



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

18 APRIL 1996

Thursday, 18 April 1996

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The Assembly met at 10.30 am.

(Quorum formed)

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

INQUIRIES (AMENDMENT) BILL 1996

MRS CARNELL (Chief Minister) (10.32): Mr Speaker, I present the Inquiries (Amendment) Bill 1996, together with its explanatory memorandum.

Title read by Clerk.

MRS CARNELL: I move:

That this Bill be agreed to in principle.

Mr Speaker, the Government is moving to amend the Inquiries Act 1991 to put beyond doubt the privileged status of reports under the Act. This action is considered prudent in the light of some uncertainties that arose about the privileges and immunities that would attach to the Stein report on leasehold and also the Pearce report on VITAB. Section 14 of the Inquiries Act provides for the report of a board set up under the Act to be submitted to the Chief Minister. The Act, however, indicates no further action. A Chief Minister would, of course, have the option of tabling the report and, once tabled, the report would attract the usual privileges and immunities. The Act, however, is silent on the privileges and immunities that would attach to the report should the Chief Minister make the report available to other MLAs prior to tabling it. This is compounded if the report becomes available and the Assembly is not due to sit for a considerable length of time.

Mr Speaker, the Inquiries (Amendment) Bill 1996 puts the matter beyond doubt. The Bill provides that where the Chief Minister makes public a report of an inquiry submitted to her or him, or makes public part of such a report, the documents will in both cases attract the same privileges and immunities as if they had been laid before the Legislative Assembly. The approach set out in the Bill brings the Inquiries Act 1991 into line with the same immunities and privileges regime set out in the Royal Commissions Act 1991. I think members will find that this is not a contentious amendment. It is simply

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a means of ensuring that reports of this sort are available to MLAs almost immediately upon the Chief Minister's receipt of them, rather than having to wait until the Assembly sits so that they can be tabled. I think this amendment makes sense, Mr Speaker, and I commend the amendment to the Assembly.

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

FINANCIAL MANAGEMENT BILL 1996

MRS CARNELL (Chief Minister and Treasurer) (10.34): Mr Speaker, I present the Financial Management Bill 1996, together with its explanatory memorandum.

Title read by Clerk.

MRS CARNELL: I move:

That this Bill be agreed to in principle.

Mr Speaker, the Financial Management Bill I am presenting today sets new standards in accountability for, and disclosure of, public sector finances. It builds on the framework for new financial management and Auditor-General legislation I tabled in the Assembly in December 1995. The framework document represents the Government's policy intentions. It outlined the principles underlying our financial management reforms. The Bill reflects the results of consultation, further development work, and changes needed to translate policy intentions into legislation.

The existing Audit Act is based on the Commonwealth Audit Act 1901. It is out of date. It is not based on contemporary principles of effective financial management or public accountability. It was an interim, short-term measure. I am very proud of the fact that the Assembly now has the opportunity to redress this, an opportunity to overcome one of the most serious deficiencies in the legislation governing and regulating how the ACT is governed. The Bill sets a new direction. Its prime objectives are to reinforce the primacy of the Legislative Assembly's role in the parliamentary budget and financial accountability process; to promote the highest standards of financial accountability to the Legislative Assembly and to the community; to enhance transparency in budget decision-making at all levels - the Legislative Assembly, the Executive and the Public Service; and to promote improved and better-informed management decision-making.

I would like to turn to the major provisions of the Bill. First, I mention those dealing with the Territory budget and appropriations. Mr Speaker, the Bill, in clause 7, provides for automatic supply to enable processes of government to continue while the budget is developed and considered by the Assembly. The existing supply mechanism has been unsatisfactory. The new provision removes the duplication of effort involved in the current process. It incorporates the no-policy-change period for the first part of the new financial year until the budget is passed. It observes the convention adopted by the Assembly in the past that the supply provision should reflect the immediately preceding Appropriation Act.

The Bill introduces the concept of appropriation for outputs. This will promote a greater focus on what is being achieved by the use of public resources. The Assembly will know that considerable work has been done to improve measures of public sector performance. This includes reports of the Estimates Committee and the Public Accounts Committee and of the Auditor-General. This Bill also adds impetus and importance to this. The Bill provides that performance criteria will be subject to independent audit. These criteria will include measures of quantity, quality and effectiveness, timeliness, and price. This reform will enhance the quality of decision-making and improve accountability to the Assembly and to the community. I am undertaking consultations with the community on performance measures to be incorporated in the 1996-97 budget. This aspect of our financial management reform is of critical importance. Considerable progress is being made this year. I trust that this will be built on in future years through a consultative process.

The reforms introduce the concept of government as purchaser of services on behalf of the community. They recognise departments as the provider of services. The reforms will ensure that the customer, rather than the provider, evaluates the service. The concept of appropriation for expenses on behalf of the Territory is introduced in this Bill. Many areas of public expense, such as payment of concessions, are not and should not be substitutable for other departmental activities. They should be subject to separate appropriation by the Assembly. Similarly, the concept of appropriation for capital injections is also being introduced by the Bill. This recognises the numerous reports of committees of this Assembly urging improvement in the funding of capital programs. It recognises that capital is a scarce resource. It also recognises that expenditure of capital resources should be treated as an investment for the future.

Mr Speaker, I would also like to refer to the provisions of the Bill dealing with budget papers and financial statements. A serious deficiency in the existing Audit Act is that it does not establish an acceptable basis on which elected governments should be accountable to the Assembly or to the community. It is silent on the nature of budget documentation. The only audited Territory financial statement it requires is the aggregate financial statement. This does not relate to the budget and is an inadequate statement for accountability purposes on any measure. This is the case, notwithstanding the importance of adequate accountability to the Assembly and the community's right to know how its resources are being utilised.

The Bill establishes a number of important principles. Firstly, it enshrines the principle that budget and financial statements should be prepared in a comparable form, with the application of consistent principles. Secondly, it establishes minimum disclosure requirements for the nature of budget documentation and financial statements. This does not preclude provision of additional documentation, including that necessary to meet intergovernmental agreements. Thirdly, the Bill requires the presentation and reporting of the budget on a full accrual basis. Most Australian governments have a commitment to the introduction of accrual accounting. This was supported by the previous ACT Government.

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Accrual reporting alone is a significant advance. It ensures disclosure of assets and liabilities. It identifies the full cost of services and full revenues rather than just cash payments and receipts. The real value of this disclosure will not be achieved unless budget estimates are also developed and presented on a consistent basis. This will ensure that government planning and management decision-making take full account of all costs of services provided. It will ensure that the Assembly and the community are aware of how efficiently and effectively public resources are being used. Importantly, it will provide a more meaningful and objective basis on which to discriminate between good and poor financial management. For too long public sector managers have not had adequate financial information on which to base management decisions. The reforms to budgeting and reporting embodied in this Bill will place much greater emphasis on how well public sector assets and liabilities are managed. The reforms will enable a greater focus on maintenance of our buildings, infrastructure and community assets.

Mr Speaker, the Bill embodies other important reforms and continues those aspects of the Audit Act 1989 that remain relevant and important. I would like to touch on just a few of these aspects. For the first time, the Bill formalises the process of settling the budget of the Legislative Assembly. It recognises the Assembly's independence from the Executive and the desirability of formal consultation. The Assembly is not bound by the Bill to observe requirements for performance measures applying to its own functions. I trust, however, that the Assembly will elect to disclose this information in the interest of public accountability.

The Bill simplifies the accounting structures applying within the ACT public sector. The multiplicity of trust accounts will no longer be needed. Trusts will be restricted to genuine trust moneys. The Bill will facilitate more efficient cash management. It will enable the Territory's borrowing requirements to be more closely aligned to its real cash deficit. It will enable maximum benefit from investment of cash balances. Previous arrangements placed significant impediments in the way of efficient cash management.

The Bill incorporates the concept of net appropriations. This will enable greater flexibility in meeting the demands where sufficient revenue is generated to cover costs. The Bill discontinues the provision in the current Audit Act which enables the Treasurer's Advance to be increased through actions of the Executive. The Bill will not allow transfers from capital to recurrent purposes after the budget is brought down. The Bill introduces additional disclosure requirements for variations to estimates below the appropriation level. The Bill continues the standing appropriation included in the Audit Act 1989 to meet borrowing expenses. As at present, estimates of borrowing expenses will continue to be included in the annual budget and appropriations. This provision is, however, of more than symbolic significance. It recognises the Territory's obligation to meet its external debts.

The Bill sets out the financial responsibilities of chief executives. This includes responsibility to observe appropriation limits. The Bill also requires chief executives to comply with accrual budgets, considered by the Assembly when it authorises an Appropriation Act. These measures in no way reduce the overriding responsibilities of Ministers. They make explicit responsibilities which are implicit under the current Audit Act. The measures reinforce the concept that departmental appropriation

limits should not be met simply by reducing services, or by deferring costs to future years, or by running down assets. Mr Speaker, in conclusion I would like to emphasise that this Bill contains no agenda other than a commitment to accountability, improved management and greatly improved transparency and disclosure. The Bill is one of the most significant reforms of my Government. I commend the Bill to the Assembly.

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

AUDITOR-GENERAL BILL 1996

MRS CARNELL (Chief Minister and Treasurer) (10.46): Mr Speaker, I present the Auditor-General Bill 1996, together with its explanatory memorandum.

Title read by Clerk.

MRS CARNELL: I move:

That this Bill be agreed to in principle.

Mr Speaker, the Auditor-General Bill 1996 and the Public Sector Management (Amendment) Bill 1996, which I will table next in the Assembly, complement the reforms introduced by the Financial Management Bill. The objective of these Bills is to promote full public accountability for public sector activities and the use of resources. This requires that members of the Legislative Assembly, as elected representatives of the public, be provided with accurate and complete information on the legality, efficiency and effectiveness with which public sector activities and resources are managed. The Auditor-General Bill brings together provisions relating to the Auditor-General that are scattered throughout the existing Audit Act. It introduces a number of new concepts to reinforce the independence of the Auditor-General. The Bill also clarifies existing practices and provides for the Auditor-General's office and functions.

I would like to address some of the more significant aspects of the Bill. The Auditor-General Bill significantly reinforces the independence of the Auditor-General from the Executive. It recognises the unique responsibilities of the Auditor-General in reporting to the legislature independently of the Executive. The Bill provides that the Executive's power to appoint an Auditor-General is subject to veto by the Public Accounts Committee. The Bill requires that the budget of the Auditor-General's Office be subject to prior consultation with the Public Accounts Committee. It proposes that the presiding member of the Public Accounts Committee provide the Treasurer with a draft budget for the Auditor-General's Office. It is intended that this relate primarily to performance audits the costs of which are not recovered by audit fees. The Bill also enables the presiding member of the Public Accounts Committee to request the independent auditor to conduct a performance audit of the operations of the Auditor-General.

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The Bill specifically provides that the Auditor-General is not subject to direction by the Executive, or any Minister, in the performance of the function of the Auditor-General. These measures are supported by the provisions of the Public Sector Management (Amendment) Bill. This Bill places the Auditor-General's Office in the same position as the Office of the Director of Public Prosecutions in relation to staffing matters. It will ensure the strict independence of the Auditor-General's Office.

The Auditor-General's responsibilities have been extended beyond financial management audits and performance audits. The Bill reflects the principle that the Auditor-General should have the widest possible scope in reviewing public sector finances. The Bill confirms the Auditor-General's role in the audit of public sector companies, joint ventures and trusts. The Bill includes, in the functions of the Auditor-General, the audit of accounts and records of any person, body or thing ascertained in accordance with the regulations. This is intended to ensure coverage of public sector activities which do not take a traditional corporate form. The Bill reinforces the powers and functions of the Auditor-General, including the Auditor-General's role in promoting public accountability in the public administration of the Territory.

The Bill formalises the Auditor-General's role in conducting performance audits. Whilst this has been accepted practice in the past, performance audits are not referred to in the current Audit Act. The Bill also enables the Auditor-General to report to the Assembly on any matter arising in connection with the Auditor-General's functions. It provides for independent audit of the Audit Office itself. These provisions overcome serious deficiencies in the existing Act. The Bill also protects the public interest through strict confidentiality provisions. Mr Speaker, I believe that this legislation represents a firm commitment to open and independent scrutiny of government activities. I commend the Auditor-General Bill 1996 and the Public Sector Management (Amendment) Bill 1996 to the Assembly.

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

PUBLIC SECTOR MANAGEMENT (AMENDMENT) BILL 1996

MRS CARNELL (Chief Minister and Treasurer) (10.51): Mr Speaker, I present the Public Sector Management (Amendment) Bill 1996, together with the explanatory memorandum.

Title read by Clerk.

MRS CARNELL: I move:

That this Bill be agreed to in principle.

I have already spoken in my previous speech about how this Bill fits in with the Auditor-General Bill 1996 and the Financial Management Bill 1996.

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

ELECTRICITY (MISCELLANEOUS PROVISIONS) BILL 1996

MR DE DOMENICO (Minister for Urban Services) (10.52): Mr Speaker, I present the Electricity (Miscellaneous Provisions) Bill 1996, together with its explanatory memorandum.

Title read by Clerk.

MR DE DOMENICO: I move:

That this Bill be agreed to in principle.

Mr Speaker, this Bill modifies provisions of the Electricity Act 1971 in relation to the licensing of electrical contractors and electricians and the inspection of electrical installations. In October 1994 the Electrical Licensing Board was established and replaced ACTEW as the authority for granting electrical licences. During the transition period between the previous and new arrangements, ACTEW continued to issue and renew licences until November 1994. Although not all licence holders are actively engaged in electrical work in the Territory, a portion of the 100 licences issued during this period remain current. Mr Speaker, this Bill will validate these licences, removing any question of liability of the Territory should a holder of one of these licences carry out illegal work.

The Bill also amends the principal Act to allow for the making of regulations to exempt a percentage of electrical work from inspection. The intention is to require the person responsible for an electrical installation to test it and provide the Department of Urban Services with a copy of the test results. The department will inspect and test specific parts of all new installations and a selection of other parts of new installations and additions to existing installations. The frequency of inspections will depend on the performance of the person responsible for the work. This will allow the ACT to implement a national agreement to reduce electrical inspection to a percentage of work.

The inspection and certification of electrical installations function has been transferred to the Department of Urban Services in line with the corporatisation of ACTEW. Currently, the Act limits the power to inspect to authorised officers of the ACTEW Authority. Transitional arrangements for the appointment of inspectors were made by way of regulation under the Electricity and Water (Corporatisation) (Consequential Provisions) Act 1995. However, these arrangements expire on 1 July 1996, and this Bill will provide for permanent arrangements to be made and validates appointments made under the transitional arrangements. Mr Speaker, these amendments are necessary to validate present arrangements and will enable more cost-effective control of industry.

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

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PUBLIC ACCOUNTS - STANDING COMMITTEE
Report on Inquiry into Voluntary Parent Contribution Scheme

Debate resumed from 29 February 1966, on motion by **Ms Follett**:

That the report be noted.

MR STEFANIAK (Minister for Education and Training) (10.55): Mr Speaker, as members will remember, I tabled the Government's response to the Standing Committee on Public Accounts report on the voluntary parent contribution scheme in the ACT school system in this Assembly on Thursday, 28 March this year. My thanks go to the committee for its inquiry into this matter. While over 98 per cent of all funding for government schools is provided by way of appropriation and grants, voluntary parent contributions, in both financial and non-financial terms, play a very significant part in the life of a school.

In financial terms, some \$3m is raised annually among ACT government schools from voluntary contributions and fundraising. This is a very important source of discretionary funds to supplement the funds schools receive by appropriation. It is pleasing to see - it was perhaps not unexpected - that the vast majority of school submissions received by the committee supported the parental contribution scheme and wanted it to continue. It is worthy of note that parent contributions to our school system have been around for a very long time. I can recall two from my school days at Narrabundah. One was a general levy and one was a subject contribution. The general levy was for things like textbooks. I can remember my parents paying about \$16 in about 1967, just after decimal currency came in. The other one was a subject levy. I was doing metalwork at the time, and I can recall my parents having to pay - or maybe I had to pay it from pocket-money - about £3 for my metalwork. All I can remember producing that year - I was not a terribly good metalwork student - was a little sugar scoop, which I found out later, when I looked in some shops, cost considerably less than £3. That goes to show that contributions and subject levies, which are talked about in the report, have been around for a long time.

Mr Speaker, the committee has drawn attention to the voluntary nature of these contributions. I want to take this opportunity to emphasise that voluntary contributions, and I include subject levies in this category, are just that - voluntary. If parents choose not to make that contribution, then no student should be discriminated against as a consequence. This is a fundamental premise which all previous governments have stood by and one which we will reinforce at every opportunity. The Council of Parents and Citizens Associations has written to me recently citing examples of students being denied access to courses because of non-payment of subject levies. Some school handbooks omit to mention that subject levies are voluntary, and that concerns me. I have asked the department to investigate and to take steps to rectify that situation. But, Mr Speaker, we do encourage parents to make these contributions if they can. There is a long tradition of such contributions in government schools, and they represent a source of discretionary funding and a degree of flexibility which schools value.

It is very useful, Mr Speaker, to look at government schooling from the perspective of supply and demand. The demands on school systems continue to grow in response to parent and student expectations and needs, but available government funds do not always grow at the same rate. The funding made available to school boards through parental contributions injects an increased element of choice and flexibility into school communities to enable them to respond quickly to the needs and demands of their own students. The school community makes its own decisions about the relative importance of access to such funds. These decisions are reflected both in the level of contribution the community is prepared to make and in the choices it makes in spending that revenue. This makes parental contributions a source of funding which gives school communities an increased role in the outcomes that can be achieved for their students.

Mr Speaker, the issue is not about situations where some parents are unable to make contributions. Schools have always had confidential arrangements to assist students in these cases. The issue is about the impact felt on a school when parents who have the capacity to pay choose not to make the contributions but expect to receive the benefits made possible by the contributions of others. In such cases, for example, schools may need to consider whether to continue with a relatively expensive elective when it is clear that not all parents are willing to contribute. Where a shortfall in discretionary funding from voluntary contributions occurs, neither the Government nor schools are committed to providing funds to cover that shortfall.

Mr Speaker, I believe that there will always be a tension - and, I want to stress, a healthy tension - between the aspirations of a school community and a government's ability to fully fund these aspirations. This Government has honoured its commitment to maintain education funding over the next three years. The 1994-95 government schooling budget has been adjusted annually by the CPI to provide an additional \$20.3m by 1997-98.

Mr Wood: It is going down.

MR STEFANIAK: I would remind Mr Wood, who is interjecting, that this year's budget, the 1995-96 budget, of \$206.3m is the highest in the Territory's history. This, Mr Speaker, is in contrast to other ACT government agencies, which are required to make substantial savings to ensure that the Territory lives within its means. Within that funding commitment, per capita grants to schools will be maintained in real terms over the life of this Government. As well, any school operating funds which are devolved to schools for them to manage under school-based management arrangements will also be maintained in real terms.

Mr Speaker, many of the committee's recommendations involve increasing the level of the appropriation funding to schools. Since, as I have already said, we have honoured our commitment to maintain funding, any additional funds for schools must come from within the government schooling program. I have earlier made the point that neither the Government nor schools are under any obligation to fund any shortfall in discretionary funding due to a fall-off in voluntary contributions. Within that framework and within existing resources, the department, in consultation with stakeholders,

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will continue to work to improve efficiencies and to direct available resources to meet new and emerging priorities, including increasing the level of discretionary funding to schools. Initiatives have been taken jointly with schools to make available resources go further.

We fund a range of important areas within the department. We are supporting a diverse range of demands in areas such as services for students with special needs; student support services; Aboriginal and Torres Strait Islander initiatives; reading recovery and learning assistance; initiatives in the area of outcomes and reporting; improved information technology access for schools; English as a second language services; the swim and survive program; and the arts - the Jigsaw theatre program. But there will still be other areas which particular school communities see as important to their student population. This is where the discretionary income derived from parental contributions comes into its own.

However, Mr Speaker, the Government acknowledges that the issue of voluntary parent contributions is a sensitive and complex matter. We will ensure that the department provides assistance to schools on communicating with parents. School boards will be required to give clear and consistent messages to parents on the policy and the uses made of voluntary contributions. Recommendation 16 and our response are very important, because the passage of information to parents is crucial.

Ms McRae: Why did you take so long to do it, then?

MR STEFANIAK: It was done last year as well, Ms McRae. I can give some anecdotal evidence. A number of schools and boards I have spoken to have indicated that where the passage of information is good they have a very high rate of parental contributions. One in Belconnen that springs to mind is about 80 per cent. I spoke to a member of the P and C executive several months ago on this subject. At the school his child attends, a primary school, the contribution rate is about 80 per cent as well. Telling parents what the contribution is for is crucially important. In the light of the committee's findings, I have also asked the department to review arrangements for communicating and negotiating with schools on resource issues. This review will be conducted in consultation with school communities. A review of the qualification criteria for Commonwealth disadvantaged schools funds will also be undertaken.

Finally, we will continue to encourage parents to make the contributions if they have the capacity to do so. Schooling functions as a partnership between parents, communities and schools - and the contributions, both financial and otherwise, made by parents are a very important part of this partnership. In saying this, I am also mindful that schools must continue to monitor the overall cost to parents of extracurricular activities, such as excursions and formals, to ensure that demands are kept to a minimum. Mr Speaker, my thanks again go to the committee for its report. I commend to the Assembly the Government's response to the report of the Standing Committee on Public Accounts on the voluntary parent contribution scheme in the Australian Capital Territory.

MS TUCKER (11.04): I would like to make a few points about the Government's response to the committee's report on the voluntary parent contribution scheme. While some of the recommendations were taken up, I have some concerns because I feel that the key recommendations, which obviously are connected to budgetary commitments, were not accepted. The committee made recommendations which had budgetary implications because it had genuine and serious concerns about equity in our public school system. Several of the recommendations were concerned with that issue, as were many of the public submissions.

The response to recommendation 1 states up front, "We have a bottom line here for education. That is not changing". The response to recommendation 3 is that voluntary contributions are not part of the school funding base; they represent discretionary funding. We keep hearing that. I do not know why it is; but, if you talk to schools or if you are a parent of a child in a school, that is not what you are told. You are told that if you do not pay voluntary contributions the school will not have chalk and books. There seems to be some problem of communication. It does not appear to people in the community that it is discretionary funding. Because the Government keeps claiming that it is, they are not committed to making up any shortfall in this funding. The obvious consequence of that is that socioeconomically disadvantaged schools that feel that they need this money for basics are going to be in a difficult situation.

Recommendation 6 recommends the establishment of a fund to assist in participation generally, in the extracurricular activities or whatever. The response is, "Leave it to the schools". Students from a school in Campbell may go on an excursion to New Zealand, but students from a school in Tuggeranong may not be able to go to the local national park because for many of them it is very difficult to find the money. The recommendation on an appropriate definition of a disadvantaged school was not given any serious consideration. The response said, "We already have those sorts of definitions, but we will look at the matter". It seems to me that within the ACT there are schools that are seriously disadvantaged and some that are not quite so seriously disadvantaged, but surely we should be looking at this in a more flexible manner and being responsive to the particular needs of schools at different times, because obviously they are changing. I am aware that processes are in place to some extent, but the committee was saying, "Let us be more responsive and not quite so black and white".

The response to recommendation 12 was that the Government has a policy on voluntary contributions and discriminatory practices. That has always been there, but that has not been very reassuring to parents of children or to children who are discriminated against. We have a policy, but the reality is different. Why is the reality different? Schools are stretched and finding it difficult, and it is not going to get easier. It is a question of the Government accepting responsibility, not saying, "Schools are not allowed to discriminate. We are okay. We have said that". If the reality is that discrimination is happening, then you have to work out why and do something to prevent it.

Recommendation 13 requests a fund to finance core high school and college elective subjects. The Government's response was, "No. It would be administratively cumbersome", and so on. That is a perfectly reasonable response on one hand, because you probably do not want to be breaking up the normal funding system, pulling out money, then regiving it and so on. Once again, the committee was obviously

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very concerned about what is happening with elective subjects in schools. The reality is that people are getting into the position where they will not feel able to take on a subject like photography because there is a subject levy or fee which is quite high. If we are talking about public education and equal access to that education by all people in the ACT, we have to be concerned about the way this Government is going.

MR HIRD (11.09): Along with my colleague Mr Stefaniak, I thank the Public Accounts Committee for its report on the voluntary parent contribution scheme. I am sure that every member in this chamber appreciates the sensitive nature of the issues surrounding the concept of parental contributions to government schooling. Those comments made in the report which indicate some lack of clarity in conveying to parents the voluntary nature of contributions are certainly a concern. These issues will be investigated. Parents should be fully aware of the voluntary nature of the scheme. On the other hand, Mr Speaker, parents, students and community members should also be fully aware of the benefits that voluntary parental contributions bring to students and the school community. Voluntary parental contributions offer schools, through their school boards, the opportunity to satisfy their community's aspirations for the education of their children. In an ideal world these aspirations could be fully funded by government, or by parents, because, of course, there would be no poverty.

Mr Speaker, in addition to this, revenue from voluntary parental contributions places school boards in a major decision-making role in a way which school communities value highly. Decisions made by the school communities for those school communities are going to better target the needs of students. This has the consequence of achieving better outcomes for our young people. After all, that is what excellence in education is about - achieving the best outcomes possible for students. Voluntary parent contributions enhance the quality of the education which the larger community, through government, gives to our students.

Having said that, Mr Speaker, I want also to make it clear that we are not looking to this scheme as a way by which government evades its own responsibilities in providing quality of education. We are not taking that path. This Government's position on voluntary parental contributions is in the centre of the mainstream of present and past practices around Australia. After all, Mr Speaker, there is a long tradition of parental contribution schemes in all States and Territories. My colleague Mr Stefaniak referred to it earlier. When I attended school I was in the same situation as he was. In fact, as we have said many times, this Government is maintaining education funding in real terms this year and over the next three years. However, at a system level, the Government feels the same growing demands and pressures as schools feel at the community level. We too are committed to responding to those demands and pressures.

Initiatives have been taken jointly with schools to make available resources go further. I particularly want to mention initiatives in the information technology area, because the committee saw this as a critical issue and the Government agrees with that committee on this point. Bulk leasing arrangements, on very favourable terms, have been negotiated to enable schools to acquire new computers without having to outlay the initial capital up front. These arrangements are also being extended to photocopiers. Most colleges and all new schools are being connected to the ACT Government data network and they are being assisted to install local area networks.

During 1995-96 primary schools will receive around 180 computers acquired from government departments. Although the computers are not new, they will be well received by the students and the teachers. They provide a valuable learning resource for students. The former Follett Government did not see it that way.

Ms McRae: Buy them new ones.

MR HIRD: I hear the squeaky whinings of the person opposite, but there was no activity whatsoever under her Government. Most schools now have easy and inexpensive access to the Internet. We are also contributing to the Commonwealth's development of an Australian education network, commonly known as EdNA, which will provide access to curriculum and course material and a communication medium with other teachers and students around the country. Mr Speaker, all new schools are being cabled for information technology, and the department is exploring options for a rolling program for upgrading cabling in all schools. This Government is doing that. Of course, many schools are acquiring information technology through the efforts of their own communities and sponsorship.

Again, I thank the Public Accounts Committee for the inquiry and the most useful information it revealed. The dilemma of scarce resources being divided up amongst growing needs, Mr Speaker, is one that will always exist. But this Government believes that, in a partnership with school communities and remaining mindful of the precarious financial circumstances that some families suffer, we can resolve this dilemma to our mutual benefit.

MR MOORE (11.15): Mr Speaker, I seek leave to speak again to this report.

Leave granted.

