



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

5 March 2003

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

Bushfire Inquiry (Protection of Statements) Bill 2003

Mr Stefaniak, pursuant to notice, presented the bill and its explanatory statement.

Title read by Clerk.

MR STEFANIAK (10.33): I move:

That this bill be agreed to in principle.

Mr Speaker, I do not think anyone here would doubt that in January of this year Canberra witnessed the worst natural disaster in living memory. As a result of that disaster, well over 400 homes were destroyed, numerous properties were damaged, and four lives were tragically lost. Also as a result of that disaster, the normal coronial processes have come into play and the Chief Minister has announced that there will be an inquiry by Mr McLeod to look at the issues.

I think it is absolutely essential that we have an open and honest inquiry. It is crucially important for any persons who want to give statements or evidence of any kind, be it oral or written, before that inquiry to do so in the knowledge that they can give full and truthful assistance to the inquiry and not have any problems hanging over their head, such as fear of defamation proceedings. I think it is crucial that we ensure that witnesses before the inquiry or persons who contribute to it can feel safe.

Previously, the opposition moved a motion to have an inquiry set up under the Inquiries Act, which we think is the preferable way to go, and my colleague Mr Smyth has a motion on the notice paper today as well in relation to that. But if the Assembly, for whatever reason, does not feel mindful of supporting that, at the very least it is crucially important to support this bill.

Mention has been made that witnesses do have certain protections and that they might be covered elsewhere. I do not think that that is fully correct. Mention has been made of the Public Interest Disclosure Act, which is very different, Mr Speaker. I think it is timely to say a little bit about that. The relevant section of that act is section 4, which deals with disclosable conduct. For the purposes of that act, conduct is taken to be disclosable if it is of a type referred to in subsection (2) and it could constitute, firstly, a criminal offence; secondly, a disciplinary offence; or, thirdly, reasonable grounds for dismissing or dispensing with, or otherwise terminating, the services of a public official who is engaged in it.

That is quite specific. It relates to only one agency, if one looks at the act, and does not cover the whole gamut of matters that are most likely to come before the McLeod inquiry. Subsection (2) states:

Subsection 1 (a) applies to the following types of conduct:

- (a) conduct of a person (whether or not a public official) that adversely affects, or could adversely affect, either directly or indirectly, the honest or impartial performance of official functions by a public official or government agency; or
- (b) conduct of a public official that amounts to the exercise of any of his or her official functions dishonestly or with partiality; or
- (c) conduct of a public official, a former public official or a government agency that amounts to a breach of public trust; or
- (d) conduct of a public official, a former public official or a government agency that amounts to the misuse of information or material acquired in the course of the exercise of official functions (whether for the benefit of that person or agency or otherwise); or
- (e) a conspiracy or attempt to engage in conduct referred to in paragraphs (a) to (d).

The section goes on to define a criminal offences as an offence against the law of the territory and what constitutes a disciplinary offence. The act relates further to homing in on anything done by a particular official in a particular agency.

That may not even be relevant in any particular way to this inquiry. Part of it may be. Hopefully, it will not be because there are some pretty serious things in there. But any protection that it gives to witnesses cannot cover the whole gamut of what we will be looking at here. Obviously, it is in the public interest for anyone with any information that might assist the inquiry to bring it forward so that, if there are any lessons that we need to learn as a result of the tragic events of January 2003, they can be learned and steps can then be taken hopefully to ensure that they do not happen again, certainly to ensure that whatever reasonable precautions should be taken are able to be taken as a result of lessons learned. You cannot do that unless you have a full and frank inquiry, unless witnesses feel that they can tell what they saw, what they experienced, without any fear or favour.

Mr Speaker, my bill is a short bill, necessarily so. It is, as it says, a bill for an act to protect people making statements to the inquiry which our Chief Minister announced on 10 February into the operational response to the bushfires, headed by Ron McLeod. Basically, the bill gives the title and indicates the normal commencement time. The guts of the bill is in clauses 4 and 5.

Clause 4 (1) relates to any person who makes any statement to the inquiry or gives a document or any information. That statement can be oral or in writing. The document can be oral or in writing. In fact, there might be means other than oral or in writing to help an inquiry. All sorts of things are possible with computers. Basically, any person who gives anything by way of assistance or contributes to the inquiry would have the same protection as a witness in proceedings in the Supreme Court of the ACT. That is, effectively, protection against any defamation actions or any other actions that might arise there.

Under subclause (2) of clause 4, a statement is made and a document or information is given if it is made or given to Mr McLeod as head of the inquiry or to anyone assisting Mr McLeod for the purposes of the inquiry, that is, any person assisting Mr McLeod, anyone associated with him in terms of the inquiry, who receives that information of whatever kind from the person.

Under subclause (b), it does not matter whether the person gives that information because they have been asked to or they come forward of their own initiative. I think that many people will wish to come forward of their own initiative. They would all be protected in whatever capacity they are given to. Subclause (3) is simply a definition of "inquiry"; it is self-explanatory. Clause 5 deals with when the act would expire. Parliamentary counsel have indicated that the act would expire on 30 September, noting that Mr McLeod is due to report by 30 June.

As is often the case, these things do go longer than initially anticipated. If the inquiry is to go further, there is a provision in subclause 5(2) that the minister may in writing before 30 September this year determine a later date for the expiry of this act. That determination would be a disallowable instrument. That is quite normal. If the inquiry did go a bit longer, the relevant minister could simply extend the operation of the act. The whole purpose of this bill is to cover witnesses and anyone giving any information from go to whoa, to the time the inquiry is finally complete. That is the basis of this bill, which I hope will have the support of members.

The bill has gained support elsewhere. Several days ago, I received a letter from Mr Michael Bartlett, the solicitor acting for the United Firefighters Union of Australia, ACT branch, who said to me:

I have received instructions from the United Firefighters Union of Australia (ACT Branch) to provide legal advice and representation to that union and, if necessary, to union members in relation to the upcoming ACT Government Inquiry, conducted by Mr Ron McLeod, into aspects of the January 2003 bushfires.

I am instructed that one of the union's objectives in becoming involved in this inquiry is to ensure that a full and open inquiry is held and that any evidence provided to the inquiry is accurate and truthful. The union is keen to ensure that any recommendations and findings made by the inquiry, affecting union members, is based on truthful, accurate evidence.

My client is of the view that if the ACT Government wants to discover the truth about the January 2003 fires, on the basis of properly tested evidence, then the inquiry proceedings should not give rise to any participants being sued for defamation for what they say in the inquiry.

Please be advised that I am instructed to inform you that the United Firefighters Union of Australia (ACT Branch) supports your proposed bill to protect witnesses from defamation claims arising from evidence given to the McLeod inquiry.

Mr Bartlett goes further and requests me to consider expanding the ambit of this bill, stating:

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Whilst witnesses undoubtedly need protection from defamation claims at such an inquiry, it would be my submission that legal representatives of witnesses, also need protection from defamation. Robust cross examination, aimed at testing evidence, will be defeated if the cross examiner could face a writ for defamation.

He also stated:

I also wonder whether Mr McLeod's own comments at the inquiry may be subject to claims of defamation.

He went on to ask me to inform him of the success or otherwise of this bill and concluded his letter there. His later points probably relate very much to points my colleague is going to raise in terms of his motion. We will have more about that later. But this bill, at the very least, will give to the current inquiry as envisaged by the Chief Minister protection for those witnesses' evidence, statements, or whatever information they give to assist the inquiry.

I do think it is the least we can do. If the majority of the people in this house do not support having an inquiry under the Inquiries Act, which the opposition thinks is the best way to go because, basically, it provides for everything in my bill and more, I think the least they can do is support this bill. I commend the bill to the Assembly.

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

Bushfire Reconstruction Authority Bill 2003

Mrs Dunne, pursuant to notice, presented the bill and its explanatory statement.

Title read by Clerk.

MRS DUNNE (10.45): I move:

That this bill be agreed to in principle.

Mr Speaker, there are times when governments need to take a low profile and there are times when governments need to take the lead. This has nothing to do with ideology or political philosophy; it has to do with governance. We on this side of the house believe that the situation created by the disastrous bushfires of 18 January necessitates the involvement of government at a very prominent level.

We are introducing this bill because, at the moment, we are operating on huge banks of good will, but they will run out and we will need something to keep the momentum going. People need help to get back on their feet quickly. We want to avoid situations where people who have lost their homes have to confront numerous bureaucracies, many of them underresourced and already stretched, and we need to think about what we rebuild, not just replicate what was there before. We are therefore proposing that the recovery and reconstruction effort already under way be transformed into a dedicated authority with power to get things done and that this authority be directly answerable to the Chief Minister.

The emergency in the form of burning fires has passed, but the ongoing emergencies in the lives of many people remain. We are not convinced that the existing arrangements are adequate to address these emergencies. It is not just about rebuilding homes; it is about rebuilding lives. It is about picking up the pieces. It is about being able to reassure and inspire confidence. It is about reaching out and helping those who are vulnerable, those whose confidence has been sapped and those who are or will be desperate.

We are not convinced that, in the normal course of events, we have the collective wherewithal to address these problems, unless we make provision now for a body vested with wide powers to enable quick decisions to be made. We need a bushfire reconstruction authority, financed and staffed sufficiently, that can cut through the red tape and focus on outcomes rather than processes.

This bill allows us to gather, within a dedicated organisation, those who know how the system works and put that expertise to use to get things done and get them done swiftly. With this bill we are signalling quite unequivocally that we are going to give this reconstruction effort our utmost priority.

Mr Speaker, I am aware that the government has made certain provisions along the lines to which I have alluded, but the question the opposition asks is: is it enough? Disasters bring out the best in Australians. We are good with natural disasters because we have so many of them. We have found in Canberra that people and communities have hidden depths. But, at the moment, we are working on the bureaucratic version of an adrenaline rush to help us cope with an emergency. Mr Speaker, we need to find a long-term substitute for sheer adrenaline.

We need only to look at the building approval process to see where things can go wrong. On many occasions, I have raised in this place instances of unwarranted delay in building and development applications, but the process is complicated and it takes time. At this very time, the whole apparatus of PALM is being redesigned and reshaped into an independent planning authority.

With all the best will in the world—and I do not denigrate the considerable expertise in PALM—the organisation is being asked to take on an incredibly demanding new task, a task that requires fast-tracking, while actively contemplating its own future. We have seen already in the report of the Public Accounts Committee tabled in this place yesterday that the planning approvals process has cracks in it and that mixed messages are being sent to the community.

But that is just one aspect of the complete mix. We are all well aware of the expertise in the bushfire task force. I have previously congratulated the government on assembling such skill and such talent in such short time. The skill and talent extend not just to the task force members but to the staff that support them. I can think of no better person than Sandy Hollway to head up this task force.

But this task force is merely an advisory body. What this bill proposes to do is to give it power, real power. It will empower Mr Hollway and his organisation not just to advise, but to act. It will give the organisation real teeth to expedite things, to minimise delay, to get on and get things done, to act rather than advise.

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There may come a time, Mr Speaker, when there will need to be intervention in the market. I should give some concrete examples of what might happen. It may well be the case that building will be delayed because we do not have tradespeople on hand and we will not have the power to organise to get them here when we need them.

Canberra has suffered trade shortages before. In a rebuilding program as concerted and as extensive as this one, the likelihood is great. We have to ask the question: has the government made any arrangements in this regard? At this stage, I doubt it. All we have had so far is bland assurances. That is not good enough for the people who are waiting to rebuild their lives. We are dealing with an ongoing emergency and we therefore need to prepare and act accordingly.

And then there is the question of policing profiteering. Does the government have sufficient powers or resources as it is to ensure that fire victims do not become victims also of rapacious greed or shoddy practices? I would envisage that a properly resourced authority, such as we are proposing today, would have the powers to deal with such issues. What government can do best is organise and marshal resources. Essentially, this bill proposes a mechanism for organising and marshalling resources.

I turn to another aspect of the current bushfire recovery process that needs addressing. With all the good intentions and the proactive work plan that the task force has devised, there are no delineated lines of reporting. How do we evaluate the task force's performance? How do we determine if it is meeting its goals? What, if any, are its performance indicators? We simply do not know. The task force advises the Chief Minister's Department and the Chief Minister's Department evaluates the advice and then advises the Chief Minister. The Chief Minister, if he chooses, then advises the Assembly, but only perhaps if we ask specific questions.

In other words, under the present regime, there is no prescribed reporting mechanism. The Chief Minister's Department and the Chief Minister, if they choose, can keep it all in-house. If the task force finds itself at odds with the bureaucracy, as may well be the case, to whom can it complain? To the bureaucracy, of course. This is a ramshackle arrangement and all the good will in the world will not overcome the fact that we have set no targets, no means of measuring performance, no clear lines of reporting and no real accountability. The government has taken the line of least resistance and shown itself to be timid in the extreme.

If, in six, 12 or 18 months, we are hearing stories of delay, of red tape, of promised aid not forthcoming—if, in short, we are hearing of people not being able to get their lives back together—who will we blame? It really is not a matter of attributing blame. We should be bold and act now. We should throw the full resources of government into this effort and show what we can achieve. The way to do that is to give an organisation such as the proposed bushfire reconstruction authority powers so that it can act and not just advise.

In the next few years the community of Canberra will have lots of things to think about. We will have to redesign for the 21st century many suburbs that were designed in the late 20th century. We will have to think about appropriate plantings to replace both our

urban landscape and our rural landscape. We will have to think about how we reduce fire risk in the future. We will have to do some very serious thinking about what we do with the rural and forest land that was destroyed.

We need to take this opportunity to build a better city. This collective thinking needs to be facilitated and acted upon in a coordinated way. Let us not sink into a morass of indecision and procrastination while we slowly forget the human dimensions of so many lives interrupted. The Assembly has the opportunity to play a significant role in expediting the return to normal of those people whose lives have been put on hold. The question is: do we grasp this opportunity or do we meekly surrender it to the executive and its paternalistic formula of “we know best”.

Are we game as a legislature and as a community to stand up and say, “Let’s go further?” I believe we have the opportunity here and now to make a difference, a real difference, to people who are hurting. I like to think, in my more idealistic moments, that that is why we are here in this chamber. The question I leave with you today is: are we, as an Assembly, prepared to accept this challenge? I commend the Bushfire Reconstruction Authority Bill to the chamber.

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

Inquiry into preparation for an operational response to January 2003 bushfires—proposed incorporation under Inquiries Act 1991

MR SMYTH (Leader of the Opposition) (10.56): I move:

That the Assembly calls on the Chief Minister to incorporate the McLeod Inquiry into the Operational Response to the 18 January 2003 bushfire under the *Inquiries Act 1991*, with the following terms of reference, as issued previously by the Chief Minister:

Terms of reference

The disastrous ACT bushfires of January 2003 caused the deaths of four people and a heavy loss of private and public property. The Government proposes to undertake an Inquiry into the preparation for and operational response to those bushfires by the ACT’s emergency services in order to identify improvements that might enhance the capacity to respond effectively to large scale events of that kind.

The Inquiry will examine and report on the adequacy of the response to the bushfires by the ACT Emergency Services Bureau and its components (ACT Bushfire Services, ACT Emergency Services, ACT Fire Brigade and ACT Ambulance Service) and other relevant agencies, including ACT Policing, Environment ACT and ACT Forests with particular reference to:

- (a) the preparation, planning and response to the bushfires and of strategies for the evaluation and management of bushfire threat and risk;
- (b) ESB’s management structure, command and control arrangements, and public information strategy;

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- (c) the coordination and cooperative arrangements with other ACT and interstate, Commonwealth and non-government agencies, including utility providers, for managing such emergencies; and
- (d) the adequacy of ESB's equipment, communications' systems, training and resources.

In undertaking its work, the Inquiry Team will consult closely with the Coroner conducting inquests into the deaths caused by the bushfires to avoid any interference with the process of inquiry being directed by her.

The Inquiry is also to advise the Government on the ACT's overall structure for dealing with emergency situations, given the Territory's unique context (geographic, population, financial and administrative), including the operation of the Emergency Management Act. In providing this advice, the Inquiry should make reference to arrangements that exist in other jurisdictions for dealing with emergencies.

The Inquiry Team will report to the Chief Minister by 30 June 2003, in order that relevant recommendations that may result from the Inquiry may be fully implemented prior to the onset of the 2003-04 bushfire season.

In moving this motion, I know that I am beginning to be a little repetitive. The plain fact is that I have to be repetitive in order to pursue what is essentially a simple matter. For reasons that elude me and many in the community, the Chief Minister will not accept that the McLeod inquiry must have some sort of legal protection.

My colleague Mr Stefaniak has tabled legislation to provide some basic protection for witnesses appearing before the inquiry. Since the government is non-committal about this commonsense compromise, I will endeavour to implement what this community really wants—an inquiry established under the Inquiries Act.

Mr Speaker, members will note that I have used the Chief Minister's own terms of reference, so I do not anticipate any argument on that matter. I am still of the belief that the terms of reference I issued are more thorough but again, in the interests of a positive compromise, I have adopted Mr Stanhope's instead.

Members will also note that the inquiry I propose is to be headed by Mr McLeod. I would imagine that there will be no argument there, either. However, by doing it in this way, Mr McLeod would have all the powers and protections of the Inquiries Act. At present, Mr McLeod has no such powers. Indeed, he will have even less power in pursuing his inquiry than he had as ombudsman. In conducting this sort of inquiry as ombudsman, Mr McLeod would have had at least the powers to compel and derive end use indemnities.

Mr Speaker, the reason the issue of protection for witnesses is important is best outlined by an article written in the *Canberra Times* on 27 February 2003. I will read from the article, which was headed "Fire heroes doubt government immunity promise". It was written by Frank Cassidy, and reads as follows:

Canberra's volunteer fire brigades have raised doubts about the ACT Government's inquiry into the January bushfires, claiming the lack of legal protection could stop some firefighters telling their story.

President of the ACT Volunteer Brigades Association Clive Swaysland has called on the Government to extend legal protection to all witnesses giving evidence to the inquiry.

The Government said its Inquiry into the Operational Response to the January 2003 Bushfires would be conducted by Commonwealth Ombudsman Ron McLeod from next Monday—

meaning the Monday just gone—

and reporting by June 30.

Mr Swaysland said the 700 volunteers he represented were concerned they may not be able to speak freely.

“We all have a different story to tell,” Mr Swaysland said.

“The story of a volunteer firefighter will differ vastly from a resident who was trying to douse the flames around their house.”

He said the inquiry needed as much information as possible to ensure the fires were evaluated fully.

“The association is concerned about its volunteers and the lack of protection they will have.”

He said volunteers wanted to tell their stories, many needing to do so as part of the healing process.

“Unfortunately, many of them won’t feel comfortable doing that.”

Bushfire hero Matt Dutkiewicz who was injured and lost everything in the blaze while out fighting for others, agrees.

“I’ll definitely be making a submission,” Mr Dutkiewicz said.

“But how much in depth I go will be another matter.”

He said he would be wary about what he says and whom he names, labelling as “very disappointing” the possibility the inquiry might be hamstrung.

“This is a big thing. It’s serious stuff. But I don’t think you’ll get into the specifics which are so important to improve the system for next time, if there is a next time.”

The ACT Government played down the volunteers’ concerns, saying procedures had been adopted to ensure submissions were considered in full.

A spokesman for Chief Minister Jon Stanhope said yesterday that people could mark their submissions “private” or “confidential” if they believed they needed extra protection.

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She said Mr McLeod would review all submissions and refer those raising potentially sensitive issues to the head of the Chief Minister's Department, Robert Tonkin, who could ask him to investigate them, thereby attracting all the protections of the territory's whistleblower laws.

I think that that highlights exactly why we should have a full and independent inquiry under the Inquiries Act. There we have a concrete example of one of the unsung heroes of the disaster saying that he is reluctant to tell his story. How many others are there out there? If we continue with the McLeod inquiry as is, we will probably never know.

Mr Speaker, that article referred to whistleblower legislation. In the ACT, that means the Public Interest Disclosure Act 1994. The Chief Minister obviously does not understand the PID Act; so, for his education, I will read from it. The main point is made right at the beginning of the act. It says:

An Act to encourage the disclosure of conduct adverse to the public interest in the public sector, and for related purposes.

Let's go into the detail. The definition section reads:

public interest disclosure means a disclosure of information that the person making the disclosure believes on reasonable grounds tends to show—

- (a) that another person has engaged, is engaging, or proposes to engage, in disclosable conduct; or
- (b) public wastage; or
- (c) that a person has engaged, is engaging, or proposes to engage, in an unlawful reprisal; or
- (d) that a public official has engaged, is engaging, or proposes to engage, in conduct that amounts to a substantial and specific danger to the health or safety of the public.

Section 4 of the act defines disclosable conduct as follows:

- (1) For this Act, conduct is taken to be disclosable if—
 - (a) it is of a type referred to in subsection (2); and
 - (b) it could constitute—
 - (i) a criminal offence; or
 - (ii) a disciplinary offence; or
 - (iii) reasonable grounds for dismissing or dispensing with, or otherwise terminating, the services of a public official who is engaged in it.

Subsection (2) says:

Subsection (1) (a) applies to the following types of conduct:

- (a) conduct of a person (whether or not a public official) that adversely affects, or could adversely affect, either directly or indirectly, the honest or impartial performance of official functions by a public official or government agency; or
- (b) conduct of a public official that amounts to the exercise of any of his or her official functions dishonestly or with partiality; or
- (c) conduct of a public official, a former public official or a government agency that amounts to a breach of public trust; or
- (d) conduct of a public official, a former public official or a government agency that amounts to the misuse of information or material acquired in the course of the exercise of official functions (whether for the benefit of that person or agency, or otherwise); or
- (e) a conspiracy or attempt to engage in conduct referred to in paragraphs (a) to (d).

Subsection (3) reads:

In this section:

criminal offence means an offence against a law in force in the ACT.

disciplinary offence means conduct that constitutes grounds for disciplinary action under a law in force in the ACT.

I am not sure why the Chief Minister believes that sensitive or confidential information would amount to disclosable conduct. I doubt very much that during the emergency a public officer attempted insider trading. I do not think any public officials were bribed or acted partially and I do not think that any public officials had a hand in the till. I would say that the disclosable conduct provisions are completely unsuited to the matter at hand.

I think that it was remarkable that the Chief Minister accused me of extreme ignorance of the nature of the whistleblower legislation when it is clear that he does not have the foggiest. Perhaps he got caught up in section 35, which notes:

... in proceedings for defamation there is a defence of qualified privilege in respect of the making of a public interest disclosure.

However, since a public interest disclosure is reliant upon disclosable conduct, section 35 obviously cannot apply in this case. I would also point out that at the moment the McLeod inquiry is not a proper authority under the act. Therefore, the head of the Chief Minister's Department would not legally be able to pass any public interest disclosures to it.

Since the Chief Minister is seemingly completely ignorant of the PID Act, I refer him to section 3A, which allows the minister to declare a particular body as a territory

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instrumentality. If the Chief Minister wishes to continue with his pointless use of the PID Act, he can use section 3A to declare the McLeod inquiry a territory instrumentality and thus a proper authority.

Having, hopefully, managed to fill the gaps in the Chief Minister's knowledge with regard to public interest disclosure, let's move to defamation. Mr Speaker, I must confess that I am concerned at the naivete of our first law officer. His public comments on this issue of protection against defamation for witnesses are cloud cuckoo stuff. Does the Chief Minister seriously believe that people, if given this basic protection, are going to line up and maliciously defame our emergency services workers? Does he think that we are going to have some sort of Salem hysteria?

