



**DEBATES**

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

**HANSARD**

11 May 1999

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**MR SPEAKER** (Mr Cornwell) took the chair at 10.00 am and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

**SELF-GOVERNMENT IN THE AUSTRALIAN CAPITAL  
TERRITORY - TENTH ANNIVERSARY**

**MS CARNELL** (Chief Minister and Treasurer) (10.01): I move:

That this Assembly:

- (1) notes that today, 11 May 1999, marks the 10th Anniversary of Self-Government for the Australian Capital Territory;
- (2) expresses its appreciation for the work of former Members of the Legislative Assembly and its preceding bodies and the community associated with achieving democratic government for the Territory; and
- (3) acknowledges the responsibilities of this and future Assemblies in ensuring strong, democratic and responsible government for the people of the Territory.

It gives me great pleasure to welcome all of you today for the ceremonial sitting of the Legislative Assembly to mark the tenth anniversary of self-government in the ACT. This is an appropriate time to reflect on the past 10 years and to consider what we have learnt from that experience which might guide us for the future.

We recall that, 10 years ago, there were many in the Canberra community who did not think self-government would last and probably even more who thought we should not have had it at all. They resented the fact that the Federal Government had imposed self-government on the people of the ACT with little consideration of our wishes. The reservations of the people of Canberra perhaps seemed justified in light of the first Assembly election in March 1989, when we were handed an unworkable electoral system by the Commonwealth Government. Under the modified d'Hondt system we had an incredible 117 candidates vying for 17 seats in the new Assembly, resulting in a very famous ballot paper that is on the walls of many people in this Assembly. It was approximately a metre wide. Until the recent New South Wales Legislative Council ballot paper, it held a certain position in history. The ballot paper for the New South Wales upper house has now taken over that unenviable position.

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Reflecting on the mood at the time, a large number of candidates stood for election to the First Assembly on the sole platform of abolishing the Assembly once they were elected. But when they were elected most realised that they should at least try to make self-government work. The First Assembly was an unusual and volatile forum. Rosemary Follett was appointed as the first Chief Minister of the Territory on 11 May 1989, two months after the Assembly election. This was a historic achievement, doubly so as Rosemary was the first female leader of any State or Territory.

Several people in the new Assembly had very little knowledge of executive government or parliamentary procedure, and I am sure that the Clerk could write some very interesting books about those early days. It was therefore hardly surprising that it occasionally degenerated into what some people said was farce and had considerable difficulty in earning the respect of local citizens as well as politicians and parliamentarians from other States. We have now evolved to become a model of how to combine in one jurisdiction the functions traditionally held by State and local governments in the rest of Australia, a model for regional government and, some people would say, a model for the rest of Australia as we look towards a vote on whether we should become a republic or not because, as many people would be aware, our self-government Act is set up on a very republican base.

The ACT's politicians and officials and Public Service are now respected by our peers. Additionally, from the point of view of most electors a fortunate by-product of combining the responsibilities of both State and local council is the fact that the ACT has fewer politicians per head of population than anywhere else in this nation, by a country mile. We began with a Public Service steeped in the culture of the Commonwealth, with its characteristic hierarchy, remoteness from the lives of many Australians and great concern for administrative process but without real consumer or customer focus.

Today the ACT has its own independent Public Service tailored to the special needs of the Territory for efficient delivery of both State and municipal services. Today, on the tenth anniversary of self-government, we should reflect on what a wonderful Public Service we have here in the Territory and how much it too has changed over the last 10 years. It has changed in many ways. In its responsiveness to its customers, the people of Canberra, it is an example for other public services in the rest of Australia to follow. Self-government has delivered the ACT from what some would describe as the benevolent dictatorship of faceless bureaucrats and absent Commonwealth Ministers to a situation where we have an Assembly that is, I suspect, the closest to the people of any parliament in this country.

In 1989 we were handed a city which - let us be fair, Mr Speaker - was excessively costly to run. Our education and health systems were by far the most expensive in Australia, our public transport system was the least used and most expensive of any capital city, and the legacy of the NCDC planning was that the costs of Canberra roads, water supply, sewerage, parks and gardens were excessive, far more than the people of Canberra could afford. On top of that, the Commonwealth Government cut general purpose funding by 49 per cent in real terms, a real challenge for any Assembly. It was a bit like inheriting a grand old castle which we could not afford to maintain.

What does it look like 10 years on? Over the past 10 years this Assembly has managed to find a way to preserve the things that are important about our city and to start to live within our means. The Assembly has adopted award-winning financial management reforms which have been applauded by the accounting profession and the wider community as being at the leading edge and setting the benchmark for accountability and management of government funds. In fact, the Commonwealth Government this afternoon will bring down their first accrual budget. After several years of unsustainable operating losses the Territory is expected to balance its books and run into surplus from 2000-01. These financial reforms are now recognised as providing the foundation for improved social programs and better community outcomes. That is why we are all here.

