the Government is doing a great deal at the moment, as did the previous Government, to compile information about contaminated sites that were created through the use of sheep dips. We also know about other contamination as information comes to hand. For example, recently, there has been information about contamination at the site of the Kingston depot. That is the sort of site where you would have to have some preliminary work done before any building occurred. So, let me assure Ms Horodny that the fact that there is contamination, or some other problems such as landfill, is not an issue which can be examined only in the context of a register of contaminated sites, because the problem with the site itself then triggers extra care about the way in which it is developed.

MS HORODNY: As a supplementary question, I ask: Has there been ongoing work occurring to identify and assess old landfill sites in the ACT?

MR HUMPHRIES: Mr Speaker, I note that there has been a lot of work done on sites with various forms of contamination, and that work has been extremely exhaustive. In some cases it has consisted of taking old aerial photographs, taken during the 1930s, 1940s and 1950s, and minutely examining them to spot indicators of uses of that land before it was occupied by, say, housing, to determine whether there was any likelihood of a sheep dip or some other potentially contaminating use of that land before it was ultimately used for housing or something else.

As to the identifying of landfill sites, I cannot be precise about that. I will take that part of the question on notice and I will find out. But let me say that any site which constitutes a basis for concern about the impact on the environment or later users of that site deserves to be carefully recorded at least and the history of that site borne in mind when the site is developed. In fact, as far as I am aware, Mr Speaker, there are very few examples of developments having occurred without that knowledge having been available. Obviously, the exception to that is the sheep dip sites. But they are, I think it is true to say, the exception rather than the rule. We have to develop a process to make sure that those things do not happen again, by having complete knowledge about those sorts of sites across the Territory.

Public Service - Enterprise Bargaining

MR BERRY: Mr Speaker, my question is directed to the Chief Minister, as the Minister in charge of industrial relations. Chief Minister, over the last month you have claimed success in negotiations with unions in the ACT government service. You have claimed that your policies have delivered pay rises to public servants and offsets for your budget. Repeatedly we have heard about the pot of gold at the end of the rainbow for workers. You have claimed that your policy of negotiating with individual unions - and that was the emphasis, rather than workplace negotiation - was a success. Then you admitted, of course, that you had to rewrite the agreements. According to you, that was to get them ratified in the Industrial Relations Commission. Yesterday, in the commission, it was revealed that the rewriting of the agreements will mean that you will renege on your commitments. Is the ACT community threatened with more revenue losses and industrial chaos as a result of your incompetence and doublespeak?

MRS CARNELL: Mr Speaker, the only way in which the ACT residents and taxpayers would be faced with that would be as a result of Mr Berry's bloody stupid questions - I withdraw the word "bloody". Mr Speaker, the Government stands firm on the basis of the agreements that we have entered into. We stand firm on every item involved in those agreements that we have done on a union-by-union basis. We believe that they do show the way ahead for the ACT. Yes, they are able to be achieved within our current budget projections over the next two years, and hopefully beyond that. Yes, they do have productivity measures in them. Yes, they are productivity measures that must be delivered before they are paid - unlike the agreements that the previous Government entered into, very close to the last election, with productivity elements that did not have to be delivered at all, and so what we ended up with was budget overruns in Education and Health, totally attributable to those opposite. They do not even care. Mr Berry is just having a laugh about it.

The reality is that these agreements will require productivity measures to be delivered prior to their being paid. We can afford to pay for them within our current budget estimates. Yes, the Government does stick by them. Possibly Mr Berry, in his supplementary question, might like to let this Assembly know whether he supports - this is totally out of order, Mr Speaker; I am very well aware of that - - -

MR SPEAKER: It is indeed. I was about to comment on that.

MRS CARNELL: What I would request from this Assembly, and from Mr Berry in particular, is an absolute commitment from those opposite to support us in our efforts to have the current agreements ratified.

MR BERRY: Mr Speaker, I have a supplementary question. Mrs Carnell will get the chance to ask us questions when she is in opposition. Mrs Carnell, one example of the double-dealing in this whole industrial dispute is where your people agreed to a \$65 per week increase in the base rate of some of the lowest paid workers in the ACT and where you have now reneged on that agreement and cut it to \$50.

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Mr Speaker, I have six statutory declarations of delegates that were involved in the meetings in which they swear that \$65 was offered on their base rate of pay. That has now been reneged upon. I seek leave to table those statutory declarations.

Leave granted.

MR BERRY: Mr Speaker, I now put the question to Mrs Carnell - - -

MR SPEAKER: And about time.

MR BERRY: Will you now sign the agreement with the HSUA under the terms originally agreed, or will you continue with this doublespeak?

MRS CARNELL: Mr Speaker, it is unfortunate that some people involved in the HSUA misunderstood the issues that were put on the table. Certainly, there has been a misunderstanding; but Mr Berry might like to go back to the HSUA delegates and ask them whether I told them categorically that 10.1 was the - - -

Mr Berry: You told them \$65 on the base rate.

MRS CARNELL: No; I did not tell them \$65, Mr Berry. I never mentioned that figure. We told them categorically that this was the top; yes, we were happy to go to a flat rate; that would have to be worked out; but it had to be within the bottom line. This is not from somebody else. This is not, as it is for you, second- and third-hand. I was there. They know. We told them that it had to be within the current budget projections. Categorically, they knew that. They then knew that the \$65 figure was not on base rates, Mr Speaker.

Farm Vehicles - Registration Concessions

MR HIRD: Mr Speaker, I direct a question to the Minister for Urban Services, Mr De Domenico. Can the Minister comment on remarks made by the current Opposition Leader last weekend that the reintroduction of vehicle registration concessions announced by the Government discriminated against small business? Is this the case?

MR DE DOMENICO: I thank Mr Hird for his question. Mr Speaker, I am aware that, yet again, Mr Whitecross has got it totally wrong and has proved that he is out of touch on virtually every issue he cares to comment on - including ALP politics, I might say. Last week, the Government did announce that farmer concessions for vehicle registration will be reintroduced in the ACT from 1 July 1996. The concession forms part of a Liberal commitment to restore concessional registration fees for farm vehicles, after they were scrapped in 1993 as a result of the previous Labor Government's review of ACT government concessions. So, Mr Speaker, once again the Liberal Party has delivered on an election promise.

From July, a primary producer whose property lies within the borders of the ACT will be entitled to claim a 45 per cent concession on the registration fees of vehicles under 4.5 tonnes gross vehicle mass. The concession, which will affect about 150 people in the ACT, applies to tractors, trucks and vans used solely for transporting the producer's own produce. It is expected that the concession could save the average farmer or small business person up to \$1,000 a year.

Mr Speaker, Mr Whitecross's claim that this decision discriminates against small business is, of course, ridiculous, totally incorrect and utterly stupid. The Leader of the Opposition of this week, Mr Whitecross, says that singling out rural producers at the expense of other small business people is not fair. He has chucked a marshmallow at us. So, why has the Canberra Business Council welcomed the move? Does the Canberra Business Council not represent thousands of small businesses? It agrees that rural lessees have been at a disadvantage compared to those in New South Wales, and it sees the concession as fair and equitable.

Mr Speaker, the Rural Lessees Association - whose members are not insignificant in this whole issue - has also welcomed the move, saying that ACT farmers can now trade equally with farmers in New South Wales. This Government, unlike those opposite me when they were in government, is committed to assisting anyone in business in the ACT. For Mr Whitecross to whinge and groan and moan, making ridiculous statements such as, "Everybody in the world is against the Liberal Party's decision to implement an election commitment", once again shows his ignorance and his inexperience. That is why he will not be the Leader of the Opposition very shortly.

Public Service - Enterprise Bargaining

MS McRAE: My question is to Mrs Carnell, as Minister in charge of industrial relations. Mrs Carnell, it seems quite likely, given the level of reportage about it, that there is going to be quite a deal of further industrial action. So, noting that, and noting your responsibility as Chief Minister taking charge of this issue, will you now agree, as a matter of urgency, to submit all agreements reached with unions to the Industrial Relations Commission for certification without adjustment?

MRS CARNELL: We are more than willing to put the current agreements to the Industrial Relations Committee. But two weeks ago Jeremy Pyner told us that they would not be ratified because they needed some changes. Yesterday he told us that they would be ratified. We are still awaiting the letter that Mr Pyner suggested that he might have sent to us yesterday, which we now find he has not sent to us at all. We are certainly not moving away at all from the agreements that we signed. We want those agreements to be ratified, and we are very pleased to note your support in that approach.

MS McRAE: Of course, as usual, it is somebody else's fault. You gave the Canberra community the impression that the deals were done union by union. Suddenly, it is Mr Pyner's fault. Essentially, the question is: Instead of trying to worm out of the agreements, which you are now doing, will you submit the agreements in their original form to the commission and let the independent umpire decide?

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MRS CARNELL: The independent umpire, I am sure, wants agreements that can be ratified by the commission. From our perspective totally, we want the agreements in their current form ratified - end of deal. Mr Berry and Ms McRae might be very interested to know that the majority of unions actually support that approach. But, from our perspective, I do not mind what goes to the commission, as long as it is in line with the agreements that we - and, I assume, the unions - reached in good faith. What the paperwork looks like should not worry you, and it certainly does not worry us, as long as it can be ratified.

Ms McRae: Then why do you keep changing it?

MRS CARNELL: We do not.