The simple fact of the matter is that in giving evidence before the McLeod inquiry as it is now a witness could easily and completely inadvertently defame someone. Someone could front up to the McLeod inquiry with no malice aforethought and tell the complete truth and then spend the next two years defending themselves in court. It may be that in this instance they could construct a valid defence and may well be successful, but at what cost?

In the fairyland that the Chief Minister inhabits this scenario is impossible. In his world, the only people who are sued for defamation are malicious evildoers who deserve everything they get. The real world is somewhat different. The real world is inhabited by volunteers like Mr Dutkiewicz, whom I quoted earlier.

Mr Speaker, you have to ask: is this why the United Firefighters Union were told that no public submissions were to be taken? I have a copy of a letter from Michael Bartlett, their solicitor, referring to the McLeod inquiry. It goes:

I am writing ... to bring to your attention concerns that the union holds about the format and procedure to be used in the McLeod Inquiry into the Operational Response to the January 2003 Bushfires.

Further on, the letter says:

On 3 March 2003—

Monday—

I contacted an officer from the McLeod Inquiry to obtain information about the format and procedure to be used at that inquiry. I spoke to a person called—

I will leave the person's name out of it—

She was kind enough to inform me that:

Written submissions could be sent to the inquiry;

There will be no public sessions where evidence is taken; and

Briefing sessions will be held with executive directors of relevant organisations.

He said that he had written to Mr McLeod to confirm the information he had received. As you see, Mr Speaker, there are concerns now from the union about how this inquiry will be conducted. The union went on to ask the following questions:

How will Mr McLeod resolve disputes of fact contained in the reports he receives if he cannot call and question the authors?

If Mr McLeod cannot resolve disputes of fact, and cannot view the demeanour of the authors, how will he decide which account is correct?

How will Mr McLeod choose the written submission on a topic, that he is going to accept?.

The letter continues:

The union is also very concerned about what these “briefing sessions” with executive officers entail. We would ask: who is briefing whom and about what? What purpose can such “briefing sessions” serve? One inference is that the ACT Government seeks special access to Mr McLeod, over other interested parties.

I will finish with the final paragraph of the letter, which says:

I would respectfully submit that your government consider holding this inquiry under existing inquiries legislation, so that it is undertaken in a manner that will give it credibility and acceptance in the community.

That raises the issue of independence, Mr Speaker, because at the Public Accounts Committee hearing into Appropriation Bill 2002-2003 (No 2) on Wednesday afternoon, at about quarter to 4, we were questioning the head of Chief Minister’s about how it was determined that \$400,000 would be adequate for the McLeod inquiry. An issue was whether Mr McLeod had been consulted. The head of Chief Minister’s said:

We didn’t talk to him about—we haven’t spoken to him in any detail about how he proposes to conduct the Inquiry, the question of whether there are public hearings is a matter for Mr McLeod, so we have—what we’ve put is an estimate here of the costs, what we estimate to be the costs of conducting this activity, it is not an Inquiry under the Inquiries Act and it does not have the panoply of costs associated with such an endeavour.

The reason I raise that, Mr Speaker, is that some time after that, one would assume, so that it could be published in the *Canberra Times* the next morning, the Chief Minister’s office was actually speaking on behalf of Mr McLeod. At a quarter to 4 in the afternoon of the Wednesday they had not spoken to Mr McLeod as they could not direct him because of his independence, but by the time the paper is printed the next morning we have the following quote:

A spokesman for Chief Minister Jon Stanhope said yesterday that people could mark their submissions “private” or “confidential” if they believed they needed extra protection.

She said Mr McLeod would review all submissions and refer those raising potentially sensitive issues to the head of the Chief Minister’s Department—

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The same head of Chief Minister's who had not been able to talk to him. Mr Speaker, you have to have some doubt about what is being said here. The opposition has been calling for an independent inquiry so that people like the Volunteer Brigades Association and the volunteers know that they can tell their story.

Having, hopefully, set the Chief Minister straight on these basic issues, I ask the Assembly to support this motion. I explained the motivations for this sort of inquiry last sitting. Those motivations have not changed. We need a fully independent inquiry, with all the powers invested in it by the Inquiries Act, to ensure that witnesses like Mr Dutkiewicz are able to give their evidence freely. This is about the truth, Mr Speaker, and it is about learning lessons. We cannot get to the truth and we cannot learn the lessons of the bushfire disaster unless the McLeod inquiry is given some power and its witnesses some protection.

MS DUNDAS (11.11): Mr Speaker, on 19 February, Mr Smyth moved a motion calling for an inquiry under the Inquiries Act into the events surrounding the recent bushfires, including operational response issues. At the time, I supported that motion because I believed that any investigation of the bushfires should be truly independent of government, be out in the public domain, and have full protection for witnesses giving sensitive evidence.

The process surrounding the McLeod inquiry has attracted some serious criticism. The United Firefighters Union and some individual firefighters have raised concerns about the protection of witnesses from defamation and about Mr McLeod's lack of power to require the attendance of witnesses or to cross-examine.

As I said in February, inquiries into the bushfires should not be conducted in haste and there is time to follow proper processes. The Inquiries Act was developed to create the framework and legal protection necessary for a full, frank and effective inquiry into the matter of public concern. By establishing an inquiry outside the purview of this act, the government has dispensed with a tested framework and the safeguards of the Inquiries Act that were designed to maximise the accuracy of inquiry findings.

I recognise that the Inquiries Act, in itself, is not perfect. I even have on the notice paper amendments to the act. But I am baffled as to why the government has chosen to create its own type of investigation when it is clear that problems have emerged and will continue to emerge if the Inquiries Act model is not adopted.

There have been some unsatisfactory suggestions about how partial protection of witnesses could be conferred through the head of the Chief Minister's Department and the Public Interest Disclosure Act. I do agree with Mr Smyth that these proposals will not give witnesses sufficient peace of mind, since truth is not a defence under defamation laws, unless the strictly applied public interest test is satisfied. Few could be confident that their evidence would pass this test. I am also concerned that whistleblower legislation will not protect volunteers, and most of our fieries who fought the bushfires were volunteers.

Although I do not question the ability of Mr McLeod to review the evidence presented to him, without the benefit of privilege for witnesses he may not hear all the evidence that

he should. I cannot understand why the government is so resistant to moving the McLeod inquiry under the Inquiries Act and I do not understand why it did not put the inquiry under the Inquiries Act in the first place.

The bill tabled this morning by Mr Stefaniak to protect people making statements to the inquiry would, at first glance, appear to solve some of the problems, but it would be better for everyone if the government promptly moved the inquiry under the established auspices of the Inquiries Act.

MR STANHOPE (Chief Minister, Attorney-General, Minister for Community Affairs and Minister for the Environment) (11.15): Mr Speaker, the government does not support Mr Smyth's motion. Although Mr Smyth's motion retains the government's announced terms of reference for Mr McLeod's operational review of emergency services, it is defective in a number of ways.

Firstly, Mr McLeod's inquiry is already under way. To seek to change the arrangements for the inquiry now would simply lead to further delay. Secondly and fundamentally, Mr Smyth's motion would not achieve the required outcome of providing a thorough examination of the preparation for and response to the January bushfires in time for the lessons learnt to be incorporated into planning and preparation for the next fire season. Further, Mr Smyth's motion continues to operate on the misplaced and erroneous view in his previous related motion of 19 February 2003 that a judicial inquiry in parallel with the coronial inquiry is both needed and could achieve a more beneficial outcome.

I might just say by way of digression from my prepared notes that in listening to both Mr Smyth and Ms Dundas just now neither of them referred once to the coronial inquest which is under way. They did not mention it. The fact that under way at this moment is a fully-funded and resourced coronial inquest did not raise a mention. Let's change the word "coronial inquiry"; let's actually expand the description to "coronial albeit judicial inquiry". Let's just change the words "coronial inquest". There is another way of describing a coronial inquest. A coronial inquest is a judicial inquiry. There is under way at this very second a judicial inquiry into the fires.

At this moment, there are 10 members of the Australian Federal Police gathering evidence for the judicial inquiry which is currently under way into the fires. Those 10 Australian Federal Police investigators assisting the judicial inquiry which is currently under way have spent over a week in the offices of the Emergency Services Bureau. They have photocopied and collected thousands and thousands of pages of information and evidence for the judicial inquiry which is currently under way.

The Director of Public Prosecutions is in the process of appointing senior counsel to assist the judicial inquiry which is currently under way. The judicial inquiry which is currently under way has advertised in the *Canberra Times* and in the *Canberra Chronicle* for submissions to the judicial inquiry. The advertisement placed by the head of that judicial inquiry, Coroner Maria Doogan, in the *Canberra Times* and the *Chronicle* says:

Under the provisions of the Coroners Act, the ACT Coroners Court is conducting a comprehensive Inquiry—

that is, a judicial inquiry—

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into the cause, origin and circumstances of the fires which destroyed and damaged property in January 2003 and Inquests into the deaths associated with those fires.

The Coroner has legal authority to examine all aspects of these matters, including powers to:

Hold public hearings into the fires and deaths;

Require witnesses to appear to give evidence and/or produce documents;

Cause expert and any other relevant reports to be prepared or produced; &

Make any finding and recommendations relevant to the fires and/or deaths.

The Coroner must report the findings of the Inquiry and Inquests in writing and may make interim findings, including any comment on matters relating to public health or safety.

The Coroner—

that is, the person heading this judicial inquiry—

is now calling for written information and submissions from the public on any relevant issue or event associated with the January Bushfire Emergency that may be material to this Inquiry—

that is, to this judicial inquiry—

The purpose of calling for submissions is to assist in identifying:

1. any specific and/or general issues to be further examined during the inquiry—

that is, the judicial inquiry—

2. any person or organisation who may seek leave to appear before the Inquiry—

that is, the judicial inquiry currently being held—

The invitation is open to any person, and particularly those who have not already had contact with the Coroner's Special Investigation Team.

The advertisement then gives information and details on where to make that contact or to submit those submissions. That is currently under way in the ACT. We have had the Liberal Party—don't tell me that this is not the cheapest politics imaginable—two sitting days in a row wanting another judicial inquiry into these very same matters in relation to which we currently have a judicial inquiry running, a judicial inquiry which will cost us, and at this stage we are only guessing, between \$1 million and \$2 million. It will cost us between \$1 million and \$2 million. I am prepared to bet now that it will be closer to \$2 million than \$1 million.

It will take between 15 months and two years to complete. I am betting that it will be closer to two years than 15 months. Indeed, I met yesterday with the Chief Coroner, Ron

Cahill. He said that in his experience, including his lengthy experience as Chief Coroner, there is no way that that judicial inquiry, a standard judicial inquiry, will be completed in less than 18 months. In other words, we will have the results in time to implement them in 2005.

I am not prepared to wait. I am not waiting until 2005 to get the information that we need to start repairing, rebuilding and mending this community, taking the steps and doing the things that we need to do before the next bushfire season. This is an administrative inquiry. Why do you want two judicial inquiries running in parallel? Why do you want two judicial inquiries with the same terms of reference, namely, to look at every aspect of the fire, running together? What do you hope to achieve by that? Why do you want two judicial inquiries running for the next two years, racking up a cost of \$2 million each, employing a dozen lawyers each? What extra information do you think you are going to get out of your judicial inquiry that the other judicial inquiry is not going to find? What is it that your judicial inquiry would do that the other judicial inquiry would not do? What is it?

Explain that to me. What is it that the Liberal/Democrats judicial inquiry is going to do that the judicial inquiry that is currently running is not going to do? Give me one example of something that it will do. Give me an example, one thing, that your judicial inquiry will do and the judicial inquiry that is currently under way will not do? Name one thing. You can't, because there is nothing to be named. This is just cheap politics. This is politics designed to get relevance for those who haven't had a toehold in issues around the fire. This is politics designed to give the Liberal Party a role, politics designed to give the new leader of the Liberal Party some standing and status. That's all it's about—cheap Brendan Smyth profile politics—and nothing else. There is no other explanation for this nonsense.

It is a determination to undermine the McLeod inquiry, a determination to undermine the good work that has been done to get us a quick and fast result on issues on which we need quick answers, a thorough process; a person in Mr McLeod of exceptional ability, undoubted integrity; a supporting consultant in Mr Ellis, one of the most experienced bushfire and fire experts in Australia, employed full time to assist Mr McLeod in his inquiry to ensure that we have that degree of expertise that we need; expansive terms of reference and an agreement by me to work with Mr Stefaniak to overcome the emerging concern of some around the need to be protected, particularly from defamation. I have said that I am happy to work with Mr Stefaniak. I have had legal advice today from the Department of Justice and Community Services which says that his bill is flawed and would not achieve the particular purpose that he seeks to achieve. I am happy to work with him to overcome that. Within a week we will have legislation introduced here today by Mr Stefaniak, supported by the government, to deal with the issues of defamation.

I have said, and I do not resile from this, that I do not believe that it is necessary. I have a detailed briefing on defamation and its application to the McLeod inquiry which I will circulate today. Irrespective of that, I am more than happy to allay the concerns that have been raised, the fears that have been fuelled in relation to this issue, to overcome the concerns and doubts within the community. We will do that.

Your fundamental argument that there is no protection has gone, which does highlight the division within the Liberal Party. They don't know whether they're Arthur or Martha.

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On the one hand, you have got Mr Stefaniak introducing legislation to give protection to the McLeod inquiry witnesses and, on the other, you have his leader rehashing a debate we had two weeks ago on which he was defeated and which he is running again because he did not get the profile or the recognition out of the last debate that he was hoping for to raise his non-existent political profile, which is what this is all about—cheap, tawdry politics.

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

MRS CROSS (11.25): This is the second attempt in as many sitting weeks by the Leader of the Opposition either to modify the terms of reference or to institute his own inquiry into the 18 January bushfires. Just in case we were in any doubt that the opposition is attempting a political beat-up over the bushfires, we need only look at today's notice paper. Already this morning, Mrs Dunne has spoken on bushfires, Mr Smyth is now speaking on bushfires, and the deputy leader, Mr Stefaniak, has introduced a bill about the bushfires inquiry. Mr Pratt, just for good measure, will also put in his two cents worth at the end of the day.

Mr Speaker, if I had not had the opportunity of once being a member of the Liberal Party room, I would just think that this was an area of public interest for the opposition. Four out of eight items on today's agenda from the opposition are about bushfires. They are what we call in this trade the opposition's theme for today. What is perhaps so disappointing about that is that the opposition is persisting in trying to make political mileage out of the 18 January bushfire tragedy.

Mr Smyth said earlier that this is about the truth, this is about learning lessons—a little like the pot calling the kettle black. Through you, Mr Speaker, I implore my former colleagues on the Liberals' front bench to allow the government to get on with the job of analysing the bushfires and putting in place the necessary measures for the bushfire season this year.

I am encouraged by the Chief Minister's commitment to work with Mr Stefaniak on Mr Stefaniak's bill. I think that that is very important. I think that we need to have more conciliatory work like that between the two major parties and I think that we can achieve much more than an adversarial approach to what has been a terrible tragedy in this city.

I will not be supporting the Liberal opposition's political theme for today.

MR STEFANIAK (11.27): Firstly, I address one of Mrs Cross's points and one raised by the Chief Minister about giving the Liberal Party a role because it did not have one in the fires. Mr Stanhope, the government played its role during the fires as the government, as we would have done had we been in government. Our role in the fires was to support the work of all the workers. Our members were out there helping in any way they could, not least my colleague Mr Smyth, who as a volunteer firefighter of 10 years experience was out there fighting the fires.

The opposition does have a role in mopping up after the fires and learning lessons from the fires. What we are doing, I am sure, would have been done by the Labor opposition had we been the government. It is the role of not only the opposition but this Assembly, and indeed society, to see how we can do things better. We had tragic loss of life, with

four people dead, and over 400 homes were destroyed. It was the worst tragedy ever to strike this community. The community has responded magnificently, but it is our way and the Australian way to look at ways we can do things better next time and to see whether things could have been done better. That is not to say that people are going to be unnecessarily slagged. It is simply about ensuring that we learn any lessons that can be learned, that we do not make the same mistakes, if any were made, again, and that we do things better. It is proper that questions be asked and that we have proper inquiries to see how we can do things better. That is what the community expects.

Mr Stanhope mentioned the coronial inquiry. I am not going to repeat what I said before in relation to section 18 and section 19. That is on the record. Suffice it to say that, thorough as the coronial inquiry will be, good as the coroner is—I regard Maria Doogan as one of our best magistrates, and I am sure she will do an excellent job—the coronial inquiry cannot cover the full spectrum. Even the Chief Minister conceded that it will take some time.

If the coronial inquiry is going to do everything, why have the McLeod inquiry, even as it stands? But if we do have that inquiry, why not do it properly? Why not ensure that witnesses have full protection? Why not ensure that anyone else appearing before it, such as counsel, has protection? Mr McLeod himself does. There is no reason why the McLeod inquiry cannot operate concurrently with the coronial inquiry. If you want quick answers, there is no reason why those quick answers cannot come from the McLeod inquiry under the Inquiries Act, as Mr Smyth is seeking, and as they come would from the inquiry as it is being conducted at present.

My colleague has gone into the aspects of defamation. As I said in introducing my bill, that is part of the reason for having an inquiry under the Inquiries Act. Obviously, if this motion gets up, my bill will lapse. This is a much more thorough way of doing things, and a preferable way.

I go back to the Gallop inquiry. It was very thorough. It covered things that were not covered by the Somes coronial inquest. The Somes coronial inquest was a very thorough inquest. In fact, Coroner Somes did a number of very thorough inquests which led to some significant improvements being made in the way things were done. I have mentioned before the thorough inquests he did into some deaths in custody which were also the subject of the Gallop inquiry. But the Gallop Inquiry covered a large range of areas that the coronial inquiry did not cover and that one would not have expected it to cover. If we are going to do this—we still have time—let us do it right.

If this motion goes down, as would appear likely—Mrs Cross seems to be indicating that she is not going to vote for it—of course I am happy to work with the Chief Minister. I had my bill done through parliamentary counsel. I would be intrigued to see what additions are needed, but I will assist with anything that ensures that people are protected. It is crucially important that that be done quickly and that, if this motion goes down, the bill be passed next Wednesday, Chief Minister, because submissions have already been taken.

This Assembly still has the chance to do an inquiry. Change the McLeod inquiry. Put it under the Inquiries Act. It would have the same terms of reference as the Chief Minister announced and the same head in Mr McLeod. As my colleague Mr Smyth has said, the

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opposition has absolutely no problem with that. In fact, it welcomes that. We are simply saying, "Let us do it properly."

My colleague read out part of Mr Bartlett's letter. I think it is important to put it on the record. I spoke to Mr Bartlett this morning. He indicated not only that he gave his permission to do that but also that the union he represents gave its permission. The union is not interested in slagging people but is interested in being able to give full and frank accounts and is very keen to see that any improvements that can be made are made. Mr Bartlett states:

I am writing to you to bring to your attention concerns that the unit holds about the format and procedure to be used in the McLeod Inquiry into the Operational Response to the January 2003 Bushfires.

One of the union's objectives in becoming involved in the inquiry is to ensure that a full, open and accountable inquiry is held and that any evidence provided to the inquiry is accurate and truthful. The union is keen to ensure that any recommendations and findings made by the inquiry, affecting union members, are based on accurate and truthful evidence.

The union is of the view that if the ACT Government wants to discover the truth about the operational response to the January 2003 fires, on the basis of properly tested evidence, then the inquiry proceedings should not give rise to any participants being sued for defamation for what they say to, or in, the inquiry.

Members of the union are decent, honest, hardworking fire fighters of high integrity. They have instructed me to represent their interests, and to ensure their point of view is put forward, because there is general disappointment within the union that the ACT Fire Brigade was not able to respond to the January 2003 fires as it should have been. Members of the union take their job very seriously and are clearly aware of the heavy responsibility that they must discharge to the community in times of disaster by fire.

I am instructed that many issues such as vehicle breakdown, communications failure, inadequate training, lack of experienced senior officers, lack of fire fighting personnel, failure of administrative and management command and control procedures, lack of top level leadership and other issues, all contributed to problems faced by members of the union on 18 January 2003, whilst fighting the fire. I am instructed that many of these problems put the lives of fire fighters at unnecessary risk. I am instructed that the Emergency Services Bureau link to the ACT Fire Brigade has been shown to be a failure by this fire. Many of these issues are contentious and controversial. Union members do not wish to use this inquiry to insult and defame other persons. However, if they are to put their story forward they should not face the threat of a defamation writ from a person who may be disgruntled by what he hears.

I would respectfully submit that your government take appropriate steps to ensure that persons giving information to the McLeod Inquiry cannot be subject to claims for defamation. I would also request that legal representatives, such as myself, and Mr McLeod himself also be protected from defamation claims resulting from comments made to, or in, the inquiry.

Then comes the part my colleague mentioned in relation to 3 March 2003. Mr Bartlett goes on to say:

Please be advised that union holds grave concerns that the format and procedure to be employed in the McLeod Inquiry will not result in an open and accountable inquiry. They also hold concerns that Mr McLeod's findings and recommendations may not be based on truthful accurate evidence—tested by cross-examination . . .

If Mr McLeod cannot resolve disputes of fact, and cannot view the demeanour of the authors, how will he decide which account is correct?

How will Mr McLeod choose the written submissions on a topic, that he is going to accept?

The procedure Mr McLeod is being asked to follow is analogous to asking the editor of *The Canberra Times* to make findings and recommendations based on the letters sent to the editor about the fire, since the fire occurred. If the issue was not so serious, the procedure being employed would be laughable. The findings derived from such a procedure will carry no moral weight in the wider community.

The union is also very concerned about what these 'briefings sessions' with executive officers entail. We would ask: who is briefing whom and about what? What purposes can such 'briefing sessions' serve? One inference is that the ACT Government seeks special access to Mr McLeod, over other interested parties.

My client is very concerned that, even with all of the good will and integrity in the world being displayed by Mr McLeod, his findings and recommendations will have no probative value or weight in the community because this inquiry will not be seen to be open and accountable. This problem arises because of the format and procedure being used to conduct the inquiry.

I would respectfully submit that your government consider holding this inquiry under existing inquiries legislation, so that it is undertaken in a manner that will give credibility and acceptance in the community.

(Extension of time granted.)

When the procedure and format of this inquiry is compared to the full and open judicial inquiry that has been commissioned by the New South Wales government into the recent Waterfall train disaster, one can only wonder why the ACT inquiry is so restrictive in its procedure and format.

Mr Bartlett goes on to indicate that Mr Stuart Ellis has been appointed to assist Mr McLeod. He comments favourably on that appointment, but also suggests that Mr Bill Kerr, a former ACT Fire Commissioner, should also be appointed. Mr Ellis has experience in rural firefighting, Mr Kerr in urban firefighting. Mr Bartlett also notes that Mr Kerr has never been a member of the union and respectfully submits that the government appoint him, or someone else suitable, in the same vein as they appointed Mr Ellis. Mr Bartlett concludes by saying:

The union wants the McLeod Inquiry to produce a useful and relevant report that properly addresses the terms of reference. It is important that the McLeod Inquiry does address the issues in the terms of reference because a Coroner's Inquiry may not have jurisdiction to look at all those issues. The union accepts that Mr McLeod, as a former Commonwealth Ombudsman, has the experience, the ability, and the integrity to hold a proper inquiry into the worst fire disaster to ever hit Canberra.

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The current inquiry format and procedure, being employed by the ACT Government, will render McLeod's report otiose.

I look forward to hearing your response to this correspondence.

He asks the Chief Minister to contact him with any queries. I seek leave to table that letter, Mr Speaker.

Leave granted.

MR STEFANIAK: I table the following paper:

Bushfire inquiry—"ACT Government inquiry into January 2003 bushfires"—copy of facsimile of letter from Michael Bartlett, Solicitor to Mr John Stanhope, Chief Minister, ACT Legislative Assembly, dated 4 March 2003.