Looking ahead, one characteristic which I believe will remain is that no political party in a traditional sense will command a sustainable majority in this place. This means that we have to find innovative ways of effective governance which do not follow the so-called Westminster system which we inherited from the Commonwealth, a system designed in a different time for a different place and for different circumstances. It is my conviction that the time has come to step outside the strictures of an antiquated system of government which was imposed upon us with little consideration of the special requirements of the Territory and which had as its basic assumption a parliament of hundreds of members. Those of us in this Assembly who know a bit about the history of Westminster know that that is why it was invented and put together.

Given the small numbers in this parliament, it would make much more sense to give every Assembly member a positive and responsible job to do. In a community such as Canberra it is a waste of time, effort and money to have a traditional form of government, Executive, Opposition and crossbenches. As we look to the future we must look more and more to have an Assembly that reflects the needs of Canberrans. We have to try to achieve an Assembly structure and an ethos of commitment to the community which cause all members to be motivated by the general public interest rather than sectional interests, factional interests or party interests. So, as I say, I think we should look to more innovative solutions.

Mr Speaker, anniversaries and birthdays are good times to look to the future. We have already extended the Executive beyond the party in power, the Liberal Party, with the appointment of Mr Moore. There is no reason that this approach should not be broadened. With such a small Assembly, it is important that the talents of all members be used constructively in a system that does not have a requirement for opposition for opposition's sake. But with input into the decision-making process must come increased responsibility for the outcomes of that process. I believe that the balance of input and responsibility for outcomes is something that we need to look to and address more definitely in this Assembly as we go into our next 10 years.

Mr Speaker, much has been achieved and much is still to be achieved, especially in the structure and roles of the legislature and the Executive. One thing is certain - the clock will not turn back. Self-government is here to stay, and I look forward with enthusiasm to the next 10 years of self-government in the ACT as we develop innovative structures best suited to the special needs of our wonderful community, our wonderful region of the great Australian Capital Territory.

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**MR STANHOPE** (Leader of the Opposition)(10.12): Mr Speaker, I acknowledge at the outset that I will be sharing the limited time allocated to the Labor Party with my colleagues Mr Berry and Mr Wood. As you know, each of them has been in this place for the last 10 years.

Mr Speaker, it was 10 short years ago that one of your predecessors in this place stood to utter the first words in this parliament. That was Mr David Prowse, who, I am sure each of us recall, was a member of the No Self Government Party. It is a fine irony that the first person to speak in this parliament was a member of the No Self Government Party, somebody who stood on the platform of no self-government for the ACT.

Mr Prowse rose for the mundane purpose of proposing to the Assembly a set of interim standing orders. His action, while perhaps not as romantic or as earth shattering as Julius Caesar's crossing of the Rubicon, had for us here in Canberra perhaps as stark an impact on the self-governance of our Territory. To the extent that he did launch this parliament, it did settle us implacably into self-government. As Julius Caesar said as he crossed the Rubicon, "The die is cast". Julius Caesar said it in Latin and I would be happy to deliver it in Latin, but I probably could not do justice to Julius Caesar's ancient Roman pronunciation, so I will not.

My point is that there is no going back. We may massage our procedures in this place, we may change or amend our rules, we may toy with the structures, but the point is that we are now self-governing. There is certainly continuing debate about how best to govern ourselves. The Chief Minister alluded to this. This Assembly is engaged, through a select committee, in reviewing the governance of this Territory following the tabling of the report by Professor Pettit. But there is no longer a place, and it seems to me that there is no longer a need, for a discussion about whether or not to be self-governing.

In 10 years we have moved a long way. We have a vigorous and energetic parliament and a very healthy democracy. I will not go into them now, but there are a range of aspects of our operations and of the governance of the ACT with which I do not agree. These are issues that I am sure will be raised and discussed in detail at the conference that is being held tomorrow. I am not particularly attracted to minority government. I think there are aspects of Hare-Clark that do not necessarily enhance democracy. I sometimes have concerns - and I have expressed these - about what I regard as a lack of respect for some of the conventions of the Westminster system. These are issues that I think we can continue to debate and continue to work on. But that is a debate which we will have in another place and at other times.

I think on this date it is appropriate, Mr Speaker, that we acknowledge those who have come before us. In particular, it is appropriate that we acknowledge the first Chief Minister of the ACT, Ms Rosemary Follett, the first head of state, so to speak, for the ACT and the first woman head of state in Australia. That was a very significant achievement by Rosemary Follett and one which we should all acknowledge.

It is also appropriate that we acknowledge all those others who have served in this place. I understand that in the last 10 years there have been three Chief Ministers, three

Speakers and a total of 39 members. It is true that I do not agree with much of what many of those people thought. It is probably true that I do not agree with the policies of many of those people, and it may be that I do not agree with the philosophies of many of them. I do, however, respect and admire their commitment and their courage

It is appropriate on this anniversary celebration for us to acknowledge that this is not an easy job. I do not want to be self-indulgent about it, but it is not an easy job that we do. We do it for a range of reasons, and perhaps there are no two reasons the same, and some of the reasons for which some of us do it are perhaps not all that noble. But we do it. In recognising the contribution of all those people who have served here, it is relevant that we recognise the courage that they have shown in their preparedness to put themselves forward as representatives of the people. Each of us and each of them in their own ways have sought to advance the common good as we see it.