Belconnen Remand Centre

MS FOLLETT: Mr Speaker, I direct a question without notice to the Attorney-General. I refer Mr Humphries to the ACT Corrective Services minute which I tabled in the Assembly yesterday and which showed the quite extraordinary lengths to which staff at the Belconnen Remand Centre are having to go in order to meet their budget bottom line. Mr Speaker, under one of the headings in that minute - "Other Initiatives" - there is the instruction that "the provision of free issue to detainees will cease". My question to Mr Humphries is: What is included in the free issue to detainees, and does it, for example, include condoms or clean needles?

MR HUMPHRIES: Mr Speaker, it is a good question. I do not know what the free issue includes. I will take that part of the question on notice. As to the issue of generally living within budgets at the Remand Centre and the issues facing the centre as it moves towards a more cost-effective model, let me say that my advice is that today the Government is likely to sign an enterprise bargaining agreement with the relevant union in respect of Corrective Services.

Housing Development - Turner

MR MOORE: Mr Speaker, my question also is to Mr Humphries, but in his role as Minister for the Environment, Land and Planning. Mr Humphries, I understand that the appropriate local area planning advisory committee that covers Turner has rejected the proposed three-storey development at 19-23 Condamine Street, Turner, and has recommended instead the development of a two-storey development, with the maximum number of units being 24. What will be your response to the recommendations of that LAPAC and its decision?

MR HUMPHRIES: Is this Northbourne House that we are talking about again, or something different?

Mr Moore: No; the one on Condamine Street, opposite the school.

MR HUMPHRIES: Mr Speaker, I do not know what my response will be because I have not yet seen the recommendations of the LAPAC. I would be very interested to see what it has to say. This is a matter which, obviously, the Government has to take into careful consideration because that part of Canberra is very sensitive - perhaps more sensitive than any others. There are two developments in that part of Turner which are sensitive. I assume that this is one of those two - either the one which was put forward by Messrs Tokich - - -

Mr Moore: That is the one.

MR HUMPHRIES: In that case, I am looking forward to seeing what the LAPAC recommends and to taking into account what it has to say.

MR MOORE: I have a supplementary question, Mr Speaker. Mr Humphries, assuming that the information I have provided to you is correct, are you going to take your LAPAC recommendation seriously?

MR HUMPHRIES: Yes is the short answer to that. If Mr Moore means will I automatically accept it, the answer is no. I made it very clear that these are, as the name suggests, advisory committees. They are highly influential in the way in which the Planning Authority and the Government make decisions; but they do not have, as it were, a right of veto in respect of planning decisions. If they are concerned about this development, I want to know why and what is the basis for it. If those concerns are valid and borne out, then they will be met with a rejection of the proposal.

Australian Public Service - Job Cuts

MS REILLY: Mr Speaker, my question is to the Chief Minister, as Minister in charge of industrial relations. Chief Minister, yesterday you accused the Federal Labor Government of retrenching 18,000 employees, leading to a cut in - - -

Mrs Carnell: There is not one. There is not a Federal Labor Government. It is the former Federal Labor Government. They lost by a long way.

MR SPEAKER: Order! You are on your own now, Ms Reilly. It is up to you.

MS REILLY: I am quite happy to add the word "former". The Chief Minister implied that all or most of these were in the ACT. Figures supplied by the Australian Bureau of Statistics show that between 1989 and 1995 the number of Commonwealth Government employees in the ACT went from 50,200 to 54,300. Will you now apologise to this house for once again making misleading statements?

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MRS CARNELL: When Ms Reilly shows this Assembly where I stated that the 18,000 were in the ACT, I will be very happy to do so. I made it very clear, and even tabled the documents, that those 18,000 were across Australia. That sort of a decrease in the Australian Public Service over that period of time reiterates the point that was made, and made constantly. The Federal Government, under the previous Labor administration, stopped employing young people in this city and produced a problem. It produced 18,000 redundancies over that period of time - which, of course, was helped along brilliantly by the 1,019 redundancies offered by Ms Follett over that period of time.

The reality is that this city cannot afford wholesale redundancies in our Commonwealth Public Service. Rather than just belly-aching, we are out there trying to do something about it. I was pleased to see this morning that the Department of Finance, in planning to organise its redundancies, is ensuring that they are spread right across Australia and that Canberra is not being targeted. That is the approach that we will continue to urge our Federal colleagues to take. Mr Speaker, when six departments were moved out of this city under the previous Labor Government - when the Industry Commission, the CSIRO and all of those areas were moved out - what was Ms Follett saying? Ms Follett was saying that she could understand it, because all governments had to live within their budgets. I agree.

Housing Development - Turner

MS TUCKER: My question is directed to the Minister for Urban Services, Mr De Domenico. It also is in regard to the development in Condamine Street, Turner. I did give the Minister some notice of this question. One of the main objections raised by the LAPAC and the 50 or so residents who attended the meeting last week was that the entrance to the development was opposite the entry to Turner Primary School and just below the crest of a hill. The people at that meeting, including me, went for a walk after the meeting to have a look at how dangerous it was. The architect for the developer stated, however, that this entrance had been approved by the traffic section of the Department of Urban Services. Could you confirm that your department has given this approval and explain how such a dangerous spot is acceptable for an entry to a major housing development?

MR DE DOMENICO: I thank the member for the question. Yes, I can confirm that the Department of Urban Services did give this approval. I cannot tell you why; but I can tell you that it was based on advice from traffic engineers with expertise in that sort of area. I am glad that Ms Tucker thought that it was unsafe when she walked there on the night of the meeting. I certainly have not been there. I will ask the traffic engineers to give me advice on what they based their recommendations on, and I will inform Ms Tucker accordingly.

MS TUCKER: As a supplementary question: Could you also find out whether the department was perhaps considering traffic calming along that road, to try to minimise the danger? Also, would you be prepared to consider the concept of developers who bring that many people into a street taking responsibility themselves for traffic calming?

MR DE DOMENICO: I will have a look at whether the department was looking at traffic calming, and I will take the other part on notice as well.

MR SPEAKER: I suggest to members that, if we are dealing with planning matters, apart from block and section numbers, they also indicate the area of the suburb that they are talking about, because I do not think that we all know the block and section numbers so accurately.

ACTEW Employee - Alleged Corruption

MR OSBORNE: Mr Speaker, my question is to the Deputy Chief Minister, Mr De Domenico, being the Minister responsible for ACTEW. Minister, can you explain to the Assembly why allegations of multiple theft and impropriety made last year against a former employee of the ACTEW media unit were not properly investigated and why this man was allowed to resign, even though, as I have been made aware, the AFP officers felt that this matter totally warranted an official inquiry?

MR DE DOMENICO: In answer to Mr Osborne's question, no, I cannot tell him why that happened, because I do not know the circumstances under which that gentleman is no longer with ACTEW; but I will find out and let Mr Osborne know.

MR OSBORNE: I have a supplementary question, Mr Speaker. Minister, do you think that a matter involving the defrauding of tens of thousands of dollars warrants some kind of external inquiry, and do you think that the allegations should be handled by the AFP Fraud Squad?

MR DE DOMENICO: I am not aware of the allegations. Should the allegations be proved correct, Mr Osborne, the answer to your question is yes.

MR SPEAKER: I also remind members that questions relating to individuals should really be placed on the notice paper, under standing order 117(d).

Australian Public Service - Job Cuts

MR WOOD: Mr Speaker, my question is directed to the Chief Minister, and it refers to a question asked yesterday. Chief Minister, yesterday you said that modelling of the likely impact on our economy of Federal job cuts by your colleague John Howard had been carried out by your department. That is what you said. Would you indicate to this house what is the result of that exercise and what are the likely impacts of those reductions?

MRS CARNELL: It is very difficult, as I said yesterday, to give a likely impact of a number when we do not know what it is; but, as we all know, the sorts of impacts on the ACT of reductions in the Australian Public Service would be in areas such as, obviously, construction, rates, all sorts of charges and so on. Also, of course, there would be the extra costs to the community of having in it people who may not be

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fully employed. I think, Mr Wood, you should have a look at a press release that I put out last week, which suggested that it is very difficult, obviously, to determine how many people could or could not go, because we simply do not know at this stage; but the cost to the ACT of the sorts of figures that some State Premiers were talking about, very irresponsibly, last week was in the many millions of dollars. That is the cost to Canberra. That is the reason why we simply cannot allow Canberra to be targeted or picked on by the Federal Government.

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

**NATURE CONSERVATION ACT - DETERMINATION AND
EXPLANATORY STATEMENT
Papers**

MR HUMPHRIES (Attorney-General and Minister for the Environment, Land and Planning) (3.00): Mr Speaker, pursuant to section 6 of the Subordinate Laws Act 1989, I present Determination No. 29 of 1996, which was made pursuant to the Nature Conservation Act 1980 and published in *Gazette* No. S66 of 15 April 1996, together with the explanatory statement. I move:

That the Assembly takes note of the papers.

The biological resources of the Territory are an irreplaceable community asset, part of our natural heritage which we have a particular responsibility to maintain and protect for both current and future generations. A fundamental aspect of responsible custodianship of our natural heritage is knowing what is in need of particular conservation attention. I am referring to those native species and ecological communities that are at risk of extinction if prevailing threats to their continued survival in the wild are not managed adequately. Under the provisions of the Nature Conservation Act 1980, the Flora and Fauna Committee has been established with responsibilities that include advising me of species and communities that are threatened with extinction and recommending that they be formally recognised by declaration. The committee is an expert scientific group and its advice is determined on nature conservation grounds only and in a regional context.