MR MOORE: The reason I am motivated to speak to this issue again, Mr Speaker, is that I took the opportunity to speak to Public Accounts Report No. 11, the report on the voluntary parent contribution scheme, before the Government's response had been submitted. I believe that I waxed eloquent on how well the report had been put together and congratulated the Public Accounts Committee. I believe that their suggestions were very positive ones. Then we had the Government's response. I would say that if I were the Minister I would be embarrassed. This would be the most contemptuous response to any committee report we have had in this Assembly in seven years, without a doubt. It has basically dismissed in one way or another almost all the recommendations. If it has not rejected them outright, it has certainly used verbiage to get around them.

In response to recommendation 1 the Government suggests that they do all sorts of things in their budget. The recommendation was quite specific. It was not answered, so we can interpret that as meaning that the recommendation was not agreed. Recommendation 2 states:

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That the Department of Education and Training establish a mechanism for ensuring schools have adequate opportunity to be fully informed with regard to, and negotiate with the department on, overall school budgetary needs and problems.

In reading the response, I might be able to interpret that that recommendation is actually agreed; that you already have a mechanism in place. That is good enough; you do not need to do anything else. Perhaps one could interpret that that one has been agreed.

Mr Stefaniak: How about the third paragraph?

MR MOORE: In fact, I refer specifically to the third paragraph. You have basically agreed with it. The department has agreed to review and improve those arrangements. On that, one of the most minor things in the report, the Government has agreed to review its processes. I think you deserve credit where it is due. For that little bit, credit is due. Look at the rest, though - the real issues, the fundamental issues. Recommendation 3 states:

That, if voluntary contributions are to remain part of the school funding base, the Government:

- (a) make an unequivocal statement in support of the voluntary nature of such contributions; and
- (b) that it develop measures to assist those parents who do not have the capacity to make contributions.

Right from the word go, the response states that voluntary contributions are not part of the school funding base. It then puts the arguments as to why they are not going to be. Since you want to draw attention to paragraph numbers, Mr Stefaniak, I point out that the second paragraph states:

The Government is not committed to fund any shortfall in discretionary funding because of a fall off in voluntary contributions.

That is a very different sort of attitude to that expressed by the Liberal Party during the election campaign. This is why you should be embarrassed. Recommendation 4 states:

That the Department of Education and Training, in full consultation, develop a policy of consistency between schools in identifying the bases upon which voluntary contributions are sought.

In effect, the Government responds, "Of course not, because we think schools should be able to do their own thing, and therefore we are not going to try to get consistency. Therefore, we are going to accept that some schools are going to be marginalised". The response to recommendation 5 starts off, "The Government agrees". There is something positive in there after all. So it goes on. The Government supports a couple of other recommendations in principle. But look at recommendation 8. It states:

That the Government clearly establish as an entitlement for all schools, operational equipment essential to education, for example, photocopiers, and that such equipment be provided and maintained at public expense.

We are talking about simple photocopiers. How many of them are in office buildings throughout the Public Service? How many are here in the Assembly? They are essential pieces of equipment. What is this Minister's response? He says, "We put them in new schools". Whoop, whoop, Minister! Of course you put them in new schools. Are we going to accept the same thing for the Assembly? Are you saying that you put them in for the new Assembly and that is good enough? What do you take us for? The Public Accounts Committee went to a great deal of effort to make this recommendation to draw your attention to an inadequacy, and they get that sort of dismissive response. I think it is a most appalling thing.

Mr Hird, talking about photocopiers and the next recommendation, said, "The Government is doing a great job. We are doing a terrific job on information technology". Rather than just reading the speech, Mr Hird, you should have read the Public Accounts Committee report, which your colleague Mr Kaine rightly took out of the politics surrounding such things. He said, "These are real issues that need to be addressed". Then the Minister said, "Blow that. We do not need to address these issues. We will ignore them, because what we are doing in IT is okay. We cable new schools". Of course you cable new schools. Any new building nowadays is built with appropriate cabling for a whole range of things, and quite rightly so. The Minister also said, "Yes, we are cabling some of the colleges". That is my interpretation of what I remember reading.

Mr Stefaniak: All schools.

MR MOORE: The Minister says, "Eventually we are going to do all schools". The Public Accounts Committee is not saying, "Eventually get around to all schools". We are saying that there is an important need; that if we are going to educate our children, if we are going to do it to the best possible standards and if Canberra is going to be recognised as an education centre in Australia - - -

Mrs Carnell: You get the teachers to accept the salary offer we have given them and we might be able to afford it.

MR MOORE: We have an interjection from the Chief Minister, who in this Assembly stands there and says, "Yes, I know that teachers are underpaid". She said that in this Assembly. What does she offer them? She offers them 4 per cent a year. What does 4 per cent do? It just eases them ahead of the CPI.

MR SPEAKER: Order! Relevance, Mr Moore.

MR MOORE: It is relevant, Mr Speaker, because this Government is on about cutting into our whole education system and is not responding to real needs in the education community. It is time we recognised that morale is going to drop unless we give teachers

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the appropriate status they should have in the community - and that means in terms of salaries. It is time you reviewed the offer made to teachers. As far as I am concerned, it is a completely inadequate offer.

MR SPEAKER: Order! Relevance, Mr Moore. We are debating voluntary contributions.

Mrs Carnell: It is better than the one you endorsed.

MR MOORE: It is certainly not, Chief Minister.

Mrs Carnell: It is. It is better than the one you endorsed.

MR MOORE: The Chief Minister suggests that it is better than the one I endorsed. I have not endorsed any as such. I suggested that something go out to teachers some time ago, before a whole series of things changed. Anyway, I do not believe that it is better than that. An offer went out.

At least the Government is up front with reference to recommendation 13. At least it says, "The Government does not accept this recommendation". Its response is not covered up by verbiage. That recommendation recommends the development of a fund to finance core high school and college elective subjects, to be financed by schools on the basis of their enrolments, with a weighting for socioeconomic factors. Because this Government does not recognise that they are very important or vital parts of education, we continue a process that has occurred in the last 10 or 15 years of winding back education in real terms. It has been wound back and back. At least Labor out of government recognises that the situation has gone far enough. At some point we have to draw the line. I understand - - -

Mr Stefaniak: On your theory, Michael, they are really responsible for that. Who has been in power for 10 or 15 years?

MR MOORE: It will be very interesting to see whether they have a different attitude to you when they are in government again.

Ms McRae: We supplemented every time there was a teachers salary rise.

Mrs Carnell: No. What about the last one?

Ms McRae: We did so.

Mrs Carnell: You did not.

Ms McRae: We would have, if we had been in government, Mrs Carnell. That is rubbish.

MR SPEAKER: Order! Ms McRae, you will have a chance to speak, if you wish, on your feet, not by interjection.

MR MOORE: Thank you, Mr Speaker, for protecting me.

The issue here, Mr Speaker, is that this is really a contemptuous response to the Public Accounts Committee. A great deal of work was done by members of that committee to look at the issue of voluntary contributions, and rightly so. It was a significant election issue. We have a contemptuous response to the report. I believe that there is a question that members should consider very seriously. Are we going to accept a contemptuous response like this from this Minister, or from any Minister in fact, or how are we now going to resolve the issue of the Public Accounts Committee bringing down a report that has been endorsed by a majority of members of this Assembly and the Government giving a response that largely ignores the fundamental drive behind the report? Minister, I think you could have done one hell of a better job, even within some financial constraints. Instead, you have been totally dismissive. I think that that reflects an inadequacy as a Minister in this Assembly.

MS FOLLETT (11.25), in reply: There are two things wrong with the Government's response to the Public Accounts Committee's report on the voluntary parent contribution scheme. The first thing wrong with the Government's response is that it treats the report, and hence this Assembly, with the utmost contempt. The second thing wrong with it is that it treats the education system, which the report offered a real opportunity for improving, with contempt as well. On the first point, Mr Speaker, I agree with both Ms Tucker and Mr Moore that the Government has simply ignored, treated with disdain, the major recommendations of this report. This report, it has to be borne in mind, was drawn up by members of this Assembly representing all major groups in this Assembly. It was a unanimous report. It was a report that was informed by submissions from over 80 bodies in our community, among the largest number of submissions ever received by an inquiry.

It is a report that was informed by day after day of public hearings. It is a report that is thoughtful, careful, considered and unanimous in its recommendations. And what do we get from the Government? First of all, Mr Speaker, the new habit of the Government in responding to committee reports is to fling them on the table in the adjournment debate. That is what happened to this one. That is what happened to the Government's response to the Stein inquiry as well. It has to be said that that is a contempt of this Assembly. Any reasonable body of work to which the Government is responding deserves its own debate. In presenting the response in that way, the Government in fact curtailed the debate.

Mr Speaker, in responding - if you could call it that - the Government has, first of all, denied that there is a problem at all, saying, "What was the problem?". If you read this response, you would think that the voluntary parental contribution scheme was operating perfectly; that there are no problems at all; that all the schools have everything they want. That is a total denial of the way that this issue arose. It arose because of concerns expressed by the P and C associations and by the schools themselves. Those concerns were such that the debate on the voluntary parental contribution scheme formed a major part of the debate on election issues prior to the 1995 election. The concern was such that the current Minister for Education announced a policy that the voluntary scheme could become mandatory; that they could be compulsory fees. The concern was such that my own party announced that we would abolish the scheme.

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But now we are asked by the current Minister to believe that there is no problem; that all those people who are expressing concern - the P and C associations, the unions, the schools - were somehow misinformed, did not know what they were talking about and were deluding themselves. Mr Speaker, I do not believe that.

Mr Stefaniak: That is a misrepresentation of what the response is, Rosemary, if you read it properly.

MS FOLLETT: Mr Speaker, the Government's first line in its response states:

With the 1995-96 Budget, the Government has honoured its commitment to maintain education funding in real terms over the life of this Government.

That is not true. Mr Speaker, we had this debate over and over again in the course of the 1995-96 budget debate. I would have thought it would be blatantly apparent to the Government that a majority of members in this Assembly do not believe that statement. They just make it again blandly - "Black is white; there is no problem; everyone else is wrong, and it is all their fault anyway; and the Government has got it right". They are saying that, of the entire Canberra community, the Government alone has got it right. I do not believe that.

Mr Speaker, we saw the Minister in his response also state:

Voluntary parent contributions are not part of the school funding base.

Tell that to the schools. That is, again, an untrue statement. The Minister himself, in his speech just now, said that the Government provides 98 per cent of the schools' funding. Where does the other 2 per cent come from? It comes from voluntary contributions. They make up the 100 per cent funding base. Of course, Mr Speaker, if the Government believes that it is funding only 98 per cent of the base, then I would say to you, "For heaven's sake, fund 100 per cent". They cannot have it both ways. That kind of internal inconsistency is just typical of this response.

Mr Speaker, on the one hand, the Government says, "We have given them all the money they need. We have maintained our commitment in real terms". Everybody knows that that is a lie. On the other hand, they say, "But the school-based management will solve all of the funding problems". That is exactly what this response says. For instance, in the response to recommendation 8, the Government says:

As mentioned above -

they had not mentioned it, as a matter of fact -

the school based management arrangements currently being developed will, inter alia, result in more funds being under direct school control. Schools will have greater budgets -

what a lie! -

which will mean an increase in their capacity to be flexible with respect to funding priorities.

What utter nonsense! That is not true. The Government has also totally resiled from its responsibility to provide proper equipment in every Canberra school - every one of them, not just the ones their own kids go to, or they went to themselves, in Mr Stefaniak's case. On the provision of equipment in schools the Government has said:

ACT schools operate in a devolved environment -

they do not -

making their own resource allocation decisions.

No, they do not. It continues:

It would be undesirable to prescribe what are to be essential resources.

What utter rubbish! Mr Speaker, what the Government has done here is deny an opportunity to increase equity in our schools. There is no doubt whatsoever about that. They have put all of the onus on the schools themselves without providing them with a single additional cent to achieve that equity. As I say, Mr Speaker, it is a contempt of the committee process of this Assembly. It is contempt for our education system. We have heard all of the rhetoric about protecting our education system and all of the rhetoric about caring, about keeping our schools informed and about keeping them involved in the budget debate; yet this response by the Minister is a total denial of that rhetoric. It is a disgrace.

Question resolved in the affirmative.

PLANNING AND ENVIRONMENT - STANDING COMMITTEE Report on Draft Capital Works Program

Debate resumed from 26 March 1996, on motion by **Mr Moore**:

That the report be noted.

MR HIRD (11.34): Mr Speaker, I note that the Standing Committee on Planning and Environment has taken an extensive overview of the Government's 1996-97 draft capital works program. I commend the committee's recommendations on design proposals and forward planning. The committee has recommended that the Government take steps to ensure that sufficient design proposals are on hand to enable a start on all possible projects as soon as the capital works budget paper is passed by this parliament. Too often, the community has lost faith in past governments because of delays in carrying out works approved in the capital works program. If provision has been made in the budget to finance capital works, then the work should be proceeded with as soon as possible. In particular, there should not be long delays in carrying out works that have been given a high priority in the program.

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The standing committee has also recommended that the Government endorse a broad range of capital works projects for the preparation of forward designs in order to quickly substitute a lower priority project for one that is on a final program but, for some reason, is not able to be implemented according to the program. Again, this is an important recommendation, because it means that the works program will not be held up if any of the major priority works are delayed through unforeseen difficulties - a highly commendable approach.

The Chief Minister, in her role as Treasurer, also deserves the commendation of this parliament for bringing draft capital works proposals forward for consideration by the standing committee. The committee has made note of this in its report to the parliament. As the committee members observe, this forward thinking by our Treasurer should enable capital works to be commenced as soon as possible in the financial year. Mr Speaker, one way this Assembly can help to get Canberra people off the unemployed queue, a queue we all agree is too long, is to generate jobs through the Government's capital works program. The sooner we can get these projects off the drawing board and into the field, the sooner we will provide jobs for the Territory's unemployed.

The committee has also highlighted another important issue about which I have raised concerns previously. That is the question of asbestos disposal at the West Belconnen landfill site. I have had concerns about the opening of the Parkwood site following closure and sealing of the Gungahlin site in August 1991. I accept the need for a disposal area, but I would have preferred to see the selection of a location further away from residential areas. However, I have been assured that all precautions have been taken to make the area totally safe and there is no cause for concern. Although some 42,000 cubic metres of asbestos have been deposited at West Belconnen, the facility has the capacity to meet demands for the next 25 years. If the rate of disposal increases, there is enough space available at West Belconnen to construct a new disposal pit.

Mr Speaker, the proposals outlined in the Planning Committee's report represent a forward-thinking program of capital works. I am pleased to see that a number of projects in my electorate are included in the draft program. In particular, a number of dangerous traffic trouble spots are listed for upgrading, particularly those on William Slim Drive in Giralang and McKellar. Intersections along this busy major arterial road have become some of the most dangerous in the Belconnen area because of the increased traffic flow from the new area of Gungahlin. I am pleased to see that the representations I have made to the Minister for Urban Services, Mr De Domenico, about these danger spots have been taken into account by the Planning Committee in formulating this draft capital works program. I also note with pleasure an appropriation of \$450,000 from the health and community care program for work to commence on separation of contaminated waste at Calvary Hospital in Belconnen.

MR OSBORNE (11.38): I would like to make a few quick comments about this report and some of the Government's priority list mentioned in the report. I would like to congratulate Mr Moore and his committee on a very thorough report. One item I would particularly like to see dealt with quickly is the Erindale Leisure Centre. Mr Speaker, this centre is one of the major features at the Erindale shops, and it would seem to me to be vital to the future of that area. The one and only reason why this centre has become a bit run down is that not enough money has been allowed to be used to maintain it properly.

Mr Moore: No, it is more than that.

MR OSBORNE: It is more than that, Mr Moore says. It seemed to me to be pretty logical when building a multimillion-dollar facility to budget enough for repairs and maintenance, but I am prepared to concede that there may be other factors.

Mr Speaker, I am more than happy to agree with the committee's recommendations regarding the management problems of the leisure centre. Perhaps that is one of the big reasons for it being in the state it is in. I agree that that needs to be sorted out before the refurbishment takes place. I would urge Mr Stefaniak to speed that process up, given the state of youth facilities in the valley at the moment with the problems at the Erindale and Tuggeranong youth centres. Mr Speaker, the report quotes this statement:

... over the 16 odd years that the Erindale Leisure Centre has been in operation, I think enough money has not been put aside for repairs and maintenance, and over time it eventually catches you up.

I will not read the rest of it, but the report basically says that if it were a private company the Erindale Leisure Centre would more than likely be in the hands of receivers. Mr Speaker, given that standard, where would that leave the Australian International Hotel School? If the Minister applied the same commitment to the leisure centre as he has to the hotel school, which has gone through \$28m in the last two years, the Erindale Leisure Centre would be safe for another 40-odd years, but I do not think that will happen.

MR SPEAKER: Order! It being 45 minutes after the commencement of Assembly business, the debate is interrupted in accordance with standing order 77 and resumption of the debate is made an order of the day for the next sitting.

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ADDITIONAL ESTIMATES 1995-96 - SELECT COMMITTEE
Reference - Appropriation Bill (No. 2) 1995-96

MRS CARNELL (Chief Minister and Treasurer) (11.41): I ask for leave to move a motion concerning Appropriation Bill (No. 2) 1995-96.

Leave granted.

MRS CARNELL: I move:

That, notwithstanding the provisions of standing order 174:

- (1) the Appropriation Bill (No. 2) 1995-96 be referred to the Select Committee on Additional Estimates 1995-96 for inquiry and report; and
- (2) on the Committee presenting its report to the Assembly, resumption of debate on the question "That this Bill be agreed to in principle" be set down as an order of the day for the next sitting.

Question resolved in the affirmative.

PUBLIC ACCOUNTS - STANDING COMMITTEE
Report on Review of Auditor-General's Report No. 6 of 1995

MR WOOD (11.42): Mr Speaker, I present Report No. 12 of the Standing Committee on Public Accounts entitled "Review of Auditor-General's Report No. 6, 1995 - Contract for Collection of Domestic Garbage; and Non-Salary Entitlements of Senior Government Officers". I move:

That the report be noted.

Audit Report No. 6 was presented to the Assembly on 21 September 1995. This examination of the contract for the collection of domestic garbage from Canberra households using mobile garbage bins followed a recommendation by the Assembly 1993-94 Estimates Committee that the Auditor review the tender selection process in view of concerns about fair and open competition between tenderers and value for money. The audit found that the process of evaluating service delivery was sound. The audit also found that, while the financial analysis was adequate, it should have been more comprehensive, particularly in the area of quantifying and identifying the extent of the potential financial risks to which the Government is exposed through the contract.

The committee obtained comment from the responsible Minister on the audit findings and has recommended that the Government clarify the view put to the committee that tender specifications not be so narrowly drawn as to potentially eliminate acceptable technical and financial solutions and that tender documents be designed to allow proper assessment in relation to each tender criterion.

The second audit, that dealing with non-salary entitlements of senior government officers, sampled payments during 1994 and, in some cases, 1993 and included a number of chief executives and SES officers. Areas reviewed included leave, domestic travel, official hospitality expenditure, use of credit cards and petty cash and acceptance of gifts. Generally, the audit found that allowances and benefits were in accordance with applicable policies, guidelines and legislation and were incurred in the interests of the ACT Government and/or the ACT community.

Nevertheless, the audit did uncover a number of anomalies, specifically in regard to the use of first-class travel within Australia, the use of frequent flier points and the acceptance of gifts, and made recommendations accordingly. These recommendations were taken up with the Chief Minister, who satisfied the committee that action had already been taken or was under way to address the anomalies. The committee has recommended that documentary evidence be provided to the Assembly on action taken in relation to frequent flier points and acceptance of gifts.

The audit was particularly concerned about activities within ACTEW in relation to the provision of staff amenities in the form of morning and afternoon teas, farewell parties and various other celebratory functions of benefit to the staff, which were paid for from ACTEW funds. The audit noted that expenditures of this nature were regarded in other ACT government agencies to be of a private nature and payable by the staff. These matters were taken up with the responsible Minister and with the Chief Minister, and the committee was advised that, with one exception, the expenditures were in line with practice in similar businesses. The committee was advised that these matters are the responsibility of the ACTEW board, that some aspects are part of a longstanding industrial agreement, that meeting these costs can be beneficial to organisational harmony and productivity and that the strategies are set out in ACTEW's corporate plans.

The committee is concerned that these expenditures are not in accord with the spirit of conserving public funds. The committee considers that ACTEW has been rather indulgent in these matters and firmly believes that ACTEW, no less than other government agencies, has a responsibility to ensure that due economy is exercised in its management of public assets. Particularly in relation to ACTEW, the cost of the corporation's services is reflected in the bills presented to the users of those services, that is, the ACT public. The committee also has some difficulty in accepting that the responsible Minister has a limited role in relation to the day-to-day running of ACTEW. The committee's views on this aspect and its concerns in relation to the audit findings are presented in the report, and the committee has recommended that the Government address those concerns in its response to the Assembly.

Debate (on motion by **Mr De Domenico**) adjourned.

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PUBLIC ACCOUNTS - STANDING COMMITTEE
Report on Consultation with Assembly Committees

MR WOOD (11.47): Mr Speaker, I present Report No. 13 of the Standing Committee on Public Accounts entitled "Report on Consultation with Assembly Committees on Appointments to Territory Owned Corporations". I move:

That the report be noted.

This report recommends that appointments to the boards of Territory-owned corporations be treated in the same way as statutory appointments; that is, that the Minister, when making such an appointment, be required to consult with the relevant Assembly committee before making the appointment and that the Minister have regard to any recommendation made by an Assembly committee following consultation. Appointments to the boards of Territory-owned corporations are made by Ministers as the voting shareholders. Such appointments are not subject to the Statutory Appointments Act, although, with a recent appointment to the board of ACTEW, the Minister did inform the committee of the intention to make the appointment. The principles underlying the Statutory Appointments Act apply with equal force to appointments to Territory-owned corporations, and the committee has recommended that the Act be amended accordingly.

MS TUCKER (11.48): Consultation with Assembly committees is obviously extremely important when we are looking at Territory-owned corporations, as it is for other organisations. The issue of accountability of Territory-owned corporations is very important, and I would like to speak in support of the recommendation in this report. I think it is important that these accountability and consultation mechanisms are made explicit in legislation. It may be true that the Minister consulted the relevant committee about the make-up of the ACTEW board; but, as the report says, there was no statutory mechanism for the committee or any other member to question any appointment to the board. I would like to say that, to complement this recommendation, in the near future the Greens will be presenting a Bill to amend the Territory Owned Corporations Act which will set up a mechanism for a staff representative and someone representing consumer or social interests to be appointed to the board. This is something that we tried with the board of ACTEW at the time of corporatisation; but, unfortunately, we did not receive the support of our colleagues on the crossbenches at that time. The Greens believe, however, that it is important that these mechanisms about who is appointed to boards and how the appointments are made are made explicit and spelt out in legislation.

We are also wanting to expand the principal objective of corporations to include the displaying of a sense of social responsibility and a commitment to working within ecological sustainability principles. If we are serious about integrating social, environmental and economic concerns at all levels of government, then making these goals explicit is a very important first step and provides a strong basis for policy and action which meet these objectives. I hope that the Government responds favourably to this particular recommendation put forward by the Public Accounts Committee.

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

PERSONAL EXPLANATION

MR HUMPHRIES (Attorney-General and Minister for the Environment, Land and Planning): Mr Speaker, under standing order 46, I claim to have been misrepresented during a debate earlier today.

MR SPEAKER: Proceed.

MR HUMPHRIES: I think I heard Ms Follett, during the debate on the Government response in relation to voluntary school contributions, claim that the Government had brought down its response to the Stein inquiry during an adjournment debate in the Assembly. I have checked the minutes of the Assembly. In fact, that is not the case. It was brought down in the afternoon, during the presentation of papers. This is the usual time. The Government does try to achieve that kind of goal anyway. That was a very major paper, of course. As it was such a major paper, I made available a copy of the paper to Ms McRae at lunchtime that same day in order that there be some advance warning of it. I do reject the suggestion that the Government, in this case, brought down a major response during the adjournment debate.

PUBLIC ACCOUNTS - STANDING COMMITTEE Report on Inquiry into Voluntary Parent Contribution Scheme - Government Response

MR MOORE (11.52): Mr Speaker, I seek leave to move a motion with regard to Report No. 11 of the Public Accounts Committee and the Government response to it.

Leave granted.

MR MOORE: Thank you, members. I move:

That the Government response to Report No. 11 of the Standing Committee on Public Accounts "Voluntary Parent Contribution Scheme" be rejected by this Assembly and the Minister for Education be required to report back to this Assembly with a revised response to the Report No. 11 by 20 June 1996.

This is an unusual move. I think it is the first time that it has happened in this Assembly.

Mr Osborne: When has that ever stopped you?

MR MOORE: Mr Osborne interjects, "When has that ever stopped you?". I think the point that raises is that there are certain issues that become very important and the Assembly will look for ways to deal with them. The reason, though, I think, that this arises as a first is that it is a response to a first. I am not aware, in my memory, of a committee's report being dealt with in such a perfunctory way, particularly on such an important issue, in this Assembly.

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It seems to me that the Minister needs the opportunity to rethink these issues, particularly in light of the debate today in the Assembly. No doubt, in speaking to this motion, members may wish to draw attention to particular facets of the Government's response to the Public Accounts Committee report and identify specifically what it is that they feel the Minister should respond to. I believe that I have already done that when I was granted leave earlier to speak about this report.

We did have an unusual circumstance where members asked the Minister to table this response following the Assembly time being taken up, as I recall, by a censure motion, or a no-confidence motion, or something; and, in response to that, Mr Stefaniak, I think rightly, provided us with a copy of the response during the adjournment debate. The only disadvantage was that we did not have the opportunity that we normally have where such a response carries with it the motion that the report be noted. I sought and was granted leave to speak to the response. Other members, other than Ms Follett who had the opportunity to speak in closing the debate on the original report, have not had that opportunity.

What has come through, then, is complete dissatisfaction with this report. Ms Tucker, in her response to the Public Accounts Committee report, had the opportunity also to take into account the Government's response. She expressed very similar concerns to those expressed by me and Ms Follett about issues of social justice - genuine issues which affect our schools and each of our children and which we believe the Minister has not responded to effectively. There is a series of ways that we could handle this. One, we could just accept it. Two, we could say, "The Minister is so incompetent in his response that we believe that he should go"; or we could take a more reasonable, I think, and probably a very reasonable approach and say, "Minister, we really think this was totally inadequate;" - as we do - "have another try". I would expect that, in responding, the Minister would be able to come back with a much better effort.

I have chosen the date 20 June because it is roughly the beginning of the two-week sitting period in a couple of months' time. It gives the Minister a couple of months to respond, but it will also mean that the Assembly should be able to have time to look at that issue and deal with it, should we so desire, in the late stages of the June sittings. It seems to me that this approach is particularly reasonable and much more reasonable than the Government's response to the report of the Public Accounts Committee.

I commend this motion to members as it is an important motion and an important step in ensuring that the Government is responsive to our committees and, in this case in particular, of all cases, to widespread community concern. Ms Follett identified very clearly that there were a huge number of responses - over 80 responses - many of them from organisations representing, in turn, a huge number of people. There was great community interest in this issue. It is something that should not be dealt with as lightly as it has been dealt with. It is for that reason that I believe that the Assembly should reject the response of the Minister and get him to do it again; properly this time.

MS McRAE (11.57): I think it is very important that we support this motion, and I am going to spell out exactly why. The debate is not, as Mrs Carnell tried constantly to interject through Ms Follett's speech, about the allocation of funding to schools; it is not about the total quantum of allocation of funding to schools. In the Government's response to the PAC report they bleated on at great length about what heroes they were. Of course, nobody believes them; but still they carried on about the quantum of the amount of money given to schools. It is not the issue.