We do not all agree. In the context of the disinclination of this community to grasp self-government, a lot of the opposition to self-government has focused on the members of this place. We have at times perhaps presented too easy a target. We have, to some extent, suffered from that, and perhaps self-government as an institution continues to suffer from the fact that we have, from time to time, been too easy a target. Having said all of that, I do genuinely wish to acknowledge the commitment that every person in this place has shown and the courage that all those who put themselves forward for public office show in making that commitment and exposing themselves to that degree of scrutiny and to the level of criticism which each of us faces as we go about seeking to serve this community as we see fit.

I will conclude in the same vein by acknowledging the commitment which the husbands, wives, partners and families of each of those people who have served in this place show in their support for those of us who are members of the Legislative Assembly. In that context, it is easy to forget that there is a life outside of politics and a life outside of the Assembly. We had a difficult debate last Thursday. During that debate, it was suggested to me with some force that last Thursday should have been, for me, the most important day of the year and that I should not have allowed myself to be distracted from that. I make that point to emphasise that last Thursday was in fact the most important day of the year for me. It was my wedding anniversary. There is nothing that any of us do that is more important than to acknowledge that we have other lives and other commitments. That, for me, is the most important commitment, and I acknowledge that to my wife, Robyn, who is here.

**MR KAINE (10.20):** Mr Speaker, I begin by addressing a rhetorical question to you and to Mr Hird. It has been one hell of a roller-coaster ride, hasn't it? And not just for the last 10 years. It just so happens that this year, 1999, is the tenth anniversary of the establishment of this Assembly but it is also the twenty-fifth anniversary of establishment of what was truly the first Legislative Assembly of the ACT. People often forget that. It did not meet everybody's expectations, but it was there and we cannot deny that it was there. You, Mr Speaker, Mr Hird and I are the only three remaining serving members from that body of 1974. I do not quite know what that proves but we are here.

In 1974 we had many colleagues just as we have today. The included Jim Pead, Jim Leedman, Peter Hughes, Bill Pye, Gordon Walsh, Peter Vallee, Fred McCauley and Alan

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Fraser. Those names have tended to become a bit obscured by time, but we should not allow them to be, because those people were the forerunners of those who sit here today, and there is no doubt that they made a great contribution.

Later in 1984 the Legislative Assembly was called the House of Assembly, in recognition that it was never going to become a legislative body, and there were more people on the scene. We saw people like Maurene Horder, David Adams, Sue Craven, Paul Whalan, Rosemary Follett and many others. Again, some of those names seem to have faded into history and many of us in this place do not even remember now who they were. But they all had a vision and they sought to achieve it, and that vision was a better Canberra in which to live. You hear those words often today, don't you? But they were not invented in the 10-year life of this place. They were in the minds of people a long time before. Many of those people made significant contributions in their time to the body that exists here today.

Then in 1986 the dream seemed to die. The House of Assembly, as it then was, simply dissolved. But it is noteworthy that those precedent bodies worked in much the same way that this one does. There were some differences. They were part-time bodies and they met at night, but they had a committee system very similar to what we now have. For their time, the institutions worked. But at the end of the day nothing happened unless it was approved by a Federal Minister.

The earlier bodies met in this very building. The chamber was where the committee secretariat now lives, behind you, Mr Speaker. The President's office, once occupied by Mr Hird, was in the general area of committee room 2. The real engine room of power was where committee room 1 now sits. It was called the Tinny Club, something that this Assembly lacks, more is the pity, because that is where very often the real debate took place. The Assembly met late, it sat late, and after the Assembly sitting finished we would adjourn to the Tinny Club and many a hot debate took place there. I think this place would be the better for having a similar institution.

Then in 1989 the dream was revived. This institution came into being, and from those early days there are more names to remember: Bernard Collaery, Ellnor Grassby, Norm Jensen, Craig Duby, David Prowse, Hector Kinloch and many others. Some have been unfairly denigrated. Some were denigrated then and some are still denigrated today. I think that is quite unfair, because they all made their contributions as they saw them. Many of their contributions were more significant than those of some who followed them. Their work, in my view, should not be forgotten and allowed to fade into obscurity. On this tenth, or twenty-fifth, anniversary, depending on your point of view, their contributions ought to be acknowledged in all fairness.

At such a time as this we need also to remind ourselves that government is about people. It is not about economics; it is not about money. We tend sometimes to forget that. There is many a community group out there that would attest to that. Good government is with the consent of the people. It is not imposed by people in this place. Government should not be in conflict with the people. Government is not about us. We sometimes think this is the centre of the world and this is where government is. Government is not about us; it is about them. I believe that very often we forget that.