Today I have tabled my declaration of species and an ecological community that have been determined by the Flora and Fauna Committee to be under threat of extinction. They are classified according to the degree of threat. A species may be declared as either vulnerable or endangered and a community as endangered. This declaration is my acceptance of the first determinations made by the committee following establishment of its assessment criteria in July 1995. The committee has rightly focused on those items that are in most urgent need of conservation attention - Canberra's native grasslands, flora and fauna. This declaration recognised the regional significance and special conservation requirements of Canberra's native grasslands and a number of their component species. In doing so, it reflects findings of the State of the Environment Report and supports recent planning decisions for development of the Gungahlin Town Centre and the urban environment of Gungahlin.

The Government has been conscious of the special conservation needs of threatened species in the Territory.

Ms Follett: On a point of order, Mr Speaker: I understand that Mr Humphries is speaking under the heading of presentation of papers.

MR SPEAKER: Yes.

Ms Follett: Could I comment that we do not appear to have had anything presented to us. Are we going to?

MR SPEAKER: They are coming, I understand. They are being prepared for distribution.

MR HUMPHRIES: They have been made available. Presumably, they are on their way. They will be made available shortly, I understand.

MR SPEAKER: I apologise. They will be circulated.

MR HUMPHRIES: The Government has made a significant contribution to conserving the region's biodiversity by reserving almost 500 hectares of grassland habitat in Gungahlin, which will assist in the conservation of the striped legless lizard. This area also includes about 170 hectares of native grassland, an endangered ecological community also in need of special protection. Further research is being undertaken to determine the conservation needs of grassland communities elsewhere in the Territory. In this regard, officers of the Commonwealth and Territory governments are collaborating in several areas where interests coincide.

Declaration is an important initial step in the conservation process for threatened species and communities. It establishes a sound scientific basis for the examination of conservation requirements and the development of planning and management priorities. Declaration also initiates certain statutory processes to ensure that conservation issues are addressed. The Conservator of Flora and Fauna is obliged to develop a conservation action plan in response to each declaration. An action plan will identify the issues involved and outline proposals for improved conservation of the species or communities. Species that are declared as endangered, that is, the threat of extinction is immediate, will be subject to the highest level of statutory protection available under the Nature Conservation Act.

This declaration is a significant event for nature conservation in the Territory. It is the first functional outcome of important work being undertaken by the Flora and Fauna Committee and is a credit to the dedication and expertise of its members, led by Dr Jill Landsberg. Over time I anticipate further declarations as evidence of this Government's continuing commitment to conservation of the biological diversity of the ACT. I commend the instrument to the house.

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MR WHITECROSS (Leader of the Opposition) (3.05): Mr Speaker, without having the thing in front of me, I am somewhat hamstrung.

Mr Humphries: Adjourn the debate.

MR WHITECROSS: No, it is okay. I want to say something. I was following what Mr Humphries had to say. Mr Speaker, this is a welcome first step in this process in two ways. It is a first step in terms of being the first list of species which are being identified as endangered in one way or another, and it is also the first stage of a process of drawing up conservation strategies in relation to those species. From that point of view, it is very welcome, and I think it would be widely welcomed by the Canberra community. What they have done here is to focus on temperate grasslands as the first stage, which is very prudent. As we know, Canberra has been developed in a way that has focused on development in the grassland areas and in the woodland areas. The remaining areas of those habitats are more limited and, therefore, the species that make up the grasslands and the species that inhabit the grasslands are the ones that are in the greatest danger of being vulnerable or endangered. It therefore makes sense to start from that point.

As we go out from grasslands to woodlands and then up into the subalpine, alpine and dry forest areas, I am sure that there will be further declarations made. I think it is very appropriate that we start off in the areas of greatest danger, perhaps in many ways the areas that are least understood, the areas that are, by and large, outside the declared national parks and, therefore, in many ways are not as high in the consciousness of the community at large as are some of the alpine and subalpine areas of the ACT. These areas have attracted a lot of attention in recent times because the environment community has been very concerned that they were being overlooked and forgotten, and this is a welcome start down the road. We are building on the declaration down the track of reservations in relation to native grasslands in Gungahlin, as the Minister mentioned. I think this is a positive move. We look forward to seeing the kinds of conservation strategies that are developed in response to this declaration.

MS HORODNY (3.08): I think the comments the Minister made in regard to this are very valid. I would also like to remind the Minister that species cannot be conserved in a glass jar, as I think Ms Landsberg said on the radio this morning. In other words, the ecological communities are where we protect these species. I would remind the Minister again about Ginini Flats, which was listed as an internationally important wetlands area. The corroboree frog is found in Ginini Flats, so it is very important that that area is protected. There was some discussion and some media comment about a disagreement between us on that issue, not surprisingly.

We have only six rangers to look after what is essentially 40 per cent of the ACT, which is totally inadequate. I think we have to look at increasing the number of rangers we have in our national park. Despite all the fine things that governments say about Namadgi and how proud we all are of it - and we are indeed very proud of it - it is critical that we look after that national park, and particularly the areas within it that are particularly sensitive or are internationally important, such as Ginini Flats. It is a subalpine bog complex and it can be destroyed very easily by, for instance, a fire. There are a lot of threats to that type of ecosystem. There was a similar subalpine bog destroyed recently in Tasmania by a careless individual who set fire to it. It cannot ever be replaced.

I urge the Minister to consider very carefully the management of those very special areas within Namadgi National Park. The corroboree frog, which we are trying to protect and which now has been identified formally by the Flora and Fauna Committee as a vulnerable species, is found in Ginini Flats and nowhere else in Namadgi National Park. In order to protect this frog, we need to look at protecting Ginini Flats. That is the point that I am making.

MR HUMPHRIES (Attorney-General and Minister for the Environment, Land and Planning) (3.11), in reply: I thank members for their support for this process. It is a continuing process, as the Leader of the Opposition indicated, and I hope that this will be followed up with a number of other appropriate declarations. I want to indicate that the Government was very pleased to be able to nominate the Ginini Flats wetlands for the purposes of the Ramsar convention held last month in Brisbane. I hope that this is the beginning of a continuing process and that further treasures will be added to its vaults, so to speak. Mr Speaker, I hope that that process, having been put in place by the Assembly, is one that we will continue to support.

Question resolved in the affirmative.

QUESTIONS WITHOUT NOTICE

Belconnen Remand Centre

MR HUMPHRIES: May I provide some more information about a question I took on notice during question time? Ms Follett asked me what free issue was in respect of the Belconnen Remand Centre. I am advised that free issue is essentially the provision of cigarettes to prisoners who cannot afford to buy them, and it does not include what is called an AIDS kit, which includes bleached condoms and information about their use. I am not quite sure why the free issue of cigarettes should have been discontinued. If Ms Follett is interested, I will find out the reason for that.

Mr Wood: Saving money.

MR HUMPHRIES: I do not know that that is the case.

Ms Follett: Yes. It is in that minute.

MR HUMPHRIES: That may be the reason. I do not know; but I am quite happy to find out, if Ms Follett is interested.

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ADMINISTRATION AND PROBATE (AMENDMENT) BILL 1996

[COGNATE BILL:

FAMILY PROVISION (AMENDMENT) BILL 1996]

Debate resumed from 28 March 1996, on motion by **Mr Humphries**:

That this Bill be agreed to in principle.

MR SPEAKER: Is it the wish of the Assembly to debate this order of the day concurrently with the Family Provision (Amendment) Bill 1996? There being no objection, that course will be followed. I remind members that in debating order of day No. 1 they may also address their remarks to order of the day No. 2.

MS FOLLETT (3.13): Mr Speaker, the Opposition will be supporting these two Bills. The Bills together grant to non-married domestic partners rights to the estate of a person who has died without having made a will. A domestic partner is defined as a person who lived with the deceased in a domestic relationship where one partner provided personal or financial commitment and domestic support to the other for at least two years continuously. At present such domestic partners have no rights to the deceased's estate. They must fight legal battles through the courts and it is entirely conceivable, Mr Speaker, that these legal battles may cost as much as, if not more than, the value of the estate which is in dispute.

This legislation continues very extensive work done by Labor in government to give proper recognition and rights to people in relationships other than legally sanctioned marriage. My former colleague Mr Connolly tabled a discussion paper and draft legislation on this subject in the Assembly in October of last year. I think it is a shame that in his speech in presenting these two Bills the Attorney-General was not generous enough to acknowledge the work that had previously been done on this subject.

Mr Speaker, the ACT Assembly has led the way for other parliaments in the definition and recognition of domestic partnerships - that is, people who live together in circumstances of mutual care and support, in conditions where an expectation of common property holdings, or at least a claim by one party to a share in the property held by the other, will arise. The concept has been very carefully crafted to depend not on the sexual nature of the relationship but on the concept of shared support and care. We have had previous domestic relationships legislation which dealt, in effect, with the rights of the living, and the current Bill deals, at least in part, with the rights once one of those partners has died. I think that the Bills quite properly give property rights to people such as same sex partners, carers, de facto partners with children of that relationship, and so on.

Mr Speaker, this is a further step forward in law reform in the Territory. It is one which I very much welcome and, as I said, it continues a law reform process which was commenced and promoted by Labor in government and which my former colleague Mr Connolly sought to continue even though he was in opposition at the time.