Mr Stanhope: It was addressed to me but sent to everybody else first. It was one of those letters.

MR STEFANIAK: The Chief Minister says that the letter is addressed to the Chief Minister but was sent to everyone else. It was sent to several other people. As I indicated, I asked for Mr Bartlett's permission before using the letter. He did send it to other people as well as the Chief Minister.

I heard the Chief Minister interject, "What about your government?" Chief Minister, there may well be things that the former Liberal government could and should have done better. If the former Liberal government made errors, if the former Liberal government could have done things better, if the former Follett government could have done things better, if the former Alliance government could have done things better, if the Commonwealth government of the 1980s could have done better, if the New South Wales Labor government, which has some responsibility here, could have done better, let us hear it. Let it come out. Let us learn what lessons we can. We are not afraid to be criticised. If we did things wrong, a proper inquiry will say that. If your government has done anything wrong, a proper inquiry will say that. If any government has done anything wrong or could have done something better, a proper inquiry will say that. That is terribly important so that we do learn the lessons from this fire.

Hopefully, we will not have a similar fire again. If we have a similar disaster again, hopefully some of the improvements we make as the result of a full and proper inquiry will assist us in combating it better. That is why we have inquiries—so we can learn from any mistakes. It does not have to be a witch-hunt.

I was on the scene not long after the fire. I saw people doing their very best on the day to counter this dreadful catastrophe. I am very appreciative of the hard effort from senior officers down in relation to this inquiry. But that is not to say that we cannot learn from our mistakes. That is not to say that things could not be done better. In starting an inquiry, it is terribly important that we do it properly. If people feel able to give evidence before it and it is done thoroughly, we can learn from any mistakes that may have been made.

MR CORBELL (Minister for Health and Minister for Planning) (11.41): Mr Speaker, the government, as the Chief Minister has outlined, will not be supporting this motion today. Firstly, it is essentially an attempt by Mr Smyth to revisit a debate in which he was unsuccessful a number of weeks ago. Secondly, the opposition has not made the argument for the need for another judicial inquiry.

In all we have heard from opposition members, they quickly skip over the coroner's investigation and inquiry. Why do they skip over it? They know that it fundamentally undermines their case. The coroner's inquiry is a full judicial inquiry, with full protection given to all witnesses, proper cross-examination of witnesses and proper investigation of all of the matters raised under the jurisdiction of the court. It is a full and open inquiry. The coroner has taken the step—unprecedented, to my knowledge—of publicly calling for information and submissions. That is not a normal process for a coroner to undertake. But, given the magnitude of the event and the very high level of public interest in, and knowledge of, what occurred in this fire event, the coroner has chosen to publicly call for information and submissions.

What aspects of this fire investigation will be outside the ambit of the coroner? That is the question that should be asked. What is it that the coroner is not going to investigate that warrants the opposition's call for its own traditional investigation? They have not been able to identify what elements of the coroner's investigation preclude the coroner from looking at matters which should be looked at by Mr Smyth's proposition.

The coroner has the widest possible brief. The coroner has the power to hold public hearings into the fires and the deaths, require witnesses to appear—in fact, compel witnesses to appear—compel production of evidence and documents, call for and cause expert or other relevant reports to be prepared or produced, and make findings or recommendations relevant to the fires and/or the deaths. They are pretty broad terms of reference—in fact, all encompassing. What is it that precludes the coroner from looking at certain aspects that should be within the realm of Mr Smyth's inquiry? The coroner's terms of reference are extremely broad and completely open.

If the opposition does not have confidence in the coroner's investigation, they should simply say so, rather than suggest an additional judicial process. If you do not have confidence in the coroner's work, if you do not have confidence in the process the coroner is undertaking, then say so. But do not slip and slide around the idea that there needs to be another judicial inquiry because there is something the coroner might not look at. You have not made that argument. The opposition have not made the argument as to what it is the coroner will not look at that justifies a second judicial inquiry. That is the issue.

There are a number of other clear difficulties raised by the opposition's approach. The political nature of their approach is demonstrated by the fact that they have two divergent approaches on the notice paper today—the bill from Mr Stefaniak and the motion from Mr Smyth. If they were serious about one or the other, they would be pursuing it with all their energy. But they are trying to have a bit both ways because they want to have their say in this debate.

Another difficulty members should be conscious of is the very real and practical inability for such an inquiry as proposed by Mr Smyth to conclude within the timeframe

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necessary to ensure an effective operational response prior to the next bushfire season. That is an issue we have to address. Judicial inquiries, by their very nature, are detailed, and they are complex, because they deal with complex matters. But we need immediate answers to the operational aspects to allow us, as a community, to respond in time for the next bushfire season.

An Inquiries Act inquiry would necessarily involve a range of specific explicit and implicit requirements, including public hearings, legal processes, engagement of counsel assisting, legal representation and cross-examination. This is a very detailed process, a process which will be undertaken by the coroner.

There is also the practical difficulty of two judicial inquiries running in parallel and whether or not they have the capacity to coordinate their activities. They are likely to cover many of the same issues. They are likely to call the same witnesses on the same matters. Again, why have two inquiries, particularly when the opposition have not made the argument as to what it is that the coroner will not look at or does not have the capacity to look at.

There is the associated and very real difficulty of a range of essential emergency services personnel having to give evidence to, and being tied up in, two judicial inquiries whilst also having to undertake their emergency services responsibilities. There is—and we cannot understate it—significant emotional wear and tear on the people involved in these processes. If you are to undertake two judicial inquiries, you need a good argument. You need to say that the first judicial inquiry is weak or flawed in some way or will not cover particular aspects. The opposition have not made that argument.

As I have already outlined, if this motion is successful today, it will be difficult to conduct concurrent coronial and Inquiries Act processes. It is almost inevitable that they will come into direct conflict. It has been suggested by some that the Inquiries Act inquiry would merely borrow information from the coroner. This would not occur. It is unlikely in the extreme.

The opposition's poorly coordinated and poorly thought out approach contrasts with the government's logical approach to addressing this very complex issue. The government's approach is one which will proceed with a focused independent administrative inquiry to provide timely advice on the lessons learned and any needed improvements in the planning for, and response to, bushfire emergencies. The inquiry will be conducted in a way which complements, but does not conflict with or seek to duplicate, the work of the coroner.

That is the argument people on the other side of the chamber have to address. How are they going to prevent duplication of the work of the coroner? They have failed to do it. Equally, they have failed to outline what terms of reference open to the coroner exclude matters to be looked at by the coroner and need a separate judicial process.

Further, the government's announced approach will proceed in a complementary manner with other expert work already under way, such as the investigation into non-urban land use which the Chief Minister has outlined, along with examinations occurring in relation to the urban/rural interface. The government's approach is one that makes the best use of

resources, that is timely but that also respects the judicial process the coroner is undertaking.

Supposedly, this motion is all about giving protection to witnesses. If that is the argument, then the government has addressed that. The Chief Minister has said that he will work with Mr Stefaniak to address the flaws in Mr Stefaniak's bill and to ensure that witnesses in the McLeod inquiry have adequate protection. But the opposition need to make the argument as to what is the shortcoming in the coroner's judicial process that requires a second judicial inquiry. What is it?

Mrs Dunne: I raise a point of order, Mr Speaker. I have sat here and listened to the Chief Minister and the Minister for Planning talk about the McLeod inquiry as a judicial inquiry. There has never been a suggestion that it is a judicial inquiry. It is not being conducted by a judicial officer.

MR SPEAKER: That is not a point of order. Resume your seat.

MR CORBELL: I am referring to the coroner's inquiry. The coroner's inquiry is a judicial inquiry. We do not need another one.

MR SPEAKER: The minister's time has expired.

MS TUCKER (11.51): I have been listening carefully to this debate. I do not believe that it is revisiting a previous debate just for political reasons. I will not comment on the Liberals' reasons, but my view is that this is an important debate. I do not support debates that are for political reasons. I would not support the Liberals going through the recent debate on the Gungahlin motion again. I think this is a different debate, because time has passed since we had the opportunity to consider what sort of inquiry we should be looking at. Quite a lot has happened since the first debate.

I now have quite serious concerns about the current form of the McLeod inquiry. Those concerns have been informed by consultation with people in the community. We have heard at length about the concerns of the volunteer firefighters. The Liberals have covered that in the debate, so I will not go into detail. A serious concern has been expressed by the voluntary firefighters, who have 700 members who feel that the current form of the inquiry does not give them confidence.

As I understand it, the main argument the government has put forward this morning, apart from the argument that Mr Smyth's motion is cheap politics and revisits a previous debate, is that the motion proposes another judicial inquiry in parallel with the coronial inquiry. The McLeod inquiry is not a judicial inquiry. Mr McLeod is not a jurist. I am concerned that the arguments put by the government have been based on the question of what the coroner will not deal with and the belief that another inquiry would be doing the same work as the coroner and overlapping the coroner's inquiry.

From listening to the arguments from Labor, I am left with the question: what is the point of the McLeod inquiry at all? According to Labor, the point is that the McLeod inquiry has to get quick answers to important questions. That is the answer the government gave to that question.

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This takes me back to the quality of the process. If the McLeod inquiry is about getting quick answers to important questions, we have to have confidence in the process or we might get the wrong answers to important questions. I went back over what I said when we had this debate before. When a politician changes their position, they need to make it clear why or they can be accused of all sorts of things.

The first argument I put was that I had confidence in the government's intentions to have a thorough inquiry. I said that there was no resistance to this inquiry as there was with the Gallop inquiry in the last Assembly. That was an important issue for me. But now I feel not that there is exactly resistance but that there are very mixed messages coming from the government about this inquiry. Those mixed messages are a result of what the process will be. Some come from statements of the Chief Minister about people who have made comments, statements that have been quite intimidating for some people. Some come from the very strong concerns that have been expressed by people in the field—not just the volunteer firefighters but also the urban fire brigade. We heard the Liberals read out at length today a letter from the union's legal adviser. Because of these concerns, people will not have confidence in the process, and we therefore may not get the right answers to questions.

I go back to the question I asked: what is the point of the McLeod inquiry? It is to get the quick answers to important questions. The timeframe for an inquiry under the Inquiries Act is an important point. I am aware that it would not be useful if an inquiry under the Inquiries Act took two years. I am not convinced that that would have to be the case.

There is going to be an overlap. There was always going to be an overlap between the McLeod inquiry and the coronial process. There is no way the McLeod inquiry could get quick answers to important questions in time for the next fire season without it overlapping with the coronial process. That was going to happen anyway.

Apart from resource questions, which I will get to in a minute, I understand that there could be legal problems about the detail in which the second inquiry goes into the deaths. That is specifically the role of the coronial process. If the person conducting the inquiry under the Inquiries Act is sensitive to that, then it should not be a problem. I would suggest that Justice Gallop was not sensitive to that position. I also remember issues with the hospital implosion. That was why it was decided not to have another inquiry.

I will not get into the inconsistencies of Labor and Liberal over the years. They do not matter. We will talk about the present situation. The fundamental point about the overlap is the deaths. I am sure that Mr McLeod, who is extremely experienced, would be aware of that.

The overlapping has resource implications—Mr Stanhope says \$2 million. That seems excessive to me. Once again, it would be up to the person conducting the inquiry under the Inquiries Act. In light of what the government has said, the aim of the McLeod Inquiry is something that Mr McLeod would take into account in the way he conducted the inquiry. I am not suggesting that it would not increase the time. It probably would, and I accept that. On balance, I think it is worth it.

If we are going to have an investigation, we have to have confidence that it will produce the outcome the government wants and we all want, which is that we inform our thinking

on how we need to manage emergency situations, disasters or whatever you want to call them. That is the important point of having this inquiry. If it is not going to be possible, do not have the inquiry. Have just the coronial process.

It is pretty obvious that this motion is not going to get up. Mrs Cross has said she will not support it. That is what I understood her to say, so it seems to me that we will be debating Mr Stefaniak's bill, which deals with some of the issues but not all of them.

There is a power under the Inquiries Act that would be given to Mr McLeod but would not be covered by Mr Stefaniak's bill. That is power to call for papers and so on. From what people have said, we will probably finish up with Mr Stefaniak's bill.

The terms of reference for this inquiry are the government's terms of reference, so I see some compromise by the Liberals on this question. I am pleased to see that, because I had some concerns about a couple of the points in Mr Smyth's terms of reference.

MR PRATT (12.01): Mr Speaker, I rise to support Mr Smyth's motion. As I said in this place on 30 January and in three press releases after 20 January, after any major disaster it is axiomatic that a community carry out a broad and deep inquiry. Politics is the least of our concerns. All political parties in the ACT would clearly share in the criticisms coming out of any effective inquiry going back over many years, which is what this inquiry should do. This is not a matter of politics. It is a matter of all of us here working together to make sure that we get to the bottom of this problem, for the good of the safety of this community.

All the lessons must be learnt. They must all be pulled up. Then those lessons must be applied so that future risk to the ACT community, its firefighters and its emergency services personnel can be minimised. We will never eradicate risk, but at least we can try to minimise it. This is the overriding concern driving this side of the house in seeking a full judicial inquiry.

Any ACT resident or official must be encouraged to come forward without any fear. The concerns raised about defamatory statements and slander are good points to be raised, but I think this is overdone. If witnesses are given protection, any fear that there may be slander is surely far outweighed by the essential need to gather all the vital information that must be pulled out of this disaster.

It is simply not good enough that five weeks have elapsed since the fire disaster without a solid determination to establish a judicial inquiry. Precious time has elapsed. Memories are becoming a little bit faded, perhaps. There is also the time line. The next bushfire season is not that far away, if we are going to learn the lessons and apply them.

Mr Corbell says that our concern on this side of the house is only about the protection of witnesses. That is only half the matter. The opposition is also concerned to ensure that the inquiry has depth and teeth. That is what is driving the motion that Mr Smyth has put forward here today.

Mrs Cross's glib attacks on the opposition here this morning about why we recommend a full judicial inquiry are unwarranted and illogical. In fact, her attacks are pathetic. The opposition has a duty to ensure that this community recovers from a major disaster and

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seeks to apply all the vital lessons. Hence the need for a judicial inquiry. Perhaps Mrs Cross could seek to recover her sense of duty.

There are already many lessons which are fairly obvious. In my capacity as shadow minister for emergency services, I would like to see action taken soon. I would hope, therefore, that proper inquiries have interim reporting capabilities so that as the major lessons become clear they can be brought to this place and to the community and quickly applied. I think the story about the inquiry taking two years is a red herring. Any decent inquiry ought to be able to report on an interim basis. I am sure that the people who are already earmarked are professional and would seek to do that.

Some of the lessons could already be applied—the compatibility of emergency management equipment and procedures amongst agencies; preparation of vulnerable suburbs from an emergency management point of view; mandatory education in schools on bushland and fire management; and bushland and forest hazard reduction. We do not need to wait for an inquiry to apply those types of lessons.

There are some major questions that need to be answered. The coronial inquest and the McLeod inquiry as it now stands, without a full judicial capability, are simply not going to be geared to reach out and identify issues such as strategic management and long-term planning in preventative measures, including hazard reduction. What about the application of the McBeth report? Will the inquiries we have now be able to go back a good length of time and examine such issues?

What about emergency management planning for townships, villages, rural areas and vulnerable suburbs? What about identification of the threat in the days prior to 18 January? What about fire intelligence and the provision of information to the community in the period 15 to 18 January? What about the organisation and the training of rural and urban brigades? Is the coronial inquiry going to look at those matters?

What about the compatibility of procedures, systems and equipment amongst our emergency services agencies and across jurisdictions, between ACT and New South Wales fire services? What about the compatibility of operational systems on the fire ground between police and bushfire crews in identification of threat and timely warning to communities?

The aim of an inquiry is to bring confidence back to the community about how well the community can be and should be equipped to face the next threat. The threat is there. We are the bush capital. We are in an area which can be drought prone. With the threat level identified, we must put in place emergency management plans to cope with it .

The Chief Minister's claim that witnesses will come forward with defamatory claims under protection is highly overdone. The small risk of this happening is far outweighed by the benefits of receiving a wide range of evidence. Let us not forget that the witnesses who come forward will also be concerned about their own reputations. We can trust Mr McLeod to be discerning in how he receives information and how he qualifies it. If somebody is coming the raw prawn with Mr McLeod, he will not be backward in coming forward and pointing this out. I think we can trust the system.

Let us talk about the McLeod inquiry. Yes, the terms of reference seem to be broad and deep enough. Yes, Mr McLeod will be a fine investigator. By all accounts, he is well regarded and well respected. But Mr McLeod can only be as effective as the information which comes to him—information which is fairly and fearlessly provided to him and information which is gathered along a broad spectrum of tasks and activities well sewn into solid terms of reference. Mr McLeod needs to be empowered to go out and get information. He needs to be empowered to gain documents. Only a judicial inquiry will give him that power.

Mr Corbell stated that we have skipped over the coroner's inquiry. Mr Corbell was not listening. He is playing politics by suggesting that we are playing politics with the coronial inquiry. A coroner's inquest, thankfully, will invite broad input—we welcome that—but by its very nature it must be restricted in its terms of reference. Is the coroner's inquest obliged to investigate back over a long period of time and examine systemic weaknesses in the ACT's strategic fire preventative systems? No, it is not. The Chief Minister says that we are playing politics, but he is doing that by seeking to shut down constructive debate on this issue. Why?

The lessons learnt are of paramount importance. That is what is driving the community's need to recover from this quite significant disaster. The safety of the community is far more important than political damage for any political party in this place. (*Extension of time granted.*) The safety of the community is far more important than the reputation of any individual in this place or in any department or the reputation of anyone who has been on the firefighting ground or standing in a suburb. The collective safety is far more important.

Experienced people and the inexperienced must be encouraged to come forward and contribute to a far-reaching and constructive inquiry. Mr McLeod needs to be empowered to get the information he needs to get. What is the government afraid of? Why will the government not agree to a broad judicial inquiry covering all the terms of reference and going back over a long period of time?

I support Mr Smyth's motion. The opposition will continue to do its duty in the interests of the community's safety.

MR SMYTH (Leader of the Opposition) (12.13), in reply: The debate we have had is very important, because it has been quite revealing about the government's understanding of what the McLeod inquiry and what the coronial inquiry will do. Mr Corbell said there will be no duplication. If there is no duplication between what McLeod will do and what the coroner will do, then all that McLeod will be left to do is decide the colour of the uniforms that volunteer bushfire fighters might wear. The thing that McLeod will look at—the operational response to the bushfire tragedy of 18 January—is well and truly covered in the terms of reference of the coroner.

That one statement encapsulates the falseness that the Chief Minister put forward in what he said today. The Chief Minister said that this was about cheap profile politics. Who is rejected today, Chief Minister? Whom have you turned your back on? Whom have you been lauding for the last month? The volunteer bushfire and emergency services fighters, the urban firefighters at the frontline—

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Mr Stanhope : Here we go—into the gutter.

Mrs Dunne : I raise a point of order, Mr Speaker. Can I ask you to do something about the Chief Minister's constant interjections?

MR SPEAKER : Fair point.

Mrs Dunne : This has been a fairly civilised debate, except for those sorts of interjections.

MR SPEAKER : Point taken. Order, members! Mr Smyth has the floor.

MR SMYTH : Whom does the Chief Minister reject today? Whose calls does he reject? He rejects the calls of the volunteer bushfire association. He rejects the calls from Clive Swaysland on behalf of their 700 members. Whose calls does he reject? He rejects the calls of the UFU, the United Firefighters Union, which called for an independent inquiry. Whom is he listening to? Why is he ignoring the firefighters?

The Chief Minister obviously threw his prepared speech out after about seven seconds because he could not resist reverting to his standard defence. He said that the government will not be supporting my inquiry because it will add to the delay. Who is delaying it already? This could have been already set up as an independent inquiry under the Inquiries Act.

Then the Chief Minister could not contain himself. He went straight to the independent judicial line. Who has been running the independent judicial line? The Chief Minister has. For his information, there is no call for a jurist or a member of the judiciary to be involved in an independent inquiry under the Inquiries Act. It talks about a chairperson of a board appointed under section 6. It talks about members. This is not a judicial inquiry. Where does it say "judicial inquiry" in the motion, Chief Minister? This is all a smokescreen.

What has been revealed by the dissent between Mr Corbell and the Chief Minister today is a case for not having the McLeod inquiry at all or pushing even harder for an inquiry under the Inquiries Act to get to the bottom of why the Chief Minister is so against this.

Let us look at the process that got us to the McLeod inquiry. Initially ESB was going to do an internal review of what it had done on the day. Then there was to be an external review of the internal review. Because we raised doubts about that process, then it was to be just an external review of what was done on the day. Then we stopped using the word "review" and we turned it into an inquiry.

This has always been the Chief Minister's approach. He has constantly called for bipartisan support on this. And what has the opposition given? Bipartisan support. When people were criticising the Chief Minister's response to the bushfires, I told them to stop bitching and let the firefighters get on with their job. The Chief Minister said that when we got to the end of the fires we would have had a full, frank, open and honest inquiry. That is not what we are getting.

I am not saying that. Volunteers are saying that. The firefighters are saying that. The

community is saying that. If you were out there talking to the community, you would be listening to what they were saying. They are saying they have questions.

Mrs Cross came in here and said, "The Liberal Party is having a bushfire theme day." Mrs Dunne has been talking about her bill for some weeks and has mentioned it on several occasions in this place. Mr Pratt was talking about bushfire education late last year. He has had his notice on the notice paper for some days now. Stefaniak's bill is simply a fall-back in case this motion falls through. We are determined to give volunteers and firefighters the protection they deserve, protection that the Chief Minister is not willing to afford to them.

It is disappointing in the extreme that we have got to this position. It does not have to be like this. When anybody has sought to raise reasonable questions about what happened, the Chief Minister has attacked them in the most over-the-top ways you can imagine. There are questions out there. We have all heard them. Everyone in this place has heard them. Everybody out there is talking about them. Why were the Harden units turned back? What happened to the Yass units? Why was there a convoy sitting outside Hall? Why were the Bombala units offered late in the day not accepted? Why were Batemans Bay units turned back when they got to the roundabout as they were coming up the Clyde? Why were the reports ignored? I have heard about offers of two fixed-wing aircraft at Jindabyne. Three thousand litres were turned back. Three fixed-wing aircraft from Lithgow were offered and not accepted. Many local fixed-wing aircraft were not used. These are the questions that have to be answered. People need to have confidence that they can come forward and ask those questions and expect a fair hearing.

I am very grateful for the input of Ms Tucker and Ms Dundas today. Ms Tucker said when she voted against my proposal last time that she would monitor the situation because she had some concerns. She has done that. I am grateful for her support. Her approach very much reflects what I am hearing from the community. Up to a point they were accepting of what might happen. Now they are not sure.

Who loses today? The people who lose today are the bushfire fighters, the volunteers, the emergency services folk and our urban firefighters, whose associations have come forward and asked that they be heard.

Mrs Dunne: Mr Speaker, I take a point of order. No-one can be heard because of the constant conversation alternating with interjection, which gives the indication that the Chief Minister does not want to listen to anyone's advice, even the advice in this chamber.

MR SPEAKER: These sorts of points of order always bring to mind the old adage about glasshouses and so on. If we want to have perfect silence in this place at all times, I am happy to apply the rule to everybody, but I tell you that it will be with an iron fist and you will not like it.

Ms Tucker: Yes, I would like it. Do it.

MR SPEAKER: Nobody is so pure as the pure. Order, members! Mr Smyth has the floor.