We have not always been successful in providing good government, I fear, but I am confident, because there remain ahead many decades, perhaps even centuries, of evolution of this place. As that evolution eventuates, perhaps wiser heads will contemplate the nature that this Assembly has assumed, that of conflict rather than cooperation, of confrontation rather than consensus. Perhaps they can devise an Assembly that can use the talents and abilities of all of its members rather than excluding the majority from the decision-making processes, perhaps an inclusive Assembly that can serve the people better, perhaps even with fewer than 17 members rather than more. The vision of the 1970s and the early Legislative Assembly members and House of Assembly members should not be allowed to fade into obscurity. Their vision was no different, I submit, to that of many of us here today.

On this question of the people, Mr Speaker, I think on reflection we have missed the point in these anniversary celebrations. There are two major events - a seminar at \$250 a head and a black tie dinner at \$100 a head. Where is the involvement of the people in this? When it is all done, I fear that 300,000 Canberrans will simply shrug their shoulders and ask, "What part of it was relevant to me?". I think after 10 years, or 25 years - again depending on your perspective - that is a great pity.

All in all, Mr Speaker, I guess I can conclude where I began. It has been a hell of a roller-coaster ride, sometimes exhilarating, more often than not frustrating, but by and large, I think, rewarding. Not everyone will agree, I would imagine, but I am convinced that we are better off with self-government than without it. At least the members of this place are answerable to this community. That was not always the case. It has been a great experience, Mr Speaker. I have enjoyed much of it with you and with Mr Hird. I would not have missed the experience for quids.

**MR WOOD** (10.28): Mr Speaker, I wear with belated pride, the ALP campaign badge for the first Assembly election. I still have quite a few. My wife, Beverley, dug them out of the garage last night. We were supposed to sell them. We could not give them away. That is no reflection on the Labor Party. I am sure the Liberals had the same difficulty.

I will make some random comments today connected only by my association with this place. I assert that concerns about democracy were not the basis of the Federal Government's decision to grant self-government to the ACT. Their concerns about finance were central to it. They were concerned about money. The Feds had long ago decided - and it was a Labor government then that made the ultimate decision - that the gravy train was over. While there had been justification in early days to help those people who came to the dusty limestone plains, that justification was long gone and it was felt we should be treated the same as the States.

Then maybe democracy took over, because the Feds said, "Canberrans will take those hard decisions about reducing expenditure". As I reflect on things, I think it was the wrong way round. At that time, the real reasons were never given. The case was never argued to the unwilling ACT. What if the Feds had made all those hard decisions? What if they had made the cuts and taken the odium? Instead of resentment and complaint and inability to sell badges, instead of doors slammed in my face as we went door-knocking, we might have had the citizenry on their knees begging for democracy, begging for

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self-government. We might have walked into this place in some triumph instead of the way we did at first. The background and the reasons were never fully explained.

Again, by virtue of my private archivist, I viewed again this morning a video of that fine Canberra citizen, the then chair of the Grants Commission, Rae Else-Mitchell, saying at some pre-1989 seminar, "The would-be politicians have not explained how they would cope with the \$84m overfunding compared with the States". Well, Kate, \$84m? Rosemary, Trevor? You have been there. If only it was \$84m. The Chief Minister referred to a 49 per cent fall. What was that in dollars - \$200m or \$300m? It was a very large sum of money. It was never fully explained.

I turn now to an other subject, d'Hondt. Someone - I do not know who it was - recently said that d'Hondt was responsible for that first Assembly, wanting to attribute all sort of blame to that first Assembly, wanting to blame it on d'Hondt. That is rubbish. Canberrans were responsible for that first Assembly. It was a very accurate reflection of the way they voted. Mind you, as part of that first Assembly, I do not want to attribute too much blame to it, thank you. I was there. I am just putting it into perspective. I do not mind d'Hondt.

**Mr Moore:** It is a good scapegoat.

**MR WOOD:** Maybe, yes. The trouble with d'Hondt was that the Electoral Commissioner did not like it. I remain convinced that the Electoral Commission did absolutely nothing to help as we sat there for three months in that long drawn-out count. The counting was always going to be slow, but they made sure it was slow. I want to point out emphatically how much better it is now with an Electoral Commissioner who does a marvellous job. The count is still complex but it is done efficiently and earnestly.

Jon Stanhope mentioned some of the figures I pulled out. On my count - thankfully, we always agree - 39 members have been through this place. We have had three Chief Ministers and three Speakers. Jon did not point to the number of opposition leaders. There is nothing to be read into that, I am sure. He will be across the way soon enough. I lost count. Can someone tell me whether Craig Duby was Opposition Leader for a day or two?

**Mr Moore:** Yes.

**MR WOOD:** He was?

**Mr Humphries:** For six hours.

**MR WOOD:** Let us recall that. I am not quite up with all the circumstances, so I will go back and do a new count now. I think Gary Humphries was Opposition Leader. Were you?

**Mr Humphries:** For six weeks.

**MR WOOD:** So there have been a few. I can now make a more accurate count. In both the Labor Party and the Liberal Party there have been a number. It is the pattern of

parliaments. All those people who have been through this place are my friends. Some of us might be a little strange from time to time, but they are all my friends and I have worked with them in this place.