We do support the Bills, Mr Speaker. I think it is very important that, as a community, we are able to take these kinds of steps without the kind of hysteria or name-calling which has marked such debates in other jurisdictions. I commend the Bills. I am very pleased to see Mr Humphries bring them forward. If there are other steps to be taken that achieve the same recognition of people's rights and the recognition that all cannot be fixed in the courts, I would be very pleased to consider those favourably as well.

MR MOORE (3.17): Mr Speaker, in rising to support this legislation, it is with great pleasure that we give recognition, as Ms Follett has done, to the reform process that has been going on through this chamber for some years. We can debate such issues in a logical and rational way. The overall view of the chamber now, just as it was under previous governments, is that we recognise people's rights as people rather than use labels to marginalise them and to reduce their rights.

Despite all the criticism that has been levelled at the ACT Assembly since self-government, I find, when I go interstate and talk to people in other places, that they recognise that this legislature is able to debate rationally and logically a whole range of issues. They do not seem to be able to manage the same level of debate in other places. That is not just a positive reflection on this legislature. It is also a positive reflection on this community as a whole. I think it is something that we all feel proud about, Mr Speaker.

I compliment Mr Humphries on continuing the process started by previous governments. I hope that this process will continue across a range of other areas where people's rights are affected, not because they are individuals but because they are in some way associated with one group or another. It is a positive step forward. I applaud Mr Humphries and I am proud to lend my vote to supporting this legislation, just as I did in the case of previous legislation of a similar nature.

MR HUMPHRIES (Attorney-General) (3.19), in reply: Mr Speaker, I thank members for their support for this legislation. In some ways it is not easy to change the way in which the law has operated for generations with respect to the entitlements of family members in the event of a death, but it is important that we keep elements of the law which need to change in light of other developments up to date. The domestic relationships legislation which Mr Connolly introduced into this place a couple of years ago has led to an anomaly in this area of the law where we recognise that while people are living they have certain claims on other people on the basis of a certain relationship with them but we do not recognise a commensurate obligation with respect to people who have died. It is very often the case when people have died that the fulfilling of obligations occurs by way of bequests in wills or other benefits from the estate of a deceased person. Mr Speaker, this is a process that has been going on for some time and I certainly acknowledge Mr Connolly's contribution to that. My party was very pleased to support that legislation when it was originally put forward. We did so unstintingly and we do so again today.

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I make one small reference to an issue which the Scrutiny of Bills Committee raised in its report. It referred to the fact that there could be viewed to be an element of retrospectivity in the way in which the legislation both creates rights and in doing so, in a sense, removes rights as well. Take the case, for example, of the estranged wife of a man who has had a relationship with another person for, say, five years. That man on his death would, before the change in the law - that is, at the present time - leave his estate to his wife if there was an intestacy. Under the new law, on the death of that man the estate will pass to his new partner in its entirety. Mr Speaker, that could be said both to create rights in the new partner and remove rights from the spouse. That is true and the Assembly does take a decision, in a sense, to alter the situation with respect to the rights of parties in that circumstance; but it does so quite deliberately because it acknowledges that there is an inequity in the present situation. In order to properly acknowledge the rights of people as they now stand, rights which have grown up because of a relationship with a particular deceased person, there is a need to alter those rights and obligations, and this legislation does so, albeit retrospectively in respect of some people.

Mr Speaker, I acknowledge that the Government has considered that question but has decided that that is an issue which, nonetheless, should be put in this form. We could provide that this legislation operates only for those, for example, who make wills subsequent to the passage of this legislation, or who were born or who form relationships after the legislation is passed. That would be unnecessarily onerous, I think, for those who are presently suffering from a lack of recognition. I hope that there will be acknowledgment of that, therefore, through this legislation.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

FAMILY PROVISION (AMENDMENT) BILL 1996

Debate resumed from 28 March 1996, on motion by **Mr Humphries**:

That this Bill be agreed to in principle.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

LEAVE OF ABSENCE TO MEMBER

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

That leave of absence be given to Mr Kaine for 17 and 18 April 1996.

RED TAPE TASK FORCE Report and Papers

Debate resumed from 21 February 1996, on motion by **Mr De Domenico**:

That the Assembly takes note of the papers.

MR WOOD (3.24): Mr Speaker, it has taken a little time for this matter to be debated. It has been on the notice paper day after day.

MR SPEAKER: Red tape, Mr Wood!

MR WOOD: It seems to me to be a reflection of the Government's priorities. Another reflection of the Government's priorities is a speech from the now Minister when he was on this side of the Assembly last year or the year before. He was commenting on proposed developments at the Tuggeranong Town Centre, and he said words to the effect that "We" - that is, the then Opposition, the Liberal Party - "will wrap this up in so much red tape that nothing will happen". That is very clearly imprinted on my memory. Now he claims that red tape is a bad thing, and he wants to get rid of it. We all support that; let us be clear about it. We do not want unnecessary red tape.

Let us look at the planning issues, for example. Bear in mind that a lot of the red tape is what this Assembly has demanded - what the community has demanded - so that it may have access and proper processes to work through, as in the case of urban developments that the Greens were asking about at question time. Call it red tape, if you like; but there is a lot of administrative procedure that is gone through which is to protect community rights.

To quote from the Minister's speech:

The primary purpose of the task force was to inquire into, and report to government on, regulatory processes where red tape appeared to impose unnecessary cost or disadvantage on the Canberra business sector.

That emphasises the point that I just made, namely, that sometimes - indeed, very often - there is benefit in that red tape; it is needed. Let us help the Canberra business sector. We all agree with that. But there are costs that we will not bear and there are limits that we would not wish to be exceeded. Let me make it very clear that, conceptually, we may agree with diminishing red tape; but, at the same time, we will not agree to reducing our rights in this Assembly and the rights of people in the community.

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Having said that, I am somewhat cynical about this report. Let us look at the recommendations in that report. They have pretty well all been accepted. We are going to get a Minister for red tape. A Minister is being designated to take control of this. I wonder whether this is the long-rumoured fifth Minister. Why do we need a Minister? We are going to have a unit. We are going to establish, presumably, a new unit in the bureaucracy. We are going to have a business regulation review unit. Bear in mind that we are getting rid of red tape. What else are we going to have? We are going to have a panel of business representatives to give advice on certain matters. So, here is another group that has to be serviced. Someone has to provide the secretarial work and do all of that organisation.

What else are we getting? Each agency is going to develop a range of further reviews, in this case of explanatory material. That is fine. I am not sure that we need recommendations to spell that out in great detail. I wonder whether many in the community will be satisfied with some of the other red tape we are going to get - because that is exactly what it is. We are going to get regulatory needs analyses. Someone, somewhere in our bureaucracy, is going to sit down and analyse proposals to see whether or not these regulations are fine. I would have thought that was part of routine administration; but now we are going to go out of our way to do that.

Each government agency is going to prepare a regulatory plan, and we are going to have guidelines for regulatory enforcement. Let me hope that this does get rid of unnecessary red tape - red tape that nobody wants. Let me also hope that, in doing so, we do not set up a whole new bureaucracy and a whole lot of new strands of red tape. That is the way it looks to me. There is one point in the report that I agree with. That is that we have to look to culture. I think it is the bureaucratic culture and governmental culture - and I will include myself in that in the time that I was a Minister - that does wrap this up. I have listened to debate in this Assembly over seven years now, and a lot of that debate has been focused on increasing red tape, or, to put it another way, to put in processes where people beyond the bureaucracy can have some measure of control or some measure of influence.

So, I do have concerns about just how far this is going. Let us change the culture indeed. If we could induce a culture change - and I acknowledge that that is very difficult - we might do away with red tape that nobody wants. I emphasise "nobody". But this looks to me very much like a bureaucratic report, and I ain't convinced that it is going to get rid of red tape.

MS TUCKER (3.31): I also am interested in making a comment on the Red Tape Task Force report. The exercise was undertaken as part of fulfilling obligations to the competition principles agreement that legislation must be reviewed to make sure that it is not anti-competitive; but the Government broadened the scope of the review to include an examination of areas which place unnecessary burdens on business. I studied this report as part of my work for the Select Committee on Competition Policy Reform. Page 5 of the task force report caught my eye, where it reads:

The ACT Government broadened the scope of the review in the ACT to include an examination of any areas which place unnecessary burdens on business.

I would like to make two points briefly today and then make a few comments on some of the recommendations. The first is that I recognise that red tape is a problem for small business, and unnecessary bureaucracy often places large burdens on business. One reads in the report about the number of forms people have to fill in, the processes they have to go through and what that actually costs them. It is obviously quite inappropriate, and it needs to be tidied up. But the Greens would not support measures to remove so-called green tape, or safeguards which protect workers or the community. While this report focuses on reducing the administrative costs to business of complying with legislation and regulations, the Greens are concerned that measures which protect the environment may be weakened.

A major thrust of the report is voluntary compliance by the business sector, which is quite clear from recommendation 33. It reads:

The Task Force recommends that the ACT Government prepare guidelines for regulatory enforcement which acknowledge that the greater proportion of resources and endeavour should be devoted towards obtaining voluntary compliance by business.

How is this Government, or how are future governments, going to make sure that voluntary compliance is working? Any reliance on voluntary measures from business must be accompanied by the Government assisting business to meet environmental targets; otherwise, there is a real danger that standards will be reduced. Mechanisms for monitoring voluntary regulation are essential if we are not to see a possible decline in standards. Of course, with that comes a preparedness to take strong action if voluntary measures are not being adopted satisfactorily.