It is not good enough for the Government to say, "But why did you not do it when you had power over the schools?". The issue is this: This is the first major review of the base allocation of funding to schools that has been done in the history of this Assembly. No-one had ever looked at the differences in incomes that have accrued to each of the schools in our Territory; there had never been the level of detail before the Assembly or before a Minister in such clarity. Ministers were well aware of the differences; individuals were well aware of the differences; political parties were well aware of the differences. In fact, we all campaigned on it. It was no accident that the Labor Party campaigned on abolishing voluntary parent contributions, because we were well aware of the discrepancies between the incomes of schools; we were not worried about the fact that some parents did or did not want to pay. The base issue was that at that point we were aware of the enormous differences and, therefore, injustices across the system.

Awareness is one thing. Having the facts in front of you is completely different. To turn your back on clear evidence is, as has been said repeatedly this morning, completely contemptuous. There is no walking away from the ACT Council of P and C Associations survey of schools, which showed quite categorically that the capacity of schools to raise money varies, in schools of similar enrolment, from \$1 per child to \$1,000 per child. That was in the submission that was put before the committee. A government cannot walk away from that fact.

Mr De Domenico: No; from that opinion. It is not a fact; it is an opinion.

MS McRAE: It was a fact from a survey put in front of a committee which then investigated the facts; it was not an opinion. Similarly, the numbers put forward by the department showed those discrepancies. We were no longer dealing in the realms of scraps of information that we could glean from our friends and contacts in schools; we were dealing with fact. That is why the Government's response is so contemptuous.

Let me look at the issues which were raised by the PAC and which, again, have nothing to do with the actual total allocation of money to schools, which is why the Government cannot say, "We are not in a position to offer any more money". Nobody asked them to offer any more money. These are the questions that the PAC asked to be looked at with great seriousness. The first was the equity question. After reading the submissions and after reading the report, one is given clear information that shows, beyond debate, that the educational experiences of our children in government schools vary considerably according to where those schools are, who is on the P and C and how many parents are able to contribute.

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The Government did not grapple with this issue; the Government did not take this issue seriously. It is absolutely clear that, if your child goes to school in one place, the experience of schooling will be very different from that in a school in another place. It is no good telling me that only 2 per cent of the income comes from the P and C funds. It is that 2 per cent that makes these enormous differences in the type of experience that the child will have at school. I know that everybody frowns at that idea, but the teachers are there, yes; the books and the equipment, to a certain extent, are there, yes; but the access to computers, the access to art material, the access to excursions, the access to pleasantly shaded school grounds come from those 2 per cent funds. The educational outcome of a child who goes to school in a place where those resources are not available, compared to the experience of a child who goes to school where those resources are available, can be affected. That is why this is an absolutely crucial issue.

The base allocation of funds to schools was questioned by the PAC. Did we see any response to that by the Government? No. What the PAC report indicated was that the allocation of per capita funding to primary schools, to high schools and to the colleges did not seem to be an equitable one. Did the Government take that seriously? No. It said, "We have made our money available. Schools are autonomous. End of story". There was a very basic challenge being put out by the PAC, and the Government threw up its hands and said, "Too hard". Of course it is hard; of course it is hard to perhaps turn around and say to a college, "We are going to diminish your per capita funding and we are going to increase a primary school's allocation". But to not even discuss the issue is what is at fault in this response. We are talking about basic rights to education. The PAC report asked the Government to examine what were the basic bits and pieces - to use perhaps a demeaning term for what is really being talked about - and to look at the very basics that should be there as a minimum right to every student.

We are a long way from providing everybody with a pencil, a book and a bit of chalk to write on a blackboard; the game has moved on. In a sense, that was why the crisis was there before the last election, because school after school was grappling with the issue of computer education and the depth of resources that are now needed. We are now finding that the very bases, the very tools for education, are not being provided any longer; that some children have access to computers and some children do not. It is as basic as that. The Government's response was absolutely contemptuous: "Yes, we are cabling schools, but it is in the context of there being sufficient funding. That will be done in time".

It is a ducking of the basic issue to not look at what are the elementary resources that are necessary in schools. Computers fall into that category. As Mr Moore pointed out, photocopiers fall into that category. The new process of not replacing photocopiers, of leaving it to the P and C, has created major nightmares in schools. That was there in evidence before the committee - over 80 submissions. Did the Government read them? No. Did it take them seriously? No. Of course the issues are hard; of course photocopiers are expensive. But do we seriously say to our children, "If you go to a new school your photocopier will work. If you go to that school your photocopier will not."? Perhaps you could take a taxi to Richardson from Scullin and borrow the photocopier at Richardson. What nonsense! The Government has refused to take up the basic challenge. This is the first major review that has been done. There is no evading of a year's accrual of evidence which says that this needs a fundamental reappraisal.

One of the other and absolutely worrying responses, perhaps the most important one, was the Government's complete refusal to have a look at the definition of a disadvantaged school. The Commonwealth has a definition of disadvantaged schools, and we are the beneficiaries of about \$55,000 under that definition. Of course, in the past - I do not know what the new Government will do; one can always hold out hope - the definition was necessarily a very stringent one, because it was based on a national need to provide equity across Australia. Quite clearly, you do not have to be a genius to work out that within the ACT that is not likely to benefit a large number of schools. We are privileged to live in a high-income community.

What this report was asking the Government to do was to ignore the Federal definition and start some better, more detailed, more focused analysis of what life experiences are really like in the ACT. How many schools have more than 50 per cent of parents who are single-income parents? They may well be earning \$30,000 or \$40,000, or more than the national average, as single-income parents. They may well be working. But the situation is that the vast majority of ACT households are two-income households. If you have a large proportion of students from single-income households attending one school, that is obviously going to diminish the capacity of that school to gather extra money. This is the sort of question that this report demands be asked and is the sort of question that the Government refused to look at seriously and say, "Yes; perhaps this new evidence does show up something that needs some work on it". Nobody was asking that work to be done instantly; nobody was asking for a revolution to happen.

The PAC report put out a clear challenge which said, in this first review, "After such a long time of self-government we have found that all is not well. We are asking you to examine the evidence before you". What do we have? A knee-jerk political response. All we hear is, "What did you do?". We did not have this report in front of us three years ago.

Mr De Domenico: Oh, dear! Who believes you? No-one believes you.

MR SPEAKER: Order!

MS McRAE: Just carry on; that is fine. This is a report that is now in the public domain; the evidence is in the public domain. The facts are now in front of us. You can carry on as much as you like. There is no evading that.

Yet another issue that the PAC report uncovered - I am sure that there are more, but I will end on this one - was the differentiation between schools as to what P and C committees actually do with their money. It pointed out quite clearly the need for a charter of rights for parents to know how their voluntary contributions are used. The Government ducked this and fell behind the veil of saying, "They are incorporated organisations; there are individual rights"; and blah, blah, blah about how P and Cs operate. The PAC report showed quite clearly how some schools accrue a lot of money, keep it in bank accounts, use the interest and then do or do not use it for educational purposes. It also showed that in many cases the policies on how P and C money

is

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allocated to schools and what it is used for are enormously different. The PAC report asked for a much better definition of what P and C responsibilities were, what these moneys were for and the better management of public money. Again, the Government did not take this seriously.

I have great pleasure in seeing you mock me, Mr De Domenico, because this is the sort of level that you descend to every time. Instead of listening to the clear evidence - - -

Mr De Domenico: No; it is not. It is because of your nonsensical comment that you did not know anything about this. All of a sudden, the revelation out of heaven came to you. What nonsense!

MR SPEAKER: Order!

MS McRAE: That is your interpretation of events. Our Government supplemented the education budget every year. Our Government was in close touch with these issues.

Mr De Domenico: It went down every year. Have a look at the figures. It is not true. You are saying things that are not true.

MR SPEAKER: Order! Ms McRae has the floor.

MS McRAE: Our party responded with absolute honesty to the issues before us. It was clear by the last election that all was not well in the house of P and C collection funds. This report by the PAC has put on the table what those issues are. You are the ones who are now walking away from these extremely serious issues. I support Mr Moore's motion.

MR STEFANIAK (Minister for Education and Training) (12.12): Mr Speaker, I think the hypocrisy, especially of the ALP here, is absolutely breathtaking. They have been in power for most of the time in this Territory. They have been in power federally, for starters. For Ms McRae to claim, "Oh, this is all really very new", this is something she had no inkling about, I think, is absolute rubbish. I think the ALP has very much a vested interest in this, because we recall that at the last Assembly election they were campaigning, as a spur of the moment idea, it seems, to get rid totally of voluntary contributions. One thing that came out of this report, I think, was that the responses that they got showed that most school communities wanted voluntary contributions to continue.

I am absolutely amazed at some of the things that Ms McRae said. The report goes through a number of matters, about 17 in all; and we have made a number of responses. Contrary to what Ms McRae said, a lot of those responses are quite positive; some are not. But there is a political angle, too, in some of the requests in this report. One is basically that we give more money out to schools; we increase funding. I would reiterate, Ms McRae, that that is certainly something which your Government did not do.

Mr Moore, who talked about 10 to 15 years of constantly declining funds in education, was talking about constantly declining funds in education under Labor administrations. No wonder you are touchy about that one! Whichever way you want to portray the 1995-96 education budget, there is one simple, fundamental mathematical fact. We have put more money in, \$206.3m, than any other budget since self-government. Also, when you look at the outyears, 1996-97 and 1997-98, that funding increases in line with the CPI. Again, it is there in black and white. You have those documentations. Again, it is a mathematical fact. I think you are being a little cute here, Ms McRae, in some of the comments you are making.

Just because you do not like a report is not a reason to send it back. We are all in the political game. I suppose that we are all about making political points. All you will be doing is saying, "Look, aren't we great?" - you happen to have the numbers on this one - "We do not like it. We are sending it back. It says a few things that we do not want it to say. We would prefer it to be done differently". Would you like to write it yourself?

Ms McRae: Yes, Mr Stefaniak, any day. Resign. I will take over any day.

MR STEFANIAK: Yes, indeed, you would; yes, I bet you would. Would you like to write it yourself? The fact is that we went to the election on a platform that we would be a financially responsible government.

I have made my points - and it is in the Government's response - about what we are putting into education. It is on the public record. I reiterate: It is a mathematical fact that it is more than has been spent before.

Ms McRae: It is not the point.

MR STEFANIAK: It is the point, I think, Ms McRae; it is the point very much that there are things in this response that you simply do not like. You are trying to make cheap political capital out of it. There are a lot of responses here which certainly, contrary to what you say, address the issue. Have a look at the response to recommendation 11, for example, in terms of Commonwealth funding for disadvantaged schools. Yes, we are going to review the criteria. We have a new Commonwealth Government, too, which might free that up a little as well. If that is not addressing that particular issue, I do not know what is. That is certainly going to assist the disadvantaged schools in our Territory.

This is absolutely unbelievable and a rather cheap shot by Mr Moore, who certainly has a passion for education. Maybe sometimes that passion - - -

Mr Moore: That passion is consistent.

MR STEFANIAK: Well, it is consistent; I suppose that it is consistent. I suppose that one can expect something like this from him, even though I think he has gone completely over the top here. I will come to one other little point in relation to that at the end.

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Another thing which I think you have to appreciate is that, even though you might not like the response, the response is a considered one. It was considered by the Cabinet of this Government, as no doubt you people considered it: The issue was looked at in Cabinet; the response was looked at. Alterations may well have been made to it. Things were no different in this case. It was looked at quite carefully. As a result of being looked at in Cabinet, the response is passed and is then duly given in the Assembly. That is what occurs.

Ms McRae: That does not improve it.

MR STEFANIAK: Ms McRae, I am not interested in your cheap political comments. You people did absolutely nothing in terms of education. What has happened now? You were the ones who were going to get rid of about 80 teachers, too, in 1993. Suddenly, what do we have? This light on the hill; this conversion on the road to Damascus; this complete turnaround, because it is convenient for you in terms of what you want to say about education. It contrasts very differently with what you people did in government. It does not ring true either. This is a stunt. It is also quite ridiculous. You do not send a report back simply because you do not like it. I think this sets a ridiculous precedent; it is absolutely crazy.

There is another point that I would raise, and that is that there was a motion that the report be noted. That was passed. Then, some minutes later, we have Mr Moore's motion which we are now debating. I wonder whether that is in order, whether that is legal and whether it may well be too late for Mr Moore. I suspect that it is, Mr Speaker, and we would ask you to have a look at that. That is just a technical point.

I would ask members to look seriously at what Mr Moore is proposing here. The Assembly committees examine a number of issues. They make recommendations - often political ones, because of the make-up of those committees - which often would be at variance with what the government intends to do or perhaps feels that it can do. No-one can expect the government to accept every recommendation in a committee report; no-one can expect the Assembly to agree with the government responses to committee reports all the time.

Ms McRae: But some analysis would help.

MR STEFANIAK: Ms McRae, I think you will find that it is quite clear that it is very much a thinking response. A number of issues are raised; a number of responses have been given. It does not say, "No; no; no; get lost". Going through the report, I see that a number of recommendations are accepted. A number of things are in train, and a number will be set in train.

Ms McRae came up with things like, "The Government is doing nothing in relation to IT". Ms McRae, you might pooh-pooh the idea of 180 computers, but 180 computers were given out recently to schools and were gratefully taken up. I am trying to make sure that they get more. What did you do? When we got to power a lot of criticism coming from schools to me was, "Well, we do have trouble getting computers. Yes, we are buying our own. Yes, we have had to scrimp and save". You did absolutely nothing about that. At least, we are doing something in relation to that.

You might pooh-pooh the idea of cabling schools. Yes, we will get around to it eventually. It does take time; you cannot do something like that yesterday. At least, though, you have a response there. It is happening. We have stipulated where, in some instances, it is happening. "Too slow, too slow", you say; you want it yesterday. How about the day before? How ridiculous!

Mr Humphries: What about 1989?

MR STEFANIAK: Exactly. What about 1989? What did you do in 1991?

MR SPEAKER: Order! Mr Stefaniak has the floor.

MR STEFANIAK: What did you do in 1991, 1992, 1993, 1994 or early 1995 even? Absolutely nothing.

Mr Humphries: It is convenient.

MR STEFANIAK: It is convenient, Mr Humphries; it is very convenient. Here we have the Labor Party supporting Mr Moore's motion. That is quite ridiculous. The Government, as I indicated, has considered its response. It has gone through the normal processes; it has gone through Cabinet. It has now been introduced into the Assembly. The step that you are proposing to take is childish and is ridiculous. You are playing politics; nothing more. You are not trying to be constructive or anything like that. There are a number of constructive comments in this report, Ms McRae, which, hopefully, even you might accept. Mr Moore had the grace to accept a couple of them.

Mr Moore: They can stay.

MR STEFANIAK: Can they? You like that? I am very glad, Michael. But this is quite extraordinary. When one looks at comments made by the ALP, their lack of effort and their lack of results in relation to our public education system, one sees that the hypocrisy of what they are proposing now is simply breathtaking.

MR SPEAKER: Mr Stefaniak raised a question as to whether it was in order to have this motion after the Assembly had noted the paper. The Assembly gave leave to Mr Moore to move the motion. Therefore, it is in order. However, members might like to reflect on this. I am advised that it is rare in the House of Representatives to give leave until you know what is being proposed. I mention that because Mr Moore could have been called upon, of course, to advise people what he was moving. Certainly, there is no question that he was given leave by the Assembly, and that is his entitlement.

Mr Moore: If I could just clarify that, Mr Speaker. I do believe that when I sought leave to move the motion I did clarify what I wanted to do.

MR SPEAKER: You did mention the point, yes. But I do mention that. It is entirely up to the Assembly whether or not leave is granted. Leave was granted and, therefore, Mr Moore was perfectly in order to move the motion.

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MS TUCKER (12.22): I think the interesting thing about this debate is Mr Stefaniak's statement that it is an extraordinary motion, because apparently it has not been done before. But when I read your response to the PAC report, I thought that was an extraordinary response. The underlying concern is: Why did we have a committee looking at this issue? It must have been concern about equity. If it was just a frivolous issue of discretionary funding which schools could use one way or another but which did not really matter, I do not think we would have had a committee inquiry at all. There was a very real concern about equity considerations and what the place of voluntary contributions was - whether they were voluntary and whether people were being discriminated against. They were very serious concerns, if you believe in having equal access for all young people to a public education system.

When we first saw your response, we immediately contacted the media, which apparently surprised you. You were surprised at our negative response. I am surprised that you were surprised, because you had not addressed the major concerns. The major concerns of this whole inquiry were not addressed.

Mr Stefaniak: I think I would expect a negative response.

MS TUCKER: You are very negative. We are not always negative, Mr Stefaniak. You forget it when we are positive.

Mr Stefaniak: I am afraid you are, Ms Tucker.

MS TUCKER: No; we need to keep a list of when we support what you do. You have a very bad memory about the support that we do give you on occasions. Maybe it is not as often as the negative responses, but that is because you come up with unfortunate ideas. Anyway, the point is that, if you had in your response in some way allayed the concern of the community and members here about equity considerations, then maybe we would have been happy to accept your response.

I have talked to you about school-based management - this is another issue; this is a whole approach to public education - and you have assured me that we will not have what happened in the UK and New Zealand. You said, "No; we know about those models. They are flawed because there were not the proper concerns; the concerns of equity were not addressed. No, we will not end up in a situation of further polarisation of schools; which school you go to depends on the service that you want. You will not have subtle discrimination; you will not have anxiety caused in the minds of students". I can tell you from personal experience and from anecdotal experience that children come home and say to their parents, "Mum, you still have not paid the fees". We still have children involved in what should be always a discussion between a parent and a school, and I have not seen that addressed in this report at all. I want to see in this next report a response from you to that issue, because it is totally inappropriate to include children in that way and brings on an anxiety in their school life which is not appropriate.

The reality is that these things are happening, and we know that they are. We have real concerns about equity, and you have not addressed it at all in your response. You have a policy of school-based management which is, basically: Let the schools manage. They can even invest the money, if they want to. I wonder how many schools in Kambah and in the rest of the Tuggeranong area are going to have money to invest. Are we going to have in-service training for principals in the management of investment strategies and all that sort of thing? It is all a very interesting ideology.

Mr Stefaniak: On a point of order, Mr Speaker: Relevance. Ms Tucker has been talking for the last two minutes on school-based management.

MR SPEAKER: Order! I do remind you of relevance, Ms Tucker. We are discussing the voluntary parent contribution scheme.

MS TUCKER: Thank you.

Ms Follett: Mr Speaker, on that point of order: The Minister's response, which he apparently has not read, at practically every page mentions school-based management. It is perfectly legitimate for Ms Tucker to address that issue in this debate.

MR SPEAKER: I do not uphold the point of order, but I do remind you of relevance, Ms Tucker.

MS TUCKER: Thank you. I would thank Ms Follett for making that point. It was something that I would have said. It is quite clear throughout the whole document that the whole principle of school-based management is part of their philosophy, and they are not ashamed of that; they are proud of it. We need to understand how you do assure the community that we are not going to get a situation like that in the UK and in New Zealand. Your response to this report - you have responded to it in the way that you have - has not given the community any such reassurance. For that reason, I hope that you will look at it again and see whether you can satisfy members of this place that you are genuinely committed to social justice and equity of access to public education.

MR HUMPHRIES (Attorney-General) (12.27): Mr Speaker, I want to make a brief contribution to the debate. I must say that, looking at the debates we have had in this place about education, you would not realise that this Government, on my calculations, has delivered the largest increase in education funding of any government since the first self-government budget was brought down. There is debate about whether this was an increase in real terms or whether it maintained the budget in real terms. I accept that there is debate about that, but the fact is that we have increased it by that amount.

Putting that to one side, I want to raise a philosophical question about this motion. Clearly, the Assembly is more than entitled to reject the Government's response to this report; it is perfectly entitled to do that. The Assembly can reject reports of committees if it wants to. The Assembly can reject government responses to reports. It is entirely open to the Assembly to do that. It can also take stronger action against a government which brings down a report or a response or does certain things that the Assembly does not like.

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It can reject the particular proposal; it can legislate against the proposal or the Government's approach; it can censure the Government, as it has done on a few occasions recently; it can move a motion of no confidence in a Minister; it can move a motion of no confidence in the Government as a whole. All those things are open to the Assembly to do, and it is perfectly entitled to do them.

What this motion calls for, in the second half, though, goes, in a sense, a step further - something that we have never done before. It says:

... the Minister for Education be required -

that is, the Minister must do it -

to report back to this Assembly -

fair enough -

with a revised response ...

What the Assembly is saying to the Government is, "You must change your mind; you must take a different view to the one that you have taken". The Assembly is entitled to censure our point of view or throw us out of office for our point of view; but it is not, I would submit, entitled to force us to change our mind.

Ms McRae: Nine is more than eight, I am afraid; it is true. Change your mind. That is what it is all about. Get real.

Mr De Domenico: Don't be smart.

MR SPEAKER: Order! Mr Humphries has the floor.

MR HUMPHRIES: Can I put to you a parallel situation. Suppose a member of this place like a former member, Mr Stevenson, had expressed an outrageous point of view, as he often did, in this place. Would the Assembly have been able to pass a motion requiring Mr Stevenson to change his view and to make a different response on the floor of this place?

Mr Moore: It says "revise the response", Gary. You might change the wording, but that means that - - -

MR HUMPHRIES: Well, no, I do not believe that we could. I do not think it is open to the Assembly to do that.

Ms McRae: It is not the point. It is your report; you change it.

MR SPEAKER: Order! Would you stop interjecting, Ms McRae.

MR HUMPHRIES: We have been told to change it. If we do not change our point of view, of course we are open to all sorts of calamitous results. That is up to the Assembly to deliver. But I would respectfully suggest - and I know that it is not going to be particularly important as everyone rushes to deliver the Government a black eye; I notice that you all want to do this - that it is illogical to ask the Assembly not just to request but to require the Government, on pain of dismissal, to revise its point of view.

Ms McRae: You would prefer a censure? We will give you a censure.

MR HUMPHRIES: You can censure us if you want. That is also open to you.

Mr Osborne: Do not hurt his feelings.

MR HUMPHRIES: We have no feelings left in this place; I assure you. Our nerve endings were long since snuffed out by repetitive torture. Our nerves have receded back into the far recesses of our spinal cords. We do not have any nerves left. The fact is that what the Assembly is doing is illogical; you cannot require someone to change their point of view. It is philosophically unsound to do that. However, I acknowledge that, from speaking to a number of people whose sensory capacity to hear is diminished as much as our feeling is diminished, I make that point probably to a vacuous void.

MR WOOD (12.32): Mr Speaker, I will be brief, and I will talk on points already raised by Mr Stefaniak and Mr Humphries; that is, their continuing fiction about what they have done sometimes. We heard the fiction of 18,000 jobs - and that was taken up by some aspects of the media - the misrepresentation, if I can use that word, that the Government expressed earlier this week. But there is a fiction out that the Government increased the education budget in the current year's budget. The Government did not do that. They started from the base of the previous year's Labor budget; they added \$7.7m for the CPI; they added \$2m for increased enrolments, which is routine and is not an increased expenditure to cater for new students; then they added \$4.7m for new activities. You cannot claim that as increased expenditure. I think it was transferred activities rather than new activities. Someone lost \$4.7m somewhere else, and that was put into the education budget; it is as simple as that. Now they stand up and say, "We have increased expenditure". At the end of the day, the education budget, as Mr Moore pointed out last year, did not have enough money to pay the increased salaries bill. You did not increase funding by the proportion that you claim or by the proportion that was required to increase it over and above the measure provided the previous year. You carefully distorted this, as you do so often.

MRS CARNELL (Chief Minister and Treasurer) (12.34): I was not going to speak, but I could not allow it to go past without it being corrected. I want to set this Assembly straight and the record straight. The appropriation for 1994-95 was \$192.2m. The real terms increase at 4 per cent, the figure which we put into the budget all the way through, which was a figure we used for the CPI, was \$7.7m; additional enrolments, \$2m; additional functions, \$4.7m. That came to an appropriation of \$206.6m. That \$206.6m, as other members of the Government have said, is the most, by a country mile, that has ever been appropriated for education since self-government. I rose to correct the comment that Mr Wood made. I hope that he will now apologise to the Assembly.

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That \$206.6m was actually \$6.3m above the 1994-95 actual outcome. The higher wage cost was \$4.7m. Last time I looked at it, \$4.7m was actually less than \$6.3m, even if you add on the overrun in education last year. No matter how you look at it, Mr Wood was simply wrong.

We have also allowed, in our forward estimates, for real increases each year for the next two years of this budget, which sees the amount go to \$211.9m and then to \$218.1m, based on the CPI figures that we factored in last year. If they change, of course the figure changes. Those increases are substantially greater than is the case for any other department or any other program in this budget. They are also in line with the maximum increases that could possibly be allowed for any program. This means that, assuming that taxes and charges cannot go up by more than the CPI on average, which I am sure is what the Canberra community wants, even if we maintained our current level of borrowing, which is a record borrowing, and our current deficit, which is a record deficit, we could not go above that. In every other department we have attempted to address the issue of our borrowings and record deficit, but not in education. Education is getting the full flow-on - - -

Ms McRae: Because you started with the wrong base.

MRS CARNELL: The base we started from, Ms McRae, was your base. I am sorry; it was your base.

Ms McRae: It was the wrong one.

MR SPEAKER: Order! Ms McRae, stop interjecting. If you want to question this, you can do it at question time.

MRS CARNELL: The base that we started from obviously was the 1994-95 appropriation figure.

Ms McRae: I would like to hear you say that of some of those individuals.

MR SPEAKER: Will you be quiet.

Mr Wood: No, absolutely not.

MR SPEAKER: Then I shall remove you.

MRS CARNELL: I think it is important for this Assembly to realise that there is no other way to put more money into education, unless we take more money out of other areas - other areas that are already suffering substantial reductions. I do not know whether this Assembly is in the business of taking money out of Health. Maybe it is.

Mr Moore: On a point of order, Mr Speaker: I think the Chief Minister has really pushed the issue of relevance in this debate. A quick response to Mr Wood, one can understand, but she has really pushed the issue of relevance a long way.

MR SPEAKER: I do not uphold the point of order.

MRS CARNELL: I think everybody has made the point about the budget in this situation, but the very important part to restress was a comment that Ms McRae made that she did not expect the budget to be increased and that this was all just about reshuffling inside the current education budget. I think what Ms McRae is actually suggesting is that we take money away from schools which have done well with parent contributions and give it to schools which have done badly, because that is the only option if you stay within - - -

Ms McRae: No; I asked you to do the homework.

MRS CARNELL: Ms McRae made it quite clear in her speech - this is very relevant now - that she was not talking about more money. If she is not talking about more money, if this Assembly is not talking about more money - and, as they passed the budget and so on, I assume that they are not - then the only thing - - -

Mr Berry: Cut it out. We did not vote for the mess you put in the budget. What a joke!

MRS CARNELL: The Assembly passed the budget. It is as simple as that. The Assembly passed the budget, and Ms McRae made it quite clear that she was not talking about more money. What she is talking about is taking money away from schools which do well in this area and giving it to schools which do not do as well.

It is important that the community understand exactly what this Assembly is doing by this motion, which, I think, is contrary to the view that all school communities believe in and the approach that has been taken by this Assembly. It will be very interesting when a few school communities, which have gone out of their way to raise money and done well with voluntary contributions, other fundraising activities, fetes and all the other things that they do to supplement their budget, know that, if this Assembly had its way, they would lose a percentage of that to schools that do not bother.

MR WOOD (12.40): Mr Speaker - - -

MR SPEAKER: Do you seek leave to speak again?

MR WOOD: Yes, Mr Speaker. Mrs Carnell invited me to apologise.

Leave granted.

MR WOOD: Maybe Mrs Carnell should apologise, not to me but to the teachers and the schools. She might explain why it is that schools had to make reductions in what they were teaching after her budget.