If we take a view from a long distance from this place, we will see that really there are only minor differences between us. In this building we tend to magnify those differences. We all work genuinely in the interests of the ACT. It has been hard work, and all who have been here have worked hard. I particularly want to give credit to the various Chief Ministers and the various opposition leaders, and to everybody of course. In those positions in particular, it does take hard work and we have had people who have done that work.

Let me reflect on some of the lighter sides of my job. In my job I have been kicked around a lot, especially when I was a Minister. I was very occasionally praised. Let me focus on some aspects. I cannot forget the wind tunnel over the road there and those times, when asked a question by a TV camera person, I could not answer - not because I was necessarily stuck for words. It was just too cold and I could not get my jaw moving.

With other members here, I remember some very large public meetings in front of perhaps 500 quite irate citizens and having to survive those. In the end I think you enjoy such meetings. I know that Gary has been to a few when I have been on the receiving end, and he has no doubt been to a few when the roles were reversed.

I remember that "all night out" I had around the night spots of Canberra with Dennis Stevenson. I will not forget that. I remember the time under the protection - I was trying to find a better word; I am not sure that "protection" is the appropriate word - of Michael Moore I went to a Canberra brothel and to a remarkable call girl centre in Perth, Western Australia. I remember the courageous decision I took to cull kangaroos at Royal Canberra golf course. I think it was a decision that needed to be taken, but why was I so stupid as to take it? I took it, but I do not know why in the end.

I remember the time - I think I have got this right - that Craig DUBY and I frog-marched Trevor KAINE past the multitude of TV cameras outside ICAC in Sydney. We put on a good performance. Unfortunately, it never appeared on the screen that night. I remember the time - and in this I envy Harold HIRD - when I was the sole backbencher and on pretty well every committee. That was a wonderful time. I learnt more, I did more, and I enjoyed that more than almost anything else in this Assembly. It was great.

I look forward to many more experiences while I remain in this Assembly. It is different, it is productive and it is new. I value my time here with you all.

**MS TUCKER (10.37):** The Greens also welcome this opportunity to acknowledge 10 years of self-government in the ACT. A fundamental principle of green politics is participatory democracy, and self-government has certainly increased the possibility for the ACT community to be involved in decisions which will affect them. Many people in the ACT community expect to be involved, and I believe this is healthy. There is expertise and experience in the community which can inform government work and policy direction.

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Our committee system in particular facilitates this discourse, and I am a strong supporter of the committee work. It is very important that we do not allow the committee system to be devalued. I am always respectful of, and grateful for, the work the community puts into Assembly committee inquiries. Usually the submissions are of a high standard and very valuable for committee deliberations.

In this debate today I would like to acknowledge the role of our community in contributing towards good governance in the ACT. While there is obviously still cynicism about self-government and about politicians in general, there are a lot of people who are prepared to work in good faith with their elected representatives. I personally have found this invaluable, not only for assisting in committee work and for informing green policy but also personally, because many of these people are inspiring. They are often working not for themselves but for the broader common good.

I also have to comment on the electoral system, as other members have, because it is obviously important in facilitating representative democracy. The Greens did take a strong role in the Hare-Clark campaign. Proportional representation is important in ensuring that a greater range of views can be represented in policy-making. Election results in the ACT over the years indicate that the community does see value in minority governments and a place for new parties and Independents.

While the ACT Greens have been represented in the Assembly only since 1995, I would like to point out that the broader green movement has been involved in self-government right from the start. One of the groupings which contested the first ACT election was the Fair Elections Coalition, which had as its lead candidate Tony Fleming, a former director of the Conservation Council. He stood as an Independent but his policies and background were very much green.

Also in the coalition were three candidates from the Rainbow Alliance, a national organisation which was a forerunner to the Australian Greens formed a few years later. Some members of the Rainbow Alliance are still active in the ACT Greens, and many of the principles and policies originally developed by that group have evolved into current Greens' policies. The Fair Elections Coalition missed out on a quota by 117 votes. If they had received a quota, it was fairly certain that they would have won two seats on preferences due to the vagaries of the d'Hondt voting system. If the coalition had won those extra votes, then the make-up of the First Assembly would have been very different.

It is interesting to observe how the issues and proposals that were put forward by green candidates in 1989 have progressed since then. A big concern in 1989 was the future planning of this city because of the demise of the NCDC and the threat of new developments destroying the bush capital character of our city. Despite the huge amount of work that has gone into the development of the Territory Plan and the Land Act since then, these planning issues are still far from resolved and in some ways have become more pronounced as redevelopment of older parts of Canberra gathers momentum and the strong planning focus of the NCDC days has become more and more diminished.

On the positive side, there have been considerable advances in nature conservation and environment protection in the ACT through the gazettal of public land under the Territory Plan, updating of the earlier Nature Conservation Ordinance and the introduction of the integrated environment protection legislation. Many of the environmental issues which confront us are the same as for other cities around the world - the pressures of development, the nature of a consumer society, transport issues, pollution issues, energy use and so on. I believe that through self-government we have a greater opportunity to work with the community and with each other as much as possible to find ways of dealing with these issues and the many other issues which we have to face.