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MR SMYTH: You have to ask who the major forces on the fire ground on 18 January were. Who were the people at the front defending the people of the ACT? They were members of the volunteer brigades association, members of the UFU and residents defending their own homes. Two groups now say that they are not sure that they will be heard fairly and openly.

MR SPEAKER: Order! I think we should have some silence while Mr Smyth concludes the debate. Mr Smyth has the floor.

Mr Wood: The place is like a morgue as it is.

MR SPEAKER: If people want to have a conversation—it is aggravating some people in the chamber—it would be better if they held it outside. Mr Smyth has the floor.

MR SMYTH: I think it appropriate that we close the debate on this motion, which will unfortunately go down, with the words of a volunteer: “I will definitely be making a submission, but how much depth I go into will be another matter.”

Question put:

That **Mr Smyth’s** motion be agreed to.

The Assembly voted—

Ayes 8

Noes 9

Mrs Burke
Mr Cornwell
Ms Dundas
Mrs Dunne
Mr Pratt

Mr Smyth
Mr Stefaniak
Ms Tucker

Mr Berry
Mr Corbell
Mrs Cross
Ms Gallagher
Mr Hargreaves

Ms MacDonald
Mr Quinlan
Mr Stanhope
Mr Wood

Question so resolved in the negative.

Sitting suspended from 12.25 to 2.30 pm.

Questions without notice

Bushfires

MR SMYTH: Mr Speaker, my question is to the Chief Minister. Chief Minister, the United Firefighters Union, through its solicitor, has been told that the McLeod inquiry will have no public sessions where evidence is taken, and that it will have private briefing sessions with the executive directors of relevant organisations. That means that, while some are having briefing sessions, others will not have the opportunity to make public submissions at a public hearing. Do you accept that, as a result of your hidebound attitude, the McLeod review is not an inquiry; it is not independent; and it is most certainly not public?

Mr Corbell: On a point of order, Mr Speaker, I think the Leader of the Opposition is

reflecting on a vote of the Assembly. This matter has been considered earlier today. To revisit that debate is effectively reflecting on the vote of the Assembly. I think his attention should be drawn to that.

MR SPEAKER: I think members are entitled to ask questions about votes which have been passed. However, I draw the attention of the member—Mr Smyth—to the requirement that we do not reflect on votes of the Assembly.

MR SMYTH: I certainly had no intention of reflecting on the vote. I am, in fact, referring to the letter the United Firefighters Union has made available to other members, and seek the Chief Minister's acceptance or rejection of it.

MR STANHOPE: I might say how pleasing it is to see that the Leader of the Opposition is such a stout advocate of unionism. I reflect, initially, on how wonderful it is, for the first time ever, to see a Liberal advocating on behalf of a union. It is refreshing—it is a precedent we look forward to being replicated from time to time.

I am aware of some of the views expressed on behalf of the United Firefighters Union in the debate this morning. Of course, those views are among a range of views on these issues. As Mr Corbell said, we spent two hours this morning debating the issues around the McLeod inquiry and its suitability and the range of issues it would address.

For the second time in two weeks the Assembly, representing the people of the ACT, has rejected the Liberal Party's determination to undermine the McLeod inquiry. It was done two weeks ago by this Assembly; it was done again today by this Assembly; and I assume we will do it again either next week or the next time the Assembly sits. Mr Smyth and the Liberals are determined to undermine the integrity of the McLeod inquiry. I can see no other reason for the constant attacks on the McLeod inquiry.

Mrs Dunne: I make a point of order, Mr Speaker. The only person who seems to be reflecting on this morning's vote is the Chief Minister. The question was about whether or not the hearings would be public, among other things.

MR SPEAKER: I found it a little difficult to hear him, with Mr Smyth's interjections.

MR STANHOPE: I will say no more than that. I regret that, six weeks after the fire, we have entered what I regard as the political phase of the recovery process—a phase engendered almost exclusively by the Liberal Party. They are determined that the community not be united on this. They are determined to undermine the integrity and worth of the McLeod inquiry, but we will not allow that to happen. I have utmost faith in the McLeod inquiry. It is up and away. Mr McLeod is now working full time on the inquiry, as he will continue to do.

Mr McLeod has available to him, in Mr Ellis, one of the most knowledgeable people in Australia, in respect of fires, fire control and the organisation of response to fires. I believe the community will respond openly, fully and in detail to the terms of reference of the McLeod inquiry. I believe that, in four months time, we will have a range of recommendations in a report which will inform much of the decision-making that we, as a community, need to do in the short term, before the next fire season is upon us, to ensure that we can learn some lessons. There may be bitter lessons, or bitter pills that we

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need to swallow about the way we responded to this fire. There are lessons there for us to learn, as there always are.

In retrospect, as we all know, we can do things better or differently—we could have responded in different ways. However, we make judgments at the time, for a whole range of reasons. I have no doubt that that will be the history of this inquiry.

I look forward to the inquiry—it is open. The ACT government, and all of its instrumentalities, will cooperate fully. All documents in the possession of the ACT government will be made available to Mr McLeod. All ACT government officials and officers will be made available to Mr McLeod and his inquiry.

Any member of the public who wishes to make a submission has been invited to participate. I have no doubt that they will be numerous. I have no doubt that many Canberrans will take the opportunity to be part of this vital first response by the government and by the people of the ACT to the bushfires. I look forward very much to that process.

As we all know, Mr McLeod is the immediate past Commonwealth and ACT ombudsman. He finished up in that position last Friday and commenced work as head of this inquiry on Monday of this week. I think that, in his period of stewardship as Commonwealth ombudsman and ACT ombudsman, Ron McLeod established a reputation for integrity, capacity and probity which is unmatched. The ACT government is incredibly lucky, as are the people of the ACT, that Mr McLeod has been able to accept the appointment as head of this vital inquiry into every aspect of the fires we suffered. I look forward to it being a full and well-supported process.

MR SMYTH: Mr Speaker, I have a supplementary question. Chief Minister, since there will be no public hearings, which renders the McLeod review merely a whitewash, can you tell us what you are afraid of?

MR STANHOPE: That is an outrageous slur on Mr McLeod!

Mrs Dunne: No.

MR STANHOPE: Mr Smyth just said the inquiry will be nothing but a whitewash. According to Mr Smyth, the inquiry will be nothing but a whitewash. Tell me that that is not the most appalling slur on Mr McLeod.

Mr Pratt: It is not a slur on him—it is a slur on you blokes!

MR STANHOPE: The inquiry will be nothing but a whitewash!

Mr Hargreaves: How grubby!

MR STANHOPE: You are right, Mr Hargreaves—that is grubby.

Mr Pratt: It is a slur on you guys.

MR STANHOPE: No, it is a slur on Mr McLeod. Mr McLeod—who is a member of

this community, a person whose integrity cannot be gainsaid and a person whose integrity is beyond question—all of a sudden has his integrity questioned. Mr McLeod is somebody who the Liberal Party thinks can be bought off in some way—that he is prepared to cop a whitewash.

Mr Smyth: On a point of order, Mr Speaker, the Chief Minister is resorting to his usual tactic of personal slurs. I did not say that Mr McLeod was anything less than—

MR SPEAKER: That is not a point of order.

Mr Cornwell: Mr Speaker, I take a point of order, sir. Mr Stanhope just stated that the Liberal Party—

MR STANHOPE: It is only your leader. I am sorry. I know he does not speak for you, Mr Cornwell. We know that.

Mr Cornwell: I was about to comment that we all know, in this house, that a reference to a party is also a reference to individuals.

MR SPEAKER: What is the point of order you are making?

Mr Cornwell: The point of order is that I object to the comment the Chief Minister made in relation to myself. I suggest each of my colleagues might like to rise up and seek an apology from him—unless he wishes to withdraw unconditionally.

MR SPEAKER: What was the comment?

Mr Cornwell: The comment was that the Liberal Party is attempting to subvert the inquiry by Mr McLeod. It is standing orders, Mr Speaker. I ask that Mr Stanhope withdraw.

MR SPEAKER: It was a bit of a struggle, I think.

MR STANHOPE: It was a bit of a struggle, but the point is well made—that it is the leader of the Liberal Party who has actually gotten into the gutter on this. It is the leader of the Liberal Party who is playing politics. Mr Cornwell is determined to make the point that he disowns this slide into grubby politics. He disowns this determination by the Leader of the Opposition to undermine the credibility and value of the McLeod inquiry, before it starts. Thank you for your integrity, Mr Cornwell. We admire the fact that you are prepared to disown the appalling behaviour of your leader.

Homelessness

MR HARGREAVES: Mr Speaker, I wish to ask a question, through you, of the best housing minister this place has seen since the birth of self-government, Mr Wood. Minister, last year the government received a report on the needs analysis of homelessness in the ACT which had, as one of its recommendations, the establishment of a central point of contact to assess and respond to the immediate needs of people who are experiencing an accommodation crisis. Today, a report commissioned of the Australian Institute of Health and Welfare in the ACT by the Chief Minister's Department, entitled

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“The need for and provision of human services in the ACT”, was released. It examines the extent of the unmet demand for SAAP services in the ACT. Whilst this study concludes that the ACT, based on the latest available census figures, has a lower homelessness rate than other states or territories, the figures quoted for the ACT still do not make comfortable reading. What is the government doing to ensure that Canberrans who are homeless are not left on the street?

MR WOOD: I thank Mr Hargreaves for his compliment. I will not embellish it at all. Housing certainly is a priority for me. I am not sure that housing has always been a priority in this Assembly as we have a bit of catching up to do. We know that there is a problem out there generally in housing, certainly for those who are experiencing a period of homelessness.

Last week I launched CEAS—Canberra Emergency Accommodation Service—in the reception room next door. I know that there is a lot of interest in housing, but I was astounded because that reception room was packed out; so the community is really switched on to this issue.

CEAS, like all good ideas, is based on a simple concept, one that I wish I had thought of or someone else had thought of quite some time ago. It means that with the funding we have provided, \$205,000, we are filling two gaps in service provision. As to one of those gaps, for the first time we have one telephone number that people can ring in order to find out where some accommodation is immediately available.

Members who handle these calls in their offices know that the routine I have followed so often is to give people a roneoed fact sheet of telephone numbers, up to 20 or 30 numbers, of the various crisis services and suggest that they try those. This service will collate all that information and there will be on line one person who can tell you the sort of accommodation that caters for your need and which number you should ring to try that. That is excellent and I am sure that members who have handled many calls of this nature will appreciate having that one telephone number.

The other is that there will be a sum of money available for emergency accommodation that will be provided to people. If there is no immediate accommodation with one of the services out there and you can demonstrate a need, there might be a bit of assistance for one, two or three nights in a motel or something of that nature in order to accommodate you because of that difficulty. I think that members will agree that those two services are very important.

The new service, CEAS, will be jointly managed by Lifeline, well known to you, and Anglicare, also well known. They will keep monitoring the various agencies to see where beds are available. It is a good and long overdue service, Mr Hargreaves.

MR HARGREAVES: Mr Speaker, I have a supplementary question of the wonderful minister for housing. Minister, can you tell the Assembly what processes will be followed when someone does ring CEAS?

MR WOOD: When someone rings, information will be available on the appropriate supported accommodation places and the availability of those places. Inevitably, people will need to demonstrate, pretty simply, that they live in the ACT and that they are on a

very low income and do not have the ready cash or otherwise to look after themselves for that short period. That is basically the process. That service is now up and running and I will catch up with you one day about how it is going. I guess that it will be fairly busy.

Bushfires—insurance

MRS CROSS: Thank you, Mr Speaker. My question is to the Treasurer, Mr Quinlan. I refer the Treasurer to his comments on ABC radio today when he indicated that the territory may have been underinsured following the 18 January bushfires. Minister, what is the process that the territory undertakes to insure that government assets, and are you of the view that this process has been adequate in light of the 18 January bushfires? In your answer, Minister, please indicate whether you, as Treasurer, will be making a submission to the McLeod inquiry about the state of the territory's insurance.

MR QUINLAN: Thank you, Mrs Cross. First of all, I want to reassure the house that I am very satisfied that the insurance coverage we have now is as good as it could have been. We actually sent some officers overseas to London to renegotiate insurance policies, and to enhance them, back in about March of last year.

We are underinsured in as much as we do have to pay an excess. We will be paying an excess of probably \$5 million—somewhere between \$4 million and \$5 million on the coverage of the various assets lost. We will be paying another \$4 million excess on the policy that covers the pine forests. The coverage is fairly good. The coverage of insurance effectively includes replacement, as opposed to the written-down value of the assets, and it also incorporates some elements of clean-up associated with those assets.

I may have given the impression this morning that we may not have been fully covered because the policy also covers fire fighting, but fire fighting that can be attributed to trying to save the insured assets only. Let's take the pine forest, for example. It is a moot point as to how far close the fire fighting had to be to the pine forest before it could be described as trying to save the pine forest, as opposed to putting out the fire there and then. We will have to negotiate.

The government has employed Price Waterhouse insurance services to act as our experts, so that we have experts on the ground. Certainly, the insurance companies have made sure that they have experts on the ground. The reports and briefings that I have had indicate that, so far, everything is being done in a reasonable spirit of goodwill. We have not yet got to the tug-of-war stage, if we ever do.

In relation to the forests themselves, the policy does cover even the cost of replanting, however, we do not know whether that means replanting with more radiata pines—we have not tested that yet—or replanting with something else. Certainly, some of the insurance cover of our assets allows those assets to be replaced with something different, but nevertheless to the replacement value of the original asset.

I think the policy was as good as it gets. We will have to take into account, let me say, the fact that the pine forests have had visited upon them, now, three catastrophic events: the Christmas fires of nearly a year and a half ago, a wind strike that knocked over parts of the pine forest down near the base of Stromlo and even across into Weston, and then the latest catastrophic fires. The probability of getting insurance again on pine forests in

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the ACT is not high, let me tell you.

I think it was inevitable that we would have some excess to pay, or the premiums to obviate that excess would have been totally prohibitive. I believe the policies are adequate and are going to serve us very well. However, it is still the case that not everything was covered. The cost of replacing assets that were formally listed in our assets register, so all of our streetscapes that require replacement, and all of the clean-ups that are away from particular assets, will still fall to the territory. There will be significant costs and I cannot give a precise figure on those, as I have explained to the house earlier. I do not think we could have done much better on the insurance coverage.

At this stage, I have not considered a submission to the inquiry. At this point, I do not know that I would be saying anything other than “this is what it cost”, in case that is part of the inquiry and has some impact on whether Mr McLeod says, “This is how much protection you ought to have for this value of assets”. However, I think we have been admirably covered.

MRS CROSS: Minister, will the future of bushfire planning involve insurance considerations—and you did mention that we might have trouble insuring the pine plantations—and, if so, how do you intend to keep the Assembly informed of developments in this area?

MR QUINLAN: Certainly, we must, from this point on, review our position because our position will be reviewed for us by the insurance industry. I am sure that our risk management processes will be scrutinised in some detail before we get the cover that we have now. As I have said, I have no confidence that we would be able to insure the next generation of pine forests if we replanted the whole area. I think that is unlikely. Even the areas that remain standing are unlikely to be insured beyond the middle of this year, unless something comes out of the woodwork—excuse the pun—to provide that insurance.

I am sure that, when we set about trying to cover the other assets that are vulnerable to an event such as this, we are going to have to work very hard on risk management plans. I am very happy for any member to be briefed on the process of making sure that those risk management plans are put in place. They are going to have to be done before we actually go to the insurance market.

Housing—rent

MRS BURKE: My question is to the minister for housing. Minister, ACT Housing tenants directly affected by the bushfires are being relocated to new properties. Why are such tenants, including tenants who were in advance of their rent prior to the fires, being asked for up-front payments of rent? Why are these relocated tenants also facing an increase in their rent when there has been no change to their financial situation?

MR WOOD: It is a matter that is under consideration, Mrs Burke. As former housing ministers would tell you, people pay market rent. The market rent at Uriarra, Pierces Creek and other places were very low indeed. It is not easy to maintain that level of rent.

My understanding is that rents—I have been looking at Uriarra figures, not other

figures—with two exceptions, have only very marginally increased. Bear in mind that tenants pay only a quarter of household income. If they are paying full market rent, there are rebates available, so the rent does come down in most circumstances.

The level of rent is an issue I am aware of. It is still being considered. Adherence to market rent is part of the program that is pretty solidly set in place and relates to the new homes tenants are in.

MRS BURKE: I thank the minister for his answer. I am very disappointed. I want to know what you are going to do to remedy this unfair situation that seeks to disadvantage these people.

MR WOOD: You use the word “disadvantage”. We are sympathetic to people who have been re-placed because of events entirely outside their control. We understand their position. I think we have looked after them in full measure. I am very satisfied with what ACT Housing has done for its tenants. We immediately relocated all tenants. I think only a handful, up to half a dozen perhaps, have not been relocated. They have had ample offers, but they have very specific requirements that are not easy to fill.

You talk about disadvantage. ACT Housing has bent over backwards to be helpful and supportive in every possible way. Tenants are now in different accommodation. It may only be temporary until they go back to where they were. It is a matter we are considering. Whether we can adjust the program to accommodate it I am not sure. It is, as they say, under active consideration. I am getting the same comments as you have been getting, Mrs Burke.

Indigenous housing

MS TUCKER: My question, which is also to Mr Wood, the Minister for Disability, Housing and Community Services, concerns the \$350,000 allocated to indigenous housing in the 2002-03 budget. I understand that there is shortly to be a request for tender for the allocation of these funds. Can the minister advise the Assembly of the time frame for this tender process, up to the point of allocating the funds? Can he assure the Assembly that the funds will be allocated within this budget year?

MR WOOD: Certainly in respect of this budget year that will be the case. My memory tells me that we want to move by the end of this month, but that is a memory that I will need to check just to see if that is accurate. As you would understand, there have been all sorts of claims on the \$350,000. We want to get those out and get the groups satisfied. We want to see full action. We are moving within the proper requirements of government for doing it very thoroughly and carefully, and giving everybody a chance. We are doing it as quickly as we can.

MS TUCKER: Mr Speaker, I wish to ask a supplementary question. Can the Minister also advise the Assembly whether the government’s preferred model for indigenous housing is to fund a number of suppliers or a single supplier.

MR WOOD: It would be not a single supplier. It would be more than one.

Health—bulk-billing

MS MacDONALD: My question is to the Minister for Health, Mr Corbell. Minister, the Prime Minister said yesterday that bulk-billing was never intended for all Australians. What will happen to Canberra families who cannot afford to go to a doctor where there is no bulk-billing?

MR CORBELL: Thank you, Ms MacDonald, for your question. This is an important question for Canberrans because Canberra has the lowest rate of bulk-billing of any state or territory in the country. Federal proposals that impact on the availability of bulk-billing will have particular impact on Canberrans, in particular Canberra families and older Canberrans.

From this government's perspective, bulk-billing is a central tenet of the universality of Medicare. As health minister, in discussions with other health ministers around the country, I will not for one moment accept the argument that bulk-billing was never meant to be universally available. It clearly was.

Let me outline the government's concern. If we move away from bulk-billing being available on a universal basis, the next argument will be: "Why does everyone have to pay the same amount of Medicare levy? Why can't I opt out of paying my Medicare levy?" All of sudden there will be a two-tier health system: a second-class system for those who cannot afford anything else and a first-class system for those who can afford it. Then there will be the people stuck in the middle: not poor enough to access the welfare system; not rich enough to pay for their own health care.

That is not a circumstance I want to see occur nationally, let alone in the ACT. Our rate of bulk-billing is 51.2 per cent; it is the lowest in the country. But let us remember: that does not mean that 51 per cent of the population is accessing bulk-billing. It means that a smaller proportion of those people who access GP services—particularly elderly people and younger families—are getting bulk-billing. There are tens of thousands of Canberrans who are unable to access bulk-billing because of our rate of bulk-billing.

Let me put this example to you, Mr Speaker. Would a working family, with children, that earns \$30,000 to \$40,000 per year be able to get free health care? No, they would not.

Mrs Dunne: I rise on a point of order, Mr Speaker. I seek your guidance. As far as I can tell from a quick perusal of the administration orders, this minister does not have responsibility for Medicare. Is this entirely in order?

MR CORBELL: I wish to speak to that point of order, Mr Speaker.

MR SPEAKER: I uphold the point of order.

MR CORBELL: I am responsible for the negotiation of the Australian Health Care Agreement between the Commonwealth and the territory. That agreement is essentially about bulk-billing arrangements, and it is entirely in order that I answer the question.

MR SPEAKER: Mrs Dunne, schedule 4 of the self-government act makes it clear that the ACT Legislative Assembly can make laws in relation to public health, and the

minister is responsible in that regard.

MR CORBELL: It is worth making the point that federal policy changes in bulk-billing will have an impact on Canberrans. I have a responsibility to make that point very clearly and to articulate why those policy changes should not occur.

Imagine a working family on \$30,000 per annum, with children. They are working; they are not low income earners as far as the Prime Minister is concerned. Will they get access to bulk-billing? I think the answer to that is no.

Mrs Dunne: On a point of order, what this minister said was, "I think that that would not be the case." The minister is speculating. He is expressing an opinion.

MR SPEAKER: There is no point of order. Have you concluded, Mr Corbell?

MR CORBELL: No, I have not. I am just warming up. I would like to hear the shadow minister stand up and say, "We're opposed to what the Prime Minister is proposing to do with bulk-billing." I would like to hear universal support for Medicare from Mr Smyth because Medicare is important to all Australians, and it is important to all Canberrans.

If this proposal goes forward as part of the next Australian Health Care Agreement, we are heading towards a second-class system of medical care for the majority of Canberrans. That is not acceptable. Why isn't it acceptable? Not only is it unacceptable on equity grounds; it is also unacceptable because of the impact it will have on our public hospitals. It will mean more and more people coming to the accident and emergency areas of our public hospitals because they do not have any other choice.

We have had this debate in the ACT before. Let's understand exactly what the Commonwealth government has done in relation to funding for our hospitals. Nationally, the cost of providing GP type services in emergency departments in our hospitals is estimated at \$.1 billion. That means that every state and territory, including the ACT, has been funding the shortfall in GP type services and lack of bulk-billing at its own cost. It is cost-shifting of the worst order. It puts extra pressure on our hospitals, which have no resources to meet it except those that come from the state or territory concerned.

That is unacceptable, and this issue needs to be addressed. Instead of the opposition harping on, why don't they come on board and say, "We don't support the abolition of bulk-billing; we don't support proposals for a second-class system of health care." Why don't they come on board? This is an issue of key interest to many Canberrans. Basic access to health care is a fundamental tenet of being able to participate as a citizen in our society. Why aren't they prepared to come out and say that it is not acceptable to undermine bulk-billing and that it is not acceptable to further degrade the availability of GP services in the ACT?

Quite frankly, on behalf of the ACT, as all other states and territories have done, we have put forward our proposals for how these issues can be addressed. (1) the Commonwealth could raise the rebate so that bulk-billing is more attractive and (2) they could provide support so that GP services can be provided more effectively in hospitals or on hospital grounds.

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These are all options available to the federal government. They are options I am pursuing on behalf of the territory in the next round of the Australian Health Care Agreement. These are options that I think the Liberal Party, if they were serious about the need for Canberrans to get access to GP services and bulk-billing, would support as well. Quite clearly, they are not interested.

MS MacDONALD: As a salve for the removal of the universality of Medicare, the Prime Minister has raised the prospect of additional incentives for rural and remote areas to attract more GPs. Can the minister indicate how such incentives would assist the ACT?