MR MOORE (12.41), in reply: Mr Speaker, in replying to this debate I wish to speak very briefly. We have heard Mrs Carnell put exactly the same arguments on a number of occasions before. The Assembly as a whole rejects them. Mr Wood uses the example, quite rightly: Why then are we losing teachers? Why do we not have enough money to do what we did before if you genuinely, in real terms, increased the education budget?

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Why are we still looking for money? We have been through that debate. You say that you increased it. The rest of us say that that is not true. That is where it is at. We realise that you have some fancy financial accounting tricks to make it look that way, and we accept that; but do not try to continue the pretence. That is the first point.

The second point is that, if you go to schools and suggest that this Assembly thinks that we should take money from schools that have raised contributions in an effective way and put it across to other schools, then you would certainly be misrepresenting the general view.

The next point that I would like to pick up is the one from Mr Humphries, who raised the issue of needing to come back with a revised response. It was a pretty precious legalistic point that he was running. If you want to stick with the precious legalistic point, a revised response, technically, probably means that you need to change three or four words. I would suggest very strongly that you, Minister Stefaniak, not take that approach; but, technically, that would meet the requirements of the motion.

What, in fact, Mr Humphries did for us, though, was raise a series of options that we had. They were similar sorts of options to the ones that I raised in my opening speech. I believe that what we are doing is going very easy on this Minister. Instead of taking one of the options that Mr Humphries raised, of taking the Minister out, what we are doing is saying, "Minister, this is not good enough. Go back; look at some of the options; and we will give you another chance". I am an old teacher; I cannot help myself. We are giving you another chance, Bill, to let you get it right. It is an unprecedented move, but it is also an unprecedented response. That is why we think it is appropriate that you go back, look at it again and see whether you can do better.

Question put:

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

The Assembly voted -

AYES, 9

Ms Follett
Ms Horodny
Ms McRae
Mr Moore
Mr Osborne
Ms Reilly
Ms Tucker
Mr Whitecross
Mr Wood

NOES, 6

Mrs Carnell
Mr Cornwell
Mr De Domenico
Mr Hird
Mr Humphries
Mr Stefaniak

Question so resolved in the affirmative.

Sitting suspended from 12.46 to 2.30 pm

QUESTIONS WITHOUT NOTICE

Health Budget

MR WHITECROSS: Mr Speaker, my question without notice is to the Chief Minister. Chief Minister, in your presentation speech to the Appropriation Bill (No. 2), you said that a second appropriation was an “open and transparent mechanism for budget adjustment”. You also said that the Government was “making an open and accountable statement to the community about the costs of health care and the changes that are needed”. You said:

... this appropriation will not require the Government to undertake additional borrowings to cover the expenditure of \$14.2m.

However, Chief Minister, nowhere do you say where one dollar of the money is going to come from to make up the \$14.2m hole in your health budget - the result of your own incompetence and mismanagement - and the promises are precisely the same as the ones in your failed first Appropriation Bill. Chief Minister, where precisely are you going to find the \$14.2m, given your undertaking to the Assembly that you will not borrow it?

MRS CARNELL: Mr Speaker, I think I have made it quite clear in any number of forums exactly where the underspend has been. It has been predominantly in capital works. We have made that quite clear. There is also underspending in the central redundancy pool. I think I have made that point in this place as well. I think it is totally clear and on the record that we have underspent in capital works and in the central redundancy pool. There is the Treasurer's Advance as well. There are all of those sorts of things. Mr Speaker, we could have done what the previous Government did and fiddled the figures.

Mr Berry: Mr Speaker, I take a point of order. Would you direct the Chief Minister to keep her mind on the question rather than on what she could have done?

MR SPEAKER: There is no point of order.

MRS CARNELL: Mr Berry might not like it, but that is exactly what I answered.

Mr Berry: Mr Speaker, Mr Berry does not like answers that avoid the issue. The issue is: Where is the money coming from?

MR SPEAKER: There is no point of order.

MRS CARNELL: I just said.

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Mr De Domenico: Mr Speaker, under standing order 61, would you remind Mr Berry that he is not allowed to interrupt anybody when they are trying to answer a question? Perhaps you might have a look at that, Mr Speaker.

MR SPEAKER: Order! I do uphold that point of order. Continue, Chief Minister.

MRS CARNELL: Thank you very much, Mr Speaker. I have a great deal of pleasure in answering the question again. I have made it quite clear in this place that the capital - - -

Mr Berry: Where is it coming from, exactly?

MRS CARNELL: I have made it clear exactly where it is coming from. The capital works budget has been underspent and the central redundancy pool has been underspent. It is quite simple where it comes from. The capital works budget, I think, is as much as \$14m underspent and the central redundancy pool will very easily pick up the rest.

Mr Berry: Which programs?

MR SPEAKER: Order!

Mr Berry: And how much?

MR SPEAKER: Ignore it, Chief Minister.

MRS CARNELL: Mr Speaker, I have made it extremely clear - - -

Mr Hird: I take a point of order, Mr Speaker. I draw your attention to standing order 39. Standing order 39 simply says:

When a Member is speaking, no other Member may converse or make any noise or disturbance to interrupt that Member.

Mr Berry is continually doing just that.

MR SPEAKER: I uphold the point of order.

MRS CARNELL: Thank you very much, Mr Speaker. Mr Speaker, the approach that we have taken is very accountable and open. It is exactly the opposite to the approach taken under the previous Government. When Mr Berry was Health Minister the health budget blew out every single year for four years. It was four out of four for Mr Berry. Mr Berry has the absolute gall to get up in this place and make comments about incompetence and so on. He even suggested that I should resign for having one health budget that blows out. Does that mean that he should have resigned four times, Mr Speaker? We have been quite open that this health budget is not acceptable. I stood up in this place and explained exactly what we were going to do about it. Mr Berry did it four times in a row. At the same time he decreased the number of public hospital beds by 200. He allowed the waiting list to more than double and he blew out his budget as well. Maybe he should have resigned eight times to make up for all of those sorts of things.

To get back to the question, capital works is underspent and the central redundancy pool is underspent. We will have the capacity, from those programs and the Treasurer's Advance, at least on current projections, and we will not have to go to extra borrowings.

Mr Berry: So this is a phoney Bill.

MRS CARNELL: No.

MR WHITECROSS: Mr Speaker, Mrs Carnell's answer shows that she does not understand her own budget, because there is no such thing as a capital works budget. There is capital spread over 27 pages.

Mr Humphries: Mr Speaker, I rise to take a point of order.

MR WHITECROSS: My question is - - -

MR SPEAKER: There is a point of order. Sit down.

Mr Humphries: Mr Speaker, Mr Whitecross is doing what members opposite seem to have become used to doing with every single supplementary question, and that is making a statement instead of asking a question or as well as asking a question. I would ask you to rule that that kind of thing is not in order.

MR SPEAKER: I uphold that point of order and I would remind members - - -

Mr Berry: Mr Speaker, I would like to - - -

MR SPEAKER: Sit down. I am speaking.

Mr Berry: Would you let - - -

MR SPEAKER: Sit down. Standing order 119 says:

Immediately following the oral answer to a question, one supplementary question may be asked by the Member who asked the original question: Provided that the supplementary question is relevant to the original question or arises out of the answer given, contains no preamble, introduces no new matter and is put in precise and direct terms.

Would you like to ask a supplementary question, Mr Whitecross?

Mr Berry: Mr Speaker, I take a point of order. Would you also agree, Mr Speaker, that questions that have been asked previously in this house and have been allowed set a precedent for the continuing questioning of Ministers in this place? Mr Speaker, I put it to you that that standard has already been set and it ought not be upset by your ruling.

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MR SPEAKER: I do not accept what you are putting to me. Mr Whitecross, would you like to ask a supplementary question in the terms of standing order 119?

MR WHITECROSS: Thank you, Mr Speaker. I understand Mr Humphries's concerns. My supplementary question, Mr Speaker, is this: What programs are you going to cut? What outputs are you not going to purchase in order to pay for this \$14.2m hole in your health budget?

MRS CARNELL: I am very happy to tell Mr Whitecross again. Capital works is underexpended by up to \$14m, Mr Speaker. Interestingly, \$8m of that is directly attributable to this Assembly. Maybe I should say thank you very much, Mr Moore, for not allowing us to go ahead with the Acton-Kingston - - -

Mr Berry: I raise a point of order. Mr Speaker, I draw your attention to standing order 118, which sets out how questions without notice should be answered. The basis of that standing order, Mr Speaker, is that the question has to be answered and not avoided. The question that has been put by Mr Whitecross is very simple: What non-health programs, what outputs, are you going to cut or reduce funding to in order to pay for your incompetence as Health Minister? If you have a look at standing order 118, as we are sticking to the standing orders all of a sudden, it says:

The answer to a question without notice:

(a) shall be concise and confined to the subject matter of the question;
and

(b) shall not debate the subject to which the question refers,

and the Speaker may direct a Member to terminate an answer if of the opinion that these provisions are being contravened or that the Member has had a sufficient opportunity to answer the question.

Mr Speaker, in so far as the question is concerned, I would like you to require the Minister to answer the question. I would like you to drop the precedents of your past opinions when you said that the Ministers can answer how they like. They cannot.

MR SPEAKER: The standing order says:

The answer to a question without notice:

(a) shall be concise and confined to the subject matter of the question ...

Mr Humphries: Mr Speaker, on that point of order: With great respect to Mr Berry, standing order 118 does not say or mean that questions must be answered in a particular way, except to the extent that answers must be concise, be confined to the subject matter and not debate the subject to which the question refers. I believe that previous Speakers have ruled that there is no requirement for a Minister to answer a question. Ministers in this Government always try to answer questions if they can, but there is certainly no requirement in standing order 118 to do so. I suggest, with respect, that Mr Berry's points of order are out of order.

MR SPEAKER: I would have to uphold that. Standing order 118 simply states:

The answer to a question without notice:

- (a) shall be concise and confined to the subject matter of the question;
and
- (b) shall not debate the subject to which the question refers ...

The Chief Minister to date, in responding to this supplementary question, has not breached either of those two parts of standing order 118. Continue, Chief Minister.

MRS CARNELL: Mr Speaker, \$8m obviously has been underspent because we have not spent that money in getting rid of some of the older buildings on Acton Peninsula. That is fairly obvious to anybody. At this stage of the financial year we are projecting, on current predictions, that there will be underspending in a number of other programs. In the area of redundancies, as I have said in this place already, at this stage the drawings on the central redundancy pool have been only \$2m. We expect that to go up substantially, but we do not expect it to reach anywhere near the \$12m that was set aside in the budget for redundancies.

It does not take a genius to realise that under those circumstances, and those alone, there is a capacity within the current budget, if current projections are met, to fund the \$14.2m from within current provisions. It does not take a genius to work that out. What we will not be doing is using Executive power, as Ms Follett did, to up the Treasurer's Advance to cover it. That was one of the things that we got rid of in my Financial Management Bill this morning. I was horrified that it was possible - - -

Mr Berry: I raise a point of order, Mr Speaker. I will read the supplementary question to you again. What non-health programs, what outputs, are you going to cut or reduce funding to in order to pay for your incompetence as Health Minister? We did not ask her what she is not going to do.

MRS CARNELL: I think I have answered that question very adequately, thank you.

MR SPEAKER: You may sit down, yes.

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Teachers - Stop-work Meetings

MR MOORE: My question is also to the Chief Minister, this time in her capacity as the Minister in charge of industrial relations. On Tuesday, 16 April, in answer to my supplementary question - that very concise supplementary question, you will remember, Mr Speaker - regarding whether workers at stop-work meetings were being paid, Chief Minister, you replied:

For some stop-work meetings that have been approved, people have been paid. For those that have not been approved, they have not been.

Chief Minister, will you approve a stop-work meeting for teachers on Tuesday while they consider your offer?

MRS CARNELL: If a request comes to me, I will certainly look at that, Mr Moore; but at this stage, to my knowledge, a request along those lines has not come to me. Possibly the Minister for Education may have had a request.

Mr Stefaniak: Not yet.

MRS CARNELL: No. It is very hard to approve something that you have not been requested to approve.

MR MOORE: I have a supplementary question, Chief Minister. I can assure you that an approach will be made. Under those circumstances, will you approve it when this approach is made to your Government?

MRS CARNELL: I think that is a hypothetical question, Mr Speaker. I certainly give an undertaking to look at the request when I get it.

Kangaroo Management

MR HIRD: Mr Speaker, I would like to direct a question to the Minister for the Environment, Land and Planning, Mr Humphries. Mr Humphries, you recently released a report by the Kangaroo Advisory Committee which made a number of recommendations for long-term kangaroo management in the Territory. Despite the Government promising to implement that report, you were still subject to criticism by the Greens and Labor. Was that criticism reasonable or justified, or was it just political grandstanding?

Mr Berry: All he is interested in doing is shooting the kangaroos.

MR HUMPHRIES: Mr Speaker, I am very tempted to shoot somebody or something else, but I will restrain myself for the moment. I thank Mr Hird for the question. Members will recall that in October last year I was subject to some criticism at that stage for pre-empting the Kangaroo Advisory Committee's final report on kangaroo management issues in the ACT. At that stage I was lectured by Mr Berry, who was then the environment spokesman for the Labor Party, and others for having pre-empted

the decision. I was told that I should abide by the umpire's decision; that the umpire was going to make a decision and I should await that umpire's decision. So, Mr Speaker, chastised, I took my medicine and decided that I would indeed accept the umpire's decision. Come hell or high water, a kangaroo in every backyard, I would accept it; I was going to abide by the decision of the umpire.

Mr Speaker, when I received the Kangaroo Advisory Committee's final report, or the report for this stage, I issued a press release. In fact, I will table that press release in a minute. In it I clearly stated that we accepted all the recommendations of the committee with respect to kangaroo management. The report states:

.. where it can be demonstrated that significant impacts on the economic viability and ecological sustainability of rural leases are due to kangaroos, then damage mitigation by localised shooting be permitted.

Ms Follett: Shame!

MR HUMPHRIES: Ms Follett, I think, puts her finger on the pulse there. Ms Follett says, "Shame". She does not agree with the Kangaroo Advisory Committee. That is quite clear.

Ms Follett: I do not agree with shooting kangaroos.

MR HUMPHRIES: Okay, she does not agree with shooting kangaroos and therefore she is opposed to what the Kangaroo Advisory Committee has recommended. With respect, Mr Speaker, those opposite cannot have it both ways. They cannot, in October, lecture me for not abiding by the umpire's decision and yet, in March, tell me that I should reject the umpire's decision. Which is it to be?

Ms Horodny: Read the recommendation properly.

MR HUMPHRIES: I have read the recommendations.

Ms Horodny: Properly. Onus of proof.

MR HUMPHRIES: They say that "damage mitigation by localised shooting be permitted". Mr Speaker, Ms Horodny has bought in. She made some comments at that stage about the need for property management plans to be in place and that they have to be there before shooting can begin. With respect, Mr Speaker, the report did not say that there must be property management plans in place before shooting can begin. That is not what the report says.

I thought, "There is some confusion here. Let me make this absolutely clear by discussing it directly with the person who chaired that committee, Professor Rodger". I posed this question through my office: "Are you saying, Professor Rodger, that we are not allowed to cull kangaroos until property management plans are in place?". Professor Rodger came back and said no. He advised that we can cull kangaroos this year on the basis of the criteria in the report. The release that I issued on 6 March this year, which I now table, was cleared directly with Professor Rodger. I table that release.

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Mr Berry: All you are interested in is shooting the kangaroos and sucking up to the rural lessees who will shoot anything that moves.

MR SPEAKER: Order!

MR HUMPHRIES: Far from jumping the gun, I have done what I was urged to do last October, which is to implement faithfully what is in that report. Mr Speaker, if those opposite do not like that, if they do not like what the Kangaroo Advisory Committee has recommended, they have two problems to face. First of all, they have already told me that I will have to follow the committee's recommendations. Secondly, this is a committee consisting of experts, the best Australian experts that could be found on the question of kangaroo management. They are the best possible people.

Mr Berry: Does Jacqui Rees agree with you?

MR HUMPHRIES: Perhaps not. Perhaps Jacqui Rees did not agree with that management report; I do not know.

Mr Berry: Is she on the committee?

Mr Stefaniak: She did not agree with Mr Wood either.

MR SPEAKER: Order! Mr Humphries is answering Mr Hird's question, not all the interjectors.

MR HUMPHRIES: I suggest that Mr Berry turn and ask Mr Wood what he thinks of that proposition. I am sure that he would have a ready answer to that proposition. Mr Speaker, I think this is a sensible, balanced report. I have now taken that advice and I will implement the recommendations of that committee.

Belconnen Remand Centre

MS FOLLETT: I direct a question without notice to Mr Humphries in his capacity as Attorney-General. I refer Mr Humphries again to the minute from ACT Corrective Services which I tabled in the Assembly on Tuesday and which outlines the steps that staff at the Belconnen Remand Centre are taking in order to meet their budget bottom line - the sacred bottom line. There is a statement in that minute, Minister, which says that "jobs which are available to detainees to earn money will be reviewed and rationalised". How many detainees have lost their jobs as a result of that directive? How many of the detainees who have lost their jobs were also reliant on the now cancelled free issue?

MR HUMPHRIES: Mr Speaker, first of all, Ms Follett has asked a very detailed question which I will have to take at least partly on notice. I think it is a bit unfortunate that she chooses to ask that sort of question without giving me advance notice or putting it on notice. The Belconnen Remand Centre operates on the basis that there will be a number of jobs available to inmates at the centre to ensure that they are able to purchase

those things which are not provided for them. Members would be aware that everything of an essential nature is provided for them - food, clothing, and accommodation, obviously. The BRC management makes available a number of jobs or tasks within the framework of the operation of the centre to ensure that people at the centre who have no access to money in any way - that is, through having money already or having relatives or friends who will make money available to them in the centre - are able to earn money for things that are not provided to them, such as cigarettes.

There was a concern by the Belconnen Remand Centre previously that the supplying of cigarettes to inmates at the centre would give rise to a legal liability on the part of the BRC. Members would be aware that there have been a number of actions in recent days inferring liability on parties or organisations supplying free tobacco. I think the Navy has been the subject of one of those actions. So there was some concern about that. There was also concern about the cost of that supply. I am told that it amounted to something like \$10,000 a year to supply that tobacco. It was supposed to be supplied to inmates of the centre only on the basis that they could not afford to buy it themselves. I am told that people would receive money and would deliberately spend it in order to be able to receive the free ration, since the ration was not tied to any responsible spending of the money that they had.

The situation now, I am advised, Mr Speaker, is that when a person who is destitute and without any money enters the BRC they are given a one-off sum of \$10 to be able to make purchases of that kind and, when that \$10 is spent, jobs or tasks which are remunerated are made available to them in order for them to earn other money to purchase such things as cigarettes. It meant, in all cases, that people were buying what they wanted in the way of cigarettes and the like. We are not supplying it free to anybody, but means are made available to make sure that people there do have the capacity to purchase. I do not believe that any jobs have been cut back to the point that there is not a capacity for those who need money to earn that money, but I will take that part of the question on notice.

O'Connor Ridge

MS HORODNY: My question is to the Minister for the Environment, Land and Planning, Mr Humphries. Minister, you may be familiar with that section of the Canberra Nature Park called O'Connor Ridge, which runs adjacent to Dryandra Street in O'Connor and separates O'Connor from the Institute of Sport. There was until recently a pleasant walking track along the top of the ridge which was used by many local residents. Unfortunately, these residents and the local Parkcare group found to their surprise and dismay a couple of weeks ago that a bulldozer had gone down the track and scoured out what now looks like a dirt road. Could the Minister tell us why this bulldozing was carried out and whether any assessment was done beforehand of the destruction that this bulldozing would cause to the vegetation along the track?

MR HUMPHRIES: Mr Speaker, no, I cannot tell Ms Horodny about that because I have no idea what a particular bulldozer was doing in the O'Connor Ridge area. With great respect, if you want to get an answer to a question like that - - -

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Mr Moore: The Parkcare group wrote to you a week ago, or two weeks ago.

MR HUMPHRIES: I am sorry; I have not seen that letter as yet.

Mr Moore: I will show you a copy.

MR HUMPHRIES: Fine. when that letter comes in and when a response arrives, I will be able to answer the question. If Ms Horodny wants an answer to her question today in question time, during questions without notice, about a matter as detailed as that, with respect - - -

Mr Berry: A bulldozer in the bush is pretty detailed!

MR HUMPHRIES: It is pretty detailed, but it is also pretty obscure. More than half of the ACT's total area consists of nature reserve or national park. I am afraid that I do not know the position of all the bulldozers, backhoes, tractors, trucks, et cetera, at any given time or what they are doing in that area. If I deserve a slap across the wrist for not knowing where all the capital equipment is all over the ACT, then I plead guilty; but I have to say that I do not believe that it is my job to know that. If Ms Horodny has a question about what a particular bulldozer was doing on a particular path of the Canberra Nature Park, I am very happy to find out; but I cannot give that answer without taking the question on notice.

MS HORODNY: Could you take on notice also this supplementary question when you are investigating this issue? When will the management plans be available for Canberra Nature Park?

MR SPEAKER: No. I am sorry; I will rule that out of order. That has nothing to do with the original question.

MS HORODNY: It absolutely does have to do with the original question because this bulldozer - - -

MR SPEAKER: You asked a question about a bulldozer in a nature park. You are now asking something about a management plan.

MS HORODNY: It is obvious that this Government has no idea of the connection between these two, but there is a very strong connection, I am afraid - one that you should know about.

Mr Moore: I take a point of order. Mr Speaker, I ask you to reconsider your position. Perhaps you did not consider the importance of a management plan for O'Connor Ridge. Had it been in place we would know where bulldozers should or should not go. I think that is the point. That is the connection that Ms Horodny is appropriately making for her supplementary question.

MR SPEAKER: It is an extremely tenuous connection. Mr Humphries, if you want to take it on board as well, do so. I will leave it to you. I do remind members that there has to be some connection, not tenuous, between the supplementary question and the original question.

MS HORODNY: The connection is there with other members in this Assembly. Unfortunately, there is no connection there with the Liberal Party.

MR SPEAKER: I will leave it to Mr Humphries.

MR HUMPHRIES: I will take that on notice, Mr Speaker.

Charnwood High School - Basketball Courts

MR BERRY: Mr Speaker, my question is to the Minister for Education and Training, Mr Stefaniak. It is about a matter of serious concern to the Belconnen community, particularly Charnwood residents, that access to local sports facilities has been cut because of the destruction of the two basketball courts at Charnwood High School.

MR SPEAKER: Ask your question, Mr Berry.

MR BERRY: Mr Speaker, a preamble in the asking of a question is not ruled out, as far as I can see from the standing orders.

MR SPEAKER: Lengthy ones are.

MR BERRY: Of particular concern is the dismissive and ill-informed attitude of both Ministers involved. The pathetic initial response to the damage to those basketball courts was that the equipment had been stolen, would you believe. To demonstrate the shallowness of this initial response, it was not even reported to the police. It was alleged that it was stolen, but that was not serious enough to be reported to the police. Now that it has been discovered that the destruction of this sports facility was fully authorised, will the Minister apologise to the Belconnen community for his failure to prevent the disabling of this valuable community sports facility by stealth?

Mr Humphries: A basketball hoop.

MR BERRY: Mr Humphries laughs. Young people in Charnwood have been deprived of a valuable sporting facility because it has been destroyed with the authority of the Government.

MR SPEAKER: We have 1½ questions so far, Mr Berry.

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MR BERRY: Will the Minister apologise to the Education Department staff he accused of theft? Will the Government accept that this entire episode has been bungled by both Ministers - Mr Stefaniak and Mr De Domenico? In a joint press release last week they were denying the issue. Will the Minister acknowledge his complete breach of faith to the Charnwood community in the light of his promise to consult before taking action? Minister, will you comply with those requests?

MR STEFANIAK: Mr Speaker, I think that if anyone should apologise it is Mr Berry. This is quite amazing. I would hate to see Mr Berry as a foreign affairs reporter because, if three drunken Russian sailors got on the wrong side of the Amur River in China, that would constitute a full-scale Russian invasion of China. Really, that is a little bit like this. Mr Berry came out with this outrageous claim that these bulldozers were dismantling Charnwood High School and that it has begun today. I understand that Mr De Domenico's department has put a fence around Charnwood High School and that some basketball rings have been taken. You check your facts, Mr Berry. At no stage did I accuse anyone of anything. In my part of the press release, Mr Berry, I said this:

Mr Berry has come out with claims that the dismantling of Charnwood High has begun today because two basketball rings are missing. I don't think this constitutes the dismantling of Charnwood High.

Mr Berry should be aware that any decision on the future of Charnwood High has to be accepted by Cabinet and the Assembly. His claim was, "There it goes; down goes Charnwood High". I went on to say:

Mr Berry has had a great week. He's been accusing the Government of cutting back on Youth Services, when I've been out launching a number of new youth initiatives in the past four days.

I can table that, Mr Speaker.

Mr Berry: Mr Speaker, the standing orders require the Minister to confine his answer to the subject matter of the question. I will read to you the subject matter of the question so that the Minister is clear on the matter. Will the Minister apologise to the Belconnen community for his failure to prevent the disabling of this valuable community sports facility by stealth? Yes or no will do, or maybe. Will he apologise to the education staff he accused of theft? They were accused of theft by the Minister's officers. The Minister's officers were the ones who said that they had been stolen.

Mr Humphries: I take a point of order.

Mr Berry: I thought I was given leave to ask these questions again.

Mr Humphries: Mr Speaker, this is not a point of order that Mr Berry is making. He is making an elaborate statement. We all heard the question and I think the Minister is answering that question.

Mr Berry: You might have, but Mr Stefaniak did not.

MR SPEAKER: Order, Mr Berry! I would remind all members, and I would remind the Ministers, that answers to questions without notice should be concise and confined to the subject matter. Proceed, Mr Stefaniak.

MR STEFANIAK: Mr Berry might also notice that it was school holidays at the time. When the matter was further investigated, Ginninderra District High School had consented.

Mr Berry: The school closed, mate. Didn't you know?

MR STEFANIAK: If you listen you might learn something, Wayne. Ginninderra District High School had been approached by Copland College for those basketball posts. They had agreed to that. Indeed, those posts are now at Copland College. A large number of Charnwood students go to Copland College, Mr Speaker, and that is something Mr Berry should be aware of. Far from depriving people of the area of a resource, that resource has been given to a large number of people. Wrong again, Wayne!

MR BERRY: After an answer like that, what makes the Minister think that the community will believe that he will not now wander over there with a bulldozer and knock the school down by stealth? What a rough old answer!

MR SPEAKER: Is that a supplementary question?

MR BERRY: That is a supplementary question. While he is at it he might try dealing with the earlier parts of the question as well.

MR SPEAKER: I am sure that Mr Stefaniak will try to answer that.

MR STEFANIAK: There was something about an underpass, but I will answer that supplementary question, Mr Speaker. In terms of what is proposed for Charnwood High or Charnwood redevelopment, there will be ample community consultation because that is something that this Government is committed to, unlike the previous Government. Mr Speaker, in all of this, Mr Berry really should be very keen to get his facts right and not blow something completely out of all proportion. His claim that this was the demolition of Charnwood High School is quite clearly outrageous.

P and C Associations - Fundraising Information

MS McRAE: My question is to Mr Stefaniak in his capacity as Minister for Education. Minister, can you explain the response that I received to a question on notice in regard to the amount of money raised by the P and C councils? The response was:

P and C Associations operate as separate legal entities being formed as incorporated associations in accordance with the Associations Incorporation Act 1991. The P and C Associations maintain separate financial records which are not available to the Department. As a result, it is not possible to provide the requested information.