**MR HUMPHRIES** (Attorney-General, Minister for Justice and Community Safety and Minister Assisting the Treasurer) (10.42): Mr Speaker, it seems a lifetime ago, not merely 10 years ago, that 17 of us sat at vinyl-covered ex-Public Service desks in a horseshoe in a hastily converted former government shopfront across the road and began what Mr Kaine has called the roller-coaster ride called ACT self-government. That the intervening 10 years have been eventful would be a major understatement. To describe the high points (and there have been many) without also describing the low points (and there have been almost as many) would be misleading, and I would not wish to mislead the house - not today anyway.

Mr Speaker, the infertile ground in which self-government was sown meant that this new seedling was a hardy specimen. The perks of office were fairly minimal compared with other parliaments, and the individual scrutiny of members of this place has been extremely intense compared with other parliaments. It has also meant that self-government has had to keep proving itself and its worth throughout these 10 years. Whether it has or has not is a matter I would leave for others less close to the action to decide. But I do believe that the adaptability which has resulted from that has led to more change to the form, the values, the mechanics and the trappings of government in the ACT and the ACT's legislature than in any other State or parliament over the same period - certainly any other parliament in Australia, and perhaps in the world.

The Assembly has already moved a very long way from its strict Westminster inheritance. Witness Mr Moore's presence beside me in the chamber today. The most striking evolution in that process perhaps has been in the growth of the legislature's power at the expense of the Executive's. Today the Executive has to make room for other MLAs in almost all decision-making processes except the budget, and even then I am a little bit worried on occasions. That, Mr Speaker, is not necessarily a bad thing. It recognises the unlikelihood that four or five people will hold a monopoly on political wisdom, will be able to hold others off from participation in an articulate, well-educated, politically savvy town like Canberra. I feel that the direction we are taking in the ACT in this respect is a direction that other jurisdictions in Australia, perhaps other liberal democracies elsewhere in the world, will go in the next 50 years. So the ACT is in this, as in other areas, a trailblazer.

Mr Speaker, ancient Athens had a system which allowed many ordinary citizens of its community a role in important decisions of government. They could do that because they were unencumbered by remoteness from the seat of power. The same could be true of Canberra. The parallels between Canberra and ancient Athens in that respect are striking.

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It is my hope that the evolution we have seen in the last 10 years of power outwards from the centre will be a process that reaches not only non-Executive politicians in this place but also ordinary citizens whose capacity to participate would be more than equal to their right.

Trailblazers we have certainly been in the last 10 years, from domestic relationships legislation to reforms to government financial transparency, from the regulation of prostitution to landmark discrimination laws. The ACT was the first jurisdiction to pass the new national gun laws, and it played a leading role in reconciliation with indigenous people by bring them to the Bar of the Assembly to describe their experiences and their feelings.

Certainly, Mr Speaker, we have made some mistakes in the last 10 years, but today it is worth stating emphatically that we have a great deal to be proud about. The last 10 years have been very rewarding. There is no doubt about that. Each of us, I am sure, has grown in those 10 years, even if we have only spent short periods of time in this place. For me, certainly self-government has been rewarding. I, for example, would not have met my wife had it not been through my involvement in politics and in the ACT's political scene.

Mr Speaker, I want to conclude by saying that we have a great chance to be a model of democratic effectiveness in this city. Certainly our system is more robust than people would have expected, observing the first day of self-government 10 years ago today. But just as change has been the hallmark of the last decade so also must change be the hallmark of the next decade. We must address the concerns of those who are still distrustful of self-government. As the Chief Minister said, with power comes responsibility - responsibility by those here who share power in a non-traditional sense with the Executive and also responsibility by those here to those out there. As Mr Kaine put it, government is with the consent of the people.

**MR BERRY (10.47):** I would first like to acknowledge all of those members who were in the First Assembly at the wish of their electors. I would also like to acknowledge those public servants who put a great deal of effort into preparing the ACT for self-government. Most of them have gone now. Nevertheless, they made a major contribution to the development of democracy in this place. I cannot proceed any further either without acknowledging for my own part, and I suspect for many other members who are here now and were here in the past, those loyal staff members who have worked until the midnight hours to do whatever they have had to do to support the development of politics, if you like, in this place and the things that we, from our different vantage points, have been trying to do for the people of the ACT.

I will avoid the temptation to trade upon the lingering antipathy for self-government or to appear forward thinking by abandoning the old and longstanding frameworks for parliamentary democracy in all the models of the Westminster parliamentary system that exist around the world. I will also avoid the temptation to criticise the adversarial nature of parliamentary democracy, to touch on a popular theme.

It is far better in the scheme of things for politicians to enter into a passionate competition of ideas than it is for the population to fight each other in the streets. I do

not think that that was going to happen here in the ACT for quite some time, because I felt that when I went out into the streets the population wanted to fight me. I am not sure that my family were so happy that I had become involved at an early stage. I would acknowledge at this stage the enduring commitment that they have had to my involvement in this place, though shaky at times.