MR CORBELL: The answer is that they won't. How is this for public policy? Even though the ACT has the second lowest rate of GPs available in the country and the lowest rate of bulk-billing in the country, Commonwealth policy does not assist us one little bit. I would venture—

Ms MacDonald: I have a point of order, Mr Speaker. Just because the opposition are not interested in hearing the answer, having asked the question, I would actually like to hear the answer. I would appreciate it if I could listen to it without the interjections.

MR SPEAKER: That is a good point of order. Mrs Dunne, this morning you were calling for silence on the government benches. Mr Smyth, you should take some guidance from your whip.

MR CORBELL: Thank you, Mr Speaker. What does it say about the Commonwealth government's public policy that the state or territory with the second lowest proportion of GPs per head of population in the country and the lowest rate of bulk-billing in the country gets no assistance from Commonwealth government policies designed to address these very issues?

I would venture that it has more to do with how the people of the ACT vote federally than it has to do with any good public policy rationale. They know it over there, but they are not prepared to stand up to their federal colleagues and say it is wrong, it is unfair and Canberrans deserve better. We believe Canberrans deserve better, and we are prepared to say it is wrong and it is unfair.

The Prime Minister and the Treasurer—it is interesting that the Commonwealth health minister is not involved in this debate at all, but maybe that says more about her clout in cabinet than anything else—have both said that they will not only look at ways to attract more GPs to rural and regional areas but also provide incentives for those GPs to bulk-bill in rural and regional areas.

Why aren't they prepared to provide that in the ACT? We have been specifically excluded from Commonwealth initiatives aimed at addressing these issues. This is a matter that must be addressed—because it is unfair and because our public hospitals have to cope with the subsequent increase in numbers because people are not able to access a GP or bulk-billing.

Mr Speaker, it is an important public policy issue, which the government will be continuing to advocate at Australian Health Care Agreement negotiations. I wish the

Liberal Party would come on board and agree with us because, surely, the health of Canberrans is more important than their partisan politics.

Bushfires—prevention advice

MR PRATT: My question is to the Minister for Police and Emergency Services. Minister, one of the essential lessons from the recent fire tragedy in Canberra is that the effective and early provision of information to residents would almost certainly increase their preparedness should an emergency situation confront them. Can you advise what information was provided to residents in “at risk” suburbs such as Chapman, Holder and Duffy, amongst others, prior to 18 January?

Mr Stanhope : Does the question cover the seven years of Liberal government?

MR SPEAKER: Order, Mr Stanhope!

MR WOOD: I am not sure what sort of information you are talking about here—whether it is information on the day as to the crisis emerging or whether it is information over many years, including your term in government. I will try to cover both.

I will give just one example. I went out to Bruce—I was not the emergency services minister at the time—with all the emergency services people to run a big publicity campaign about taking care of backyards which back onto nature parks. We had detailed management plans for controlling fire hazards. That sort of thing is fairly common in the fire season and I recall doing it on other occasions as environment minister. We alert people of the need to keep fences and backyards clear of debris. So I think routine advice—and I use the words “routine advice”—to Canberra residents has been a persistent part of the early summer season over many years. It happens all the time, and if you are not aware of that you have not been paying attention.

As to anything on the day, you were not listening to the radio which was running the siren signal over quite a long period and listing a whole range of suburbs where residents needed to take particular care. The fire threat certainly grew and developed very quickly, but those alarms were out there.

I also remember, because I was emergency services minister then, that from the time the fires in the nature park were caused, as we expect, by lightning, it was on the news every night. I think the Chief Minister himself did a pretty good job in a spectacular way of reminding people that “Hey, there is a fire out here.” The helicopters never stopped flying over Canberra. There was no shortage of publicity about the fire that was at that stage not too far away and about measures that we being taken to restrict and fight that fire. This was the whole focus for the period just before the fire storm.

MR PRATT: Mr Speaker, I wish to ask a supplementary question. Minister, can you confirm whether any residents in Canberra received a visit from anyone in the Emergency Services Bureau in the period 8 to 18 January to receive any advice relating to the potential for a fire disaster, given that the fire had then broken containment lines.

Mr Hargreaves: They were fighting the thing.

MR WOOD: That is exactly right, Mr Hargreaves—they were fighting the darn thing and they were full on. I went over to emergency services every morning and heard the briefings and they were all out doing their very best to fight that fire. That is where they were. I do not think that any citizen of Canberra was uninformed about the fire. Nor do I think—and this is my opinion; it is an opinion—that anybody could have anticipated the impending holocaust. Who could have imagined the conditions that arose?

I remember—and I am still not absolutely clear on the dew points and things like that—that we were getting briefings from the weather people. Mr Smyth nods—he knows of this issue. We were getting advice about just how tinder dry it was. There was not a drop of moisture anywhere in that area. There was wind and dry conditions caused by the drought. But who could imagine what was going to happen? Some of these questions are matters for the two inquiries that are taking place.

Bushfires—availability of aircraft

MR CORNWELL: My question is to the Chief Minister. It relates to the 18 January bushfires. Can you advise the Assembly what aircraft were available for firefighting duties on that day? Are you aware, Chief Minister, that significant firefighting capacity in the form of fixed-wing aircraft sat on the ground on the crucial days of 17 and 18 January? Can you confirm that two M-18 Dromader aircraft remained on the ground, but without loading equipment, at Wagga Wagga and Goulburn and that two M-18 Domaders, fully equipped, were on the ground at Camden?

Can you also confirm that two Air Tractor 802 fire-bombing aircraft, the largest capacity fire-bombing aircraft currently on contract in Australia, were sent to Victoria from Scone that week because the New South Wales Rural Fire Service saw no use for them? When the whole focus, as Mr Wood said, was on the fire, can you advise whether ACT emergency services had any discussions with the New South Wales Rural Fire Service as to why these aircraft, with the capacity to stop the fires before they reached the ACT, were not utilised?

MR STANHOPE: A very good question. I cannot confirm any of those things, Mr Cornwell. I would be interested to know if you can from where you gathered your information. It does surprise me that the New South Wales Rural Fire Service would have left a whole raft of fire-fighting aircraft on the ground when, in an arrangement consulted on with the ACT Emergency Services Bureau, it had agreed that it would accept full responsibility for fighting and containing the MacIntyres Hut fire—a fire, Mr Cornwell, which you know was burning in New South Wales across the ACT border. The fire that caused the devastation that befell the ACT, particularly citizens of Weston Creek and Tuggeranong, on the 18th was a fire which came from MacIntyres Hut.

It is a serious suggestion you make that the New South Wales Rural Fire Service was so uninterested in the obligation and responsibility it had accepted in consultation with the ACT to contain the MacIntyres Hut fire that it left aircraft scattered all around the place—aircraft that were under its control and direction and aircraft that it could have used to put out the MacIntyres Hut fire, the fire which in the event was the fire that crashed into Duffy.

If you have information, Mr Cornwell, that the New South Wales Rural Fire Service did not bother to use the equipment and the aircraft available to it to attack the fire at MacIntyres Hut, which it had accepted full responsibility for and which is the fire that crashed into Duffy, then I guess we would all be interested to know why the New South Wales Rural Fire Service took those decisions.

Those are the questions that will be answered through the three inquiries that are currently running. In the New South Wales coronial inquest into the MacIntyres Hut fire the New South Wales coroner is looking at the New South Wales Rural Fire Service's response to the MacIntyres Hut fire, along with other fires in New South Wales. The ACT coroner is looking at all of the fires that burnt across the ACT and, as we debated this morning, will investigate every single aspect of those fires—how they started, how they burnt, what steps we took, how well prepared we were, whether we were up to the task, how well our services performed, whether we could have done things better, whether decisions we took might have been better not taken, whether decisions we did not take should have been taken. That whole range of issues will be looked at, and they will be looked at in a very vigorous way.

I have a concern. Mr Smyth raised the same questions this morning, in an endeavour to assist the process, not in any way determined to undermine the McLeod inquiry or destroy its integrity or any support for it. Mr Smyth said this morning, "Mr Stanhope, as Chief Minister, where anybody seeks to raise reasonable questions about what happened, has attacked them in the most over-the-top ways that you can imagine." There are questions out there. We have all heard them. Everyone in this place has heard them. Everybody out there is talking about them. Why were the Harden units turned back? If they were turned back, I guess we need to go on and ask the next question: by whom were they turned back? The Harden fire units were under—

Mr Smyth: That is what Canberra residents want to know.

MR STANHOPE: That is right. We need to get the answers to these questions and we will. The Harden fire units were under the control of the New South Wales Rural Fire Service, as I understand it. I have not had formal briefings on this. As I understand it, no Harden fire unit at any stage of the fire confronting the ACT came under the control of the Emergency Services Bureau of the ACT. If the New South Wales Rural Fire Service, to which the Harden fire service were responsible, turned the Harden fire units back, then that is information we need to know. If they did, why?

Similarly, the other units that Mr Smyth referred to this morning—the Yass units, the Bombala units, the Batemans Bay units—are New South Wales units. They were under the control of the New South Wales Rural Fire Service on the day of the fire. I have received no briefing on this. I am not aware that at any stage there was any communication between the Batemans Bay units and the ACT Emergency Services Bureau. There are questions which need to be answered.

Questions around the New South Wales Rural Fire Service's response to the fire—essentially the question that Mr Cornwell asked today—are questions which will be answered by the coronial inquest into the New South Wales fire, namely, the MacIntyres Hut fire.

Mr Smyth: Not by us?

MR STANHOPE: We will certainly cover the New South Wales fire when it crossed the border. That is the extent of our jurisdiction under the Coroners Act. There will be cooperation between the New South Wales and ACT coroners, just as there will be cooperation between Mr McLeod, undoubtedly, and the ACT and New South Wales coroners.

These are all valid questions, certainly. But I have a concern, Mr Cornwell. You stood and asked me to tell you whether or not I could say these things were true. I cannot. I have no advice on any of these matters. I do not know the answer to a single one of the questions you ask, but they are serious questions.

I think we need to bear in mind the serious suggestion that was implicit in your question, Mr Cornwell, that equipment under the control of the New South Wales Rural Fire Service was not utilised by the New South Wales Rural Fire Service in fighting the fire at MacIntyres Hut. If you are suggesting—I do not know whether you are, Mr Cornwell, because as I said earlier, I have great respect for you—that the New South Wales Rural Fire Service was derelict in its duty, that is a very serious allegation you are making. If you are suggesting that the New South Wales Rural Fire Service neglected all these fixed-wing aircraft and all this fire-fighting capacity and that it chose not to fight the MacIntyres Hut fire, then I am concerned about that, and I think the New South Wales Rural Fire Service will be pretty concerned about that too and that the ACT Liberal Party has now turned its full frontal attack on Phil Koperberg and the New South Wales Rural Fire Service.

Mrs Burke: How low will he go?

Mr Smyth: Twisting, twisting, twisting.

MR STANHOPE: You have drawn attention to a whole stack of equipment which you said was sitting around on the ground, was turned away, was not brought into the fire—equipment that was under the control of the New South Wales Rural Fire Service. The New South Wales Rural Fire Service was fighting the biggest of the fires confronting the ACT—the MacIntyres Hut fire, the fire that ultimately crashed into Duffy—and you are saying that the New South Wales Rural Fire Service did not utilise that equipment. I am surprised at that, too.

As we all know, the New South Wales Rural Fire Service had a significant number of personnel fighting the fire at MacIntyres Hut and they were depoted at Mr Stromlo in the path of the fire that they were fighting. Something we have not dwelt on is that that entire depot was burnt out. All those New South Wales fire personnel lost all their cars. They lost all their equipment. They lost everything that they brought to the ACT with them. It is ironic that they were burnt out by the fire that they were fighting; that they built their depot in the ultimate path of the fire that they were fighting, which they did not contain and which then, in one of those cruel twists of fate, burnt all of their possessions. It is an interesting thing to contemplate in the context of some of these loose suggestions, allegations and armchair expert opinions. The New South Wales Rural Fire

Service built its depot in the path of the fire that they were fighting and which ultimately burnt them out.

I say that in the context of the crystal ball capacity that so many people now have, looking over the shoulder reflecting on why we did not foresee that this was going to happen, why we did this and not that, why we did not know that the fire was going to burn Duffy. The New South Wales Rural Fire Service did not know the fire was going to burn Duffy, or they would not have built their depot right in the path of the fire, 100 metres in front of Duffy. I leave that as a final reflection in relation of the danger of these implied criticisms and this retrospective wisdom that you all now pretend to have.

MR CORNWELL: I have a supplementary question. Chief Minister, could you now explain how the McLeod review will address the questions I asked in relation to aircraft being on the ground and fire units coming from New South Wales, some of which you mentioned by name? How will the McLeod review address such matters which, I put to you, are of vital concern to the ACT but which originated in New South Wales? How will the McLeod review in the ACT address these questions, which are matters that originated in New South Wales?

Mrs Dunne: I think that behind closed doors is the answer.

MR STANHOPE: Behind closed doors! You are raising a number of issues. You are actually raising them in the nature of allegations. There is a big difference between pursuing information, seeking out the truth, to learn from the lessons of the past and going on unrestrained witch-hunts on the basis of allegations. Stand up now and table the name of your informant, table the basis of your information, and let me refer it. Do that. Put it on the table.

That was the issue I had with the *AM* show on the ABC—unnamed, faceless, serious allegations, seriously defaming members of the Emergency Services Bureau, suggesting major breaches of duty by identifiable officers of the ACT government on the basis of innuendo, untested assertion, an unwillingness to name sources, a determination not to put the information on the table, and then asking people to respond on the basis of that and for their reputations not to be seriously damaged.

Mrs Dunne: I take a point of order. Mr Cornwell asked a question about the McLeod inquiry and the Chief Minister has gone back into his favourite topic about nameless, faceless, gutless people that we heard about two weeks ago. The question was about the McLeod inquiry and how issues of cross-border significance would be addressed.

MR SPEAKER: I am sure that the Chief Minister is coming to that.

MR STANHOPE: I am, and I will conclude. The full ambit of issues that have been raised or will be raised will be responded to. Most certainly, the range of allegations that Mr Smyth dropped in his speech this morning around all these—

Mr Smyth: They have all been on the radio.

MR STANHOPE: There was a pretence that that was not determined to undermine the integrity of processes or to undermine the Emergency Services Bureau in the ACT,

dropping on the table as fact, “Why were the Harden units turned back?” That is an assertion. Is it true that they were? I can ask the Emergency Services Bureau. What happened to the Yass units? I do not know, but I can ask. I would think that these are all issues on which, to the extent that they can, the Emergency Services Bureau would be more than happy to provide a response. Certainly, in the context of the detailed submissions that they are preparing for both the McLeod inquiry and the coroner, they will be answered. There is no doubt about that.

Of course we will get to the bottom of all of these issues. But I have a major concern around this throwing on the table as fact of these random emergings, so-called facts with no context, without any authentication and, even now in this place, with no intention of suggesting what is the sources of these stories, these so-called facts, and then expecting me not to take some umbrage at that and not to feel defensive. I am criticised for this now. I am criticised now for being too determined about protecting the reputations of hard-working, dedicated, loyal public servants in the Emergency Services Bureau.

Mrs Dunne: I take a point of order. It is a matter of getting an answer to the question. It was not about the reputations of people. It was a question about how we would deal with cross-border issues through the McLeod inquiry. The Chief Minister has not in any way, shape or form addressed that issue. He has refused to answer the question.

MR SPEAKER: We have been through a dozen times, maybe two dozen times, maybe even three dozen times how ministers of the parties on either side of this house have answered questions and how they have responded to questions from non-executive members. It is really in the hands of the ministers, provided they keep to the point.

Mrs Dunne: My point of order, Mr Speaker, is that he has not been to the point.

Mr Smyth: I take a point of order, Mr Speaker.

MR SPEAKER: One at a time, Mr Smyth; just contain yourself. If they keep to the subject matter of the question, they are entitled to continue. Mr Smyth, you have a point of order.

Mr Smyth: That was the point, Mr Speaker. Standing order 118 (a) says that the answer shall be concise and confined to the subject matter. Mr Cornwell has not got an answer to his question about how the matter will be addressed by the McLeod inquiry.

MR SPEAKER: It is pretty clear that the subject matter is the relevant inquiry and it has something to do with the bushfires. The Chief Minister is sticking to that matter.

MR STANHOPE: I will conclude, Mr Speaker, by saying that the McLeod inquiry will take submissions from anyone from anywhere—anybody in New South Wales. Members of the Harden fire brigade, the Yass fire brigade and the Batemans Bay fire brigade are more than welcome to make submissions to the McLeod inquiry or, indeed, to the ACT coronial inquest, just as I believe they will be so invited to make submissions and to appear before the New South Wales coronial inquest.

There are three opportunities for everybody across all borders to be involved in all three processes. There is no inhibitor, nothing to stop them. The ACT coroner has also

indicated that she proposes to work closely with the New South Wales coroner in relation to the MacIntyres Hut fire. Mr McLeod has announced that he will be working closely with the ACT coroner; in fact, they will be meeting either this week or next week to discuss the basis on which they will cooperate.

There will be no inhibitors other than, of course, legislative inhibitors insofar as we cannot legislate across those borders. There is no basis on which there will not be full cross-border cooperation. Indeed, it is one of the terms of reference of the McLeod inquiry. I am sure that he will fulfil—

Mr Pratt: Does McLeod have the power to go across the border and talk to them if they don't talk to him?

MR STANHOPE: I need to respond to that interjection. Such is the depth of understanding of Mr Pratt and the Liberal Party that they actually think that our legislation has some extraterritorial application that I can empower Mr McLeod—

Mrs Dunne: This is the very point.

MR STANHOPE: Mr Pratt asked whether this Assembly or I can empower, through legislation, Mr McLeod to charge across the border into New South Wales and force the people of New South Wales. I cannot do it, Mr Pratt. There are a few constitutional limitations, such as a border, not that that bothers Bush, Blair or Howard. Matters around borders do not bother them, and perhaps you are in tune with that as well, but we do not do it here, mate.

ACTION—procurement policy

MRS DUNNE: My question is to the minister for transport, Mr Corbell. The ACT government, through the ACTION Authority, is currently seeking tenders for the supply of a number of compressed natural gas powered buses for the network in the ACT. The request for tender demands that bus bodies supplied by the successful tenderer must be constructed by Custom Coaches Manufacturing Pty Ltd. Minister, that appears to be inconsistent with section 8 (c) of Government Procurement (Principles) Guideline 2002 (No 2), which states:

A Territory entity must avoid specifications for goods, services or works that favour a particular supplier or group of suppliers unless the requirements of the entity cannot be reasonably met without such specifications.

Minister, did you approve a request for tender for the supply of bus bodies as part of the tender when the name of the company that is to supply the bus bodies was specified in the tender?

MR CORBELL: No.

MR SPEAKER: That certainly complies with the conciseness rule. Do you want to ask a supplementary question, Mrs Dunne?

MRS DUNNE: Yes. Who did approve the request for tender?

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MR CORBELL: I assume, as ACTION is a statutory authority, that the board did, Mr Speaker, but I will take the question on notice and provide the information to Mrs Dunne.

ACTION—procurement policy

MR STEFANIAK: My question is to Mr Quinlan, as the minister responsible for procurement policy. Minister, the ACT government, through the ACTION Authority, is currently seeking tenders for the supply of natural gas powered buses. The request for tenders specifies that the bus bodies must be built by a particular manufacturer, and specifies a preferred material. The procurement board has signed off on this request for tender despite the fact that it appears to be inconsistent with the government's own guidelines. Why has the procurement board signed off on what is a highly irregular request for tender?

MR QUINLAN: That is a question that I will have to take on notice, because of the way it is couched. I do not know that it is necessarily highly irregular. There are, of course, commonsense provisions within procurement guidelines that allow for restricted tenders, short-listed tenders or single-select tenders for good and solid reasons. We will find out what they are. It is probably a question that is more appropriately placed on notice and I will take it as such.

MR STEFANIAK: While you are doing that, are you prepared to step in and postpone the request for tender, which closes tomorrow—so you are going to have to be quick if you are taking it on notice—to ensure that it does comply with the government's own procurement guidelines?

MR QUINLAN: Not unless I get some good reason for doing so, Mr Stefaniak. If a single-select tender has been called, I am sure that the reasons for doing so are on the record. If the reasons look satisfactory to me, then so be it. As you are probably aware, I do not actually go through every tender. Sorry about that.

Mr Stefaniak: It is apparently the only time in Australia that a specific company has been named, Ted.

MR QUINLAN: I do not know anything about it.

Mr Stefaniak: Try guideline number eight.

ActewAGL—greenhouse gas information

MS DUNDAS: Treasurer, in May 2002 this Assembly unanimously passed a motion calling on the government to ask ActewAGL to put greenhouse gas emissions information on electricity bills. Would you inform the Assembly what progress has been made towards this goal and when we can expect to see our first power bills containing this information?

MR QUINLAN: That is another question that I will have to take on notice. I have not kept my finger on that green pulse, I am sorry, but I will let you know what progress has

been made or what reasons Actew puts forward for not having progressed the matter.

MS DUNDAS: During the debate, Treasurer, you raised some questions about how much influence the government has, and whether it can request that ActewAGL takes a particular action to ensure that this happens. Have you clarified your own position on whether or not you can ensure that ActewAGL is observing the provisions of the Territory Owned Corporations Act?

MR QUINLAN: I can advise the house that, no, I have not chased them. I probably should have had the relationship defined. As I think I probably would have said at the time—I do not have a detailed memory of the debate—because the previous government actually sold half of Actew, we do not have absolute control. We have a 50 per cent stake in the thing and therefore our control is limited by that much.

Effectively, as I understand it, ActewAGL can say no, and our only option is then to try to break the deal that sold Actew and put it back the way it was, which is an impossibility. To some extent, the deal, as it was presented to this house, was a bit of a joke, but we have to live with it. I am also aware that ActewAGL, as it operates in Canberra, has tried to be a decent corporate citizen. I am sure that I can investigate the matter and see whether it is a practicable thing, and whether they will attempt—

Mr Smyth: He has not asked them.

MR QUINLAN: No, I have not asked them. It is a very valid question but it is not a matter than I have had at the forefront of my mind, I have to say.

Mr Stanhope : I ask that further questions be placed on the notice paper.

Trees in Nettlefold Street, Belconnen

MR STANHOPE: Yesterday, Ms Tucker asked me about the assessment undertaken of the trees in Nettlefold Street, Belconnen. Ms Tucker asked about apparent discrepancies in separate tree assessments around why one tree assessment referred to an unacceptable risk to public/private safety and the other did not. The quote “unacceptable risk to public/private safety” comes from the words in a standard tree assessment report. It is one of several criteria that can be applied. It is sufficient for just one criterion to be met to recommend the removal of a tree.

Unacceptable risk to public/private safety was not a reason used to recommend the removal of the tree in the tree assessment report of 3 April 2002, but the criterion “it is demonstrated that all reasonable alternative development options and design solutions have been considered to avoid the necessity for tree removal” was applied. That was done on the basis of an understanding that trees 11, 12, 13, 14 and 26 were not covered by the Tree Protection (Interim Scheme) Act 2001.

The tree assessment reports were completed on these trees to reflect the planning control plan of February 2001, which stated that removal would be permitted. Section 5 (b) of that act states that the act does not apply “to the removal of a tree in accordance with a condition of the lease where the tree is located, if the condition was in force immediately before the commencement of this Act.” Therefore, in the tree assessment report

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completed on 3 April 2002 it was considered appropriate by the environment protection officers and the independent tree adviser to recommend that the trees be approved for removal on the ground that it was demonstrated that all reasonable alternative development options and design solutions that should have been considered had been considered to avoid the necessity for tree removal.