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Can you explain why I received this answer when there was a full statement in the submission by the department to the Public Accounts Committee? It was Attachment 9 of the submission, headed "Collection rates of voluntary contributions and transitory funds", and details were given of the amounts raised by the voluntary contributions between 1982 and 1994. Can you explain this difference, Minister?

MR STEFANIAK: I think you have two completely different things, Ms McRae. In case there is any correlation, I am happy to take that on notice, see what I can find out and get back to you, Ms McRae.

MS McRAE: That is outrageous, Mr Speaker. This Minister has misled the Assembly. This is a question on notice. It is a question that was provided. They are both public. It is absolutely outrageous.

Mr Humphries: I raise a point of order, Mr Speaker. Members opposite seem to think it is all right at least twice a day to accuse a member over here of misleading and then withdraw, as if that makes up for it. It does not. It is against standing orders to say what Ms McRae has said. I ask that she be made to withdraw it.

MS McRAE: Mr Speaker, before I withdraw, I wish to repeat my question. The Government did not listen to what I said.

MR SPEAKER: No, there is no - - -

MS McRAE: Let me finish.

Mr De Domenico: I take a point of order, Mr Speaker. Would you check standing orders? I suggest that if the Minister has decided to take the question on notice there could not possibly be a supplementary question.

MS McRAE: I have not got to the supplementary question yet. I am answering the point of order. The Government laughed at me and said that there was a discrepancy in what I was talking about. They did not listen to the question. They now accuse me of inappropriately accusing the Minister of misleading the parliament. I suggest that they listen to the question again. I am happy to withdraw my accusation of misleading if the Minister would give me the courtesy of listening to my question and taking very seriously this accusation that I am making.

MR SPEAKER: Order! As far as I am aware, the Minister has taken your question quite seriously and has taken it on notice, Ms McRae. I do not think he can do any more than that.

MS McRAE: I would like to see that, Mr Speaker.

Retail Development

MR WOOD: Mr Speaker, my question is to the Chief Minister and it concerns proposals over a period for retail expansion. That is the question. It is about retail expansion, right?

MR SPEAKER: Yes. Proceed carefully.

MR WOOD: I refer to your statement, Chief Minister, in this Assembly on 29 November 1994 - not so long ago, and I have seen no change to your views - in support of your call for a moratorium on expansion of the Tuggeranong Hyperdome. In your statement you said:

The issue is that the proposed expansion of the Hyperdome will finally kill off local centres and make some group centres non-viable.

You further commented on the same day:

... we already have too much retail space in this city.

I also remind you of Mr De Domenico's comment on that day in relation to the same issue. He said:

If it is red tape to protect small businesses in the Tuggeranong Valley, live on red tape.

My question to the Chief Minister is this: Why do you not have a balanced and considered approach to development proposals - I say that these are proposals; the word I am using is "proposals" - since you adopted one attitude to the Tuggeranong proposal, but an obviously different attitude in Woden, when your Government received a similar development proposal from the Woden Plaza, by going out there and launching it?

MRS CARNELL: I am interested that this question is addressed to me, Mr Speaker, but I am happy to answer it. Mr Wood, as usual, is extremely badly informed on what was launched at Woden Plaza the other day.

Mr De Domenico: He was not there. That is why.

MRS CARNELL: Mr Whitecross was there, of course. What was launched was a community consultation approach. I thought that community consultation was an appropriate approach, not only on extra retail space but on the whole redevelopment of the Woden area. I think one of the things that we would all agree on is that the 1972 Woden Plaza has had very little done to it since Farmers Market was opened in 1977. It is looking shabby. The external areas are looking - - -

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Mr Berry: I take a point of order. Mr Wood's question was quite clearly focused on the issue of inconsistency. Mrs Carnell should stick to that point in responding to the question.

MR SPEAKER: Proceed, Chief Minister.

MRS CARNELL: That is exactly what I am doing, Mr Speaker. What we launched was a consultation period, a period to allow the community and other retailers to have a say in the proposed redevelopment that has been put forward by Woden Plaza. That is an approach that we supported back in 1994. We supported it in the run-up to the last election. Our approach to Tuggeranong Town Centre was that we would not give an approval for extra space unless appropriate feasibility studies had been done. We had looked at how it would affect other businesses in the Tuggeranong Valley. We looked at how it would affect jobs in the Tuggeranong Valley. All of those sorts of things needed to be taken into account before any agreement to allow a redevelopment would go ahead.

When the Woden Plaza management, Lend Lease, came to see me quite a number of months ago now, we reiterated that position. Mr Humphries and I made it quite clear to Lend Lease that we would be giving no approval for extra retail space in the Woden Valley or at Woden Plaza unless community consultation had gone ahead, they had done feasibility studies on its effect on other retail outlets, and we had looked at the whole issue of retail space in the Woden area. They went away and started to do that work. Another stage of that work - a fair amount of it has been done already - is the community consultation approach. All of the work they have done so far is now available for the community and other retailers to input.

I am fascinated by those opposite. We have gone down the path of looking at these developments in a rounded fashion, looking at getting community input and getting retailer input. Those opposite will be interested to know that we will have a full retail strategy ready for community consultation, probably, in the next month or so, simply because we have not sat on our hands as the previous Government did. We have been doing the work we said we would do. We are looking at issues such as retail trading hours in a sensible manner, unlike the Greens, who want to shut Canberra down. The only positive statement I heard from that press release was Frank Pangallo in Queanbeyan saying, "Wow, we are in for a big retail boom in Queanbeyan". Maybe the Greens opposite have a deep and meaningful relationship with Queanbeyan retailers or something.

I think we have to come up with a balanced strategy, one that takes into account that our major centres are important to Canberra. There are 90 individual small business owners at Woden Plaza - 90 Canberra businesses, owned and operated, which employ Canberrans. We must not allow those 90 retailers to be totally ignored. They have a centre that was opened in 1972 and that was expanded in 1977. It is looking shabby. There are significant problems with the layout of the centre. There are significant problems with the way the supermarkets are positioned within Woden Plaza. I think the most important thing that we can do here is to allow real input into these issues. We have given no undertaking. Mr Humphries will back me up on this.

Members interjected.

Mr Hird: I raise a point of order, Mr Speaker. I draw your attention to standing order 61, which says that a member may not interrupt another member. These people over here are doing nothing else. I am trying to hear. We do have an interest, Mr Speaker, in the question that was asked, because we have a concern about small business.

MR SPEAKER: I uphold the point of order. Continue, Chief Minister.

MRS CARNELL: To finish very quickly, Mr Speaker, Mr Humphries and I have made it very clear that Lend Lease or Woden Plaza have been given absolutely no approval to go ahead with anything. We have given them approval to conduct a full-scale community consultation approach, something that we would encourage in all sorts of areas.

MR WOOD: Mr Speaker, I would like to ask a supplementary question, if you will let me.

Ms Follett: Be careful.

MR SPEAKER: Yes. Thank you for the caution, Ms Follett.

MR WOOD: It is about proposals for retail expansion, Mr Speaker. I note that the Chief Minister said, "We launched". She used the word "we". She is endeavouring to rewrite history because she and her colleagues did everything they could to frustrate and to stop anything happening in Tuggeranong.

MR SPEAKER: Would you mind asking your supplementary question?

MR WOOD: It needs a preamble, Mr Speaker.

MR SPEAKER: There is no preamble to a supplementary question. Have a look at standing order 119.

MR WOOD: She did everything she could to frustrate that development. She says that she does not sit on her hands, yet she is using the Ibecon report that we commissioned.

Mr De Domenico: I take a point of order, under standing order 119. Would you ask Mr Wood to ask the supplementary question?

MR SPEAKER: I uphold the point of order. Ask the supplementary question, Mr Wood.

MR WOOD: In relation to that Ibecon report and retail trading, how does she propose to deal with the proposition spelt out by Ibecon that there is a shortfall of retail space in Tuggeranong and an oversupply in Woden? How does she propose to rationalise this with a balanced approach?

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MRS CARNELL: What we have not done is gone off half-cocked with one report, as Mr Bill Wood was very keen to do. We have a number of reports looking at such important things as the social impact of the expansion of major centres and what it will do to small businesses, to people employed and to the community generally, rather than just accept one report as Mr Wood wanted to do. Even with a couple of reports available, we require any proposal for expansion or redevelopment of a major centre, or, for that matter, a not so major centre, to go to full community consultation, and the proponent to come up with plans to allow for input - all of the sorts of things that this Assembly continues to urge. I believe that this is an appropriate approach.

Again, unlike those opposite, we will come down with a retail strategy for community input inside the next month or so. We will ask for input not just on how big Woden Plaza or Tuggeranong Town Centre may be, but also on such important issues as retail trading hours, and what we really want for the future of our local centres, our group centres and so on. These issues must be looked at in their totality. That is what we told Woden Plaza. That is why they have not got an approval and have had no undertaking that they will get one. We have told them that unless they go through this sort of process they have no show.

Schools - Funding

MS TUCKER: My question is to the Minister for Education, Mr Stefaniak. This Government, we have heard, is committed to the expansion of school-based management to provide much greater financial flexibility for schools. It has also said in its response to the PAC report on voluntary contributions, which was rejected by the Assembly this morning, that it will not make up shortfalls in discretionary funding. Is the Government concerned that declining real resources to schools relative to needs is creating a climate in which schools will increasingly be forced to seek corporate sponsorship and that schools in wealthier suburbs will be more likely to attract sponsors, thereby causing inequity in our public school system?

MR STEFANIAK: I thank the member for the question, Mr Speaker. I think that what Ms Tucker and other members have to realise is that we do have a very good education system in Canberra. We have many demographic features in Canberra which are quite different from other parts of Australia and other places such as New Zealand. The issues raised by Ms Tucker are certainly very much in the forefront of the Government's consideration of the school-based management issues. Those are issues that have been raised elsewhere and they are things we look at in terms of school-based management, Ms Tucker. They certainly are things that are of concern to schools in the move towards enhanced school-based management. They are things we take into account, obviously, and that the community is taking into account. Having said that, I think we are fairly fortunate in this community in having, generally speaking, across Canberra a demography which is quite different from parts of Melbourne and parts of Sydney where there are very real socioeconomic differences.

MS TUCKER: I have a supplementary question. That is not the view of some people. There is quite a range of socioeconomic areas within schools. Can the Minister assure the Assembly that guidelines for corporate sponsorship are being followed? How does your department ensure that this is occurring?

MR STEFANIAK: Mr Speaker, currently, certainly in the colleges, there are some attempts for local business sponsorship. The issue of sponsorship, corporate sponsorship, is being looked at in the context of school-based management. Accordingly, we have recently had a consultation period. I think some 38 schools have responded to that. No doubt all those issues will be taken further into account as we progress towards enhanced school-based management.

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

Mr Berry: Mr Speaker, may I make a short statement. Mr Osborne has not had a question. We have provided the Government with a pair, and we would like to have got six questions in.

MR SPEAKER: Order! Standing order 113A reads:

Questions without notice shall not be concluded until all non-Executive Members rising have asked at least one question.

All non-Executive members rising have asked one question.

O'Connor Ridge

MR HUMPHRIES: Mr Speaker, during question time Ms Horodny asked me about the walking trail on O'Connor Ridge that had been damaged, or traversed, by a bulldozer. My advice is that the walking trail she refers to is actually a fire trail which has become heavily overgrown. It is necessary, because it is a fire trail, to keep it clear. Therefore, a bulldozer has moved down it to keep it in its original appropriate width as a fire trail. I am sure that Ms Horodny would be most upset if the Government neglected its duty to keep those fire trails open and clear. In fact, I remind her that a fire swept through that part of O'Connor Ridge about 10 years ago and reached the boundaries of a number of houses in O'Connor. I think Mr Wood's house was one of those houses.

Mr Moore: Are you sure that it is not a number of new fire trails too?

MR HUMPHRIES: I believe that this is an existing fire trail which is being re-established, and it is most important that we make sure that those fire trails remain open. That is my advice. If there is a new fire trail being blazed, I will certainly follow that through. But my advice, at this stage, is that it is not; it is an existing fire trail which is simply being reopened.

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Housing Development - Turner

MR DE DOMENICO: Mr Speaker, yesterday Ms Tucker asked a question in relation to the redevelopment of blocks 2, 3 and 4, section 48, Condamine Street, Turner. My advice is that Traffic and Roads has assessed and endorsed a traffic impact report prepared by Bill Guy and Partners Pty Ltd for the proposed redevelopment. Based on the proposal put forward, the proposed access location satisfies all the normal traffic requirements. However, Traffic and Roads has indicated to the developer that, as the proposed redevelopment will result in a small, but not insignificant, increase in traffic on Condamine Street and, as it is adjacent to the school flag crossing, it will be recommending that off-site works, to be funded by the developer, include the provision of a pedestrian refuge island. Ms Tucker also inquired whether the department was considering charging the developers for traffic calming measures. Mr Speaker, developments are assessed on a case-by-case basis to determine what off-site works are required by the developer in relation to traffic safety.

Trade Union Picket - Damage to Legislative Assembly Building

MR SPEAKER: Yesterday afternoon, during the adjournment debate, Mr Humphries asked me a question about expenses incurred during the union bans which affected this Assembly for a 3½-week period in February-March 1996. The expenses incurred during the union bans are as follows. The security reader on the rear door was replaced, at a cost of \$1,109. Glass at the public entrance was repaired at a cost of \$55. Footpaths around the Assembly building were steam cleaned and windows at each entry were cleaned, at a combined cost of \$680. There was contracted work for which expenditure had been committed but which was not undertaken because of industrial bans. This included cleaning of the building, totalling \$10,180, and air-conditioning maintenance of \$140. Finally, there was the estimated cost of repair work to the air-conditioning plant, which damage was possibly caused by a lack of water supply. The pump repair cost \$2,500. The total cost of this work is \$14,664. I think I should say that we are investigating whether the cleaning contract does, in fact, have to be paid. I am not sure of that at the moment. Investigations are continuing. But at the moment the figure stands at \$14,664.

Mr Berry: Mr Speaker, I would ask you a question further to that. Would you consider sending the bill to Mrs Carnell, as she was responsible for the industrial dispute?

MR SPEAKER: No. There is no question.

Mr Berry: Mr Speaker, you took the question yesterday.

MR SPEAKER: There is nothing before the house. I have no intention of sending that account to Mrs Carnell.

Mr Berry: I will ask you in the adjournment debate.

MR SPEAKER: I have just answered you. I have no intention of sending the bill to Mrs Carnell.

ANSWERS TO QUESTIONS ON NOTICE

MR MOORE: Mr Speaker, I would like to raise a matter under standing order 118A. I draw attention to the issue of question on notice No. 158, which was asked of Mr Humphries quite some time ago and which has not yet been answered. I ask him to account for that under that standing order.

MR HUMPHRIES: Mr Speaker, Mr Moore's thought processes are too apparent, because someone has picked that up and I have the answer right here.

Mr Moore: I actually spoke to Stephen and told him that I was going to do it.

MR HUMPHRIES: Your thought processes are very apparent when you speak to Stephen. Mr Speaker, I do have the answer here. I have not yet read it through myself; but I will do so and, if it is satisfactory, I will table it in a short while.

AUSTRALIAN FUTSAL DELEGATION TO ARGENTINA AND BRAZIL Paper

MRS CARNELL (Chief Minister) (3.25): Mr Speaker, for the information of members, I present the Report of the ACT Government's Participation in an Australian Futsal Delegation to Argentina and Brazil, 13 to 25 January 1996. I move:

That the Assembly takes note of the paper.

Question resolved in the affirmative.

PUBLIC SECTOR MANAGEMENT ACT - EXECUTIVE CONTRACTS Papers

MRS CARNELL (Chief Minister) (3.26): Mr Speaker, for the information of members and pursuant to section 31A of the Public Sector Management Act 1994, I present copies of the contracts made with Mr John Turner, Ms Cheryl Vardon, Mr David Butt, Mr Tim Keady, Mr Mark Baker, Ms Linda Webb, Ms Annabelle Pegrum and Ms Rosemary Walsh. I move:

That the Assembly takes note of the papers.

Mr Speaker, I present eight executive contracts made under the Public Sector Management Act 1994. Five contracts relate to the chief executive officers in Urban Services; Education and Training; Health and Community Care; Business, the Arts, Sport and Tourism; and the Attorney-General's Department. Three contracts are for

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executive officers within the Chief Minister's Department, these three officers being the Executive Director, Office of Public Administration and Management; the Executive Director, Office of Cabinet and Policy Coordination; and the Director, Government Relations.

These contracts are tabled in accordance with section 31A and section 79 of the Act, which require the tabling of all executive contracts. You will recall that on 29 February I presented six executive contracts. Other contracts will be tabled as they are progressively made. In tabling these contracts, I would like to bring to the attention of members the content of the performance agreements. With the exception of the contract in respect of the Director, Government Relations, at this stage all other contracts contain interim performance agreements only. The interim agreements are based on the material developed as part of the recent selection processes. The documents identify the chief executives' primary responsibilities, the organisational environment and the key accountabilities. They do not include key timeframes or target dates. The use of these interim agreements reflects the complexity of the task of developing meaningful performance agreements. Tabling of detailed performance agreements will be completed only after I have had the opportunity to meet with the chief executives and their relevant Ministers. I expect to finalise the agreements to enable tabling of the variations at the end of the next sitting period.

As a separate issue, I would like to alert members to the issue of privacy of personal information that may be contained in these or future contracts and agreements. I ask members to deal sensitively with the information and to respect the privacy of individual executives.

Question resolved in the affirmative.

SUBORDINATE LEGISLATION

Papers

MR HUMPHRIES (Attorney-General) (3.28): Mr Speaker, pursuant to section 6 of the Subordinate Laws Act 1989, I present subordinate legislation in accordance with the schedule of gazettal notices for a declaration, a determination, Supreme Court Rules and regulations.

The schedule read as follows:

Bookmakers Act - Determination - Location of sports betting venue - No. 31 of 1996 (S67, dated 16 April 1996).

Building Act - Building Regulations (Amendment) - No. 3 of 1996 (S56, dated 29 March 1996).

Credit Act - Declaration - Repayment Redraw Facility - No. 30 of 1996 (S67, dated 16 April 1996).

Supreme Court Act - Supreme Court Rules (Amendment) - No. 4 of 1996
(S54, dated 29 March 1996).

Weapons Act - Weapons Regulations (Amendment) - No. 5 of 1996 (S69,
dated 17 April 1996).

MR HUMPHRIES: I move:

That the Assembly takes note of Regulation No. 5 of 1996 made pursuant to
the Weapons Act.

Mr Speaker, I have just presented the Weapons Regulations (Amendment) 1996. In doing so, I wish to discuss the details of the regulation, which will ensure that paintball is operated in a safe and environmentally friendly way, and, secondly, to discuss the unfortunate trends appearing around ACT politics.

Members will note that I must authorise approval for any paintball operator, which must be incorporated and the directors of which must be fit and proper people, pursuant to the present framework in the legislation. The paintball guns must be stored securely and marked for identification, and they must be used only at a site approved by me as Minister. No person under 18 may play, nor may any person under the influence of alcohol or drugs. So, what we have, Mr Speaker, is a comprehensive set of rules which will ensure that paintball is operated safely, with neither the participants nor other members of the community losing out nor with our tough position on weapons being compromised.

In terms of environmental impact, the only location being considered for paintball is in pine plantations run by ACT Forests, although I understand that one operator is interested in an indoor venue, such as a warehouse. ACT Forests is very keen to have paintball on its land, as it provides a use for areas that otherwise lie idle.

Mrs Carnell: You would not want to put paint on pine trees, though.

MR HUMPHRIES: Putting paint on the pine trees might be a problem, Mr Speaker; but, apart from that, the pine trees remain idle, so to speak, except for the fact that they are growing. Forest areas can be safely isolated from the community, as is currently done, for example, for archers, who also use the forests - presumably, also, with the violent overtones that archery brings. So, I would defy anyone to tell me how environmental damage can be done by small gelatine balls with water-based vegetable dye in them, when an area is to be clear-felled in a few years' time anyway.

It was the Greens' reaction to this exact issue which, Mr Speaker, leads me to the second part of this statement. It seems that the standard for political debate in this Territory has lately become, "Bag, and think about it later". Look at Ms Horodny's reaction when we announced our support for paintball. Within minutes, she was on radio, criticising the proposal for being environmental vandalism. I note that she subsequently had some criticism of the ACT Government for a supposedly outrageous reaction, on the same lines, to her suggestion about the voting age being lowered to 16. Look at the pot calling the kettle black.

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Mr Speaker, I do not know whether she had read my press release at the time she made those statements - in which case she would clearly have read that I talked about putting the recreation into pine forests - or whether, if she did, she just did not consider the issue. But, straightaway, she said that she would vote against it. It was only after the issue was discussed on ABC radio that she conceded that it was hard to vandalise a pine forest. She fell back on that old furphy, "Paintball is militaristic". So, Mr Speaker, my office offered Ms Horodny a briefing from a criminologist from the Weapons Advisory Committee. I gather that she does not want this briefing, so she will not receive that information. Ms Horodny would have been told that this particular criminologist - a female criminologist with the Weapons Advisory Committee - supported the proposal to have paintball allowed because she did not believe that there would be any problem in that respect. For the record, Ms Horodny did not want the briefing that was offered to her. Apparently, she did not wish to have the prejudice that she has on this issue shaken in any way by an expert in the field - a criminologist.

What was even more ironic was the statement that the ACT Greens made yesterday about the voting age. The Greens criticised us and Labor for "lining up to say no to a piece of legislation they are yet to see, against an argument they are yet to hear". Mr Speaker, I have already commented about what I consider to be hypocrisy in that respect. By comparison, Mr Moore was frank enough to say that he had doubts, but that he would think about it, which he did for a week and then made an informed decision. Mr Osborne, having played the game, was able to support the proposal based on his own experience. I suspect that many people in this place do not have any experience in this respect. But, Mr Speaker, that was not the case for the ACT Greens.

Mr Berry: You have never done a foreign order, either.

MR SPEAKER: Order!

MR HUMPHRIES: No, I have never played paintball either, Mr Speaker, I have to confess; but I am not so narrow-minded as to think that, because I have not played a game, it cannot be any good.

Mr Speaker, while the P and E Committee has been looking at the issue of contaminated sites, we have frequently seen people putting out releases about contaminated sites management. I have to say that I wonder why there should be a final report in those circumstances. The issue I am getting at, Mr Speaker, is the need for us to ensure that we do provide some balance in the way in which these issues are considered and that we do not all jump to conclusions before the proper process is completed. In this case, we put regulations on the table. I invite those opposite who are critical of the idea of paintball in this Territory to contribute constructively to that debate and to decide whether they think we should deprive citizens of the Territory of the right to enjoy within the Territory this sport which citizens in other parts of Australia - indeed, in surrounding parts of New South Wales - enjoy. I wonder whether perhaps some people have not been a little bit overprotective - nannyist, if you like - in respect of the citizens of this Territory.

MS HORODNY (3.34): Mr Speaker, Mr Humphries has jumped up in support of paintball in the ACT; but I do not think that he has done very much research on what is - - -

Mrs Carnell: You would not even have the briefing.

MS HORODNY: I have had a briefing on this issue.

Mr Humphries: Not from the person we offered.

MS HORODNY: I had a briefing on this issue from the paintballing people themselves last year.

Mr De Domenico: What about the criminologist?

MS HORODNY: You obviously have not talked to shires adjoining the ACT, as I have done. I have spoken to a councillor in Yarrawlunla Shire, where paintballing was banned three years ago because of concerns about what was going on with paintballing and the after-effects.

Mr Humphries: But you have talked to those who are opposed, not to those who are in favour. Talk to the criminologist.

MS HORODNY: Mr Humphries, the councillor from Yarrawlunla Shire had some very valid points to make about this issue. If you will just be quiet, I will explain to you what was talked about. One of the reasons why it was banned in that shire was that it certainly did enhance a culture of violence amongst the people who were playing paintballing. There were a number of incidents on almost every occasion after the game was played. There was no debriefing. There was no requirement for a trained person to be on site to do a debriefing session afterwards. There were incidents where people coming away from this game with their own weapons were potting the sheep and cattle and doing all sorts of outrageous things. I have heard this from the councillor in Yarrawlunla Shire. I understand that Gunning Shire also tried to ban it, but they did not have the numbers in the council. They did have the numbers in Yarrawlunla Shire, and they are very happy with the fact that they have banned it.

The other thing is that the Minister for Police is the first to jump up and talk about violence issues. He is always horrified when we talk about domestic violence, when we talk about child abuse, when we talk about all the other incidents of violence that occur in our society. Yet he cannot seem to make the connection between violence and those things that we do in our society which are supposed to be play. I want to make a statement about that, too, because there is a very clear difference between play and a game like paintballing, where the participants are wearing their camouflage gear and the game is very much based in present terms. I notice that Mr Moore said in the media that even our children can tell when it is real violence and when it is play.

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If you are talking about a game like Dungeons and Dragons or any of those games that are definitely based in unreal terms - that is, they are not about contemporary society and contemporary games - then there is a very clear distinction, and people can very easily distinguish between what happens in that sort of game and what happens in paintballing. But you have people wearing contemporary army gear, running around the forests with guns that are otherwise banned, except for the purposes of this game. Can you not understand the connection between continually allowing more and more - - -

Mr De Domenico: They are not banned. Do you want to ban Lazer Zone as well?

MS HORODNY: Yes, Mr De Domenico. We have Lazer Zone. We already have a number of such games in the ACT. We have violent videos. We have all sorts of violence that is already out there. To take your analogy to its extreme, are we saying, "We have some air pollution; so, let us not worry about increasing that. We have problems in some areas; so, let us not worry about what other things we are doing as a society to make those problems worse."? Surely your responsibility, particularly as Police Minister, is to look at the connections and the long-term ramifications and to say, "Do we not have enough violence in our society as it is?". Why do we need to enhance this whole culture and say that it is all right to play with guns? As for grown men running around, playing with guns, there is a whole issue there as well.

I really wish that the Minister would consider talking to people who do have concerns and who have banned it in their shires, such as Yarrowlumla and Gunning. I wish that he would actually look at the long-term ramifications and make the connections.

Mr Humphries: Do not be so patronising, Ms Horodny.

MS HORODNY: Mr Humphries, you are often patronising. I think it is time that I did it to you.

Mr Berry: He has the belt, Lucy. You will never take the championship from him.

MS HORODNY: He sure has. The point is, Mr Humphries, that I think you are not being responsible, as the Minister for Police. You will jump up on any occasion and talk about violence in our society, as indeed you should; but you do not seem to be making the connections between all these other things that we are doing in our society and all the ways that we are continually enhancing violence. I think you really should look at it. It is a very serious issue. You think it is just a game; it is not doing any harm. For most people it may not do any harm; but you should know about the problems that such games and such play can introduce for certain people who are not as healthy and as stable as they should be. Just generally, when I spoke to this councillor, I heard about all sorts of incidents that had occurred.

It seems that you have the numbers to introduce this game into the ACT. I do not know what Mr Osborne is doing about this. It sounds as though he is supporting it as well. Again, I am surprised that an individual who is very concerned about violence in our society is happy to endorse this game of violence. I really think you should consider this

very carefully and, if you are going to put it into place, Mr Humphries, you should set up mechanisms to ensure that there is debriefing after the game and that there is as much responsibility as possible taken to ensure that there are not ramifications from the playing of this game.

MR OSBORNE (3.43): How could I let an opportunity like that pass, Mr Speaker? I have to say that I do agree with a lot of what Ms Horodny said then, and I certainly am concerned about violence; but I cannot - - -

Mrs Carnell: Ban football?