Mr Speaker, I was one who came to this place as a former public servant, I suppose, a firefighter but mostly as a union official. I was won over to self-government once when I could not get the ear of the relevant Minister. I could never get the ear of the relevant Minister unless we did something outrageous and it looked as though it was going to make the national headlines. Ministers never seemed to be interested in the bad publicity they got in the ACT. But on one occasion I was able to get a rather savage article of a couple of centimetres buried back in the Hobart *Mercury*. It was on a matter that was confronting firefighters here in the ACT, and I got a phone call at 11 o'clock at night from the Minister. We had a long discussion about the issue. I thought that that was a good enough argument for me for self-government. We need to get in this place people who are answerable. That was the great difficulty that we all faced here in the ACT. I remember long disputes with politicians of both persuasions which need not have happened and would not have happened had those particular Ministers been in place in this city.

Mr Speaker, in the end, when we look at this place, it is the voters' intention that is reflected here. I have been proud, throughout my service in this place, to be elected time and time again. I have been very welcoming of the support I have gained from the electorate. I like to describe myself as a traditional Labor bloke, and I trust that those people out there who have given me their support over the years are satisfied with the way they have voted.

When all of this is over, you or I, Mr Speaker, or any of the rest of us who have participated in this place do not mean much. It is what we leave behind that is important for future generations. I hope that all of those who have participated in the Assembly are satisfied with some of the things that they have left behind. They leave a permanent and indelible mark on the development of democracy in this place.

Mr Speaker, I go back to the very first days and acknowledge our first Chief Minister and the significant role that she played. To be Chief Minister in the first government in the ACT was something to be very worried about, because it was something that was not desired and it was a very tough job. I do not think enough can be said to congratulate Rosemary Follett for her participation in government here in the ACT and her enduring commitment to ensure that self-government turned out to be responsible.

Mr Speaker, we have a job in front of us now until the next election. Part of that job will be to engage in passionate debate about differing ideas on different issues which will map out the way for the Territory in the future. As I said, it will not only be us making the effort here. It will also be our staff who work with us and those public servants who loyally work in the interests of the Territory. But, at the end of the day, I hope that the community also, through enduring and growing commitment to government in the Territory, delivers for the Territory what is socially just.

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When the House of Assembly was abandoned - I think it was some time before self-government came - there was frustration in the community. The Trades and Labour Council was one organisation which was an important feature on the political landscape here. I remember the struggles over apartheid, occupational health and safety and those sorts of things which preceded self-government. For me, when my union colleagues said, "We think it would be a good idea if you entered politics", I said, "Not on your life, mate. I have a pension coming in a few years. I like the Fire Service and it looks all right to me. I am not sure what is going to happen in there". They said, "You will be right". I think I suffered from a common problem and when somebody said, "Who would like the job?" the others stepped back quicker than I did and I ended up with the job.

Seriously, I was quite proud to have been asked to come here and stand up not only on their behalf but for the people of the ACT. It has been a proud period of my life, and I thank all of those who have helped me in this place. I also welcome those who have not helped me in this place, because it has given me a little bit more steel.

**MR MOORE** (Minister for Health and Community Care) (10.56): Mr Berry describes how he moved into the Legislative Assembly, and it is interesting how the union movement got rid of him. I just wish we had a House of Lords to move him to the next step. Mr Speaker, I will be looking back somewhat but not quite as far as my colleague Mr Stanhope did when he referred to Julius Caesar and Mr Humphries did when he referred back to the time of Pericles. I would like to go to the very first speech that I made in the Legislative Assembly, which was on 23 May 1989. I said at that stage:

It seems to me that the whole democratic nature of this system is in question. When we have a system of government and opposition, there are certain aspects about that balance. This particular floor does not have those same aspects of government and opposition. Therefore, for us to follow in traditional ways is very difficult ...

We should be looking to making sure that we have an assembly that works most effectively for the people in the most democratic manner.

In my inaugural speech, which I made the following day - and Mr Berry will find this somewhat amusing - I said:

With reference to health and community services ... let me just emphasise that we would like to see an emphasis on community health. The Minister obviously has a great challenge in front of him in terms of the hospitals.

The more things change, in some ways the more they stay the same.

I would like, first and foremost, to acknowledge that I could not have managed these 10 years, certainly not with the effect that I believe I have had, without the support from my wife, Helen, who has been with me and supported me right through this whole process, at times when it has been incredibly difficult. I know that other members also feel the same about their spouses.



In 1989, when I became involved in politics, when I was elected to this Assembly, I was seeking a better community and seeking change for a better community, as the vast majority of the 39 members and eight opposition leaders who have been through this place probably have. Looking back, I remember more than anything else the antagonism of the community to self-government. Whenever you went to a community meeting, the first thing that you did was set about justifying self-government, because as soon as somebody disagreed with anything at all that was going they would say, "We did not want you anyway". That happens occasionally now, but members would recognise that it is very rare.