Recommendation 16 is that the integrated environment protection legislation be subject to a business impact assessment. This question was asked by the Australian Conservation Foundation in the competition policy inquiry, but it is worth repeating here: Why is the onus always on the environmentalists or community groups to defend their position and show how measures to protect the environment are not affecting competitiveness, rather than the onus being on business to prove that environmental standards are not being reduced or that society is not being harmed in some way?

Recommendation 28 is about review of legislation and regulation. There is a 10-point plan for regulatory review, with a panel of business representatives. It is essential to have wider community representation on this panel. We must have environment, consumer and community representatives on it also, or there is definitely a danger that there will not be balanced outcomes. We cannot trade off short-term economic considerations for long-term social, environmental or economic considerations. Also important in this process is implementing consultative mechanisms between the public and private sectors.

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This should also include the wider community, because the ninth dot point talks about “developing a culture of service”. This would be more possible if there were dialogue with the people being served; that is, the community, or “consumers”, as they are being called these days.

Another point that we would like to see added is developing a culture of integration of principles of environmentally sustainable development, including the precautionary principle. Too often, the presumption is that environmental protection is a cost. We have to break through this deadlock where business and environmental interests, or business and social interests, are pitted against each other. If the Government were more forward thinking, it would realise that environmental protection should not be a cost to business; it is often a benefit, and it is certainly a long-term benefit for the society and the ecological systems as a whole. But, as long as we have reports telling us that it is a cost, this archaic culture will continue, and the ACT and Australia will continue to drag behind the rest of the world.

Recommendation 31 recommends that the guidelines for the preparation of business impact assessments be the subject of consultation with peak business groups. Once again I ask: Why only consultation with business groups? The Greens would want to see consultation with a broader range of interests.

It is interesting to see Mr De Domenico adopting all the recommendations with such great relish. I was happy to meet with the task force myself and to provide some input. I do think that there are valid points made in this report and there is some important work to be done; but the flavour of the report concerns me. I support Mr Wood's concerns on that level. Also, one has to wonder a bit about how many little bureaucratic empires are being set up within this report. It certainly is something that you have to ask yourself about at the end of it. A business regulation review unit and various processes are being put in place. The very strong focus on putting business first is a concern. We would wish to see as much enthusiasm being put into an assessment of the long-term impacts on the environment and on the community of our present economic activity.

MR DE DOMENICO (Minister for Urban Services and Minister for Regulatory Reform) (3.37), in reply: I thank members for their comments. Mr Speaker, as members are aware, the Government has a strong commitment to regulatory reform - a commitment that it has demonstrated by the range of initiatives it has introduced since taking up government. The establishment of the Red Tape Task Force exercise was a high-priority, and perhaps a high-profile, commitment on the part of the Government, and the implementation of its recommendations is being treated in a similar manner.

Mr Speaker, when I provided the Government's response to the report of the Red Tape Task Force, I advised that, with the exception of those recommendations relating to changes to the land and planning system in the ACT and one other recommendation, all of the task force's recommendations had been agreed to either fully or in principle. The recommendations relating to the land and planning system were considered concurrently with the findings of the Stein and Mant/Collins inquiries. The Government's response to the Stein report and the Mant/Collins report was presented by my colleague Mr Humphries at the last sitting.

The acceptance of the recommendations contained in the report of the Red Tape Task Force will enable this Government and governments in the future to put in place an appropriate program of action to combat red tape problems in the ACT. The task force considered it essential, and the Government has agreed, to formally identify a Minister within Cabinet as holding responsibility for regulatory reform. It is no surprise. Mr Wood, it will not be a fifth Minister. The task force believed that the appointment of a Minister would send a strong message to both the public sector and the private sector that the Government places regulatory reform as a high priority on its agenda and that it recognises that a leadership role is required from within the Government. The Chief Minister has agreed that I take on this role. In this capacity, I will report to the Legislative Assembly in a year's time on the progress of the implementation of the Red Tape Task Force report.

Work is proceeding with regard to the implementation of the recommendations. A very senior officer has been appointed as a project officer - actually, he has been reappointed, so there is no new appointment involved - to oversee and coordinate the implementation of the key recommendations. He is working closely with staff of the business regulation review unit, which is already in existence within the Department of Business, the Arts, Sport and Tourism. Consistent with one of the recommendations of the task force, the Attorney-General's Department has already moved to gain business input in relation to business law, and it recently advertised for nominations to join the working party. The setting up of this working party will further enhance the material that the Attorney-General's Department presently makes available electronically to the private sector. Also, we have already consulted the business community with regard to the drafting of new guidelines for regulatory needs analyses and business impact assessments, as proposed by the task force.

In conclusion, I reiterate that the ACT is well placed to achieve a regulatory system that is more efficient than that of any other State or Territory and one that can provide the most favourable environment to foster economic growth and community well-being. Given the regulatory reform initiatives being implemented by other States, there is an urgent need for the ACT to address regulatory problems and to put in place comprehensive processes to ensure that the ACT can establish and maintain an efficient regulatory infrastructure.

Mr Speaker, I note that the new Federal Government is proposing to set up a similar task force to review the impact on business of government regulation. I would expect the outcomes of this review to be complementary to the initiatives that we are already taking in the ACT. With that in mind, I was delighted to hear that Mr Prosser, the Minister concerned federally, was quite happy to take on board some of the recommendations of the Red Tape Task Force in order once again to avoid red tape by duplicating the work already done by this committee. Unless the ACT provides an attractive regulatory environment in comparison to those of the other States and the Northern Territory, there is a real likelihood that business investment will be attracted elsewhere.

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I welcome Mr Wood's comments. I shared his concern when I first read the report, thinking that the process might be highly bureaucratic. But I assure Mr Wood that the Government has put in place a process that will not allow that to happen. There will certainly be no expansion of bureaucracy or red tape in order to attack red tape. I need to comment also on the fact that, whilst Mr Wood's comments were mostly positive, there seems to be a tendency towards negativism. It is probably contagious, with leadership changes and all sorts of things - - -

Mr Moore: Nervousness.

MR DE DOMENICO: There seemed to be even a nervousness in Mr Wood's usually very sensible comments; but we can excuse him for that because negativism seems to be contagious, depending on who the leader is.

Ms Tucker talked about competition being one of the major thrusts for the setting up of the Red Tape Task Force. I say that that was not the case. It was a firm and very public election commitment made by the Liberal Party prior to its being elected in 1995. I think we can say that another one of the promises has been delivered. I am also delighted that both Mr Wood and Ms Tucker did recognise and say that they both considered that red tape was a problem. Ms Tucker also talked about green tape. I can assure Ms Tucker that, through the excellent work being done by my colleague Mr Humphries, there will be no weakening of environmental protection as a result of any of the recommendations made by the Red Tape Task Force.

Ms Tucker also talked about voluntary compliance. With some of the things in the Territory Plan, the laws and regulations, and some of the environmental legislation that Mr Humphries has put on the books and is administering, there will be very heavy policing of voluntary compliance by the business community in terms of environmental protection. The ACT does not drag behind the rest of the world in terms of legislation for environmental protection. Nothing that the Red Tape Task Force recommends will alter that.

There were comments made about putting business first. My response to them is that we know that, notwithstanding which political party is in power federally or here, the main thrust of job creation in the Territory is going to have to come from the private sector. We note that there was very little done by our predecessors in enhancing the role of the private sector and in ensuring that it has the wherewithal to provide those jobs. Perhaps some of the recommendations of this Red Tape Task Force, when implemented, will make sure that employment opportunities in the Territory are expanded. Finally, Mr Speaker, I thank the members for their contributions to the debate.

Question resolved in the affirmative.

CHILD ABUSE AND NEGLECT - MANDATORY REPORTING
Ministerial Statement

Debate resumed from 17 October 1995, on motion by **Mr Stefaniak**:

That the Assembly takes note of the paper.

MS REILLY (3.43): Mr Speaker, it is very heartening to see that the Government has presented this statement outlining the action it is taking that is going to lead to the introduction of mandatory reporting. Child abuse is a very grave and shameful crime in our community. It is something that, luckily, now we no longer ignore and pretend is not happening. It is good to see the Government taking action in this area. Before the introduction of mandatory reporting one thing is absolutely essential. We have to have training. It is good to see that there is a program outlined within this statement. But it is even more important that we have sufficient resources available after its introduction. There is no point in introducing mandatory reporting, training people, and then having no resources to deal with reports that come in. In the ACT, according to this statement, we have a fair idea of what will be the likely outcome of its introduction in terms of the number of reports. We are meeting the national average in terms of reporting now. So, we have a good idea of the size of the problem within the ACT. If we are going to introduce mandatory reporting, we have to have sufficient resources for action to be taken immediately after a report is received, so that the most appropriate investigation takes place as soon as possible. There is no point in a report on abuse coming in and then, six months later, there is an opportunity for someone to follow it up. That is why I cannot emphasise too much the importance of the need for resources after its introduction.

The ACT must also be prepared for some increase in reporting following all the publicity and action within New South Wales. The information and evidence coming before the Wood royal commission is likely to have some impact in the ACT as well, as we border New South Wales and as some of these people are likely to be in the ACT and may wish to take matters further. So we must be prepared for that as well. Unfortunately, the abuse of children does not happen to a timetable. We must guard against complacency that the abuse will not happen until we actually introduce mandatory reporting in June next year. I will be looking to the budget allocation for 1996-97 - because mandatory reporting comes in on 1 June - to provide adequate resources for managing the reporting system after it is introduced and looking to the budget system in future years. I look forward to receiving further reports on the success of the introduction of the training. Those comments aside, it is good to see some action on mandatory reporting being taken.