MR OSBORNE: Exactly. I think you need to distinguish between different things. I really do not think you can compare paintball and rugby league; but I think you can compare paintball and some of the arcade and computer games, Mr Speaker. As I said in the press, I would be happy not to support this if we were to be fair dinkum about it and ban every other game that involved shooting and violence, such as the computer games that most children have in their homes. It would be hypocritical of me to stop this when we have those games in our own homes. As Mr Humphries said, I have partaken of the odd game, and I must say that it does hurt.

Mr Moore: Are you now talking about rugby or paintball?

MR OSBORNE: I am talking about paintball. I suggested to Mr Moore that perhaps all of us in this Assembly should head out there once a month and have a go at it. Mr Speaker, I just want to say, very briefly, that I will be supporting the Government on this issue. I cannot be a hypocrite and say that we should allow our own children to play at home with computer games and such things while we try to ban this sport.

MR MOORE (3.45): Mr Speaker, there has been some mirth in the Assembly over this issue; but the reality is that it is an on-balance decision. There were some very good arguments that Ms Horodny put up. I think that most members would recognise the validity behind those arguments. There were very good arguments that Mr Humphries put up and that have been put up through his advisers. I must thank him for providing that advice from his committee to me when I requested it.

Mr Speaker, for me, the decision eventually came down to the point that we must value personal freedom over the way we perceive a game when there is no direct evidence of harm to others. That was the crunch. In fact, the issue was raised here, in a joking way, about rugby being more violent. Indeed, Mr Speaker, I think more people will be hurt playing rugby than playing paintball. There are some very good arguments that playing contact sports - rather than concentrating on rugby - is, indeed, a way of encouraging a competitive attitude and an attitude that encourages young people to harm others in order to achieve a goal. One can easily put that kind of argument. The trouble with arguments like that is, of course, that there is some truth in them. That is why, for me at least, this was not a particularly easy decision to make. I think there are valid arguments on both sides. On balance, I think the issue of personal freedom outweighs the issue that Ms Horodny has raised. It is an on-balance issue. It is not one for which there is an easy, right-or-wrong answer, as is the case in many of the decisions we make in this Assembly.

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MS FOLLETT (3.47): Mr Speaker, I would like to speak very briefly on this matter. I do not think it would be a secret to anyone in the Assembly that I am opposed to the introduction of this particular game into the ACT. I am quite prepared to have my views derided by the Government. That is all right with me. In fact, I think it is a badge of honour to have your views derided by this kind of a government. The fact of the matter is, Mr Speaker, that the game that we are talking about actually requires a regulation under the Weapons Act to be made. That is a very serious matter, which the Assembly ought to take note of.

The regulation that the Minister has tabled makes provision for the weapons used in this game to be treated like firearms; that is, they have to be stored securely, in a manner approved by the registrar; they have to have identification numbers; the registrar has to be notified that they are to be used only on the paint pellet range; they are not to be used by anybody under the age of 18 years and so on; nobody is allowed to use them if they are under the influence of alcohol or drugs; and the registrar must be satisfied that anybody who supervises or instructs people in the use of this weapon is suitably qualified. These are not water-pistols we are talking about, in other words; they are real weapons, as defined under the Territory's Weapons Act. So, it is a matter that requires our very careful and thoughtful consideration.

Mr Speaker, it seems to me, as Mr Moore says, that this is an on-balance decision about whether or not to allow this game to be played. I should tell members also that, on balance, if I had a free choice in the matter, I would ban many sports. I would ban all sports where the objective of that sport is to inflict harm on another person. So, boxing would go; wrestling would go; most of the martial "arts", so-called - arts, my foot! - would go as well. If I had a free choice, that is what I would do. So, it should not be a surprise to anybody to note my opposition to this particular game, because it is a game where the whole objective is to shoot someone else. What a noble objective that is, in a society and Assembly which prides itself on its stance against violence, on its stance against weapons. Mr Speaker, this is an issue that really does deserve very careful consideration.

I myself am opposed to this game. I think the fact that there are people in this Assembly who are prepared to put an opposing view is not cause for derision by those who do not hold that view. It ought not to be cause for derision. I know that my views are shared by many in the community, and they have expressed support for those views. So, Mr Speaker, I would prefer the Government to take a rather more careful, thoughtful and conciliatory approach in its quest for this game to take place in our city. I know that it occurs in other places, and I do not regard that as any justification whatsoever for its occurring here in the ACT. We know that all sorts of things occur in other places, like police corruption, paedophilia on a rampant scale, and so on. I do not suspect that any of us would support the ACT adopting that kind of approach either. So, Mr Speaker, I think we need to look at the issue on its merits, look at the influence that this game might have within our own community and make our decision based on that kind of consideration rather than on any sort of knee-jerk or gung-ho approach that seems to be saying, as the Government is, "There is nothing wrong with this; it is just having fun. Let us go ahead with it". There have been many things done in the name of having fun, not all of them sensible. Mr Speaker, I think that, now that the issues have been raised, they ought to be carefully considered.

MR STEFANIAK (Minister for Education and Training and Minister for Sport and Recreation) (3.52): Mr Speaker, one thing that maybe Ms Follett is forgetting here is that, according to my understanding, the Weapons Advisory Committee - which has not changed in format or, indeed, personnel since the time of the Labor Government - had no problems at all with this. It looked at the issue; it accepted it; and, according to my understanding, had no problems at all with it. I think that is a very relevant fact. The Weapons Advisory Committee, of course, advises my colleague in terms of effective gun control. I think it is no secret - and, indeed, everyone in this Territory is very proud of the fact - that the Territory has the toughest gun laws in Australia. I think all of us really are very proud of this fact. The Weapons Advisory Committee advises my colleague in terms of appropriate amendments to the Act. He recently introduced some amendments to tighten up certain areas, and properly so. That was unanimously supported by the Assembly. So, I think that is a very important factor to bear in mind here.

Mr Wood: Irrelevant.

MR STEFANIAK: It is not irrelevant. Also, one has to bear in mind the fact that this game is now played, successfully and without mishap, in many other parts of Australia. Indeed, I understand that at Michelago there is a paintball park or area. Also, I think, not too far to our north there is another one.

Mr Humphries: At Gunning and Goulburn.

MR STEFANIAK: At Gunning and Goulburn; thank you, Mr Humphries. Also, according to my understanding, a large number of Canberra people, including firms, take their members to play paintball.

Mr Humphries: Government departments.

MR STEFANIAK: Government departments do, because it is team building. It is a lot of harmless fun, but it does build a bit of esprit de corps in the team. It is used quite effectively there. It is something that has been around in Australia for a number of years now. It is not a new phenomenon which we should be incredibly cautious about. We have had a lot of time to have a look at it to see whether there is anything insidious, dangerous, or maybe superdangerous rambo about it. Quite clearly, that does not seem to be the case.

Accordingly, it would seem to me that our Weapons Advisory Committee - a cautious bunch of people, well representative of all persons who would have an interest in effective and proper gun control - have given this a tick in the box. Really, I think people who are opposed to the introduction of it now, at this point in time, are being somewhat prudish, are overreacting, and are really just stopping people from having what appears to be, including to the Weapons Advisory Committee, legitimate, harmless fun. I commend the Minister for his attitude in relation to this, and I think it could well bring some tourist dollars into our fairly cash-strapped Territory.

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MS TUCKER (3.54): Mr Speaker, I love it: Team building! We go out and try to kill each other! Is this how teams work in the bureaucracy; is this how it works in the private sector; or is this the private sector against the bureaucracy? How does it work? You have made a whole lot of statements - - -

Mr De Domenico: Do you want a game?

MS TUCKER: It would be really good here. It would be in character.

The thing that I was really interested to hear Mr Stefaniak say was that there are no mishaps, there are no consequences, and it is just having fun. What we have right now in our society, in the community and in the world generally is a start. People are reacting. I was interested to hear you say, "A woman said that it was okay". I think it is interesting that you had to bring that in. A woman is trying to stop people having homebirth publicly funded, too. Let us not just think that, because women are there, we are going to get - - -

Mr Stefaniak: I did not say that. I think you have misquoted me there. I did not say anything about a woman.

MS TUCKER: It might not have been you, actually. It was about a woman criminologist. Who said that?

Mr Humphries: I did.

MS TUCKER: Mr Humphries did. I would like to point out that that was not particularly relevant. I would question the relevance of that comment. The point is that there is extreme alarm. It may be amusing to see Mrs Carnell going "Bang!" to Mr Moore. One part of me laughs at that and another part of me is deeply offended. What we have right around this globe is violence to a level which is of huge concern, with women, children, men, old people - everybody - dying and suffering. We now have a society where we are getting more and more concerned about violence, and we want to know why it is there.

What is the basic message that you are giving here? It is, "Let us play with guns; it is fun. Let us try to kill each other. We are only playing; it is fun". Mr Osborne says that it is okay; he does not really like it and it would be hypocritical to - - -

Mr Stefaniak: Kids have played cowboys and indians since time immemorial.

MS TUCKER: This is very true, and I will address that in a minute. One of the things he said was that, if all these other games were not in existence, he would not support this. The other approach you can take, which is the one we would take, is that, if there are concerns about the amount of violence and how it is being fostered within the community and amongst our young people, we need to look at it. There are a lot of people working now to lobby the Federal Government about what is in video games, what sorts of games we are providing for recreation for our young people. That is the way we would like to move.

We do not want to stand up and say, "Because this is already happening, we will let this happen as well". What we are saying is that there is huge concern about violence. The message you are giving is, "Yes, let us continue that". There is no debriefing. You are skilling people. When we have massacres in society, people say, "We should not have guns, because people sometimes lose it, and then they use that gun to kill their wife or their children, quite often". Sometimes they kill lots of people. The point is that you are teaching people, through this game, how to be quick with a gun; how to run around; how to avoid trees. You are giving people skills to be quick and - - -

Mr Humphries: Rubbish!

MS TUCKER: This is what was told to me. You can tell me if that is wrong. The question is: What do you think you are teaching people here? You are not only skilling people to run around with weapons that look like real weapons but also encouraging generally in the community a condoning of violence, of weapons and of fighting. What I say and what many people around this world say is that, if we do not stop saying that that is okay, if we do not start questioning why we want to play war games, we are not going to get very far. In fact, we could end up with the end of the world, because it extends to nuclear weapons.

MR HUMPHRIES (Attorney-General) (3.58), in reply: Mr Speaker, let me say, in closing the debate, that it is hard to top the argument that paintball could lead to the end of the world; but I will try. First of all, let me say that this is not the set-piece debate on paintball. I am merely presenting the regulation today. A member in this place has the right to move to disallow this regulation. Indeed, Ms Follett has indicated on the radio that she will go ahead and do that. I would simply ask that she do so reasonably soon, so that we all know where we stand on that issue, rather than let the issue dangle for a number of months before we decide upon it. Something tells me that we are not going to see a motion on this question moved very soon by the Labor Party, because I understand that they are actually divided on the question.

Nonetheless, Mr Speaker, I have to say that the lecturing from those opposite that we need a thoughtful and conciliatory approach on this subject and that we need to look at the issue on its merits, a la Ms Follett, is a bit rich coming from the person who was on the radio, moments after the decision was announced to proceed with these regulations a couple of weeks ago, slamming the Government for daring to introduce this militaristic sport in the ACT. There was no thoughtful and conciliatory approach on that score. There was no looking at the issue on its merits. The answer was no. It was an immediate and swift no. So, Mr Speaker, I do not know where Ms Follett gets this line that we need a thoughtful and conciliatory approach from the Government. We do not get it from the Opposition. I think it is a bit rich to ask for it, frankly.

We hear a philosophical argument at least from the Greens: Paintball is a form of a violent game; a violent game encourages a violent society; we should not, therefore, have violent games in a violent society - or, at least, this form of game goes too far. I want to try to understand why that is. Mr Moore, I think, has quite adequately demonstrated that the game of paintball is much less actually violent, in terms of injury and the spilling of blood, than, say - - -

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Mr Berry: It is a simulated game.

MR HUMPHRIES: Listen, Mr Berry; you will hear. A game of paintball is actually less violent in that sense than a game of rugby league.

Mr Berry: Oh, cut it out!

MR HUMPHRIES: It is. People do not break their legs, have their Achilles tendons pulled or have their noses broken and so on in a game of paintball - unless they fall over as they are running along. These things do not happen. I can prove that the average game of paintball is much less injurious, in a physical sense, to its participants than is a game of rugby league. So, clearly, that is not the argument the Greens are putting. Presumably, the argument is that we encourage a violent psychology; people are shooting at each other. I can see that. People are shooting at each other. But it is far from being the only sport or recreation played in this country where that kind of thing actually occurs.

We have in this city - and have had for a number of years - a game called Lazer Zone, where people shoot guns at each other. "Aha", says Ms Horodny, "You cannot count that either, because the people are not dressed in contemporary clothing and they are not shooting contemporary-looking guns; they are shooting other sorts of guns". I have to say that I think this argument is very tenuous indeed. In the Olympic sport of fencing, people simulate running one-metre long pieces of steel through each other's heart. That is how you win the point - by simulating the running of steel through people's hearts. Would Ms Horodny and Ms Tucker advocate the banning of fencing because of direct and violent behaviour with sharp swords? What is the difference? I do not understand the difference. Mr Speaker, I put it to Ms Horodny and Ms Tucker that they are lecturing us and assuming that there is a connection between a violent sport and violence in society. I would say to them that there might well be a connection; but it might, in fact, be an ameliorating connection, not a damaging connection.

Has it occurred to Ms Horodny and Ms Tucker that, by being able to play these sorts of sports, people actually take out of their systems violent tendencies and, in fact, relieve their capacity to do so in illegal ways?

Ms Tucker: Stress is better relieved by jogging around the block, actually. It hypes them up more. It does not work that way.

MR HUMPHRIES: Mr Speaker, I suggest that, when the inevitable Green government arrives in the ACT and we see Chief Minister Tucker and Deputy Chief Minister Horodny, they begin their brave new world by banning all these violent sports, because they are all violent - all the rugby leagues, the fencing, the Lazer Zones, the computer games and all the other games that rely on body contact. I suggest that they ban them and then say, "Anyone who gets a tendency to want to punch somebody else should go for a run around the block, and they will feel much better after a 20-minute jog".

No, Mr Speaker; I am afraid that these Greens opposite are telling us that they know these things to be true. I say to them that I do not believe that they have a shred of evidence to base that on, except their own supposition. I, at least, am relying on the professional opinion of those appointed by the previous Government to advise this Government and the previous Government about weapons issues. The advice we have had, including advice from a criminologist, is that it is better to have this kind of sport played in regulated circumstances than to have the consequences of not allowing it to take place, which presumably include things like people engaging in violent activities in an unstructured or illegal way. I want to accept that basis for proceeding and get on with the business of making these decisions.

Mr Speaker, the Greens are quite happy, when it comes to surveillance cameras, for civil liberties to become more important than safety issues; but, when it comes to paintball, safety issues are apparently much more important than civil liberties. There is a considerable gap in the credibility of these arguments which they have not explored. The onus is on you and those opposite in the Labor Party to say why we should not have a sport, which is played widely up and down the eastern seaboard of Australia, also available in the ACT. It is widely available up and down the eastern seaboard of Australia, but not in the purest ACT. You prove the connections you allegedly make between a violent society and the playing of violent games.

Ms Follett: You prove that it is safe, then. Come on, you prove that it is safe.

MR HUMPHRIES: No. Other jurisdictions, I think, have proved that it is safe. You prove that it is not safe. Mr Speaker, that is the challenge that I lay down. I simply appeal to Ms Follett, who has promised to move the disallowance motion, to do so in the next sitting so that we can clear the air on this issue once and for all.

Question resolved in the affirmative.

TAXIS AND HIRE CARS - DIRECTIONS **Ministerial Statement**

MR DE DOMENICO (Minister for Urban Services) (4.06): Mr Speaker, I ask for leave of the Assembly to make a ministerial statement on directions for taxis and hire cars.

Leave granted.

MR DE DOMENICO: Mr Speaker, it is with great pleasure that I make this statement to the Assembly on Government reforms for the ACT taxi and hire car industries. The Government has identified changes to regulation following fruitful discussions with industry and within the ACT Public Service. The changes will allow for significant improvements in the manner in which taxi and hire car services cater for the needs of the ACT community. This includes the restricted hire vehicles which cater for weddings and school formals.

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The overall aim of the changes is to provide better value for money in the provision of passenger transport. This will be achieved by defining the role of government in regulating the taxi and hire car sector; introducing systems of plate release which respond to market signals; and ensuring that private operators of public passenger transport services have the flexibility to respond quickly to changing community demand. In achieving these aims the Government's proposals ensure that high-quality standards of service are maintained. These are to be achieved through performance-based contracting and the introduction of owner accreditation and driver authorisation that will extend the benefits of the system of performance-based contracts to the operation of taxi radio networks.

The Government will introduce any legislation necessary to set the enabling mechanisms in place. The role of government subsequently will be to monitor service delivery and to encourage industry itself to maintain the high level of quality that is expected. Should it not be forthcoming, mechanisms will be included enabling the Government to intervene to the extent necessary to correct the situation.

Mr Speaker, I think it is interesting to look at the existing situation. I would like to stress at this point that, by and large, Canberrans have taxi and hire car services that compare favourably with those of other cities. However, the present regulatory environment requires a judgment every year about the number of additional taxi plates that are needed. No hire car plates have been released for over 20 years. An appropriate mechanism is required for introducing competitiveness, flexibility and responsiveness in providing service to the ACT community. At the same time, we must sustain the ability of the industry to continue to function commercially whilst providing an overall high standard of passenger service.

I would like to say something about deregulation too, Mr Speaker, because the Government is not taking up the option of full deregulation. The Government accepts that it has an obligation to ensure vehicle safety. Further, we will continue to regulate maximum prices charged for taxi services, to protect those in the community whose bargaining power is relatively weak. Finally, New South Wales has said that it will not deregulate taxis or hire cars. For the ACT to do so would create difficult cross-border issues.

However, we should not confuse deregulation with competition. There are many ways in which competition can be expanded without resorting to overall industry deregulation, and competition can be effective in a regulated environment. For instance, we propose to create conditions for easier entry to the hire car industry, subject to meeting requirements associated with operator accreditation, driver authorisation and plate leasing or purchase costs. We propose to issue a contract with any taxi radio network that wishes to establish in the ACT. This will provide for a guaranteed level of quality of service. Where these requirements are not satisfactorily met, contracts will be terminated and the respective services put to open tender, or other measures may be taken such as the release of additional licences to enable required service standards to be met.

One of the more important initiatives provided for in these proposals involves operator accreditation and driver authorisation. These measures, to be developed in conjunction with the industry, will provide a far more effective and efficient means of removing unsavoury or incompetent operators and drivers from the industry. This will not only improve services but also greatly enhance public safety. Every operator and owner of a public transport enterprise will have to be accredited. To obtain accreditation, operators will need to demonstrate that they are financially solvent, are of good repute, and in all other respects are fit and proper to operate public passenger services. They will also need to commit themselves to establishing a suitable vehicle maintenance and safety program. Similarly, drivers of public passenger vehicles will need to show that they are sufficiently competent, and are appropriate people to provide the public passenger service. For example, taxi drivers will need to have a required level of locality knowledge, English language skills and other attributes, such as their ability to provide a suitable standard of customer care before they can be authorised.

The provisions relating to taxis and hire cars remain basically unchanged, with one important exception. Short-term hire car licences will be introduced to allow for new hire car plates to be leased as opposed to being sold at public auction. Lease fees will be struck at a level to protect the investment of existing hire car plate holders. The short-term licences will be paid for by means of an annual licence fee, and will last for several years to provide a licensee with sufficient confidence to invest in a suitable vehicle. The Government has also agreed to the release of five additional taxi plates each year for the next two years. In regard to hire cars, Mr Speaker, the Government proposes to restrict the types of vehicle able to be used as a hire car. However, there will be no restriction on numbers. The market will establish the number of plates on issue at any one time. These moves, which parallel the position of our Labor colleagues in New South Wales, will ensure that taxis and hire cars service different segments of the market.

Finally, the Government will substantially increase penalties for the illegal operation of public passenger services. New South Wales has a maximum penalty of \$10,000 for breaching licence conditions or for operating illegally. The ACT Government will create a separate offence of continuing to operate a public passenger vehicle after suspension or cancellation of authorisation or accreditation.

Mr Speaker, the initiatives I have outlined will bring about the most important changes to the taxi and hire car sector of the ACT passenger transport industry since self-government. I must thank our colleagues in New South Wales because we spoke at length with the New South Wales Labor Government. I assure you, Mr Speaker, that we will make sure that the cross-border difficulties that we have experienced in the past will not appear in the future. I present the following paper:

Taxis and Hire Cars - Directions - ministerial statement, 18 April 1996.

I move:

That the Assembly takes note of the paper.

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

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**SYDNEY 2000 OLYMPICS - ECONOMIC BENEFITS FOR THE A.C.T.
Paper**

Debate resumed from 28 February 1996, on motion by **Mrs Carnell**:

That the Assembly takes note of the paper.

MR WOOD (4.13): Mr Speaker, this report obviously is just what it says - an estimate of economic benefits to the ACT arising from the international component of the activity around the Olympics in the year 2000. The paper and subsequent statements pointed out that we have lost a bit of the proportion of international visitors that we used to get, and the paper claims that, among other things, we have to look at that aspect. There is a point that I think is of very considerable significance in the cautionary notes in the report. It says:

The outcome will also be influenced by the ACT's success in achieving important transport links with Sydney which will make Canberra, given its National Capital status, sporting facilities and proximity, a more attractive destination for international tourists.

I think those transport links, in particular Speedrail, are very important. With that, the time factor is very important. It must surely be approaching the time when decisions have to be taken on the progress of that Speedrail link.

This report is very much a preliminary document, as it says. Some modelling has been done and the report indicates that there is a great deal more to be done. There is not a great deal to be said about it at this stage. The Chief Minister did take the opportunity of its presentation to justify her trip to Brazil. Very little that is constructive can be said about that trip. The most that can be said is that she retraced ground that others had done quite well beforehand.

MR DE DOMENICO (Minister for Urban Services and Minister for Business, Employment and Tourism) (4.15): Mr Speaker, the Olympics offer great opportunities for the ACT, not only in the short period that the Olympics are on but also in the lead-up to them and the post-Olympic phase. The report prepared by the Business and Regional Development Bureau on preliminary estimates of the economic benefits to the ACT of the Sydney 2000 Olympics, which was tabled during the last sitting, highlights these opportunities. The report also emphasises that this Government needs to make a commitment to pursue these opportunities. They will not materialise if we just sit back and wait. We need to actively market our sporting facilities, bid for national and international lead-up events, and offer our facilities for training. We need to raise the ACT's profile, in other words, nationally and internationally.

Canberra Tourism is working closely with New South Wales Tourism on joint marketing and on strategies to maximise the benefits that the Olympics will bring. We are working with regional tourism organisations on packages which will attract people to the region for sporting and recreational activities. We also need to improve the infrastructure, as Mr Wood said, in terms of transport links between Sydney and Canberra.

As you know, Mr Speaker, the ACT is working with the New South Wales and Commonwealth governments on options for a high-speed rail link, and on improving the quality of road transport. We are looking at options for Canberra Airport as well. Those three initiatives were initiatives of this Government. Whilst other governments have talked about it for years on end, we have got off our hands and are doing something about it. If we do our homework, Mr Speaker, and target key markets, the result will be increased visitor numbers and benefits flowing through to all business, particularly the tourism sector. We will continue to monitor developments and we will be undertaking further work to analyse potential benefits so that we can target our efforts to achieve the greatest outcome for the ACT economy.

I say once again, Mr Speaker, that, whilst others tend to talk a lot about these things, this Government is doing something concrete about them. I think the classic example of that is the trip that Mrs Carnell undertook to Argentina and Brazil. It was much maligned by some people in this place, but ultimately it will lead to enormous benefits for the ACT community. We will continue to do those sorts of things that we think are going to benefit the community in the long term.

MRS CARNELL (Chief Minister) (4.17), in reply: As you may recall, on 28 February 1996 I presented the report on the preliminary estimates of the economic benefits to the ACT from the Sydney 2000 Olympics. The report was prepared, as Mr De Domenico said, primarily by the industry policy and analysis section of the Bureau of Business and Regional Development and was based on the most recent assessment of the latest Tourism Forecasting Council figures for international visitors to the ACT.

The report highlighted some areas of real concern for the ACT. The tourism trend in this region shows that the ACT's share of international visitation has declined markedly from 15 per cent to 9 per cent over the last 13 years. We need to address this issue immediately, with aggressive marketing and strategic vision. If we can achieve the high case scenario outlined in the report, the ACT will receive an extra \$10m annually from international tourism. That is not an insignificant figure, Mr Speaker. There is no doubt that the economic benefit to Canberra from the predicted growth of international visitation to Australia will depend on our ability to reverse the current trend of diminishing market share.

One way to address this issue will be to aggressively market the sports tourism market and, in particular, seek to host international sporting associations for pre-Olympic training and the 2000 Olympic competition in Canberra. To this end there have been a number of visits to various embassies to see various people who have contacts with other Olympic nations in order to push Canberra's case. I am very pleased with some of the material that has been produced by our ACT 2000 Committee. I think the people who have been involved in that - Robyn Calder as executive director, and Bruce Glanville as chair - really should be commended, but we have an awful lot of work to do.

One of the things that my recent visit to Brazil showed me is just how important it is to sell Canberra as a venue for sporting events outside the capital and how little lots of people know about Canberra. We will be doing everything in our power to achieve that.

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The work that we have done with futsal and with FIFA - the international association for soccer in the world - to improve the profile of our city is very important; but a lot still needs to be done, and this Government will be doing everything in our power to achieve that, particularly over the next 12 months. We have been told, and I am sure that it goes without saying, that as soon as the Atlanta Olympics are over Olympic nations right around the world will be looking towards Sydney, looking to where their teams will train, and coming out to Australia to have a look at the venues that are available. It is essential that we continue with the approach that we have taken and that over the next 12 months we do everything in our power to encourage every one of those delegations that come to Australia to come to Canberra. I am sure that if they come here they will realise that we have the best sporting facilities in Australia, the best accommodation and certainly the best environment.

Question resolved in the affirmative.

CENSORSHIP AGREEMENT Papers

Debate resumed from 27 March 1996, on motion by **Mr Humphries**:

That the Assembly takes note of the papers.

MR MOORE (4.21): Mr Speaker, this has been an interesting issue for this Assembly. In fact, from the very beginning of the Assembly the issue of censorship has been debated with some heat. You may remember that under Mr Kaine's Alliance Government there was an attempt to remove X-rated videos from the Territory by legislation. That was not able to be achieved because it was the majority view of the Assembly that they remain. Mr Kaine's Government, and Mr Doby, as I recall, had the dubious honour of then ensuring that there was such a heavy taxation on those videos that the businesses wound up going to the Northern Territory. Certainly, most of the businesses did, while they remained technically legal in the Australian Capital Territory.

Censorship issues in some ways are the same sorts of issues that arise when we deal with things like paintball. A decision is made generally on balance. The decision is usually made in terms of the extent to which we believe that harm is going to occur in society compared to the right of individual adults to do what they wish in private. Of course, Mr Speaker, there will always be some people who believe that they should dictate to others what they should do in the privacy of their own homes. Those of us who are liberals believe that we should allow people the freedom to make this sort of decision themselves. That does not stop us putting some forms of protection in place for others, which is why the X-rated industry, like the prostitution industry in the Australian Capital Territory, has restrictions on it that largely mean that such trading is done as far as possible away from residential areas.

What Mr Humphries has proposed in his paper on censorship to bring about a series of new categories would allow, I think, the industry to continue. It would allow people who believe that they gain some pleasure from watching X-rated movies, for example, to be able to do so, to be able to make that decision for themselves without interference.