What I sought to do, Mr Speaker, and what I have been committed to doing, falls into five categories - openness, accountability, involvement, stability and innovation. On openness, Mr Speaker, I am very proud of the Statutory Appointments Act, of the Interstate Agreements Act and of a consultation process which is sensible and focused on outcomes. On accountability, I have sought through each of my elections to have a sustainable and stable economy, but I have sought also to ensure that decisions made by government are reviewed by the Assembly through such things as the provisions of the legislation I put forward on disallowable instruments. I mention also the effort I put in on fair electoral systems, on proportional representation, as did other members of this Assembly.

In terms of stability in a parliament that operates as we do, I think the two elements of most importance are a guarantee for the budget and a guarantee that the Chief Minister will remain unless there is reprehensible conduct. We ought to be aware also of the innovation in this Assembly. There has been a constant series of small innovations. Mr Humphries drew attention to the fact that I sit on the government benches, but it is not just that. We see innovation also in the way the committee system works, the way people have been prepared to work together, and the way that committees have been chaired by a range of members across the Assembly rather than, as in the traditional way, a government member chairing all committees other than the public accounts committee, which is in the hands of the Leader of the Opposition.

Mr Speaker, on two occasions I have been fortunate to be involved with the Commonwealth Parliamentary Association, and it has been very interesting to me to observe parliaments both big and small. I have talked to people from other parliaments across the world, parliaments that are much smaller than ours and serve much smaller populations than ours and parliaments like that of the United Kingdom, or that of India, which serves millions and millions of people and whose electorates have a million people. It seems to me that this Assembly can hold its head up high. There is no doubt in my mind about that. Members who have attended CPA meetings - and most of us have attended or will attend those meetings - will understand that this Assembly, with its emphasis on democratic processes and with its innovation, has been able to move forward and enhance democracy and to work together for the good of the ACT. In the vast majority of our decisions, Mr Speaker, members here do work together for the good of the ACT.

There are, of course, issues that become issues of conflict and issues in the media. They are the ones which I think we have to be particularly wary about, but in the end it is far better that those issues be resolved here in this Assembly in the way that they are

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resolved rather than in the way we see issues resolved in places like the Balkans. It seems to me that this Assembly has not been, and should not be, tied to the traditional antagonism of politics. We can do better. We have been doing better. There is still some way to go.

Mr Speaker, as a concluding comment, I would like to acknowledge not only, as I did earlier, the contribution of my wife, who is here today, but also the contribution of those staff members who have worked with me throughout the past 10 years, particularly the staff members who support this body, the Legislative Assembly. In all my dealings with those staff members, they have been absolutely fantastic. Their contributions to ensure that this Assembly can hold its head high have been significant. Without them, Mr Speaker, most members understand that we would have a very different Assembly and a very different operation of our Assembly. I would like to acknowledge those staff, from the Acting Clerk and Deputy Clerk of the First Assembly through to those who took the permanent positions and those who work as committee secretaries - the full range of staff. I know members will join me in thanking them for their contribution.

**MR RUGENDYKE (11.03):** Mr Speaker, I am very proud and feel very privileged to be able to be part of the tenth anniversary of self-government for the ACT. For too many years the people of the ACT were subjected to the rule of distant Federal politicians and their blase whims. That legacy left us with such things as the dreaded Y plan for our town centres and our transport system, large concrete monoliths like the Cameron Offices, which were built to house long-gone Federal Government departments, and also an attitude that the people of the Territory would be looked after by others for eternity. For the people of the ACT to be offered self-government is what democracy is all about - that is, to be in control of our own destiny, to be responsible for our own future and to provide our communities with the types of lifestyles that they decide upon.

In the early days of self-government there was a strong resistance by the community to the implementation of self-government, but over time that resistance has been broken down, and the ACT community is more accepting of self-government than it was 10 years ago. It is my task and that of my colleagues in this Assembly to ensure that the credibility of the Assembly is enhanced and developed to a point where self-government offers respected leadership and direction for this great Territory and its people.

I believe that, 10 years on, the ACT Legislative Assembly has attained a maturity that has developed through turbulent and pilloried phases of its brief history. But I am confident that we are at a point where the ACT community can be proud of what its Assembly has achieved and will continue to achieve.

Mr Speaker, it is also important to recognise the twenty-fifth anniversary of the predecessors of this Assembly and current members who served in them - Mr Kaine, Mr Hird and Mr Cornwell. I must also mention the absence of Mr Corbell and congratulate Simon and Nelida on choosing to mark this occasion in the way that they currently are.

Question resolved in the affirmative.

**AUDITOR-GENERAL - REPORT NO. 2 OF 1999**

**Report on the Management of Year 2000 Risks**

**MR SPEAKER:** I present for the information of members Auditor-General's Report No. 2 of 1999, entitled "The Management of Year 2000 Risks".

**DISTINGUISHED VISITORS**

**MR SPEAKER:** Before I adjourn I would like to acknowledge the presence in the gallery of former members of various Assemblies and our other guests. I look forward to seeing you all shortly.

**ADJOURNMENT**

**MR SPEAKER:** Pursuant to the resolution of the Assembly of 6 May 1999, the Assembly stands adjourned until Tuesday, 22 June 1999, at 10.30 am.

**Assembly adjourned at 11.07 am until Tuesday, 22 June 1999,  
at 10.30 am**