It is the case that the tree assessment reports of 3 April 2002 recommended the removal of the trees. However, it should be noted that the tree assessment reports of 3 April were not considered in the conservator's original decision of 27 May 2002. At the time of making her decision, the conservator understood that trees 11, 12, 13, 14 and 26 were considered exempt from the act. Subsequent legal advice was obtained that removal of the trees is covered by the act. New tree assessment reports were therefore completed in January 2003 and reflect the independent tree adviser's view that the trees are an unacceptable risk to public or private safety. The conservator insisted on several site inspections by environment protection officers and the tree adviser before making her latest decision.

In relation to whether I would agree to have these assessments redone by an appropriately qualified person, to be determined in consultation with the community organisations and members who are trying to protect these trees, my answer is no. Under the legislation, there is an independent tree adviser who advises the conservator. This is in addition to the advice that the environment protection officers gave. Mr Peter Sutton was the independent tree adviser who advised the conservator with respect to the Nettlefold Street trees. I am happy to ask Mr Sutton to meet with any member of the Assembly to discuss the tree assessments.

In relation to the supplementary question, I am advised that the conservator met with members of the community to discuss the decision and conditions of approval in conjunction with notifying the applicant of the decision. The time delay was to allow for the conservator to be able to contact the applicant and give the applicant some privacy. Knowing the concerns of some community members, the conservator wished to advise them personally, rather than news of the decision getting to them second hand. I endorse such an approach, as it shows respect for their concerns.

Each of the trees in question was evaluated as in either fair or poor condition in both assessments. I conclude with the observation that the Conservator of Flora and Fauna is an independent statutory officer and the decisions she made in relation to the trees at Nettlefold Street were made by her, on the advice of independent tree assessors, in her capacity and free from any ministerial involvement. In that light and in light of the independence of this process, I am not prepared to interfere with the statutory role and responsibility of any officer.

Indigenous housing

MR WOOD: Mr Speaker, I wish to follow up on the question from Ms Tucker about indigenous housing and the allocation of funds by confirming that we expect that allocation to be done by the end of March.

Housing—rent

MR WOOD: Mr Speaker, I wish to elaborate a little on the question from Mrs Burke. We are considering the issue she raised about the increase in rents, but we are much constrained, as I indicated, by the program. It is part of the Housing Assistance Act, which really requires us to charge market rents—with all the concessions that might go with that, mind you. On one sample that we did at Uriarra, five of eight tenants who have been relocated pay the same or less rent, one pays \$2.30 a week more rent and two pay full market rent on the basis of the household income.

Education—class sizes

MS GALLAGHER: Yesterday, during question time, Mrs Burke asked me a question in relation to Farrer Primary School and composite classes and class reductions. I have some more information on that. All schools are required to have 23 or less in K-3 in 2003 and 21 in 2004 as part of the government policy, an initiative very much welcomed by the entire school community, I might add. There are composite classes at Farrer Primary School. There is a K-1 class with 23 enrolments and a 1-2 class with 22 enrolments, so it is in line with government policy.

Volunteers—workers compensation

MS GALLAGHER: Last sitting week, Mr Stefaniak asked me a question about WorkCover and volunteers under section 19 of the Workers Compensation Act. WorkCover does not make rulings in relation to the operation of the Workers Compensation Act. The role of WorkCover is to provide advice on the operation of the act and, where necessary, to enforce the obligations imposed by the act on participants in the scheme. The Chief Minister's Department advises the government on policy matters.

Section 19 of the act is clear in that the status of a volunteer is not affected by any payment for expenses. Section 19 states that a volunteer is a person who receives no payment for the work performed, apart from payment for expenses. WorkCover has advised me that they have not provided any generic advice in relation to public interest volunteers, but rather have dealt with each situation on a case by case basis.

Personal explanations

MR QUINLAN (Treasurer, Minister for Economic Development, Business and Tourism and Minister for Sport, Racing and Gaming): Mr Speaker, I wish to make a personal explanation under standing order 46 regarding Standing Committee on Public Accounts report No 4, March 2003, which relates to Appropriation Bill 2002-2003 (No 2).

Leave granted.

MR QUINLAN: The report, while discussing budgeting for unusual emergency circumstances or situations, contains in paragraph 3 (8) the statement:

Unfortunately, the Treasurer treated this subject rather casually suggesting that the time to take action was "when we get to exceptional circumstances". While this

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approach may be adequate for funding, it is not sufficient to deal with the requirement for skilled staff or other resources.

It is important for me to put in perspective the discussion leading to that comment. The Chair of the committee had challenged the provision of additional funds to the Canberra Hospital to meet the costs of an increased call on resources as a result of injuries sustained during the 18 January bushfire. He had asked:

... doesn't it therefore raise the question of risk management and why do we fund a hospital and for instance their budget, they've asked for another couple of hundred thousand dollars to meet what they're saying is unexpected need, but surely accident and emergency is funded to cover this and they have emergency plans and they have risk management strategies in place.

In response, I pointed out that the Canberra Hospital had handled a record number of emergency cases on that day and that I did not consider it common sense to structure a budget based on a worst-case scenario. It would be more sensible in some cases to provide supplementary funding after the event, rather than the situation of probable over funding in each year, as implicit in the Chair's questioning.

I understand that the Chair was seeking to identify any capacity that might be built into budgets to cater for emergencies. However, my words that were quoted in the committee's report relating to exceptional circumstances must be read in the context. The fuller quote from *Hansard* is:

They all have peaks and troughs but if someone came to me and said the health budget is based on a possibility that we'll break a record this year, they'd get thrown out. If we get to that exceptional circumstance then we will take action, we might even have an extra Appropriation Bill for example, as we do.

My actual words were changed from *Hansard* to the report. They were changed from, "If I get to that exceptional circumstance," having made an example, to "when we get to exceptional circumstances". Subtle, but very careless, if nothing else. My actual words were changed and quoted out of context and, as such, misrepresent what I was communicating to that committee. I think that that is a very serious matter.

I would like to table what I have just said. If you allow me a minute to correct a typo that I picked up while I was reading it, I will then table it. But I did think that verballing may have disappeared, or at least decreased, with the departure of Gary Humphries. I certainly hoped that it had. I will table it in a minute.

MR SPEAKER: You can rise to table it later.

MR SMYTH (Leader of the Opposition): Mr Speaker, I seek leave under standing order 46 to make a personal explanation.

Leave granted.

MR SMYTH: Mr Speaker, during question time, the Chief Minister seemed to indicate that I was casting aspersions on the character of Mr McLeod. That is not true. The opposition believes that Mr McLeod is unimpeachable and the ideal choice to head any

inquiry. But this inquiry, we believe, is compromised. It runs the risk of being a whitewash, not because it is headed by Mr McLeod—

MR SPEAKER: Mr Smyth, stick to the personal nature of your explanation rather than debating the issue.

MR SMYTH: I am just saying that what I was saying was not because of Mr McLeod's presence, but because of the way in which the government has set it up.

Perhaps I can have a second go under standing order 46 in response to Mr Quinlan.

Leave granted.

MR SMYTH: There was certainly no intention to misquote the minister in PAC report No 4. I will speak to the secretary and we will look at what we have said. If it is necessary to correct it, I will certainly correct it.

Mr Quinlan presented the following paper:

Standing Committee on Public Accounts Report No 4, March 2003 "Appropriation Bill 2002-2003 (No 2)"—Copy of personal explanation, dated 5 March 2003.

Gungahlin—light rail system

MS TUCKER (3.55): I move:

That this Assembly:

- (1) applauds the government's proposed investigation of a light rail system for Canberra;
- (2) notes the recommendations of its first stage being a network linking Civic, Barton, Russell and the Parliamentary Triangle;
- (3) calls on the government to:
 - (a) make the public transport needs of Gungahlin residents the first priority for its sustainable transport plan;
 - (b) explore a range of innovative public transport options, including a trial of ADART services and bus-only lanes between Civic and Gungahlin;
 - (c) ensure that Gungahlin residents enjoy significantly improved public transport services before a light rail network is operational, and that extension of the network to Gungahlin is time tabled into later expansion.

I have raised this motion because every now and again people get excited about the notion of having a light rail system in Canberra. The argument is even put that we will never be a truly modern and cosmopolitan city until we have light rail. The notion of having a cappuccino in Manuka and a job in Civic captures very well the mobile, intelligent, well-educated, affluent community that makes up so much of the Canberra we promote.

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Having an economically viable light rail inner city network would assist in that promotion. But if I was a Gungahlin resident who was tired of driving fairly long distances for most goods and tired of banking up at peak hour every day to get into and out of Gungahlin, paying \$1.06 a litre for petrol now, I might feel rather excluded from this fashionable city life, even if I, too, worked in the triangle with all the up-market inner city residents.

What I am describing here is a combination of reality and perception. The reality is that getting into and out of Gungahlin has not been as easy as most other travel round Canberra. The reality is that there has been more talk than action over the numerous roads, freeways and rail systems that are to link Gungahlin to major employment and retail zones. The reality is that houses were built and sold well before the services or transport links were ready.

The perception for many people who live in Gungahlin is that the town centre will be an unsafe combination of traffic and pedestrians, that the Gungahlin Development Authority and the ACT government do not work in partnership with residents in planning and development, that the promised freeway is long overdue and may never happen, and that the people of Gungahlin will never get the consideration that comes as a matter of course for people in central Canberra. That is the perception of many in Gungahlin.

Those perceptions were reinforced when the minister fairly abruptly rejected an Assembly motion in the last sitting week calling for him to hold off on the town centre development until traffic and pedestrian issues had been addressed. While it may be argued that such difficulties could be resolved without putting a hold on any of the plans, it seems the ACT government was happy to send a signal that getting on with its program was preferable to working with community-based concerns. That is why the ACT government really ought to be looking for opportunities to work more concretely with Gungahlin residents.

When it comes to the ACT's sustainable transport plan, the issue is really about sustainability; in other words, enticing people onto public transport permanently; to be specific, putting in place public transport that is quicker and more convenient than cars, and not just round central Canberra, where people aren't travelling that long a distance anyway.

We have the whole debate about the roads issue. The Greens' position is quite clear on that. One of the major concerns and issues driving this debate is the transport needs of Gungahlin. The roads debate has significantly failed to stress the fact that having another road is not going to solve the problems. Even though the Greens and other groups in the community have stated and restated it, I will remind members that the road option is not going to deal with the problems; it is going to create further traffic jams, just in different places.

I remind members also of the Maunsell projection that if Gungahlin reaches its projected population—even if it does not, but it gets to about 80,000—we will have a need for three more major roads if we continue to use cars in the way we are at the moment. We will have the Gungahlin Drive extension, changes to Monash Drive and Majura Road, and three lanes of extra traffic on existing roads. We will have congestion, we will have increased greenhouse gas emissions, we will have increased inequity in our community

because we will have people who do not have access to private cars seriously disadvantaged in terms of the potential for them to move around the city, and we will have all the additional health problems that come with dependence on the private motor vehicle.

This motion is about having a sustainable transport policy. The challenge for this government is to pin its colours to the mast with a growing public transport system that serves the needs of more people right across the city, not just Gungahlin, reducing our dependence on cars, on fossil fuels, on a greenhouse gas producing society, and on an increasingly congested, unworkable and unfriendly urban environment.

Light rail is a form of transport which was promised, or at least implied, when Gungahlin was just a twinkle in the NCDC's eyes and which has been championed by a wide range of public transport advocates and experts for many years. To read now in the newspapers that the minister is saying no to Gungahlin but is enthusiastically supporting a rail network for central Canberra probably reinforces the sense of exclusion experienced by many in Gungahlin.

I acknowledge that any rail network is a massive capital investment and that, if the ACT were to go with rail, it would have to begin with the most immediately viable section and look to expand over time. I am not a transport economist, but I recognise that high patronage in and around central Canberra may offer a viable starting point.

While it may be economically feasible to set up a light rail system in the city of Canberra and then expand to other town centres, that expansion will only happen when we have built a culture of public transport use and, as the minister and the rest of us have said time and again, it isn't simply a question of having rail or private cars; there are many other components to a sustainable transport system.

Now is the time to make the commitment to building the habits of expanded public transport use. If this motion is supported, the Assembly will be calling on the government to make Gungahlin the benchmark in our shift towards this culture. It is for that reason that I am specifically asking the government to explore autonomous dial-a-ride transit—ADART—systems.

This form of local public transport is presently being trialled in the US. It is a kind of minicab multiuser system that uses today's information technology to sort out efficient pick-up and drop routes for people from their street addresses. It has the potential to mesh seamlessly with express bus services and later express or light rail and to deliver, through a public system, the benefits of private and public transport. Similarly, the introduction of bus only lanes on congested roads, such as Northbourne Avenue, could offer trips into town that would be quicker, cheaper and more desirable than car trips.

With such a structure in place, if the ACT were to construct a light rail network starting in central Canberra, Gungahlin residents for once could be advantaged by that system. Not only would it be of benefit to those residents, but also it would have laid the parameters for similar investments throughout Canberra.

The minister is likely to argue that bus services in Gungahlin are up and that bus use in Gungahlin is up but, in the context of having a sustainable transport system, a lighter

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ecological footprint and the improved urban and suburban life that comes with a top-drawer public transport system, there is a fair bit more that needs to happen on the public transport front. In the context of a history of transport problems relating to Gungahlin, this motion asks the government simply to confirm that it will make public transport into and out of Gungahlin a real priority in developing its sustainable transport plan.

This proposal could impact on people in the inner-north suburbs as well as the government could also explore how to link the routes, locations and residences under that system with the inner-north suburbs. I do not think that it is particularly fair or useful to say that it would only be something for the people of Gungahlin, although it is absolutely critical that we address their needs. Obviously, it is something that would flow through to the inner-north suburbs. It could also fit into the bus only lanes and so on.

MRS DUNNE (4.05): The Liberal opposition will be supporting Ms Tucker's motion today in an unamended form because it goes to the heart of what we are trying to do, which is to create a cohesive and responsive public transport system. A cohesive and responsive public transport system is an essential element of a cohesive and very active society. We have heard over the years that Canberra is a car town, but we forget that many people in the ACT community, as in any other community, cannot or do not use cars. Cost may be a factor, they may simply be unable or unwilling to learn to drive or they may have some disability.

We need to provide for all people in their transport needs. That means that we need to have a cohesive and responsive public transport system. We need to provide a sensible alternative to people who are at this stage wedded to their car. In doing that, Mr Speaker, we cannot spend our time telling people who use their car that they are doing something wrong. The guilt thing just does not work. They might feel guilty at the time, but they have still got to get up tomorrow morning and get in their car and go to work.

We have to provide them with an alternative which is attractive and appealing. That is one of the principal tenets of changing people's approach to public transport. Those of us who attended the hot topics in public transport seminar last week would have found that one of the messages constantly coming through was that providing a public transport service that is faster than a car, that is more attractive than a car and that is more comfortable than a car is the way to go about getting out of their cars and into buses the people sitting in their cars watching the public transport overtake them. The guilt trip will never work, but this is an approach that may work.

We need to encourage people to use public transport. We need to encourage them to understand that it is in their best interests, both financially and environmentally, to do so. But in talking about the environment to many people one finds that their eyes tend to glaze over. From time to time, we need to appeal to something closer to home. Often the hip-pocket nerve is one of the things that will really make people make a choice in favour of public transport.

To do that, Mr Speaker, we have to come up with an entire smorgasbord of public transport initiatives that link together in a seamless way. Actually, Ms Tucker used the term "seamlessness" and it seems to be the buzzword at the moment, I noticed that the International Union for Public Transport's international conference in Madrid this year is around the theme of seamless mobility. If the opportunity and everything else come

together, I may be able to come back from Madrid and report to this Assembly on some of the issues of seamless mobility that we may be able to take up and learn from.

The aim of public transport should be to provide a service to meet the criteria of sustainability and livability and to meet the need to address greenhouse emissions and the needs of our environment. We need to keep all those things in mind when we are talking about public transport. As Ms Tucker said, in building a really sustainable public transport system for the ACT, we have to build in the habits of a lifetime.

We need to have a sustainable transport policy that covers the road, the private car, the taxi, the bus, and we also must consider mass transit in terms of express services, be they bus, light rail or some of the hybrid technologies, and these must be all integrated networks and we must look at a variety of means of making sure that we actually get the system working. It will take time and it will take commitment, but it is the job of this place to ensure that in the next few years we go from a piecemeal bus service to something which is truly integrated and truly meets the needs of the people.

In about November of last year we had debate in this place, sponsored by Ms Dundas, about the way to go program, which is without a doubt one of the weapons that we should use in our armoury. The way to go program has a great deal of potential. It has been used in other places much more effectively than it has been here. At that time, I spoke about the success of the way to go program in Seattle. I think that we should revisit some of those issues.

The way to go program is about enabling people to make the smartest transport choices so that they can save money and make their communities more livable. It is very much in the same theme of those people who are concerned about conservation or recycling; it is about making your community better. You can legislate and put capital expenditure into things and you can put buses on the road, but the real problems will not be solved until you help people to learn to make smarter choices about how they travel.

Seattle went in for quite an extensive pilot of the way to go program. The research that went before the way to go program in Seattle showed that 75 per cent of all automobile trips, including 50 per cent during peak hours, were for personal and family reasons rather than travelling to or from work. With this piece of information in its armoury, it conducted a pilot with 23 families exploring the possibilities of getting along without an extra car for six weeks. As a result, at least four of the families in the trial decided to sell their second car. Many families which did not even participate in the trial, because of the support that went with the trial and the information provided, a lot of it net-based, used the information provided by the city of Seattle to find out that they would actually be a lot better off if they did sell their second cars.

All the families in the study saved money, and most saved in excess of \$US64 a week. They found that they could get around on transit, by bicycling, walking and taking taxis, and all of those needs could be addressed by as little as \$21 a week, which is far less than the estimated cost of running the second car, \$US85 a week.

Seattle, in addition to providing people with options, provided them with information, real information, some of which we will see from the minister's research about the real cost of transport. I think that people will be quite horrified by that. The average citizen in

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Seattle was quite horrified to discover that his second car cost him \$85 a week. We never think of it in terms of the on-costs, the depreciation, the running costs, the maintenance costs and the registration costs. We think that we will put 50 bucks worth of petrol in and that's it.

In the process in Seattle, the 23 people in the six-week trial made 200 fewer car trips per week. The 200 fewer car trips per week amounted to 2,030 kilometres fewer journeys and a cut in carbon dioxide emissions of 2,800 kilos over the trial. That is just some of what we can do to help people to create their own seamless transport options.

I think I am becoming quite a fan of the process that Ms Tucker talked about, the autonomous dial-a-ride transit system. It is something that has been around since the 1960s in many forms and it is becoming more automated and therefore more responsive to people's needs. I was looking at one of the articles that I had in my collection about ADART, and it has got a great little summation of what ADART is when it is truly responsive. It says, "The ADART fleet covers a large service area without any centralised supervision. Like an army of ants, the vehicles accomplish their tasks with no-one in charge."

There is no-one in charge except the user who calls up the vehicle that takes the user, within 15 minutes of when they want to go, from their point of origin to a destination. They might be in a taxi, they might be in a minibus and they might be in a microbus, depending on the demand at the time. This is true responsiveness that would get people out of the suburbs and into more mass transit. These are the issues that we have to look at.

On the subject of mass transit, I have to take a little bit of umbrage at something that the minister said in here yesterday. I did not say that light rail would not work. I said that the proposal that was put forward by the minister last week would not work for the reason—I was quoted out of context—that people who have already got in their car to travel to Russell, Parkes or somewhere like that to get to work will not use mass public transport during the day for their intertown trips. They have already parked their cars and they have already made the effort to get out there.

Why I said that I think that it would not work is that it would not address the principal problem that you need to encourage people not to get into their cars first thing of a morning. You need to show people that there is a better, more efficient, cheaper way of getting around, and we have to provide that better, more efficient, cheaper way of getting around so that they will not get in their car of a morning.

The inner-city loop or triangle that the minister proposes would be nice, it would be a good flagship, but in many ways it would fail in what should be its principal objective of changing people's attitude to transport in an integrated way, getting them out of their cars in the morning and onto public transport.

I think that we should not be too hung up with technology. The medium isn't the message. We should be looking at all options and light rail is an option that we should be looking at when we are looking at providing services to the people of Gungahlin, who have sorely missed out, who are always the people who are forgotten in the transport debate. We have had the war about the alignment of the road. That war has been solved;

now we have to build the road. In addition, we have to build many more services for light rail or mass transit into Gungahlin, because the people there are the ones who are most neglected in terms of public transport.

We should not get too het up about the technology, but I am concerned, and have been concerned for many years, that the mere cost of light rail may be prohibitive. My rough back-of-the-envelope calculation from what I know is that each kilometre of light rail would cost about \$2 million and each of the rolling stock would cost about \$3 million. Put that together and you have a very expensive system, which is why the Liberal opposition has taken some interest in the hybrid approach adopted by the Civis company out of France, which now runs its hybrid tram-type buses in Rouen, Clermont and now Las Vegas. The Civis technology has the capacity to carry about 3,000 passengers per hour in each direction, as opposed to 1,500 on conventional articulated buses and up to 15,000 on light rail.

It just seems that for a population like Canberra's we should be looking at technology that meets our population base. If we get to the stage where we have about half a million people or so, perhaps we might graduate to light rail. But I don't want to die in a ditch over any particular technology. Really, what I would like to see is this debate leading on to a further debate about how we build in, as Ms Tucker said, the habits of a lifetime and provide a truly integrated system of public transport which is appealing and cost-effective, so that people will start to realise that they can do themselves a favour by taking public transport.

I commend Ms Tucker for bringing this matter before us today and I commend the motion.

MR CORBELL (Minister for Health and Minister for Planning) (4.19): I, too, thank Ms Tucker for her motion, in particular for recognising that the government has brought this matter back for serious public policy debate. It is a matter on which the government went to the election. It was, in fact, an election commitment of the government to investigate the provision of light rail; particularly light rail services between Gungahlin and Civic, but light rail services more generally as well.

The government has a strong commitment to ensuring that Canberra has the future land use and transport system that will allow it to meet its economic, social and environmental goals. To that end, the development of a sustainable transport plan for Canberra will provide the analysis for an integrated policy framework to support the development of public transport, cycling and walking as part of a sustainable transport system.

When this work is finished later this year it will be the first time in the history of self-government that we have had an integrated transport plan for the city. It will be the first time that we have had an integrated overall strategic plan for the city that deals with economic, social and spatial or land use issues. It is long overdue, but it is work which is important and the creation of the plan itself will be a significant achievement, let alone the work that will flow in the implementation of it.

The sustainable transport plan involves a number of studies, including the public transport futures feasibility study, that is, examining the options for public transport systems in Canberra into the future. It is worth highlighting to members—indeed,

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members received the draft terms of reference as a result of an Assembly debate last year—that the terms of reference include analysis of various public transport options, including light rail and bus systems. This study is in progress and a draft report is due for release shortly as a basis for further community discussion.

The government's vision for Canberra is that Civic and our town centres are vibrant and attractive places to shop, to visit, to live in and to study in. Civic will always be the first among equals because of its pre-eminent social and cultural role, but our town centres are equally important in providing the access to services and facilities that our communities need.

As was pointed out in the discussion paper for the economic white paper, Canberra needs to be a vibrant and attractive place, one that attracts and retains the skilled, creative and well-educated workers of a knowledge-based economy. I have always argued, and I will continue to argue, that effective planning is central to our economic wellbeing, and effective management of transport is an important component of that planning process.

The public transport futures feasibility study is examining a range of public transport options. It was in this context that the idea of a light rail system for the inner areas of Canberra was developed. Such a system would have obvious benefits in terms of supporting the revitalisation of Civic, making it more pedestrian-friendly and reducing the need for some of the car parking that is so prevalent in Civic at present.