Mr Speaker, I believe that the debate in this Assembly has always delivered in the end an appropriate outcome in so far as this Assembly has never moved to continue bans on such videos. At the same time we have been careful about where we do draw the line. I think that is what censorship is about. It is not whether or not we will permit a totally free market solution. I do not think anybody here has advocated a completely free market solution. Rather, we look at the range of issues to determine where we should draw the line.

The development of the Internet will provide us with quite new challenges as far as censorship goes. I think our children will be subjected to far less censorship, far less control of publishers and far less control of our media organisations than we have been. Even the forms of indirect censorship that take place are effectively removed by international communication through the Internet. It will be very interesting to see how we cope. It will be very interesting to see how our education systems meet the challenge of teaching our children how to distinguish between what material is of substance and what material is questionable. I think they are going to be real challenges for our education institutions.

With that comes the general challenge of the sorts of issues that we deal with in censorship. What materials are acceptable to a family? What materials are acceptable to adults on their own or consenting adults who agree to deal with these materials? The sorts of solutions that Mr Humphries suggested in his paper, Mr Speaker, are thoughtful. I think the new categories that he has suggested will provide for a very sensible solution as to where we draw the line in our society.

MS FOLLETT (4.27): Mr Speaker, the papers that were tabled by the Attorney-General relate principally to an agreement between the Commonwealth and the States on a new censorship scheme. The aim of the new scheme is to make Australia's censorship laws more uniform and simple. The scheme sets out classification standards and criteria for publications, films and, significantly now, computer games. I think there is an enormous irony in seeing Mr Humphries tabling documents of this kind when we consider just how far the Liberal Party has come in its views on the general issue of censorship, and explicitly sexual material in particular. Mr Speaker, those of us who have been in the Assembly for some time can well remember that it was at one stage Liberal Party policy, and policy enunciated in this Assembly, that such material should be banned. That was often repeated. In fact, it was used as a weapon against Labor, who took a more moderate view, for many years with, of course, the support of Mr Stevenson - the ardent support, I might say.

Mr Speaker, I do welcome the current approach to censorship, and I most certainly welcome a national approach. I believe that it is worth reiterating the underlying philosophy of this national classification scheme. It is actually expressed in a schedule to the National Classification Code. That schedule says:

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Classification decisions are to give effect, as far as possible, to the following principles:

- (a) adults should be able to read, hear and see what they want;
- (b) minors should be protected from material likely to harm or disturb them;
- (c) everyone should be protected from exposure to unsolicited material that they find offensive;
- (d) the need to take account of community concerns about:
 - (i) depictions that condone or incite violence, particularly sexual violence; and
 - (ii) the portrayal of a person in a demeaning manner.

The schedule, in a nutshell, expresses my own and my party's view on censorship. I believe that it is the view that should underpin all regulation of what is a generally held right to freedom of speech.

Mr Speaker, the new classification schedule also introduces a couple of new categories, namely, the M and MA categories, for films, computer games, publications and so on. Again I welcome this as at least a step towards trying to identify what it is that our community generally believes is harmful in material which people see or read. What is generally held to be harmful is the violence depicted in many publications and films that come out nowadays. It was previously the case that the entire debate was over X-rated material. Members should be aware that X-rated material contains no violence whatsoever, nor does it contain any depiction of sexual activities against a person's will.

I think that, finally, we have the whole debate on classification on the right track. I believe that we have some way to go in the regulation of violence in the media that people see and hear. Until our community can somehow persuade the makers of publications, films and computer games that they do not wish to purchase the right to see or to hear such violence, I think there is very little chance of that violence being diminished. It really is a case where the consumers have to express their views. I do not think it is good enough for government to keep trying to regulate these matters pretty much against the will of the community; but it is, in my opinion, that violence which must be addressed. Mr Speaker, it is not just a matter of adults viewing violence. We all know that there are many opportunities for children in our community to view violence and to copy it if they want to. The kinds of computer games that seem to be particularly popular with children often involve the children themselves in an interactive form of violence. I think that is very much to be regretted.

Mr Speaker, I do regard this as a step in the right direction. It is a very welcome step. I regard the national approach to classification as a major step forward in the practical and sensible addressing of this issue. I do believe that we still have some way to go in addressing the issue of violence as it is portrayed in various so-called

entertainment media. I hope that Mr Humphries, in his continuing membership of the Attorney-Generals council, will continue to monitor this issue very closely and ensure that, as ever more examples of violence are portrayed and as ever more ingenious media are devised to portray violence, the principles that I outlined earlier are well and truly adhered to by all jurisdictions.

I think it is a sign of the coming of age of the Territory in many ways that we are able to have this debate now in a calm and rational manner, and without people shrieking, pointing the finger and calling us all sinners, which is what used to happen. We still have a way to go. I do not think for a moment we can be complacent that we have the best possible censorship scheme available or that we have the best possible product available in our community for people, whether they are adults or children, to see and hear. What we are talking about essentially is entertainment, and I think it would be very regrettable indeed if entertainment were to continue to portray ever more ingenious and despicable forms of violence.

MS TUCKER (4.34): The Greens also welcome this approach from the Liberal Government and from Mr Humphries in particular. We have had some discussions with him previously on the question of censorship and recategorising X-rated material. He was just informing me of the reclassification that is being proposed at the next conference of people concerned with censorship and what, hopefully, can develop from a clearer distinction between what is perceived to be violence and what is perceived to have very dangerous images where children are involved or women are denigrated in any way - or anybody else, for that matter. It is not really attracting artists to develop this genre further. I hope that out of this we will start to get much higher-quality material developing in these areas, particularly the erotica area. Throughout history there has been some magnificent artwork based on erotic images. I do not see that in this day and age we always have to accept that basically it is an extremely tacky form of artistic expression. I will not go on, because everyone has said basically what needs to be said. I support Mr Humphries in his initiatives here and I wish him the best of luck.

MR HUMPHRIES (Attorney-General) (4.36), in reply: Mr Speaker, I thank members for their support for this approach. We are a long way yet from being able to achieve a change in approach. I should warn members that my party has not exactly embraced X-rated videos with a new profound passion, to use an appropriate word. What we have proposed is that X-rated videos should be reclassified; that material that contains fetishist overtones and allusions to violence, bondage material, sadomasochist material and so on, which is still available in the X category, should be excised from that category and that material with a purely consensual notion about it should remain in that classification. That should be allowed to continue. Mr Speaker, I have to say that, if that classification process is not adopted, I am not sure that my party will necessarily embrace X-rated videos as they remain.

I also point out that the proposal we have put forward includes dealing with excessively violent videos, taking that very violent material out of the R category, which we all know is fairly easily available, particularly to young people, and putting it into a more restricted category where its access can be more carefully controlled. Mr Speaker, I have been

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making mental comparisons between our respective positions on things like paintball and X-rated videos; but I will not explore that, given that I am sure to be pulled up on the grounds of relevance. I hope that the approach we are taking on video classification is successful. A meeting of censorship Ministers is occurring in Brisbane in July, I think, where I hope there will be sympathetic consideration of this proposal by other Ministers.

Question resolved in the affirmative.

OMBUDSMAN (AMENDMENT) BILL 1996

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

That this Bill be agreed to in principle.

MS FOLLETT (4.38): Mr Speaker, the Opposition will be supporting this Bill put forward by Mr Humphries. The Bill actually adds to the responsibilities of the Ombudsman by providing the Ombudsman with a jurisdiction over Territory-owned corporations and their subsidiaries. I think this is a very important step to ensure that decisions made by TOCs and all their subsidiaries are subject to the same degree of scrutiny as any other government-made or government-sponsored decision. There is another little step in the Bill. It excludes from the Ombudsman's jurisdiction action that is taken by the Master of the Supreme Court and the registrars and deputy registrars of the Supreme Court and Magistrates Court when they are performing a function of a judicial nature. Again, I think that is an entirely reasonable step for us to be taking.

Mr Speaker, the Ombudsman performs an absolutely invaluable role in our society by providing accountability in government decision-making. I am sure members are aware that the Commonwealth Ombudsman has provided this service to the ACT for some years now. It has been very much of concern to me to see the stated intention of the new Federal Government to massively reduce the resources allocated to the Ombudsman. I am very concerned that this will in fact reduce the Ombudsman's capacity to exercise that checks-and-balances function in relation to government decision-making. I think that the Ombudsman's Office is becoming increasingly crucial as we see what is the real agenda of our local ACT Territory Government behind the facade and the rhetoric of openness and accountability.

Mr Speaker, one of the actions that I would like to refer to is the closure by the Government of the FOI office in the ACT. It is a fact that that accountability function is now ever so much more difficult for people to access than it was in the past.

Members interjected.

MR SPEAKER: Order!

MS FOLLETT: Mr Speaker, I have no intention of shouting over these people - - -

MR SPEAKER: No, and I do not require you to.

MS FOLLETT: Thank you.

MR SPEAKER: Other members will have the chance to contribute to the debate, if they wish.

MS FOLLETT: On top of the closure of the FOI office, it gives me grave concern to see that there is now this massive reduction in the resources allocated to the Ombudsman's Office. I accept that the cut is not being made by the ACT Government and I trust, therefore, that the impact of that cut will not be felt in the ACT's jurisdiction; but I am very doubtful that that will be the case, because surely the Ombudsman must allocate her major resources to her most urgent and serious cases. We have no guarantees whatsoever that the ACT matters would fall into that category. I would like to hear Mr Humphries address that matter.

Mr Speaker, what we have seen from the Federal Government, of course, is the most massive double standard that it is possible to imagine in relation to accountability. On the one hand, we have seen the Federal Government make huge cuts to the Ombudsman's budget. The Ombudsman, of course - - -

Mr Humphries: Mr Speaker, I raise a point of order. We have to ask what relevance this has. We are debating the Ombudsman (Amendment) Bill, that is true; but we are talking about the ACT Ombudsman, in effect. The function Ms Follett is talking about is the Ombudsman's Federal function, which is not affected by either this Bill or anything else to do with the debate before us today. There is a common word, but that is about all there is.

MS FOLLETT: We are speaking about the same body, the same Ombudsman.

MR SPEAKER: We might concentrate on the legislation before us.

MS FOLLETT: Indeed, Mr Speaker. We are.

MR SPEAKER: Relating to the ACT.

MS FOLLETT: Mr Speaker, what we are debating here is an increase in the Ombudsman's jurisdiction in the ACT, and I believe that it is entirely relevant to refer to the fact that that same Ombudsman is subject to massive budget cuts by the body with whom we share their services - namely, the Federal Government. I think it is also fair to say that, while that particular Government seems to have no regard for accountability and the need to maintain accountability through the Ombudsman's Office, at the same time they have imposed all sorts of paternalistic levels of control on, and scrutiny over, ATSIC - the Aboriginal and Torres Strait Islander Commission.

MR SPEAKER: Relevance, Ms Follett.

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MS FOLLETT: Mr Speaker, I might conclude on that note. I find that a massive double standard which amounts to arrant racism on the part of the Federal Government. It is a clear double standard in relation to accountability. It is one rule for the rest of the community and another rule for the Aboriginal and Torres Strait Islander community.

Mr Speaker, in relation to the Ombudsman's activities in the ACT, I believe that we have been very well served by the office, and I am very pleased indeed to see the jurisdiction being extended by this Bill to the Territory's corporations. I think it is a very necessary step. I certainly would not want to see any further reduction in the accountability processes that the community has available to it. We have already seen the FOI office closed. That is a step backwards. We have now seen the Federal Government's attack on the Ombudsman's Office. That is enough, as far as I am concerned. The community is fully entitled to accountability for government decision-making. Mr Speaker, if there are further diminutions of that accountability such as we have seen from both the ACT Government and the Federal Government, then I think the community would have every right to be asking some very hard questions indeed. There is no mandate for this kind of activity. It is quite misleading and false to claim that there is.

MR HUMPHRIES (Attorney-General) (4.45), in reply: Mr Speaker, I am afraid that the sorts of comments we heard from Ms Follett were fairly predictable but also very wide of the mark. Let me talk, first of all, about the Ombudsman's Office. This Bill is about extending the jurisdiction of the Ombudsman's control to Territory-owned corporations - not all Territory corporations but Territory-owned corporations - and is about ensuring that those bodies have a level of accountability which we expect from government bodies.

A person listening to this debate who was not well informed about the role of the Ombudsman could easily come away from hearing Ms Follett with the impression that there is some threat to the ACT Ombudsman function by virtue of what has occurred at the Federal level or is imputed to be going to occur at the Federal level. Mr Speaker, the ACT purchases Ombudsman services from the Commonwealth and it pays for those services, which means that if the Commonwealth function of the Ombudsman changes, waxes or wanes according to levels of Commonwealth funding, that particular fact has little or no bearing on the ACT's receipt of services from the Ombudsman.

If it is the Commonwealth's decision - I do not believe that it is - to decimate the role of the Ombudsman and to leave it a shell of what it was before, the ACT still pays for its own services and still has officers within that office dedicated to the work within the ACT that the ACT Government puts its way. As I understand it, the office does not generally have officers moving in all different areas, dealing sometimes with ACT matters and sometimes with Commonwealth matters, and vice versa. It has officers dedicated to the ACT function and also, I think, to the police investigation function. Mr Speaker, I do not believe that those things will be in the least compromised by what is occurring at the Federal level. It is most mischievous to suggest that that is the case.

Let me also very emphatically defend this Government's record with respect to freedom of information. The fact is that anybody observing the situation with respect to FOI today, compared with, say, a year and a half ago under the previous Government, would have to acknowledge a very significant improvement in accessibility by citizens in the Territory to freedom of information legislation. It is true that we have asked individual departments and agencies in this Government to accept responsibility for managing FOI issues themselves, but - a matter which Ms Follett fails to acknowledge and probably does not want to know about - we have also massively restructured the fee requirements for FOI information. We have all but abolished fees for access to FOI information.

Members on this side of the chamber are very well aware of the fact that the imposition of fees can be a very significant barrier to access to FOI information. This Government has virtually removed that barrier. In the case of personal information, it has removed it altogether. In the case of other information, there is only a nominal entry charge to obtain FOI information. That is a very significant change in the law. That has enhanced openness in government, not detracted from it. Ms Follett and her former Ministers would well know what a significant barrier fees can be. Hundreds of dollars can be charged for a single application, and were charged under the previous Government. That has all but disappeared under this Government, and that is a major advance.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

FINANCIAL MANAGEMENT AND AUDITOR-GENERAL LEGISLATION

Discharge from Notice Paper

MRS CARNELL (Chief Minister and Treasurer) (4.50): In accordance with standing order 152, I move:

That order of the day No. 4, Executive business, relating to the paper presented on the new framework for financial management and Auditor-General legislation, be discharged from the notice paper.

Question resolved in the affirmative.

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ADDITIONAL ESTIMATES 1995-96 - SELECT COMMITTEE
Alteration of Resolution of Appointment

MR HUMPHRIES (Attorney-General) (4.50): I ask for leave to move a motion altering the resolution of appointment of the Select Committee on Additional Estimates 1995-96.

Leave granted.

MR HUMPHRIES: I move:

That paragraph (4) of the resolution of the Assembly of 16 April 1996 establishing the Select Committee on Additional Estimates 1995-96 be amended by omitting "6 May 1996" and substituting "8 May 1996".

Briefly, Mr Speaker, this is to accommodate some problems with members of the committee being available to meet on certain dates; but it does allow time for the Government to produce a response to the report by the time the Assembly sits in May, so that we can debate the Bill in May.

Question resolved in the affirmative.

Membership

MR SPEAKER: Pursuant to the resolution of the Assembly of 16 April 1996, I have been notified in writing of the nominations of Mr Berry, Mr Hird, Mr Kaine, Ms McRae, Mr Osborne and Ms Tucker to be members of the Select Committee on Additional Estimates 1995-96.

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

That the members so nominated be appointed as members of the Select Committee on Additional Estimates 1995-96.

ADJOURNMENT

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

That the Assembly do now adjourn.

Housing Trust Tenant

MR WOOD (4.52): I refer today to a long-running dispute between Mr Len Munday, a Kambah ACT Housing Trust tenant, and various arms of the ACT Government, particularly ACT Housing. I emphasise the point that Mr Munday's complaints go back to the time of the former Government and were not dealt with to his satisfaction at that time. I have a question on the notice paper seeking the cost of this dispute, but my comments now are not related to that question.

The problem arose when Mr Munday was wrongly treated, I believe badly treated, by ACT Housing. Mr Munday had a number of legitimate concerns. Most problematic were claims from within ACT Housing that police had regularly been called to Mr Munday's neighbourhood. That was a quite inaccurate claim that was even made in an affidavit before the Administrative Appeals Tribunal. Along with this are a number of other injustices and errors which also still need to be dealt with. Being a very determined person - as members know - and a capable one, Mr Munday has fought long and hard to achieve justice, including the need to ensure that all statements in bureaucratic files are accurate.

I believe that both the current Housing Minister and the Chief Minister have met with Mr Munday on the issues and will have received departmental briefs. Mr Munday has made significant ground in redressing the wrongs. He has done that on his own and through agencies such as the AAT and the Ombudsman's Office; but he still has a long way to go, though his successes are considerable. The Chief Minister and Mr Stefaniak should subsequently have been advised that ACT Housing has since apologised to Mr Munday for inaccuracies in the files, and some of the necessary corrections have been made and placed on file.

I wonder whether ACT Housing has advised its Minister of comments in a letter from the Ombudsman - I emphasise that the Ombudsman was seeking comment from ACT Housing - to which ACT Housing is responding. I quote from the Ombudsman's letter:

I remain concerned that ACT Housing may have misled the Chief Minister on a briefing prepared for a talk-back program on 13 April 1995. In the briefing, the Chief Minister was advised, as fact, of a number of allegations which have either not been substantiated or were demonstratively wrong.

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Mr Speaker, I have not yet seen the Ombudsman's final response on that matter. I am speaking on this matter today to assert the legitimacy of Mr Munday's claims and to inform the Minister, the Chief Minister and others that much remains to be done to provide justice to Mr Munday. He will not go away. I would urge the Minister to give further attention to Mr Munday's claims, beginning with the approach that he pay more attention to what Mr Munday says than to the contents of departmental briefs.

ACTEW Employee - Alleged Corruption

MR DE DOMENICO (Minister for Urban Services) (4.56): Mr Speaker, yesterday Mr Osborne asked me a question relating to a possible instance of fraud by an ACTEW employee. At that time I indicated to the Assembly that I had no knowledge of such fraud occurring and that I would take the question on notice. Subsequently, an article on this matter was printed in the *Canberra Times* this morning outlining in some detail the allegations of fraud. Yesterday afternoon I provided a full briefing to Mr Osborne on this matter. Mr Osborne has also met with the chief executive of ACTEW. In fact, I think he has come back just now. I have also asked the chief executive of ACTEW for a full briefing on the allegations and the circumstances surrounding the employment of the individual in question.

I believe that it is important that I provide the Assembly with the details of the information provided by ACTEW to me and that the allegations being spread by certain areas of the media be put to rest. The individual in question worked for ACTEW between late 1993 and September 1995. In September 1995 the CEO of ACTEW heard rumours of misappropriation of goods by the individual in question. The CEO then arranged for the allegations contained in those rumours to be investigated by ACTEW's manager of audit services. He received a preliminary report on this matter on 21 September 1995 and a more detailed report on 26 September. The report raised a number of issues requiring further investigation. They were: Purchasing and processing of film billed to ACTEW, possibly for private purposes; the sale to an ACTEW employee of a camera alleged to be a camera reported lost; and private work alleged to be undertaken on ACTEW's time. You will note that the issues did not include the allegations made in the *Canberra Times* of theft of a computer.

Subsequently, the ACTEW CEO asked for more information from the individual in question concerning these allegations and had the individual items checked. The response to all of these issues is as follows. First of all was the purchasing and processing of film paid for by ACTEW. While there were numerous occasions on which film used by the individual for private purposes was billed to ACTEW, he was able to produce cheque stubs where he had refunded the appropriate amounts to ACTEW. Consequently, this did not constitute fraud but was a serious breach of managerial prerogative and organisational processes. The second issue was the theft of a camera. On further checking it was found that the camera reported missing had been rediscovered some months previously and there was no validity to the allegation that the camera sold to the ACTEW staff member was either the lost camera or ACTEW property. The one allegation in respect of the private work in ACTEW time was checked, and it was found that the assignment was conducted in the individual's own time.

Mr Speaker, the *Canberra Times* allegation of stolen equipment, including cameras and a laptop computer, is blatantly incorrect. All equipment issued in the normal course of duties for the individual was returned, as is normal practice, on his resignation. Records of the equipment issued and returned have been sighted by the ACTEW chief executive officer.

In summary, Mr Speaker, ACTEW's conclusions from these investigations were, firstly, that there was no theft of assets; secondly, that in those instances where ACTEW film was used for private purpose appropriate refunds for ACTEW payments had been made throughout the period by the individual; and, finally, there is no definitive evidence that the individual conducted private business on ACTEW time. Mr Speaker, I am advised that, as a consequence, there is no basis for substantiating allegations of fraud made either in the rumours within ACTEW or in the *Canberra Times*. Further, at no time has any member of the Australian Federal Police been involved in this process or reported to ACTEW any allegations which should be pursued.

ACTEW Employee - Alleged Corruption

MS FOLLETT (4.59): Mr Speaker, I would just like to make a very brief comment on the points raised by Mr De Domenico. I thank him very much for having clarified the issue. I think it is a matter for regret that many of us in the course of our duties as Assembly members have been asked to mention certain allegations in the Assembly in order that those allegations can attract privilege and can therefore be published with impunity. This is a course of action which I have always refused, and I believe that it is a course of action that all members should refuse.

Question resolved in the affirmative.

Assembly adjourned at 4.59 pm until Tuesday, 14 May 1996, at 10.30 am

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ANSWERS TO QUESTIONS

MINISTER FOR THE ENVIRONMENT, LAND AND PLANNING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION 158

Noise Pollution - Environmental Noise

Mr Moore - asked the Minister for the Environment, Land and Planning

In relation to the answer to the question on notice No.101, provided by the Minister for Sport and Recreation which suggests that health can be affected only by noise at a level that causes actual physical damage to hearing. The Minister said "the levels arising from motor sports (in the ACT).....are substantially below the occupational health and safety standards recommended by Worksafe Australia.....Clearly noise (from motor racing) is not a health issue" for the nearby community. This ignores the consequences on a community's health of intrusive environmental noise, which are universally accepted by the World Health Organisation and noise experts -

- (1) What is the relevance of occupational noise limits formulated to avoid hearing loss by those working in industry, for administering ACT law on intrusive environmental noise.
- (2) Which noise experts advocate use of occupational noise limits to administer law on environmental noise.
- (3) In advocating the use of occupational noise limits to administer ACT law on intrusive environmental noise, have the Ministers and the Government determined -
 - (a) which other jurisdictions adopt such an approach:
 - (b) the views of the Australian/New Zealand Environment Consultative Council on such an approach
 - (c) the effect of such an approach on the ACT's responsibilities under the Intergovernment Agreement on the Environment; and
 - (d) whether any precedents for such an approach exist anywhere.

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Mr Humphries - the answer to the Member's question is as follows:

Mr Moore will no doubt recall that in asking question on notice No 101, he drew a comparison between the effect of noise from motor sports on neighbouring residents and being hit by a golf ball.

In responding to Mr Moore's question, the Minister for Sport and Recreation pointed out that the noise from motor sports is well below the occupational health and safety level and as such does not pose any threat of physical injury.

In response to the specific questions asked by Mr Moore:

- (1) The ACT does not use occupational health and safety noise limits to administer the law in relation to environmental noise, nor would I consider it appropriate to do so.
- (2) I am not aware of any noise experts who advocate the use of occupational noise limits to administer law on environmental noise.
- (3) The ACT Government does not advocate the use of occupational noise limits to administer the law on environmental noise, nor am I aware of any jurisdictions which do.

In developing the Integrated Environment Protection legislation, the Government will be consulting widely with the community, so that the views of all affected residents can be considered along with those of the various community, sporting and business groups whose activities are currently controlled by the Noise Control Act.

MINISTER FOR EDUCATION AND TRAINING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NUMBER 166

Evening College Programs

MS MCRAE - asked the Minister for Education and Training on notice on 27 February 1996:

In relation to Evening College classes for 1994, 1995 and 1996, in each case -

- (1) How many students enrolled.
- (2) How many were undertaking a full program for tertiary entry.
- (3) How many enrolled in a single subject.
- (4) How many completed their subject or program successfully.

MR STEFANIAK - the answer to Ms McRae's question is: ¹

(1)		Stirling	Erindale	Dickson	Hawker	Total
	1995	254	145	236	310	945
	1996	41	33	34	50	158

- (2) A program for tertiary entry at Evening College has been defined as a Year 12 Certificate in one year

		Stirling	Erindale	Dickson	Hawker	Total
	1995	21	47	64	21	153
	1996	6	6	18	10	40

(3)		Stirling	Erindale	Dickson	Hawker	Total
	1995	219	47	150	289	705
	1996	19	15	3	40	77

- (4) Program successfully completed (Year 12 Package)

		Stirling	Erindale	Dickson	Hawker	Total
	1995	17	46	12	10	85*
	1996	N/A	N/A	N/A	N/A	N/A

*of these 85 students, 65 attained a Tertiary Entrance Rank (TER)

One or more subjects successfully completed:

		Stirling	Erindale	Dickson	Hawker	Total
	1995	210	73	169	233	685
	1996	N/A	N/A	N/A	N/A	N/A

¹ 1995 data had been accessed and produced prior to the question being asked. However data for 1994 had not been required nor accessed. Data for 1994 was not readily available because of industrial bans and work pressures.

18 April 1996

ATTORNEY-GENERAL OF THE AUSTRALIAN CAPITAL TERRITORY

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NUMBER 178

Freedom of Information

Mr Wood - Asked the Attorney-General. What are the circumstances, if any, when information held in Government departments on electronic form is not available under Freedom Of Information.

Mr Humphries - The answer to the Member's question to the Attorney-General is as follows:

Basically, the position in respect of such requests is the same as that for any other request under the *Freedom of Information Act 1989*. Under that Act a person has a legally enforceable right to obtain access to a document of an agency in accordance with that Act other than an exempt document. An article on which information is stored in electronic form would be a document for the purposes of the FOI Act and, under the FOI Act, the circumstance in which the information would not be made available would be that the agency concerned has claimed an exemption available under the Act.

Brief

MINISTER FOR HOUSING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NO 180

Housing Trust Properties - Statistics

MS TUCKER - asked the Minister for Housing and Family Services -

In relation to the public housing stock:

- (1) What is the current waiting list for public housing for; (a) Belconnen/Gungahlin; (b) Inner North; (c) Woden; (d) Weston Creek and (e) Tuggeranong; (f) type of premises (eg house, flat bedsitter, etc); and (g) how long people have been on the waiting list.
- (2) How many public housing premises are vacant (a) by type of premise; (b) geographic region; (c) how long the units have been vacant and (d) what are the reasons for the vacancies.
- (3) How many premises are vacant pending redevelopment and how long have they been vacant by (a) region and; (b) type of premise.
- (4) How many public housing premises were sold (a) during the past twelve months; (b) what type of premises and (c) where were they sold.
- (5) Of the premises sold in question (4), how many were sold to (a) public housing tenants; (b) other private individuals and (c) corporations.
- (6) How many premises were purchased or built in the past twelve months by place and region.

MR STEFANIAK - The answer to the Member's question is as follows -

Brief

(1) Please see Attachment A.