MR OSBORNE (3.46): Mr Speaker, I would like to join this debate only very briefly this afternoon. I have to say that I have had my speech prepared for about 12 months, I think. That is how long I have been waiting. I am just glad that we have finally got around to finishing this matter. As I have said, it has been on the notice paper for a fair bit of time.

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As other speakers before me have all stated, Mr Speaker, child abuse is an extremely serious issue and, as the elected members for the Territory, we need to treat it as such and come up with a serious solution. Child abuse is such a force of destruction that its effects, even when dealt with properly, usually take years to work through, and, tragically, many children do not ever recover. From personal observation and having spoken with a number of people who work in the field, I know that this insidious problem is widely spread across Canberra and, as has become apparent, throughout all levels of our community. As legislators, our response to this abuse must be to provide these innocent ones with the protection and the care that they need.

Mr Speaker, I have made no secret of my opinion that, in order to do this properly, we do need mandatory reporting - and we need it now. This question has been asked several times: We already have a high incidence of reporting now, compared to other cities in Australia, so why make it mandatory? This comparison may be true; but there are still kids in our city who need the protection that only mandatory reporting will give them. I do not share that view that our children will be worse off once it begins. The extra expense will be well worth it if we save the life of even one little child. Mr Speaker, as everyone here knows, I come from the part of Canberra that has the most children in it; so, I have been particularly keen for mandatory reporting to begin.

I am actually very pleased, Mr Speaker, that, for once, we are going to do something that is not a social experiment, since mandatory reporting has already been tried and tested around the world, as well as in other parts of Australia. I am also pleased that something is happening at long last and that the mandatory process is being done properly. However, I am disappointed that it is all a bit slow in happening. So, like some of the other speakers before me, I would like an assurance from the Minister that the Government is giving this whole issue the kind of priority it deserves.

Mr Speaker, if I have one criticism of the Minister's statement, it is that it seems a bit scant on detail in areas. I was hopeful that this statement would have shed some light on why the chosen process was, in fact, chosen. I must say that I was more in favour of the gradual mandating of professions, as this covered all of Canberra in some way; whereas, as it stands now, more than two-thirds of the children in Canberra will have to wait for a number of months yet before they are all covered. I did mention, during the budget debate, how suspicious I was that it just happened to be the relevant Minister's own electorate that was covered.

I would also like to hear from the Minister about what is happening at Family Services to speed up their processes so that they can cope with even their current workload. I understand that, for the last two or three years at least, there have not been anywhere near enough staff to cover the job of following up child abuse or neglect reports. So, I hope that something radical is happening in that area. I would also like to know, Minister, whether there is anything new being done in the way of preventive measures that would help families before they get into this kind of crisis. Mr Speaker, serious abuse and neglect are some of the worst things that can happen in a child's life. So, once again, I would like to encourage the Government to give this matter a greater deal of urgency and priority.

MS TUCKER (3.50): Mr Speaker, I support what the other speakers have said, of course. The extra comments I make are, once again, to do with resources. That has already been mentioned; but it has to be stressed over and over again. If we are going to start mandating these sorts of actions, if the support is not there, then there can be very dire consequences. As everyone else has said, our children must be protected. The situation may be no worse than it ever was. Maybe we just know more about it now. But, because we know about it, it would be absolutely dreadful if we did not take appropriate action. In terms of looking at long-term and short-term costs and benefits, if you look at the profile of people in gaol, homeless people, mentally ill people and drug addicted people, you will find in those groups a very high representation of people who were abused as children. Mandating is only one aspect of the very big issue of child abuse and its prevention. As the Community Law Reform Committee said in its report, the problem of child abuse is complex, and it is a mistake to think that the law and the law alone can provide a solution. The law must operate in tandem with other measures, such as public education, training of professionals and the appropriate resources.

Child care is an interesting area here. We have Federal funding for child care, which gives priority mostly to working parents. Very often, if there were more support, just in terms of child care, for children in families that are very highly stressed, you would relieve the pressure on those families and also you would give the parents or carers the opportunity to get support of another kind, because everyone recognises that very often abusers of children were themselves abused or have personal difficulties that are quite extreme. We have an obligation to take appropriate legislative measures to protect children and to bring abused children to the notice of the authorities. Therefore, we really must provide services to deal with the situation. The 1988 Victorian Law Reform Commission report on sexual offences against children, quoted in the ACT Community Law Reform Committee report on mandatory reporting, concluded that, with adequate resources - I emphasise that - mandatory reporting is an efficient and effective mechanism for the detection of child abuse.

As well as training, an issue that has been highlighted as important is the need for targeted education programs. But we have to think about other preventive measures as well. The Greens are concerned about long-term costs, and I stress once again that we must take the long-term view of these issues and put the work in at the beginning. It is about early intervention, which has come up over and over again. The Government's approach to training sounds quite reasonable. I would like to ask the Minister whether he can report to the Assembly on the success of the training in the first catchment area, which was apparently due to be completed by 30 April. I would like to have some kind of feedback about how that went.

I think the issue of Family Services has been dealt with. We have to see a commitment from this Government to looking at how Family Services is working. It is coming over loudly and clearly in discussions with anyone who works in this area that that department is not functioning well, that it needs more resources and that there is a crisis of morale in the department as well, as a result of the lack of resources. Already, this work is extremely stressful. If you are underresourced as well, I think it is asking too much of people. We await with interest further initiatives from the Government in this very important area.

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MR STEFANIAK (Minister for Education and Training and Minister for Children's and Youth Services) (3.55), in reply: Mr Speaker, I am gratified to have heard during this debate what amounts to a substantial level of support for our implementation of mandatory reporting of child abuse. Let me just take on board a couple of statements made by members. Mr Osborne and Ms Tucker touched on the actual Family Services Bureau and its staffing. Mr Speaker, at present, staffing is possibly better than it has been for some time, in that, largely, all the positions there are filled. It was a different situation when we took over. There were some 12 positions which were not filled, which we had to fill in May last year. So, I say to Ms Tucker, especially, that there have been significant improvements there, compared with the situation in the past.

This is a very serious area, Mr Speaker. Like Mr Osborne and perhaps some other members here, I have certainly seen a number of instances of child abuse - especially during my work as a prosecutor. Both child abuse from within the immediate family of the child and child abuse from close relatives and friends, or so-called friends, are very common and all-too-frequent occurrences. Of course, this is really being highlighted now with the New South Wales inquiry into paedophilia and ancillary matters such as that. Needless to say, people who abuse children abuse their trust and, I think, commit possibly one of the most serious criminal offences we have on our statute books. It is an insidious problem. It is something that governments and, indeed, communities at all levels have to address.

When I announced our plan, Mr Speaker, I indicated that we needed to adopt a graduated approach in relation to the implementation of the legislation. Such an approach is critical to successful implementation. We did look in some detail at whether we should mandate certain groups of professionals to start with; but the basic concept of adopting a gradual approach was so that we actually had something to build on - a means of actually assessing what we were doing and just what additional services would be required. We must build into the implementation of this legislation a means of assessing the impact on our service provision of mandating. That is critical in order to be able to achieve two things effectively and efficiently.

The two critical outcomes that we must achieve in the course of this process are, firstly, the ability to manage newly reported cases of children at risk in a way which is best for the children and families involved. We must do this in a way which will meet their needs, with as high a quality of support services as we can possibly provide. The second critical outcome is the ability to protect the services we currently provide and the children we are currently caring for from the type of destabilisation which can so easily result from sudden and ill-planned demands on services of this type.

It must never be forgotten that it is the best interests of the child that is the very reason why we are even debating this issue at all. Children who are in very vulnerable circumstances and for whom we - the Government and the ACT community - have a responsibility are the ones who matter here. This Government believes that it is vital to ensure at least that it is mandatory for all professionals who work with children to report suspected abuse. But, beyond that, we believe that it is also essential to ensure that,

once the incidence of such abuse is demonstrated, the Government is in a sound position to actually do something about it. That is why this Government, unlike the previous Government, has finally driven the legislation to the point of implementation. It is why we have devised a strategy for implementing the legislation that best protects the interests of all the children we care for now, as well as those we will care for in the future.

I might ask, Mr Speaker: Where was the previous Government's plan to ensure the safety and care of the children at risk in our community? We had to wait for a while for any announcement of a strategy. It should be noted, of course, that we are the ones who are actually doing something now. Needless to say, I was heartened by the positive comments Ms Reilly made in this debate. She raised some very valid and reasonable points, too, might I say, Mr Speaker. As members know, we allocated money in the last budget to provide a viable base of trainers. In fact, we have appointed a mandatory reporting trainer, who has started work, allowing us to get on with the very important training element of our strategy. This is a vital improvement on the abysmal void in the resourcing and attention to this issue we saw during the previous Government's term of office.

Ms McRae: They have been trained to death. It is time you put in some resources instead of bagging the Opposition.

MR STEFANIAK: We have done that. You did absolutely nothing.

Ms McRae: Just get on with it. It is just nonsense. These people have been trained since the beginning of time. In 1988 they were first trained. Just get on and put some resources into it.

MR SPEAKER: Order!