The proposed route for an inner Canberra system is simply a proposal. It is not a recommendation. It is a concept that the government has put on the table partly as a way of engendering broader debate about how we want potential light rail to work in our city. It is not the government saying no to other parts of the city because, as I said in question time yesterday, the government is yet to make any decisions about whether light rail will even occur. It is certainly not about precluding parts of our community from potential access to such a network, particularly Gungahlin.

The concept of the inner Canberra system is not intended to be a principal commuter route, but it would provide mobility around these key areas for workers, encouraging them to look at options such as commuting to work by bus through the intertown network that ACTION will shortly be promoting. It will also provide opportunities for park and ride facilities on the edge of the city and, potentially, in other areas, such as Mitchell.

Perhaps its greatest potential strength is that it would provide the basis for further development of a light rail network. Once links from other areas were connected to this network, they would immediately have access to Civic, the ANU, Russell, Barton, Manuka and Kingston, greatly increasing the number of commuter trips on these routes. Such a system could benefit almost all residents and visitors to Canberra as most people do use the central area, either for work or for play.

As I just said, the inner Canberra light rail system is not a recommendation, but it is one of a number of ideas being investigated. This system is one of a number of options being investigated within the public transport futures feasibility study. Other options do include a light rail system to Gungahlin. The study is also examining bus transit systems for the intertown routes. Again, the focus is not on a particular technology; it is about looking at

all the technologies and seriously putting them on the table.

The transport needs of Gungahlin residents are a high priority of the sustainable transport plan and these needs are specifically identified in the terms of reference of the public transport futures feasibility study. Members should be aware of that because these terms of reference were circulated to members last year.

The sustainable transport plan is exploring a range of innovative public transport options, including demand responsive feeder services, such as the ADART system raised by Ms Tucker, and bus only lanes between Civic and Gungahlin. ADART is an automated dial-a-ride transport system that provides demand responsive feeder services.

The government has also initiated the development of the Gungahlin Drive extension, which is another important component of the overall transport needs of Gungahlin residents. The government has already responded to the concerns that Gungahlin residents have continued to raise about access to public transport services. In particular, in the past 12 months the government has provided an additional 200 services into the Gungahlin area, and the introduction of the single zone bus fare has led to a 22 per cent increase in the number boarding in Gungahlin.

I accept that there is much more work to be done. It is not the government's proposition for a moment that the measures we have taken are the end of it. In fact, they are just the beginning. It is the beginning of improving services for Gungahlin as it is for many other parts of the city.

I am pleased to hear the Liberal Party coming on board and supporting the need for this discussion and this debate, because it was the Liberal Party that canned the light rail proposition back in 1995, just wiped it out. It said, "No more work, no more studies, that's it, it's gone." It was, of course, the Liberal Party that introduced the zonal fare structure, which made it more expensive to catch a bus than it did to drive your car to Civic and pay for parking. It was, of course, the Liberal Party that cut funding to ACTION. So I welcome their engagement in this debate; it is an important debate.

Mr Speaker, in conclusion, the government is supportive of Ms Tucker's motion. However, we do think that a couple of parts of it need amending. I have circulated two amendments. One is simply to recognise that the proposal for light rail is not a recommendation but a proposal. The second is to highlight that we are about improving public transport service delivery across the city, including to Gungahlin residents. Mr Speaker, I seek leave to move together the amendments circulated in my name.

Leave granted.

MR CORBELL: I move:

No 1. Paragraph (2), omit "recommendations of its", substitute "proposal of a".

No 2. Paragraph (3), omit all of part (a), substitute

"(a) ensures that the integrated transport plan facilitates improved service delivery across the city including Gungahlin".

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MRS CROSS (4.28): Mr Speaker, I think we need a recap of this issue to place some perspective on this debate. I foreshadow that I will be supporting Ms Tucker's motion and the first of Mr Corbell's amendments, but not the second.

The genesis of this debate, unfortunately, goes back to the planning evolution of Canberra. I say "evolution" because public transport was always contemplated in Walter Burley Griffin's plan. Professor Peter Newman summed up the situation in his 1992 publication *Canberra a New Vision (the Gungahlin Urban Village)*, when he said:

We are often intimidated from pushing for a more diverse built form in Canberra because we may be accused of wanting to destroy the city's amenity: wanting to destroy Griffin's vision. Griffin's vision however, was for a dense city centre. Griffin's plan shows a market centre where the Russell offices now stand; it shows a municipal centre at Civic, it shows a retail core stretching from Civic to Russell, south of Constitution Avenue in Commonwealth Park. Griffin's commercial centre overlooked the lake, the Parliamentary triangle and the mountains. Griffin designed a dense city centre, a dense built form in the Parliamentary triangle, dense housing on the main avenues and a city centre linked to the lake. Instead, Civic now has an empty large hexagonal void on a scale Griffin never intended; a void capped by a city centre hill which is inaccessible to all but the bravest pedestrian prepared to dash across three lanes of fast moving traffic. Griffin's vision has been all but forgotten, his name is used wrongly to justify the suburban sprawl.

Put simply, that suburban sprawl equals nothing less than the proliferation of cars and roads against the ethos of Griffin's dream. To illustrate Professor Newman's point about the betrayal of Griffin's dream, how many people take buses instead of cars to get to work every day? I know that Ms Tucker used to get buses quite frequently.

Mr Speaker, on Wednesday, 4 January 1995 the *Canberra Times* reported that the Liberal Party was against light rail for Gungahlin because it would cost \$1,250 for each household over three years and only 10 per cent of the population would use it. The then Leader of the Opposition was reported to have said that light rail was "economically irresponsible". However, the government agreed to pour \$500,000 into a further study.

In February 2002, the *Canberra Times* reported that the Liberal Party was prepared to support light rail which was estimated to cost \$80 million, up from \$45 million in 1992. The *Canberra Times* reported that Mr Corbell stated that the terms of reference for a study into public transport options would include light rail.

On 21 February 2002, I moved a motion requesting the minister, Mr Corbell, to table the terms of reference of the feasibility study into light rail. The motion successfully passed the Assembly. During the debate, page 433 of *Hansard*, Mr Corbell stated:

The government has decided that this examination—
of light rail—

will take place in conjunction with a broad examination of all public transport options for our city.

All that is well and good. On 6 April 2002, in a media release entitled "Gungahlin—a unique place to live", Mr Corbell stated:

Approximately 22,000 people today call Gungahlin home ... Ultimately Gungahlin will be Canberra's largest town centre with an expected population of 100,000 residents.

Minister Corbell was illustrating that eventually Gungahlin will be the home of up to one-third of Canberra. According to the Minister for Planning, our single largest development will be Gungahlin. Wouldn't logic dictate that the place that our first light rail system should be located is Gungahlin? Gungahlin is unique. It is unique because it is so new, it is unique because it is the most remote urban development in the territory and it is unique because it has inadequate services to meet the growing needs of the burgeoning population.

The minister has proposed two amendments to Ms Tucker's motion. The first addresses substitution of the word "recommendation" for "proposal" in paragraph (2) of Ms Tucker's motion. I find that amendment acceptable and understand that it is acceptable to Ms Tucker as well.

The second amendment proposed by the minister changes the substance of the motion entirely. Ms Tucker was quite right to call on the government to make the public transport needs of Gungahlin residents the first priority for its sustainable transport plan.

I support the motion moved by Ms Tucker and reject the minister's second amendment. In doing so, I ask the minister to clarify that Gungahlin will be the first priority in the government's sustainable transport plan.

MS MacDONALD (4.34): I will be brief. I would like to thank Ms Tucker for having moved this motion. I have risen to speak in support of both of the minister's amendments and to disagree with what Mrs Cross has just said. If the third paragraph of Ms Tucker's motion were to be implemented, it would mean that Gungahlin was being given special status over the rest of the ACT. I am into equity and equality in the ACT. I would also mention, of course, that I am one of the members for Brindabella. Therefore, I would hate to see my electorate being treated as though it was a second-class citizen in comparison with other parts of Canberra.

But I will say, Mr Speaker, the leaflet I put out while I was doorknocking and speaking to people around my electorate, specifically in the south Woden suburbs, during the election of 2001 talked about the issue of light rail. I am a proponent of light rail. I can say that, having had the opportunity last year to spend time with my new husband overseas, I got to experience many of the wonderful light rail systems around the world. I think that Canberra definitely needs to have a light rail system implemented.

Obviously, we could not do that all at once, because implementing light rail costs a lot of money, but we do need to do it on a plan and we cannot say that one area should be treated as a priority over another. Going back to my point, when I was campaigning I actually had the issue of light rail on the agenda in my pamphlet and I can say that when I was speaking to people in my area I found that they were extremely enthusiastic about the idea of light rail and extremely enthusiastic about light rail actually coming to their areas, because they get very frustrated with the—

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Mrs Cross: But you didn't say this last year, Karin. I don't remember you bringing this up last year.

MS MacDONALD: Certainly, they were very enthusiastic about it when I was talking to them face to face. I may not have risen in this place and spoken about it, but that does not mean that I have not been supportive of this issue, Mrs Cross. I have risen now just to say that I think that we need to be mindful that we cannot treat one area of Canberra as having priority over the other. That is why I support Mr Corbell's amendment to omit part (a) of paragraph (3).

MS DUNDAS (4.37): Mr Speaker, I will also be addressing the substantive motion as moved by Ms Tucker. On behalf of the ACT Democrats, I am happy to support Ms Tucker's motion today. The Democrats have long supported the introduction of improved public transport options, particularly in Canberra. During and since the election I have been advocating the introduction of a light rail network in Canberra. I am glad to see that the government is exploring options for the introduction of such a light rail grid.

Canberra, unfortunately, is poorly served by public transport, which means that our city uses large amounts of fuel, which make up one of the largest contributions to greenhouse gas production and air pollution. The cost of car purchases and increasing maintenance and fuel costs add to the cost of living of Canberra residents. Private vehicles are also a significant cause of injury and death on our roads, requiring continuing hospital funding as well as expensive safety campaigns and policing. Quite simply, it is unsustainable for Canberra to continue to rely so heavily on cars to provide our internal city transport.

While the planned nature of our city is one of its greatest assets, the assumptions by past planners of high private vehicle use has become a self-fulfilling prophecy. By building large-scale road networks instead of investing in public transport systems, past federal and local governments have made it difficult to live in Canberra without a car.

The ACT government still spends drastically more on roads than it does on public transport, at a ratio approaching 20:1, and it will take a committed and forward-looking government to redress this unsuitable and unsustainable imbalance.

We need to invest in public transport technologies now to reap the benefits for the future. Light rail is a cleaner, faster, more efficient and more reliable public transport system than the current bus network. Like most long-term investments, it has a high capital cost, but that is far outweighed by the long-term benefits.

We are not suggesting that we build the entire network at once, which is one of the main issues associated with costs. Our entire road network was not built in a year, but if it was and we added up the total cost we would find that it was quite astronomical. If we break down the sectors and look at building it sector by sector, we can manage the costs more efficiently.

The information released recently by the government on preliminary work on light rail details an option of a light rail link from Acton, through the city, to Manuka and Barton. This work does demonstrate that the government is taking the light rail option seriously. I encourage the government to continue this work. However, this debate needs to include

a discussion around areas beyond the centre of Canberra. Unfortunately, the minister is once again showing his bias to central Canberra and leaving out the needs of suburban Canberra, where the majority of long car trips are taken. This is particularly the case for Gungahlin, where the lack of job opportunities and transport opportunities means that Gungahlin residents must spend large amounts of time in congested traffic just to go about their normal lives.

I think that it is also important to note that public transport is more than just about getting to and from work. The minister likes to point out that the bulk of the work and employment opportunities exists in the area where his light rail link proposal is being situated. If we had a public transport system that had possibly light rail as a spinal system and a greater networking system of buses through the suburbs, people would then be able to use public transport for more than just getting to and from work. That, I think, is a core part of the social need of public transport.

If we had a public transport system that could effectively run through the night and on the weekends, we would have fewer people drink driving. We would have our young being able to access entertainment venues in the city more easily and safely. I think that an important consideration to keep in mind is that public transport is not just about peak hour travel to and from work. It also has social benefits if it is working properly across all hours of the day. Hence, I support Ms Tucker's substantive motion calling on the government to make the public transport needs of Gungahlin the first priority for its sustainable transport plan.

While light rail should continue to be considered as an option for Gungahlin, the transport needs of Gungahlin are urgent and need to be addressed as soon as possible. There are multiple options for other methods of improving transport, including the investigation of automated dial-a-ride transport, dedicated bus lanes, the introduction of express bus services and improved city access for cyclists.

The fact that Gungahlin has had a much slower and drawn out development than our other town centres is also reflected in the lack of transport links to the other centres. While Belconnen, Woden and Tuggeranong all have high-frequency express buses and multiple road access to other town centres, this level of infrastructure is yet to exist in Gungahlin.

The recent release of the Canberra social atlas demonstrates the far higher reliance on car transport by Gungahlin due to these considerations, so we need a decent and reliable public transport infrastructure to alleviate congestion on roads and provide equitable access to employment for all residents.

MRS BURKE (4.43): I stand as a member for Molonglo. Ms MacDonald isn't here now. While I support Ms Tucker's motion in principle, I am very concerned that we are debating other approaches to transport solutions, whereas the people of Gungahlin, in particular, just want a way into and out of their suburb, I would suggest.

It is now some 248 days since the money for the Gungahlin Drive extension was allocated. I am very concerned that not one sod has been turned on this project and here we are debating other methods of transport for Canberra. I really am all for lateral approaches to finding solutions to the transport problems facing not only Gungahlin

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residents, of course, but the whole of Canberra.

Going back to Gungahlin, blind Freddy can see that access and egress are real issues for the residents out there. I have been out there on many occasions at peak times to experience what the residents have to endure and it is not a pretty sight, with road rage and everything else.

Are the residents really being considered or being truly consulted for their opinion? Are we just going into all of this in a *carte blanche* way? I hope not. Is the government really listening to the needs of the community in Gungahlin and taking into account the needs of all residents throughout Canberra? I hope we do not just pay lip service to this investigation.

However, I have to say that I rather see this suggestion as fanciful, given that the GDE is nowhere to be seen yet. I am wondering, as I am sure are the residents of Gungahlin, when the GDE will commence. Is it just a fanciful notion by the government to deflect attention because the GDE has not gone according to their plan? I hope not.

Mr Speaker, as I have said, the first sod has not yet been turned. This is a major concern, given that we are at 248 days and moving on. How many more days will it be? Where are we going to start? There is still no action; what is happening? Gungahlin, particularly, is a community disadvantaged.

Mr Speaker, before we start down this path, surely we should be pulling out all the stops to ensure that the GDE—a Labor election promise, let's not forget—is completed as quickly as possible. I am not against investigations into alternative modes of transport, as I have said, but not at the expense of delaying in any way the completion of the GDE.

I note Ms Tucker's reference at paragraph (3) (c) to ensuring that Gungahlin residents enjoy significantly improved public transport services. I would say that that can only happen once a major arterial roadway is in place. Again, we must address the issue of the people, where practical, supporting public transport and other transport modes. However, as I say, I agree with paragraph (3) (c) of the motion. We must ensure, first and foremost, that the immediate transport needs of the Gungahlin community are met.

MS TUCKER (4.46): Before I speak to Mr Corbell's amendments, I request that the question be divided under standing order 133.

Ordered that the amendment be divided.

MS TUCKER: Speaking to Mr Corbell's amendments, we can accept amendment No 1. I understand the argument from the government that the investigation is about a proposal, not a recommendation. I do not have a problem with that, particularly if the government wants to clarify and qualify it by saying that it is a proposal, not the government's recommendation. It is of some concern. It makes me wonder a little about the extent to which the government is committed to this proposal, but I accept the argument.

The second amendment deals with a broader issue. This motion presents the government, I believe, with an opportunity to demonstrate that it will not, like the last government,

put the public transport needs of Gungahlin at the bottom of the heap. But the second amendment is the sort of bureaucrat-speak that neglected citizens have learned to recognise as code for doing nothing in particular, or business as usual. If you look at the government's proposed alternative wording, the government wants the motion to call on the government to ensure that the integrated transport plan facilitates improved service delivery across the city, including Gungahlin. What sort of commitment to action is that?

If the government is successful in having this amendment incorporated in the motion, although it does not appear that it will be, where is the real commitment to meeting the public transport needs of the people of Gungahlin? In the original motion we put forward the wording that the Assembly calls on the government "to make the public transport needs of Gungahlin residents the first priority for its sustainable transport plan".

While we understand that the government has to govern for all residents of the ACT, rather than those of a particular area, where is the real harm in identifying the clearly unmet needs of the Gungahlin community as the first cab off the rank, because that is where the immediate need is, just as the government did with the inner north in determining priorities for the neighbourhood planning process?

Here is the government's opportunity to show the Gungahlin people its commitment to meeting their needs. If you think that the suggested substitute wording does that, I believe that you are sadly mistaken. Equity does not mean treating everyone the same; it means recognising the differences and fixing them up. We will oppose the second of the government's amendments.

MRS DUNNE (4.49): Apart from the fact that Ms Tucker has said that she thinks that amendment No 1 is acceptable, I would be inclined to oppose it; but Ms Tucker has exercised her prerogative and I will not dwell on that, except to say that it really seems to show that the minister's announcement of a proposal last week was little more than a stunt. He certainly does not want to be committed in any way to his announcement of last week, which does make me confident in the view that he made this announcement because he had to say something about hot issues in public transport and they came up with something off the back of an envelope, made a couple of overheads and that was it.

I cannot and the Liberals cannot support the second amendment for the same reasons as Ms Tucker has given, that is, because it downgrades and diminishes the apparent and very obvious needs of the people of Gungahlin for transport. Their needs are much greater than those of anyone else because the services provided to them are so paltry in comparison with what is provided elsewhere.

The people of Gungahlin are very much Labor's forgotten people when it comes to transport and it is time that this Assembly stood up for the people of Gungahlin and recognised that this area is very much in need of a whole range of transport options. Mrs Burke has spoken about the need for the road. There has been a deathly silence since before Christmas on what is going to happen with Gungahlin Drive and Gungahlin Drive will be part of the transport options; it is unavoidable. Ms Tucker and the Liberals disagree on that and we will have to continue to agree to disagree on that, I suppose. But the most important thing that most come out of this debate today is a recognition of the particular needs of the people of Gungahlin and we will not be supporting the Labor Party's second amendment for that reason.

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Amendment No 1 (**Mr Corbell's**) agreed to.

Amendment No 2 (**Mr Corbell's**) negatived.

MS TUCKER (4.53): I will be brief in wrapping up the debate. I thank members for supporting this motion. I want to respond to the general proposition that has been put forward by everyone in this house except me that we can have a sustainable transport policy and change in culture while still building a freeway. That is a fundamentally flawed proposal, in my view. We have just talked about the cultural change that is necessary to move people into public transport. That process would be set back significantly by further facilitating car use by building another road. In my view, that is a fundamental problem with the approach that is being taken by everyone else in the Assembly.

However, having said that, I will move on to a point which Mr Corbell made and which I want to pick up because it is related to my first point, that is, that the government has improved the attractiveness of public transport in Gungahlin. I give them credit for that. It is really interesting to note how the initiatives that the government has already implemented have resulted in an increase in patronage, which is a hopeful sign. It says to the people who say that you are never going to move people out of their cars that they are wrong. It really is important to make the public transport option more attractive to people. Ms Dundas or someone else referred to the fare go scheme.

Mrs Cross: I talked about public transport attractiveness.

MS TUCKER: Yes, but I was talking about the fare go scheme.

Ms Dundas: The way to go scheme.

MS TUCKER: Sorry, the way to go scheme, which is another that is facilitating a pick up in public transport. Ms Dundas raised cycling as an alternative and I think that that is a really important aspect of urban transport that needs to be stressed in any plan. We are talking about public transport at this point in time—you can certainly take that into account with public transport—but the capacity for cyclists to use light rail is important because they can take their bikes onto a carriage. That is also an aspect of the attractiveness of light rail. I will not go on any more; I will just thank members again for their support.

Motion, as amended, agreed to.

ABC and SBS funding

MR HARGREAVES (4.56): I move:

The Assembly requests the Chief Minister to advise the Federal Government that the Assembly supports the triennial funding submission 2003-2006 of the Australian Broadcasting Corporation (ABC) and the Special Broadcasting Service (SBS).

With both the ABC and the SBS in the process of negotiating their triennial funding with the federal government, I thought the Assembly should take this opportunity today to express support for our public broadcasters. I note the absence of people from seats across the chamber, Mr Speaker, but I will not do anything beyond saying that.

I should say at the outset that I am a big supporter of public broadcasting and always have been. Public broadcasting plays a crucial role in informing and entertaining our community. It provides an independent voice free from commercial and political interference. The public knows when it consumes media from the public broadcasters that it will not be tainted by sponsorships and under-the-table deals. There are no cash-for-comment scandals associated with the ABC and SBS.

As we in the political game know only too well, the media plays a significant role in our democratic process. Media organisations have the power to influence public debate and policy outcomes and maybe even make and break governments. That is an enormous responsibility and why it is very important that there are well-resourced and independent voices in the media.

The ABC has performed this role for over 70 years. The corporation delivers an amazing array of local, national and international services for the \$675 million per annum it receives in government funding. These include: a national television service with local news and current affairs, the four national radio networks—Radio National, NewsRadio, Triple J and Classic FM; local radio—666 ABC Radio in Canberra; a comprehensive internet presence with over one million pages of content, including a significant amount of ACT material; international broadcasting through Radio Australia; 24,000 hours of independent news and current affairs per year; 13 international news bureaus; and two digital multichannels, ABC Kids and the youth channel Fly.

Mr Speaker, it is important to stress just how much the ABC does with its funding and how much local content it provides in the ACT. The ABC is the only TV station providing a seven-day a week local news service in the ACT, *Stateline Canberra* is the only local current affairs program on Canberra television, and 666 ABC Radio is the only news and talk station that provides local content throughout the day.

During the recent bushfire crisis, the ABC was a vital source of information to Canberrans, with 666 ABC Radio providing 10 days of emergency broadcasting during the crisis. On the weekend of 18 and 19 January, the station was on air for 12 hours straight without taking any networked programming. Indeed, for the past two years, the ABC has been the designated broadcaster in times of national emergency when other communications have been down.

There is no doubt that Canberra would be a poorer community without the ABC. In fact, Australia would be a poorer nation without the ABC. Numerous surveys have shown that the Australian public agrees with these sentiments. A recent Newspoll found that 91 per cent of Australia believe the ABC provides a valuable service to the community.

I understand that the ABC is seeking an extra \$250 million over the next three years in its funding submission. This \$250 million is needed to meet cost pressures associated with the move to digital television, to establish new multichannels and to ensure the continued development of quality Australian content.

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The move to digital television will be costly, but it will open up a whole new range of opportunities for the public broadcaster, not least of which is the prospect of multichannelling, whereby extra channels are broadcast on the existing TV spectrum using digital technology.

For example, the ABC are proposing the introduction of a new information channel, ABC Daily, with hourly news updates, documentaries, sport, weather updates, regional coverage and parliamentary debates. ABC Daily will give the Democrats an unparalleled access to the minds and hearts of Canberrans. I know that I can look forward to the support of Ms Dundas and of the very cheerful Mrs Burke, who is sitting across the chamber. I thank her for being the sole Liberal—

Mrs Cross: Excuse me, what am I, chopped liver?

MR HARGREAVES: I shouldn't address interjections, Mr Deputy Speaker, but I was about to acknowledge Mrs Cross. However, I am always wary of Greeks bearing gifts.