(2) (a)(b) Vacant premises by type and region - as at 18 April 1996:

TYPE	BELCONNEN	CITY	TUGGERANONG	WODEN
FLATS	7	203	2	62
AGED PERSON'S UNITS	3	15	-	10
HOUSES	55	56	45	64

(c) Length of vacancies:

37 premises vacant for less than a week
132 premises vacant for less than a month
150 premises vacant for less than 3 months
203 premises vacant for more than 3 months

This represents 4% of the total stock, however of these 233 premises represent the stock which has been deliberately excised from the current stock for our current major refurbishment/stock management program. For example, 115 Condamine Court units have been vacant for periods ranging from 1 to 7 months as part of the refurbishment program and approximately 70 other units, predominantly in North Canberra, have been held vacant to provide relocation choice for tenants of Condamine Court. Therefore the vacant tenantable properties is only 2% of ACT Housing properties.

It should also be noted that prospective tenants renting privately have to give up to one month's notice if they are vacating.

Brief

(d) Reason for vacancies:

	CITY	TUGGERANONG	BELCONNEN	WODEN	TOTAL
STATUS					
Vacant Tenantable	81	23	14	45	163
Vacant Untenantable	33	11	21	35	100
Awaiting Demolition	1	4	1	6	12
Awaiting Sale	8	6	15	15	44
General Upgrade	-	1	7	18	26
Under Review	151	2	7	17	177
TOTAL	274	46	65	136	522

(3) As at 27 February 1995 the following numbers of premises by type and location were vacant pending redevelopment for the periods shown.

By type and location:

Belconnen: 1 House

City: 15 Houses + 115 units in Condamine Court

Woden: 6 Houses

Tuggeranong: 5 Houses

18 April 1996

Brief

By period of vacancy:

- 1 x 2 months
- 1 x 4 months
- 4 x 5 months
- 2 x 6 months
- 4 x 7 months
- 2 x 8 months
- 1 x 9 months
- 2 x 10 months
- 2 x 13 months
- 3 x 15 months
- 1 x 19 months
- 1 x 21 months
- 1 x 22 months
- 1 x 30 months
- 1 x 34 months
- 2 x 37 months
- 115 x 1-7 months (Condamine Court)

- (4) (a) 69;
- (b) All houses
- (c) 18 Inner North, 11 Inner South, 4 Woden, 21 Belconnen, 9 Tuggeranong, 4 Weston Creek and 2 Rurals.

- (5) (a) 31;
- (b) 38; and
- (c) Nil.

Brief

(6) 196 premises were purchased or built in total. The types and regions are as follows:

Location	Flats	Garden Flats	Aged Persons Units	Dual Occupancies	Townhouses	Houses
Inner North	13	12	-	2	-	-
Woden	1	-	-	2	-	1
Belconnen	5	7	-	-	1	2
Tuggeranong	24	-	12	8	24	10
Weston Creek	-	5	-	-	11	2
Gungahlin	-	23	-	2	26	3

18 April 1996

ATTACHMENT A

ACT HOUSING TRUST

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MANAGEMENT REPORT - NEW
RENTAL WAITING LIST as at 28/03/96
(by first choice preferred accommodation)

D I S T R I C T

ACCOMMODATION PREFERENCE	Belconnen	Central	City	Community Housing	Tuggeranong	Woden	TOT
APF							
- 1 Bedroom(s)			11				
- 2 Bedroom(s)						1	1
APU							
- 1 Bedroom(s)	31		23		14	54	
- 2 Bedroom(s)	11		1		7	18	15
BSIT							
- 0 Bedroom(s)			232	1		84	31
FLAT							
- 1 Bedroom(s)	563		622		130	619	
- 2 Bedroom(s)	62	1	38	1	40	170	
- 3 Bedroom(s)			2			1	224
GFLAT							
- 1 Bedroom(s)	60		1		21	45	
- 2 Bedroom(s)	26		13		8	27	20
HOUSE							
- 2 Bedroom(s)	115		52		113	182	
- 3 Bedroom(s)	143		76	2	198	266	
- 4 Bedroom(s)	35		6		28	53	
- 5 Bedroom(s)	9		3		5	7	
- 6 Bedroom(s)	1						129
UNKWN							
- 0 Bedroom(s)		5					

Report produced 28/03/96 from date last updated 28/03/96

18 April 1996

ACT HOUSING TRUST

Org: ACTI
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28/03/96
09:51:17

MANAGEMENT REPORT - TRANSFER

RENTAL WAITING LIST as at 28/03/96

(by first choice preferred accommodation)

ACCOMMODATION PREFERENCE	D I S T R I C T						TOT
	Belconnen	Central	City	Community Housing	Tuggeranong	Woden	
APF							
- 1 Bedroom(s)			8				
- 2 Bedroom(s)			1			2	1
APU							
- 1 Bedroom(s)	18		49		13	68	
- 2 Bedroom(s)	8		13		1	19	18
B S I T							
- 0 Bedroom(s)			12			6	1
FLAT							
- 1 Bedroom(s)	31		132		8	111	
- 2 Bedroom(s)	10		24		3	26	
- 3 Bedroom(s)	1		1				34
GFLAT							
- 1 Bedroom(s)	12					9	
- 2 Bedroom(s)	8		6		1	4	4
HOUSE							
- 1 Bedroom(s)	1						
- 2 Bedroom(s)	48		41		9	84	
- 3 Bedroom(s)	36	1	41		11	74	
- 4 Bedroom(s)	40		18		12	26	
- 5 Bedroom(s)	8		1		4	6	
- 6 Bedroom(s)						2	46
UNKWN							

Report produced 28/03/96 from date last updated 28/03/96

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ACT HOUSING - WAITING LIST SYSTEM

ALLOCATION DATES

ACT Housing advised today it is allocating houses and flats to applicants registered on its waiting list on the following dates:

DWELLING TYPE

Location Options House	Bedsitter 4 Bed House	1 Bed Flat	2 Bed Flat	1 Bed APU	2 Bed APU	1 Bed APF	2 Bed APF	1 Bed GF	2 Bed GF	2 Bed House	3 Bed	
BELCONNEN	None Available	05.08.91	30.11.92	08.11.92	23.07.91	None Available	None Available	30.07.91	17.08.90	14.02.92	20.04.93	07
INNER NORTH	29.04.94	21.06.91	22.1.96	28.05.92	07.05.92	02.02.93	21.12.95	21.04.89	29.07.91	08.01.92	01.12.92	28
RURAL AND OAKS ESTATE	None Available	15.01.96	02.05.95	None Available	None Available	None Available	None Available	None Available	None Available	None Available	None Available	1 Av
INNER SOUTH	11.12.95	02.02.92	05.01.96	19.02.92	12.12.88	None Available	07.06.93	None Available	11.08.87	18.11.92	20.08.93	21
TUGGERANONG	None Available	19.03.92	22.01.92	13.03.90	12.07.91	None Available	None Available	02.08.93	22.01.92	24.12.90	21.06.93 T1: 06.0494	21
WODEN	04.01.96	12.02.92	04.09.92	29.04.93	26.04.89	None Available	None Available	Allocated as APU's	None Available	06.12.91	15.07.93	08

March 19

MINISTER FOR EDUCATION AND TRAINING

LEGISLATIVE ASSEMBLY QUESTION

QUESTION NUMBER 183

Foster Care Programs

MS McRAE - asked the Minister for Children's and Youth Services on notice on 26 March 1996:

What is the difference between foster care services and the Family Services foster care program.

MR STEFANIAK - the answer to Ms McRae's question is:

There are currently four community organisations providing foster care programs, that is Marymead, Barnardos, Galilee and Open Family. Family Services Branch has contracts with these organisations for the provision of a defined number of foster care places.

In addition, the Family Services Branch foster care program provides approximately 40 places for children in need of care. This program is coordinated by Family Services Branch officers.

The Family Services Branch foster care program also provides three places for babies relinquished for adoption, and provides assessment of and a foster care allowance for placements for children in care with close relatives or family friends.

18 April 1996

**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY
LEGISLATIVE ASSEMBLY QUESTION
Question No. 184**

Capital Works Program - Project Costs

MS FOLLETT - Asked the Chief Minister upon notice on 26 March 1996:

In relation to the 1996-97 Draft Capital Works Program what are the projects and what is the value of each project in the areas of (a) Gungahlin; (b) North Canberra; (c) South Canberra; (d) Weston Creek; and (e) Woden.

MRS CARNELL - The answer to the Member's question is as follows:

The attachment sets out the construction projects in the 1996-97 Draft Capital Works Program for each of the areas of Gungahlin, North Canberra, South Canberra, Weston Creek and Woden, as requested.

The value of proposals for these areas is \$69.4m, against the total Draft Capital Works Program referred to the Planning and Environment Committee of \$108.2m.

The listing covers major new works proposals only. Minor New Works allocations are bulked in the draft program, and a broad scope of works was outlined to the Planning and Environment Committee. As many of the minor new works ranged across the above areas, it would be difficult to provide a detailed breakdown in respect of this category of works.

Project	Project Cost \$'000
GUNGAHLIN	
Gungahlin Town Park Stage 1	300
Mitchell to Watson Cycle Path	300
Neighbourhood Oval - Ngunnawal	500
Gungahlin Drive - Connection to Barton Highway	6 372
Gungahlin Town Centre Infrastructure 2,3,4,5	2 240
Nudurr Drive - Gungahlin Drive & Bollard Street	1 232
Gungahlin Drive Cycleway and Landscaping	224
Barton Highway Cycleway Connections	112
Gungahlin High School (including community use gymnasium facilities)	17 160
Sub Total	28 440
NORTH CANBERRA	
EPIC - Building B Heating	250
Traffic Calming - Braddon B I Area	300
Braddon / Ainslie / O'Connor Stormwater Augmentation	6 000
Refurbishment of Civic Square/Ainslie Avenue	900
Refurbishment of City Walk / Garema Place / Petrie Plaza	300
Macarthur House Project Stage 4 - Refurbishment Levels 3 & 4	1 800
Office Building Dickson - Fitout	4 000
North Canberra Joint Emergency Services Complex	50
Cultural Centre	7 000
Civic Skateboard Park	300
Sub Total	20 900
SOUTH CANBERRA	
Mugga Lane Landfill Extension Works	670
Adelaide Avenue Pavement Rehabilitation - Woden Bound	950
Yarralumla Stormwater Augmentation	2 240
Weston Park Landscape Development Stage 2	250
Upgrade Older Schools (Red Hill/Narrabundah)	1 389
Additional School Facilities - Telopea	2 000
Sub Total	7 499
WESTON CREEK	
Duffy Stormwater Augmentation	1 620
Sub Total	1 620
WODEN	
Woden Valley Hospital - Building 3 Refurbishment	6 000
Post Natal Facilities	3 000
Woden Valley Hospital - Decentralised Hot Water	1 500
Athllon Drive Pavement Rehabilitation - Mawson Drive	450
Sub Total	10 950
TOTAL	69 409

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**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY
LEGISLATIVE ASSEMBLY QUESTION
Question No. 185**

Act of Grace Payments - CRA Group Restructure

MS FOLLETT - Asked the Chief Minister upon notice on 26 March 1996:

In relation to Question on Notice No. 123 (Act of Grace payments) -

- (1) What was the corporate restructure undertaken by the CRA Group.
- (2) What companies within the group remain incorporated in the ACT.
- (3) What is the projected benefit to the ACT from future trading in these shares.
- (4) If no cost benefit analysis was done, why not.

MRS CARNELL - The answer to the Member's question is as follows:

- (1) The corporate restructure undertaken by CRA involved changes to the company structures within the group to provide a three tier structure and to realign the Group's legal and business activities. Changes to the structure from an ACT perspective involved the transfer of shares in 3 ACT incorporated companies within the group:
 - the transfer of shares in Conzinc Mining Limited from Coal Cliff Collieries Pty Ltd to CRA Limited;
 - the transfer of shares in Hamersley Holdings Limited from North Western Resources Pty Ltd to CRA Limited, and
 - the transfer of shares in Coal and Allied Industries Limited from CRA Investments Pty Ltd to Kembla Coal and Coke Pty Ltd.

The result of the transactions was to remove a layer of companies between CRA Limited and those directly involved in mining and the other related activities undertaken by the group.

- (2) All the companies incorporated in the ACT prior to the restructure - Conzinc Mining Limited, North Western Resources Pty Ltd and Hamersley Holdings Limited - remain incorporated in the ACT.
- (3) The projected benefit from future trading in these shares is not known. However, because all the shares in those companies are held by CRA Ltd or its subsidiaries as part of the new structure, it is unlikely that the shares will be traded on a regular basis.

- (4) No cost benefit analysis was undertaken because it was clear that the corporate restructure would enable CRA to remove a layer of companies in a cost effective way, thus reducing administrative costs and improving efficiency. The national and local economic benefits of corporate restructures are well recognised by the Commonwealth Government and all State and Territory Governments.

It was also clear that the transactions related to CRA Limited's ACT incorporated companies would not have gone ahead without the waiver of duty.

As outlined during my speech to the Assembly on 28 February 1996, the waiver of stamp duty has not affected the ACT's revenue base but has sent out a clear message to the private sector that the ACT is a place to incorporate and to carry out business transactions. This in turn will ensure continued economic growth for the ACT.

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**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY
LEGISLATIVE ASSEMBLY QUESTION
Question No. 186**

Act of Grace Payments - CRA Group Restructure

MS FOLLETT - Asked the Chief Minister upon notice on 26 March 1996:

In relation to the answer to Question on Notice No. 123 (Act of Grace payments); in particular, the list of Revenue Office write-offs and waivers for the period 9 March to 30 November 1995, specifically, the waiver of ten point eight million dollars(\$10.8m) of Stamp Duty given to the CRA Group on 13 August last year and your statement that NSW and SA had also granted a waiver -

- 1) How much stamp duty, or other state taxes and charges did those states waive.
- 2) On what advice did you waive the stamp duty for CRA.

MRS CARNELL - The answer to the Member's question is as follows:

- 1) In Victoria a full exemption of \$7.26 million was granted to CRA Ltd in the 1992/93 financial year. The NSW Office of State Revenue is not in a position to reveal taxpayer related information. I do not recall making a statement that South Australia granted a waiver.
- 2) On the advice of senior officers of the Office Of Financial Management.

**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY
LEGISLATIVE ASSEMBLY QUESTION
Question No. 187**

Debt Write-offs - Payroll Tax

MS FOLLETT - Asked the Chief Minister upon notice on 26 March 1996:

In relation to the answer to Question on Notice No. 123 (Act of Grace payments), on 29 September 1995 you wrote-off \$166,736 in unpaid payroll tax as irrecoverable -

- 1) Who was the person or company responsible for that debt.
- 2) Why was it deemed irrecoverable.
- 3) On what advice was the decision made.

MRS CARNELL - The answer to the Member's question is as follows:

- 1) The write-off of this debt was performed by the Commissioner for ACT Revenue as delegate of the Chief Minister and therefore the identity of the recipient has not been disclosed due to the secrecy provisions of the Taxation (Administration) Act 1987.
- 2) The company involved in this write-off was in liquidation and the liquidator advised that no further dividend was payable.
- 3) On advice of the company liquidator.

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**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY
LEGISLATIVE ASSEMBLY QUESTION
Question No. 188**

Debt Waivers - Stamp Duty

MS FOLLETT - Asked the Chief Minister upon notice on 26 March 1996:

In relation to the answer to Question on Notice No. 123 (Act of Grace payments), on 20 June 1995 you waived \$168,000 of Stamp Duty to avoid double duty on a taxpayer -

- 1) Who was the taxpayer.
- 2) On what basis was the assessment made.

MRS CARNELL - The answer to the Member's question is as follows:

- 1) The waiver of this debt was performed by the Commissioner for ACT Revenue as delegate of the Chief Minister and therefore the identity of the recipient has not been disclosed due to the secrecy provisions of the Taxation (Administration) Act 1987.
- 2) As part of a corporate reconstruction the liquidation and distribution of the companies' assets had already incurred ACT Stamp duty and the imposition of further duty on the in specie acquisition of the assets would have constituted double taxation.

**CHIEF MINISTER FOR THE AUSTRALIAN CAPITAL TERRITORY
LEGISLATIVE ASSEMBLY QUESTION
Question No. 189**

Debt Write-offs - Liquor Licence Fees

MS FOLLETT - Asked the Chief Minister upon notice on 26 March 1996:

In relation to the answer to Question on Notice No. 123 (Act of Grace payments), on 23 March 1995 you wrote off \$9,946, and on 10 November 1995 you wrote off \$4,176 which related to Liquor Licence Fees which were, allegedly, irrecoverable -

- 1) In each case, who was the beneficial recipient of the write-off.
- 2) Why were the amounts written off.

MRS CARNELL - The answer to the Member's question is as follows:

- 1) The write-off of these debts was performed by the Commissioner for ACT Revenue as delegate of the Chief Minister and therefore the identity of the recipients has not been disclosed due to the secrecy provisions of the Taxation (Administration) Act 1987.
- 2) In the first instance the company was deregistered and had no realisable assets and in the second instance the person was declared bankrupt and the administrator advised that there would be no dividend payable.

18 April 1996

MINISTER FOR HEALTH AND COMMUNITY CARE

LEGISLATIVE ASSEMBLY QUESTION

Question No 190

Woden Valley Hospital - Private Practice Accounts

Mr Berry - asked the Minister for Health and Community Care upon notice on 26 March 1996

In relation to the Private Practice Fund -

- (1) How much has been added to it each year for the last three years?
- (2) How much has been spent from the fund in (a) the last three years; (b) in each individual case; and (c) when was it spent?
- (3) What are (a) the processes for approval of Fund expenditure; and (b) the guidelines for Fund expenditure?

Mrs Carnell - the answer to the Member's question is:

Funds from billing of private patients of staff specialists are paid into the Private Practice Official Account (PPOA). From the PPOA, contributors receive their entitlement and facility fees are paid to the hospital. The balance in the PPOA is transferred to the Private Practice Hospital Account (PPHA) at the end of each financial year.

(1)	1994/95	Transfer to the PPHA	\$1,606,804	
		Interest earned by PPHA	\$524,627	
	1993/94	Transfer to the PPHA	\$1,699,109	
		Interest earned by PPHA	\$427,948	
	1992/93	Transfer to the PPHA	\$1,464,306	
		Interest earned by PPHA	\$483,296	
(2)	Expenditure from the PPHA is summarised as follows:			
	1994/95	Conference/Travel	\$551,746	
		Equipment/Research	\$814,816	= \$1,366,563
	1993/94	Conference/Travel	\$566,139	
		Equipment/Research	\$993,373	= \$1,559,512
	1992/93	Conference/Travel	\$555,722	
		Equipment/Research	\$720,482	= \$1,276,204

The majority of disbursements are less than \$2,000.

- (3) All expenditure for conference, travel and equipment are approved by the Private Practice Committee at monthly meetings. Research grants less than \$20,000 can be approved by the monthly meeting, however any research projects more than \$20,000 must be submitted once a year and vetted by a Private Practice Research Committee prior to being forwarded to a full membership meeting for approval.

Funds are disbursed for projects which have a definite benefit for clinical practice or research within Woden Valley Hospital.

18 April 1996

MINISTER FOR HEALTH AND COMMUNITY CARE

LEGISLATIVE ASSEMBLY QUESTION

Question No. 194

Postnatal Depression Services

Mr Berry - asked the Minister for Health and Community Care upon notice on 27 March 1996.

In relation to the report - Better Coordination, Better Continuity, Strengthening the Role of the General Practitioner in Postnatal Depression Services in the ACT - prepared by the ACT Division of General Practice - Has the Government implemented the recommendations of the report; in particular

- (1) what action has the Government taken to allow General Practitioners to admit their patients to the Queen Elizabeth II Hospital and to provide acute inpatient care and follow up community care;
- (2) what has the Government done to establish a stakeholder working party, where the interests and concerns of general practitioners and all other providers related to a multidisciplinary teamwork can be sorted out; and
- (3) has the Government established the service liaison officer position?

Mrs Carnell - the answer to the Members question is:

- 1.& (2) The Department of Health and Community Care has set up a Postnatal Services Advisory Committee which has broad representation including a paediatrician and a representative from the Division of General Practice. All issues concerned with admissions are currently being reviewed. This committee is also investigating ways of providing better coordinated, integrated community based postnatal care. It is anticipated that there will be a significant role for General Practitioners in the restructured postnatal services, however this will not be known until the completion of the new service model.
3. The report recommends the establishment of a service liaison officer position to be responsible for establishing shared care arrangements between general practitioners and community nurses, particularly those providing care from Family Care Centres. Many aspects of the report link in with the work currently being undertaken by the Advisory Committee. In planning the new service model, the Department has appointed a Postnatal Services Senior Project Officer who is coordinating all aspects of the Postnatal Services restructuring.

MINISTER FOR HEALTH AND COMMUNITY CARE

LEGISLATIVE ASSEMBLY QUESTION

Question No. 195

Health Advancement Services

Mr Berry - asked the Minister for Health and Community Care upon notice on 27 March 1996

In relation to the Health Advancement Services in the ACT -

- (1) What themes and campaigns were run in (a) 1994-95 and (b) 1995-96?
- (2) How much was allocated for each of those themes and campaigns in (a) 1994-95 and (b) 1995-96?
- (3) How many staff were employed on these themes and campaigns in (a) 1994-95 and (b) 1995-96?

MRS CARNELL - the answer to the Member's question is:

- (1) Since 1994 Health Advancement Services have functioned as the lead agency in running a number of health promotion themes and campaigns on behalf of the Department. They have also had a major role in developing programs for consultancy and training to build the capacity of other parts of the Department to develop health promotion outputs. These in turn have led to collaborative approaches to health promotion with service delivery areas.

Reflecting this approach, the Member's question needs to be answered by addressing not only examples of themes and campaigns which were specifically led by Health Advancement Services but also major areas of activity carried out in partnership projects. In turn, the answer needs to address the total budget and staffing of the section in the period under question.

Examples of themes or campaigns led by Health Advancement Services through a consultancy process include:

- the 'Promote Safe Food' campaign for school canteens
- the 'Food is the Key, Unlock Your Dance' campaign to address eating disorders among young dancers; and
- the 'Book into Health' campaign to inform the community about health resources available through the ACT Library Service collection

One of the largest collaborative programs throughout the period has been the Professional Development in Health Promotion Program - a range of seminars, short courses and action learning programs developed in direct liaison with the region's primary health care workers.

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This program supports workers in health and community care services to develop their skills and understanding of primary health care and health promotion through training, resourcing and practical application in their workplaces.

Through this program, Health Advancement Services have assisted workers to develop health promotion projects with diverse themes which have included: nutrition, oral health care for Aboriginal people and for children with disabilities, diabetes, Parkinson's Disease, healthy ageing, falls in the elderly, cross-cultural communication, migrant access to services, development of multi-disciplinary teams, community needs assessment, and quality improvement in community health services.

Another major program has been the Workplace Health Promotion Program which specifically targets 'at-risk' blue collar workers in both the public and private sectors. It aims to improve the health status of workers through a program developed in partnership with employers, unions, Occupational Health and Safety representatives and interested employees. The program has provided specific programs of information and advice on areas such as men's health, skin cancer and foot care.

In addition it needs to be recognised that health promotion is a vital component of the day to day work of clinical primary health care staff and the Health Advancement Services staff have supported and assisted the clinical staff in that component of their activity.

- (2) Due to the partnership role played by Health Advancement Services with other services in these health promotion efforts it is not possible to provide an itemised budget for each of these efforts.

Health Advancement Services had a total budget in

- (a) 1994-95 of \$640,700 in Salaries and \$71,600 in Operating costs and in
- (b) 1995-96 of \$499,900 in Salaries and \$57,600 in Operating costs.

The differences in these figures reflect the relocation of the Migrant Health Unit (formerly part of Health Advancement Services) late in the 1994 calendar year to sit within the Primary Health Care Teams area.

- (3) Due to the partnership role played by Health Advancement Services with other services in these health promotion efforts it is not possible to provide an itemised staff allocation for each of these particular themes or campaigns.

Health Advancement Services employed

- (a) in 1994-95 - 17.88 full-time equivalent staff and
- (b) in 1995-96 - 13.48 full-time equivalent staff.

The change in these figures represents the relocation of 4.4 full-time equivalent staff with the Migrant Health Unit late in the 1994 calendar year to the Primary Care Program.

MINISTER FOR HEALTH AND COMMUNITY CARE

LEGISLATIVE ASSEMBLY QUESTION

Question No. 198

Canberra Region Medical Foundation

Mr Berry - asked the Minister for Health and Community Care upon notice on 16 April 1996 in relation to the Canberra Medical Foundation -

- (1) What is the structure of the Foundation.
- (2) How is the Foundation administered.
- (3) How much has (a) the Foundation accumulated since it was set up; (b) been allocated from the Foundation; and (c) to whom was it allocated.

MRS CARNELL - the answer to the Member's question is:

- (1) The Canberra Region Medical Foundation is a private company limited by guarantee. It is not accountable to government in any way. The Foundation has a board of six directors and company secretary. The current President of the Foundation is Mr Pat Brazil, AO. The Foundation offers membership to individuals and companies after they have given money over a certain amount.
- (2) An Executive Director, Mr Ian Crawford, was contracted to work part time in January 1996 to administer the Foundation on a day to day basis. He is assisted by a part time project officer through an employment agency. Mr Crawford reports to the Board on a monthly basis.
- (3) As the Foundation is a private company, details of financial information is available to its members via the annual report. Therefore only information that has been publicly acknowledged is available for this response.
 - (a) Casino Canberra gave the Foundation \$100,000 in 1994 and Optus Communications pledged \$500,000 in cash and kind over ten years. They have provided two cheques of \$50,000 to date - one for 1995 and one for 1996.
 - (b) I am aware that the Foundation has established a Funds Advisory Committee whose role is to advise the Board in regard to allocation of funds. The decisions on allocation of funds are made by the Board and as a private company, the information is not readily available to government.
 - (c) The information available to government is limited. The National Health Sciences Centre, a company limited by guarantee and of which the Department is a member, received funds earlier this year from the Foundation. Information regarding other allocations may be available through contacting the Foundation directly.

18 April 1996

APPENDIX 1: Incorporated in Hansard on 16 April 1996 at page 934.

MINISTER FOR EDUCATION AND TRAINING
LEGISLATIVE ASSEMBLY QUESTION
QUESTION TAKEN ON NOTICE 26 MARCH 1996

Courses in Colleges

MS FOLLETT - asked the Minister for Education and Training:

Will the Minister inform the house as a result of the removal of teachers and of his mismanagement of the education budget, how many courses or programs have had to be abandoned or amended or are no longer available to students in our secondary colleges?

MR STEFANIAK - the answer to Ms Follet's question is:

The following courses which were offered in 1995 are not being offered in 1996:

Copland College	Nil
Dickson College	Nil
Erindale College	Nil
Hawker College	Beginning French T
Lake Ginninderra College	Nil
Narrabundah College	Aboriginal Studies T, Contemporary Music Industry AVTS A/E.
Phillip College	Electronics T
Stirling College	Intercollege Sport
Lake Tuggeranong College	French (Year 11 students) Intercollege Sport

NOTE: "T", "A", "R", "E" refer to Accreditation type.

T - Tertiary
A - Accredited
E - Employment

18 April 1996

APPENDIX 2: Incorporated in Hansard on 16 April 1996 at page 934.



Kate Carnell MLA

Chief Minister
Treasurer
Minister for Health and
Community Care

Member for Molonglo
Australian Capital Territory

Mr Bill Wood MLA
ACT Legislative Assembly
London Circuit
CANBERRA ACT 2601

Dear Mr Wood

Further to my answer to Question on Notice No. 97, I am writing to provide you with an additional costing for the Stein Inquiry into the Administration of ACT Leasehold.

I have been advised by my Department that an additional cabcharge amount of \$64.51 has been received for Justice Stein and his Tipstaff. This amount should be added to the first part of the answer to your Question No. 2. This answer should therefore read \$39,648.85.

Please note I will organise for this additional costing to be incorporated into the Weekly Hansard.

Yours sincerely

Kate Carnell MLA
Chief Minister

12 FEB 1996

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