MR STEFANIAK: It is little wonder that Ms McRae is getting a bit touchy. It is because we are actually doing something. Maybe she can take a leaf out of her colleague's book, in terms of making some positive comments in relation to this.

Ms McRae: Perhaps you can find some real history instead of reinventing it.

MR STEFANIAK: You are touchy on this, aren't you?

Mr Speaker, I return to the issue of the way in which this Government will make sure that these children are looked after. There would be little to be gained by stretching existing resources to the point where the support we provide to the children is compromised. As well, the need to take a graduated approach to implementation is greatly increased in the face of the relative rate of reporting in the ACT. In spite of reporting not yet being mandatory in the Territory, we already do have a rate of reporting which is equal to the national average. The experience in other States is that, once training in mandatory reporting is complete, the incidence of reporting increases. We must have a measure - some evidence of the impact of this phenomenon in the ACT - and we can respond to that measure, if need be, in future resource allocations.

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I believe that the plan we have developed to achieve this measure and to get mandatory reporting in place in this Territory is the best one for the ACT. It meets the needs of all the children we are responsible for protecting in a way that will not compromise the services we have in place to do so. Mr Speaker, I commend to this Assembly the Government's plan for the implementation of mandatory reporting of child abuse and neglect in the ACT. I, too, will certainly be keen to get details from the first area where training has commenced and will fairly shortly come to its conclusion.

Question resolved in the affirmative.

ADJOURNMENT

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

That the Assembly do now adjourn.

Canberra Cultural Centre

MR WOOD (4.02): Mr Speaker, members know of my interest over a long period - over three parliaments - in the Cultural Centre for Canberra. I was delighted, therefore, to pick up this brochure from a display in the foyer upstairs, which explains all the exciting concepts of our Cultural Centre, which will comprise - I am telling you what you know - the city gallery and the heritage centre, and the way that they will work with the community to provide a vital centre, not something that is static and fairly dull. There is a deal of information in this well-prepared and useful brochure. But there is one bit of information that is missing, and it is perhaps, at this stage, the most important bit of information. It is, Mr De Domenico, where the centre is going to be. It does not tell us.

Mr De Domenico: Where would you suggest, Bill?

MR WOOD: I would suggest that building straight opposite the fountain.

Mr De Domenico: And where would we put the people who are there in that building?

MR WOOD: Had I remained in the job I once had, Mr De Domenico, I would have satisfactorily accommodated them. I think it is your responsibility now to see that that happens. It was always expected that the Cultural Centre would go there. I believe that it is the only place for it. I did indicate to the Minister on one occasion that, if he thought it absolutely impossible to put it in the North Building, a second choice - and not a very happy second choice - would be the construction of a new building on the car park beyond the North Building. But, there is no question that the Cultural Centre must be in the heart of Civic, as part of a plan - which, I believe, is agreed by all members - to enliven Civic, to make it the cultural heart and the living, breathing heart of Canberra. Therefore, I was disappointed, when I picked up this brochure, to see that the Government still has made no decision. There is only one decision: Put it in that building across the way.

ACTION Services

MR WHITECROSS (Leader of the Opposition) (4.05): Mr Speaker, I feel compelled to rise to talk about cuts to ACTION bus services, which is a matter of great concern to me and, I am sure, to a lot of other residents of Tuggeranong. Mr De Domenico tried valiantly to deflect criticism from himself yesterday in response to a question from Dorothy Dix, masquerading on this occasion as Mr Hird, in one of his lame defences - paralleled by the lame defence that he gave today of his decision to offer a benefit to rural lessees but not to other small business people. In both cases his defence consisted of much blathering and not much actual rebuttal.

Mr De Domenico claimed that these changes were made after consultation. Mr Speaker, I must say that, if you had blinked, you might have missed the consultation, because it was not very inspiring. Months of consultation it was, according to Mr De Domenico. He also claimed that the drivers involved were all positive about the new timetable and were brimming with enthusiasm. Mr Speaker, my understanding is that the transport workers agreed to implement the new timetable but were far from positive, and they have a number of unresolved issues which they are continuing to negotiate with ACTION. That does not sound like an enthusiastic and positive response. I would suggest that, far from me being out of touch with what the drivers think, perhaps Mr De Domenico is.

Mr De Domenico claimed that I misquoted figures and statistics which he supplied. It is an interesting claim, because, in fact, in all of his defence he has not cited one figure or statistic which I have misquoted. Mr De Domenico has not rejected my claim that 20 per cent of services in Tuggeranong have been cut; he has not rejected my claim that 360 services will be cut in the new timetable; he has not rejected my conclusion, from a representative week, supplied by Mr De Domenico's department, that 20,000 passenger journeys will be affected each week by the reduction of services. He has not; and why? The reason why Mr De Domenico has not rejected any of these things is that they are all true. So, Mr De Domenico is on fairly loose ground in trying to actually refute these allegations, because he knows that they are all true. Mr De Domenico has cut services, and has most significantly cut them in his own electorate of Tuggeranong.

You can always tell when Mr De Domenico is out of his depth. Either the Chief Minister takes the issue off him and does it herself or Mr De Domenico sends his public servants out to answer the criticisms on his behalf. And so it is, Mr Speaker, on this occasion. Mr Flutter was left with the unenviable task of trying to explain the indefensible to the community about how Mr De Domenico had cut the services. Mr De Domenico did not want to hand over the information about how many people used the services. The reason he did not want to hand over the information is that he knew that it would reveal that a significant number of people were going to be inconvenienced by these changes. The information demonstrates that, far from cutting and rationalising services that no-one used, which is Mr De Domenico's consistent claim - "All these buses were empty", he says - far from that being the case, 20,000 passenger journeys a week will be affected.

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Mr De Domenico carried on yesterday about increasing passenger loading by implementing a new timetable. I suppose that, if you chop out 10 per cent of the services across the network, then you force more people onto fewer buses. But you may also force commuters out of the system altogether. ACTION's own commuter survey last year showed that ACTION users would prefer more frequent services, even if this meant longer journeys. What Mr De Domenico has done is offer ACTION commuters less frequent services. It is obvious that Mr De Domenico has not read the survey. So much for being out of touch with the needs and wants of commuters! It is Mr De Domenico who is out of touch.

Rather than explaining why he has cut 91 services in Tuggeranong, which will affect 5,000 weekly passenger journeys - that is 91 services and 5,000 passenger journeys affected each week in Tuggeranong, his own electorate - the rhetoric we have had to endure from Mr De Domenico about cutting services that no-one was using has proved to be false. He finished off his answer yesterday with the nonsense, which is repeated again and again, that it would be cheaper to send a taxi. It is cute rhetoric, Mr Speaker; but we all know that Mr De Domenico has no intention of sending out taxis. He contributes nothing to the debate with that nonsense rhetoric, and it is time that he forgot the rhetoric and started thinking about how he is going to provide a better bus service, not a worse one.

MR SPEAKER: The member's time has expired.

ACTION Services

MR OSBORNE (4.10): I will speak very briefly, Mr Speaker, on the issue that Mr Whitecross just spoke about. I, too, have a lot of concerns. The one thing I would like to say is that you can look at bus figures and the number of people that use buses; but, unfortunately, in Tuggeranong, the majority of people who use those services cannot afford a car. I am a little bit disappointed that a lot of the needy people out there will be disadvantaged. I just hope that Mr De Domenico took that into consideration when he made this decision. But I basically agree with what Mr Whitecross has said.

Legislative Assembly - Standards of Behaviour

MR BERRY (4.11): Mr Speaker, I rise to take up the issue of declining standards of honesty in this place. This goes back beyond the recent censure motion, where the Chief Minister was found to have misled this Assembly.

Members interjected.

MR SPEAKER: Order! Mr Berry has the floor.

MR BERRY: Mr Speaker, the Liberals opposite laugh about one of their number misleading the Assembly. That is how they regard this place. Displaying that sort of attitude to this Assembly is the reason why it is held in disrepute.

Mrs Carnell was censured for misleading this place because of her reckless claim about savings that would be made in relation to the visiting medical officers at our hospital. Mrs Carnell was found guilty on that score. She lied to this Assembly. Mr Speaker, not only has that followed in the wake of her refusal to implement her election policy, where she lied to the community - who will forget the 50 beds? - but also it has been followed time after time by deliberate attempts to mislead this Assembly and create the impression that something was occurring which was not. For example, Mr Speaker, we heard Mrs Carnell screeching about the 18,000 separations in the Commonwealth Public Service over the period of the Hawke and Keating governments. The impression that she was quite dishonestly trying to create was that this had cost jobs in the ACT. Of course, that was grossly dishonest and untrue. The facts of the matter are that the numbers of jobs in the ACT for the period from 1983 to 1995 had increased. So, the impression that Mrs Carnell was trying to create in this Assembly about employment in the Commonwealth area in the ACT was a dishonest impression, and it does this place no favours.

Mr Speaker, one other matter, which will be of concern to women out in the community who want more choices, was Mrs Carnell's false and dishonest claims about homebirth. Mrs Carnell worked very hard to convince every one of us in this place that everything was okay in the area of homebirth, that it would happen, and that it would happen in March. Mr Speaker, that was a false claim, and it left us all sitting here believing that another positive choice for women would occur. It has not, and it will not, because Mrs Carnell is a captive of the visiting medical officers in our public hospital system. So, this is the woman who has gone soft on the doctors and hard on the community. Mr Speaker, this issue is one of grave concern for politicians in this Assembly, because this place is supposed to be respected. We ask for it to be respected in the community as a place of honesty. Mrs Carnell does not help us in that regard.

ACTION Services

MR DE DOMENICO (Minister for Urban Services) (4.15): Mr Speaker, it would be remiss of me not to correct some of the disingenuous things said by Mr Whitecross. It seems to me that one needs to have things like ingenuousness thrown out of the window and to use statistics just for the sake of using statistics, to use misquotes for the sake of using misquotes. The bottom line when Labor parties are in opposition seems to be that you have to knock and attack all the time. If that does not win, what happens? When people do attack, you turn around and walk out of the chamber so that you cannot hear what is said to you. That is fine, because that is why Labor parties tend to remain in opposition for so long once they get there.

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Just for Mr Whitecross's education in this place and also for his education in being a politician, let me say that Mr Whitecross will learn, once and for all, that it does not pay to knock all the time. Also, it does not pay to say the wrong thing when you are not sure of what you are saying. If Mr Whitecross were to be really truthful in this place, he would say that he was offered a full and total briefing and was advised that the set of figures that he was given was only one week out of the set that was collected over one year. I am aware that his office spent weeks upon weeks comparing one week's figures with a year's timetable. So, if Mr Whitecross had really wanted to be briefed and to know the full truth and the full aspect of the ACTION bus network, he would have accepted the Government's invitation for a full and total briefing. The fact that he has not done that proves once and for all that all he wanted to do was to play politics with the ACTION bus network.

Mr Whitecross would also know that there have been changes made to the network, I think, every year since I have been in this place. Changes were made by his predecessors Mr Connolly and Mr Lamont. What the changes do, Mr Speaker, quite quickly, is redirect those services to the areas where most people want to use them. Yes, they do affect numbers of journeys; but the way they affect them, Mr Speaker, is that you will have fewer buses with no people in them - and I will repeat it for Mr Whitecross's edification - you will have fewer buses with no people in them, which are driving around empty now, than you would have had before this new network came into being.

Had Mr Whitecross known his electorate properly, he would have spoken to the people of Calwell. He would have spoken to people around the shopping centre in Calwell, where the new roundabout went in, where there is one bus stop on either side. I have actually gone out there and doorknocked and spoken to the people of Calwell, Mr Whitecross - the ones that rejected you by voting you in fourth or fifth instead of first, second or third, where the Liberal Party members and Mr Osborne were elected in. I am sure that they would not have talked to you, because probably half of them would not know you anyway.

MR SPEAKER: Relevance.

MR DE DOMENICO: But the ones he would have talked to - Mr Speaker, they have left. There is no-one here. It is a waste of blowtorch fuel, I have to tell you, because there is no-one here. Their support for Mr Whitecross is all over the place. I will not call for a quorum; they would not come back. He is the leader only this week anyway; so, who cares?

The bottom line, Mr Speaker, is this: This Government has a responsibility to the 95 per cent of people that do not use the buses. We would like to have more of those use them, by the way. Perhaps more would use them if they realised that this Government is very fair dinkum about the fact that we will have fewer and fewer buses running with no-one in them. We will have more buses, perhaps even smaller buses and, Mr Whitecross, perhaps even taxi cabs put out to people so that they can be picked up and delivered to where they want to go at the time that they want to travel.

We have a responsibility to make sure that we do not spend \$100,000 per day to subsidise an ACTION bus service that is being used - let us be generous - by only about 6 per cent of the population. We owe it to the other 94 per cent of the population, as well as to the 6 per cent that do use the buses, to make sure that they get a clean, cost-efficient and effective public transport system. If we were not to do that, Mr Speaker, we would be remiss in carrying out our responsibilities as elected representatives.

Mr Whitecross can continue to bleat as much as he likes from the Opposition benches. He is sure to be the longest-serving Opposition Leader in the history of this Territory, although next week that might change. So, Mr Whitecross, live and learn, old son. What this Government is all about is cost-efficiency, making sure that we deliver an effective public transport system. If that means making tough decisions, those decisions will be made.

ACTION Services : Health Services

MRS CARNELL (Chief Minister) (4.19): I will be very brief, Mr Speaker. I think we need to read some things into the record, even if it is in the adjournment debate, because this Government is about actually doing things, not just about bleating about them. Just staying with the ACTION bus services, I think it is extremely important for this Assembly to realise that Mr Whitecross seems to believe that the only way you can get any publicity is to whinge about services not being there. What about the fact that Gungahlin services are up 43 per cent as a result of Network 96? What about commuter express services being up by 16 per cent, including three new routes from Tuggeranong? What about a new Tuggeranong to Belconnen direct express route? What about a Tuggeranong to Cooleman Court direct route? What about extra 60- to 90-minute operations on most routes on Sunday? What about increased capacity on the 333 express services - the ones that are mostly used? What about increased daytime frequency in suburbs, such as the 238, which was previously the 352, which operates at 15-minute frequencies from 9.00 am to 4.00 pm?

What about looking at ACTION buses from a perspective of actually looking at what the community wants, not what those opposite want, which is obviously buses running around in Canberra with fewer than five passengers on board? Many of the services that have been discontinued or amalgamated are ones that had fewer than five passengers on board, on average, which cost more than \$20 a passenger. What we need to get all those people to do is to get into a cab, because it would be much better. Some services carry only one or two passengers. It is those services that we need to amalgamate and we need to change. In fact, an example of the sort of thing that has been done - not the sort of thing that has been belly-ached about - is a service which has supposedly been discontinued. We had two services - one at 6.50 am and one at 7.05 am - departing on route 123. They were carrying 10 and 14 passengers, respectively, on average. What a good idea to have one service at 6.56 am and actually put them all onto one bus. According to Mr Whitecross and those opposite, that is a decrease in services. What a lot of rubbish!

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Then we get Mr Berry hopping up in this place and raving on about health services. The realities are, Mr Speaker, that here is a man who came in with four health budgets that all overran. He overran by \$12m in 1992. I agree that \$14m in 1996 is not much chop either. But I will tell you what - \$12m in 1992 ain't much good either. The difference is that we have 350 people - - -

Mr Berry: And you will be asked to prove that, because it is another lie. You are a liar.

MRS CARNELL: I would like that to be withdrawn, Mr Speaker.

Mr Berry: Mr Speaker, it would be helpful if Mrs Carnell would tell the truth; but, if my calling her a liar will not cause her to do that, I will withdraw it.

MRS CARNELL: We have 350 fewer people on our waiting lists. We have not reduced public hospital beds. In fact, there are a few more in place now - not as many as I would like; but, for all of that, more. We have a 7 per cent increase in the number of patients that we see. It seems to me that, if we see more patients, we have shorter waiting lists. We are getting people off the long-term waiting list. Certainly, we have not managed to address the financial problems at this stage, but we are putting positions in place to do so. It is a damned sight better than four out of four - four blow-outs in four years - 200 fewer public hospital beds, waiting lists going from 1,789 to 4,500, and blow-outs as well, Mr Speaker. How on earth Mr Berry can hop up in this place and even ask a question about health, let alone make a statement about it, absolutely escapes me.

**Legislative Assembly - Standards of Behaviour : Canberra Cultural Centre :
Trade Union Picket - Damage to Legislative Assembly Building**

MR HUMPHRIES (Attorney-General) (4.24), in reply: I have a few comments to make. I do not think I will comment on Mr Berry's remarks. I am sure that we all appreciate the intense irony of the only man ever forced to resign as a Minister in this place for misleading the Assembly lecturing anybody else about telling the truth in this place.

With that to one side, I share Mr Wood's concern about having a cultural centre on Civic Square. I certainly want it to be in a central location, to take advantage of the cultural precinct concept. I do not have the magical money tree that Mr Berry used to talk about a couple of years ago, that would create the money. When Mr Wood follows up his very worthwhile suggestion with the means of being able to deliver on that - some have put at \$5m the cost entailed in supplying the North Building for the purposes of a cultural centre - then I will be all ears and very attentive to his suggestions.

Mr Speaker, the last thing I wanted to raise was the matter of a quite different building - in fact, on the other side of the square from North Building - this building. I was disturbed, as I am sure many other members of this place were, by the damage which was done by picketers outside this place during the recent industrial action.

We all saw the way in which the building was damaged and defaced during that period. There was the cost of cleaning up. There was the cost of cleaning the stickers off the windows. There was the cost to the taxpayer of repairs to the air-conditioning of this building, which was deliberately sabotaged. There was the cost of cleaning charcoal from the front and members entrances after the bonfires run by picketers and, of course, there was damage to a fire exit and a number of other things.

As a government trying desperately to control and use, to the best possible advantage, the limited resources available to the Territory, we are concerned about that wanton destruction and waste. Mr Speaker, you might like to take as a question on notice, in effect, the issue of what that cost was to the taxpayer.

Mrs Carnell: And whether the unions should get a bill.

MR HUMPHRIES: That is another matter also, Mr Speaker, that you might care to consider; but I would appreciate your taking that issue on notice and getting back to me about that.

MR SPEAKER: Very well, Mr Humphries; I will take that on notice and see what I can find out for you.

MR HUMPHRIES: I certainly hope that we can avoid those things in future; but I think that the community needs to know what the cost of that particular incident was.

MR SPEAKER: I will take that on notice and see what I can find out for you.

Question resolved in the affirmative.

Assembly adjourned at 4.27 pm