SBS is hoping to keep the existing World News Channel and SBS Essential on air and establish a world arts and entertainment channel. The managing director of SBS, Nigel Milan, has put forward a request for an extra \$112 million over the next three years. SBS currently receives \$78 million per annum in government funding and generates around \$20 million per annum in advertising.

At 5.00 pm, in accordance with standing order 34, the debate was interrupted. The motion for the adjournment of the Assembly having been put and negatived, the debate was resumed.

MR HARGREAVES: Mr Deputy Speaker, I am heartened that people are so riveted to this speech that they do not want to go anywhere. I appreciate that so very much on behalf of multicultural activities.

SBS is highly respected for the quality of its creative output, the integrity of its approach and its contribution to Australia's multicultural society. When it commenced broadcasting in the early 1980s, SBS brought multiculturalism into the lounge rooms of ordinary Australians. Its charter calls for the delivery of multicultural and multilingual services that provide a credible source of international analysis for all Australians and the encouragement of a shared sense of belonging and harmony.

The SBS funding submission states that there has never been a time when SBS has been such a critical service for the benefit of all Australians. In light of current world events, who would disagree with this statement? SBS needs to maintain and consolidate its current funding base to enable it to continue to provide the level of services expected and demanded by its audiences. It is estimated that SBS television reaches 58 per cent of all Australian homes in an average week—that is, nearly 8 million viewers.

Mr Wood: Oh, get out!

MR HARGREAVES: It is true, and most of them are from a very diverse cultural background.

Mr Wood: That many!

MR HARGREAVES: One of the ministers disagrees. There is no doubt that the SBS has delivered quality and innovative programs and services to the Australian public. It deserves our support, Mr Deputy Speaker.

The extra money the ABC and SBS are asking for is not a huge ask. Total funding for the ABC and SBS accounts for around three-quarters of one per cent of the total Commonwealth budget. The federal government can accommodate the modest requests of the ABC and SBS over the next three years. If they do not, it will be a political rather than an economic decision.

I understand that the managing director of the ABC, Russell Balding, has stated that, without the increased funding requested in their submission, the ABC will be forced to cut current programs and services. Do you know what that means, members? You are going to get less for your 8c a day. I reckon that during the bushfire crisis the Canberra community—the shadow minister for emergency services will definitely back me up here—got well over 12c a day from the ABC.

I am concerned that the Canberra content, including television and radio news and current affairs, could be at risk. It would be a tragedy if these fledgling services were to suffer cutbacks or withdrawal. Having lost two commercial TV newsrooms and the *Valley View* community newspaper and witnessed the merger of radio newsrooms, I do not think the Canberra market could stand any further cutbacks.

The federal government has to realise that the public broadcasters play a major role in our region. They face additional costs in the move to digital broadcasting and multichannelling. They must be funded to meet these costs or something will give. I fear that it will be Canberra programming and Australian content.

In conclusion, the ABC and the SBS deliver a comprehensive and far-reaching media service to all Australians. It is a service that the Australian people value highly and we should show our support for both organisations here. The one beautiful thing about the ABC and the SBS is that they are not for sale, they are not for hire, and they are all-Australian. Let's keep it that way.

MRS CROSS (5.05): I rise to talk about one aspect of Mr Hargreaves' Trojan motion—I mean motion—and that is the importance of multiculturalism in our society and the unique and significant role that the Special Broadcasting Service plays.

I know, Mr Deputy Speaker, that you are a great advocate of multiculturalism in this country. Multiculturalism is not simply the introduction into Australia of people from other countries; it is also the opportunity for Australian-born citizens to have their lives enlightened and enriched by experiencing the culture, language, diversity and perspective of people from around the world, including those from Aboriginal and Torres Strait Islander backgrounds. It is this variety that SBS delivers to all of us in the comfort of our very own lounge rooms.

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Since its inception under an act in 1991, SBS television has gained a steady increase in viewership and is now watched by almost 8 million viewers at least once a week—and most of those watch soccer, I understand, and Greek movies. Around 70 per cent of all households tune in to watch SBS at some time during the week. SBS's special mandate is to reflect the multicultural nature of the broad Australian community and to provide multilingual programs that inform, educate and entertain the whole of Australia.

Members interjecting—

MR DEPUTY SPEAKER: Order! Mrs Cross has the floor, the airwaves, or whatever.

MRS CROSS: Mr Hargreaves, I am supporting your motion. It would be good if you just did what Mrs Dunne said you should do. Although it broadcasts in more than 60 languages, most programs are easily understood by all Australians because of subtitles in English. In this time of worldwide instability, SBS has given us all the chance to see events as they happen—

Members interjecting—

MR DEPUTY SPEAKER: Order, please!

MRS CROSS: The pot calling the kettle black. They will never learn. SBS has given us all the chance to see events as they happen and to judge for ourselves the opinions of overseas leaders as these events occur.

It is through such programming that SBS is able to increase the awareness of the contribution that is made by those diverse cultures from every corner of the globe. Today, SBS is highly respected for the quality of its creative output, its integrity and its contribution to our multicultural society. It celebrates diversity and promotes understanding and harmony.

In conclusion, I am supporting Mr Hargreaves' motion, in particular in regard to SBS, in relation to the triennial funding submission 2003-06. If we wish to remain serious about multiculturalism, we have to remain serious about the Special Broadcasting Service. It is rather disturbing, however, to see that, of the 17 members of this Assembly, only six are in the chamber. It will be interesting to see how many of those not here come out in the year and a half before the next election trying to win multicultural votes by saying that multiculturalism is important to them. It is very good to see Mr Pratt here.

MR DEPUTY SPEAKER: Are you drawing attention to the state of the house?

MRS CROSS: I would expect Mr Pratt to be here.

Mr Pratt: My wife would expect me to be here.

MRS CROSS: Exactly. It is disappointing, however, to see how many members of the government are not here. Mr Hargreaves, it is disappointing to see that your front bench is not here to support your motion.

I have not focused on the ABC, although I do enjoy watching it from time to time, especially my favourite show, *Stateline*. The ABC needs to air Greek movies to increase its eclectic viewing audience. This Helen will not, however, be bringing that Paris, aka Mr Hargreaves, any Trojan gifts any time soon, although being wary of crossing this Helen is rather prudent.

MS DUNDAS (5.10): I am delighted to participate in this debate and support the motion moved by Mr Hargreaves. The Australian Democrats are strongly committed to keeping the ABC and SBS independent and fully funded. The ABC and the SBS are vital sources of independent, impartial and, most importantly, Australian news, information and entertainment programs and they must remain strong, free from government interference and fully funded so that they can meet their charters.

I thank Mr Hargreaves for allowing this Assembly to show its support for our national broadcasters as they go cap in hand to the federal government. The ABC's request for triennial funding seeks a small increase on the current base funding and seeks to consolidate the position of the ABC within the Australian community and provide more quality content to more people. The managing director, Russell Balding, said in his media release of January this year, "The days of the ABC doing more with less are over."

Since the Howard government came to office the streamlining of the ABC has continued. Since 1996-97 the ABC has reduced corporate support costs from 13 per cent to 8 per cent of total costs and there have been some highly-publicised workplace reforms through enterprise agreements. Over at SBS, we are hearing that the acclaimed *Business Show* is having to seek corporate sponsors, which is causing much industrial unrest.

Why should our public broadcasters have to seek corporate support to run their shows? While the SBS does have some advertising, it does provide a special service, particularly to our multicultural Australians who have chosen to make Australia their home, as well as native-born Australians who understand that the world really is a bigger and more diverse place than the American media would suggest.

The ABC is hoping to increase the levels of Australian content in the area of children's and youth programming, something that has been called for by many families, and also to extend the transmission of Triple J to a further 16 regional communities. That is a very important issue on behalf of the ABC, but there are many who live in this broad land of ours who do not even have basic access to the national broadcaster and its national youth network wing, Triple J.

Triple J provides some incredibly important programs to people in regional Australia, including the *Haywire* program. The initiatives it takes in supporting local, unsigned music groups are an important part of the entertainment and social framework across Australia do need to be supported.

The global trend towards the concentration of media ownership, particularly in Australia, makes the maintenance of our national broadcasters, which are free from government interference and independent of commercial influences, which is even more important. Historically, the ABC and SBS have been significant sources of programming which is independent, innovative and reflects the diversity of cultures in Australia. They are a

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vital source of independent news, current affairs, information programs and local drama. They also provide state and local perspectives on news and current affairs which are not shown on nationally-networked programs and they also do, as stated today, provide an important service during times of crisis and need.

Just as a postscript, I wish to restate that the Democrats support the independence of the ABC and SBS boards. The Australian Democrats have introduced legislation in the Senate to establish a joint parliamentary committee to oversee ABC board appointments. That would mean that Don McDonald, Michael Kroeger and Peter Reith would still be able to apply to be on the board, but I just wonder whether they would get there on merit alone.

I am certain that this motion will succeed, hopefully with unanimous support, indicating just how important the SBS and ABC are to all Australians and the ACT community.

MRS DUNNE (5.14): I wish to speak briefly in support of the motion. The Liberal opposition supports the notion of having independent and adequately funded public broadcasters. We have always been committed to the ABC and we have always to remember that the SBS was, in fact, an initiative of the Fraser government and that the principal architect of the SBS as it currently exists and has always existed is the present member for Kooyong, Petro Georgiou. So these are Liberal initiatives which we are happy to support, but I would like Ms Dundas to tell me as a mother where I can go in Australia and not hear Triple J, so that I can have break from time to time.

MS TUCKER (5.15): Mr Hargreaves has explained why the ABC and SBS require a significant boost in funding in order to be competitive in the digital broadcasting environment and to provide a multichannel service. The Greens support strong, independent public broadcasting, and the ABC has an enviable reputation as an independent broadcaster. We also support diversity in broadcasting, and SBS is a world-leading player in bringing cultural diversity to television broadcasting.

Broadcasting, of course, is an area of Commonwealth jurisdiction and the Assembly cannot expect to have a great deal of influence over Commonwealth funding decisions and policies in this area, but we certainly have a right and responsibility to make our views known on this issue and to represent our constituents in this matter.

The Greens are fond of the notion of thinking globally and acting locally, and this is a good case in point where global and national considerations are very much linked with local ones. At a time when we, as Australians, can be seen to be more and more subservient to United States interests economically, politically and militarily, the last thing we want is to allow ourselves to be any more culturally subservient to the US than we currently are. More importantly, despite our present subservience to some aspects of US interests, an active and independent cultural identity in this part of the globe can only assist us in maintaining healthy international connections.

At a local level, the Canberra community values very highly the independent broadcasting provided by the ABC, both in local news and current affairs and in the treatment of national and international issues. In addition to news and current affairs, the community also values the local content in drama and other programming provided by the ABC.

SBS provides a valuable service to both Canberra and the broader Australian community by enhancing the diversity of the viewing experience for us all and by catering specifically for various ethnic communities. For these reasons, we see it as appropriate to support Mr Hargreaves' initiative to advise the federal government of the Assembly's strongly held views on the value of SBS and the ABC to the Canberra community.

MR STEFANIAK (5.17): It is certainly important that we do get value for money and that any organisation is accountable. That being said, I do have some sympathy with the motion because you do get some quality shows on the ABC and SBS. I have not watched SBS as much as I would like, although my colleague Mr Pratt has indicated that he was a bit concerned when he came back from being in prison in Belgrade that SBS actually relayed the Serbian version of what happened to him. He feels a bit peeved about that. But, that being said, SBS certainly does have some quality shows. As my colleague Mrs Dunne said, the SBS was set up by a former Liberal government.

I do not agree with Ms Tucker on much at all, especially when we are talking about things like global politics and Australia being subservient to the United States. I think that she is mistaken on that. We are in alliance with the United States, but we are in no way subservient. Ms Tucker made a valid point about cultural subservience. American culture is very pervasive. One thing I do like about the ABC is the variety of shows it has. I am a great fan of good old English comedies. The series about Hornblower was an excellent show. The televising of rugby and women's basketball is absolutely great and a real community service.

Having a little block of the land out the back of nowhere but, luckily, reasonably close to the coast, the only station we can get is the ABC; it is on 810 down the coast. It has a fellow with a magnificent voice; that is probably why he was hired. In rural communities especially, that is often the only chance that people have of keeping in touch with the outside world.

I do not know whether the ABC does so any more, but it used to broadcast into Asia and one of the criticisms during the liberation of East Timor by Australian forces was that the service had been cut. It was a valuable service which was providing unbiased news in countries which otherwise doctored the news service at the whim of the regime in control at any particular time. It is a service that not only the ABC but also the American ABC and the BBC could provide. I think that it is important that governments continue to support the provision of such services, especially free Western democracies.

MR PRATT (5.20): I had not intended to rise to speak to this motion, but I shall for the record. In terms of SBS being accountable, I quite like SBS and I certainly like the ABC. They do provide good services to the community, although I do question why 75 per cent of the ethnic communities in this country do not watch SBS. That is a fact, as the latest ABS statistics point out.

Mr Hargreaves: They watch their bit of it.

MR PRATT: No, they do not watch any of it at all. That may go to the heart of whether the SBS is felt by the ethnic community to be fully serving their interests. You may also then question how the remainder of the Australian community feels about SBS in terms

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of whether it is objectively reflecting and representing the views and the needs of the ethnic communities.

I think that there are some questions around that. Nevertheless, we will always try to support the provision of extra resources for SBS. Grudgingly, I will have to support Mr Hargreaves' motion, but might I point out that I did have occasion to write to the chairman of the board of SBS about 18 months ago to complain about SBS bias in a particular case which involved me being in prison overseas and how, through two *Dateline* programs and a couple of news programs through late 1999 and 2000, it had quite voraciously reflected the Serbian government's—I repeat, the government's—point of view about my particular drama and what they thought I was.

Mr Hargreaves: It is as bad as the rugby, Steve.

MR PRATT: Something like that, yes. In the same breath, SBS deeply criticised CARE Australia, a fine Australian/international non-government organisation. I would like to record here today that that has been the only concern I have had with SBS. Otherwise, I do wish it well in its battle to gain more resources.

MS MacDONALD (5.23): I rise today in support of the motion by Mr Hargreaves calling for the Assembly to express to the federal government its support for the triennial funding submissions of the ABC and SBS. I strongly support the funding submissions. The ABC and SBS provide unique services to the Australian community, services which are very much supported and appreciated by a great many Canberrans. I would say that that was definitely shown at the rally which I attended in support of the ABC in 2001. There were literally thousands of people rallying in support of funding for the ACT.

SBS contributes to the diversity of Australian culture by enabling Australians to experience high-quality programs sourced from overseas as well as by providing local programming in a variety of community languages. SBS adds an international dimension to broadcasting that is not available through other networks. The ABC and SBS are essential sources of information and cultural content for people of diverse backgrounds, particularly those who are housebound due to illness, disability or carer responsibilities.

Canberrans want and deserve a media which is diverse and of high quality and which responds to their desire for a mirror of their community. Not only do we want to know what is going on in Canberra and gain information about our own community, but also we want a forum in which to voice our opinions. That, however, is not the exclusive domain of public broadcasting services.

The government recently provided two submissions relating to the Australian Broadcasting Authority's report on the adequacy of information programs on regional commercial television services. The submissions called for the introduction of tougher conditions for regional television licences. We want television stations to meet their obligations to the community in return for the right to have a commercial television licence. That means that we want the people who provide television and who are not public broadcasters to connect with their local communities, which we do not believe they are currently doing.

The outcomes of the ABA's report have not yet been finalised, but an additional licence condition has been proposed requiring a more substantial devotion of air time to broadcasts of local significance, news and information. Together with the continued financial support for the ABC and SBS, this would undoubtedly provide services of greater local interest to the ACT.

The convergence of the telecommunications, IT broadcasting and media sectors is increasing. It is important that adequate federal funding be provided to assist public broadcasting services with digital broadcasting and online technologies. Telecommunications and IT-based initiatives from the public broadcasters provide increased opportunities for members of the community, including the more disadvantaged groups, to obtain information and services through computers and television.

This access and exposure also enable members of the community to become more familiar with electronic technologies and better able to obtain and access information and services in our information society. That, in turn, allows them to participate more fully in our community.

I think that the Assembly should support the motion by Mr Hargreaves—I am pleased that all speakers who have risen today have been doing that—and send a strong signal of support for both the ABC and the SBS to the federal government. I strongly support, and I know that this government does, public broadcasting services and ask the Assembly to support the motion today calling on the Commonwealth to support the ABC and SBS triennial funding submission for 2003-06.

MR HARGREAVES (5.27), in reply: I would like to pay tribute to the collective wisdom of all of those members in this chamber who have recognised the value of the ABC and the SBS, particularly the gushing and effusive support that Mr Pratt has given to this motion. I think that his unqualified and unequivocal support for the motion and the intent that I bring to this issue is really encouraging and I shall do it again because I know that I can get his instant support.

I commend the motion to the house. It is interesting that Mr Pratt should bring up the issue of being portrayed in a particularly nasty light by an SBS program. There are only two reasons I can postulate for that. One is that he was a particularly nasty person and they told the truth, but I do not think that that is true because of his effusive support for this motion. The second one is that, like the rest of us, he will get belted in the media rather nastily from time to time. They get it wrong; nonetheless, they treat all of us with the same contempt, whether we are in the public arena, whether we are football players, whether we are politicians or whether we are real estate agents engaging in gazumping.

The one thing that was not mentioned is the fact that the ABC sets the high jump bar for standards. Mr Stefaniak quite rightly pointed to a couple of programs where the standard is actually there and the commercial broadcasters have to get over them. I wanted to put that on the record as well. I am a bit iffy about the rugby, I have to tell you. I am really upset that I can't watch Collingwood play on the ABC. My favourite channel and my favourite team don't seem to get together.

Mrs Cross: What about *Stateline*?

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MR HARGREAVES: I have yet to see a Collingwood match scheduled for *Stateline*, but I look forward to that.

Mr Pratt mention that 75 per cent of the ethnic community does not watch SBS. I have not seen that evidence; I would love to see it. It could be that, with the diverse nature of SBS, people are very selective about the language programs they access. I am not because I actually read the captions at the bottom. I look at quite a lot of it. I would love to see the evidence, so Mr Pratt might like to provide it later.

I thank members for their support. I reckon that if the federal government listens to us and people like us, we might get our 8c a day plus SBS.

Motion agreed to.

Bushfires—prevention education

MR PRATT (5.30): I move:

That noting the Chief Minister's call for more education on fire prevention, and noting that the ACT bushfire season remains current, that this Assembly calls on the Government to immediately implement the following:

- (1) Emergency Services Bureau bushfire prevention information and emergency management briefing programs in those bushland suburbs deemed vulnerable to bushfire; and
- (2) mandatory Emergency Services Bureau/Education Department bushfire prevention and safety measures programs in all schools.

Mr Deputy Speaker, the full range of lessons arising from the circumstances leading up to and surrounding the 18 January bushfire disaster have yet to be identified. Hopefully the investigations and inquiries which are planned will vigorously pull out all those lessons—but I doubt, without an independent inquiry, that all of these lessons will be realised.

However, clear gaps are emerging in emergency planning and preparations regarding the provision of information, education and contingency planning where it really matters in the fire-prone suburbs and in our schools. Indeed, these gaps were clearly recognised last year when the opposition looked at the lessons arising from the Christmas 2001 fires. We vigorously encouraged the government to adopt mandatory bushfire education in government schools. This was rejected by the government and some members on the crossbenches. Late last year we introduced the concept of bushfire prone suburbs briefings and contingency planning. Indeed, the Emergency Services Bureau made it pretty clear to me in November 2002 that they favoured this sort of proactive contingency planning.

As I have said repeatedly, any bushfire prevention programs will minimise the need for our fire units to turn out to fight fires. It will not eradicate their having to do that but it will minimise the effort. That is a fundamental tenet of emergency management. We have good front-line fire fighting units and a lot of enthusiastic people but I have always

felt that the ACT community has been ill-equipped in terms of its emergency management preventative measures.

We do not have professionally conducted mandatory fire prevention education programs in schools, and we have not had proactive programs in vulnerable suburbs, and it is time we adopted such preventative strategies. For the purpose of this discussion, I would include villages and rural settlements in the definition of fire prone suburbs.

Mr Deputy Speaker, there is already very clear evidence that the most vulnerable streets in Chapman—including the ones which were actually destroyed—did not ever receive visits from emergency services personnel during the fire season. While I am not as clear about this with respect to Duffy and Holder, I would suspect that this may well have been the case there, too. The jury is still out on that, though.

It is a routine practice in the emergency management business that planners and operators conduct reconnaissance in the areas they think may be subject to threat. I have no doubt that the emergency services were very thorough in their reconnaissance of, planning for and preventative measures in bushland, forest areas and rural areas, but perhaps the urban interface may simply have been overlooked.

Reconnaissance and planning bushfire contingencies in suburbs is, in my experience, very important and is best undertaken in consultation with residents, and that does happen to some degree in some fire-prone suburbs in north-western Sydney, for example. This type of activity is confidence-building stuff. It is confidence building for the residents as well as for firemen who may have to return if and when an emergency arises. I would, therefore, propose that the gaps in the system with respect to the Chapman experience immediately highlight the need for urgent measures that can be implemented without waiting for the completion of any inquiries.

I stress, Mr Deputy Speaker, that this is not about having a crack at anybody: this is all about identifying and moving to improve systemic weaknesses. That is more important than playing chase the header. To this end, I call upon the government to immediately introduce a robust program of suburban emergency management briefings into those suburbs identified as being bushfire prone as a proactive means of preparing the community for bushfire contingencies.

In parallel, I call upon the government, again, to ensure that mandatory bushfire education programs for government schools, coordinated jointly by the Education Department and the Emergency Services Bureau, are immediately introduced. I would also like to see the government offer such a program to all non-government schools—it is not mandatory but the offer could, and in fact should, be made.

The ACT is still in bushfire season and, therefore, there is some urgency for the government to have a look at this and perhaps implement something soon. Certainly, the next bushfire season is not that far away so there is not that much time anyway to implement planning for emergency management.

Mr Deputy Speaker, I would like to refer to the concept of a fire-prone suburbs program. The concept would see emergency service units, directed by the Emergency Services Bureau, visiting highly vulnerable streets in vulnerable suburbs, door-knocking residents

and offering community briefings. The briefing program would involve street groupings in the most vulnerable streets, as identified by the Emergency Services Bureau, or perhaps groupings of a number of co-located streets, gathering as communities to meet with fire unit teams to discuss contingencies for their areas.

Residents would need to agree to join in the briefings. If they did not agree then at least the authorities would be comforted by the fact that they had offered the best services possible. This is an important element of this proposal. This would not be mandatory for residents but it would be mandatory for the Emergency Services Bureau to ensure that all individual residents and their formal, or informal, community groupings were contacted and formally offered the program.

If this means that the Emergency Services Bureau signs off on the residents of Bloggs Street, for example—if I can pull a mythical street out of the air—as a bunch of uncooperative chaps who do not want to get involved, well then so be it. At least they will have tried and at least they will know that they have done their best. If an individual in a street where residents do not want to get involved seeks the services of the Emergency Services Bureau then that individual should be offered appropriate services.

Mr Deputy Speaker, there are four components to this proposed program. The first is an advice to the community of the likely bushfire threats confronting their community area; a description of the possible directions that fire paths approaching that community might take with respect to the differing weather pattern scenarios; and advice to the community of what the community might do with respect to mitigating local bushland fuel loads, ensuring that streets are open for emergency vehicles, et cetera.

Secondly, fire units would undertake to carry out safety audit inspections of individual houses and offer advice to house owners on what preparations to undertake—for example, cleaning of roofs and yards, moving a wood pile; perhaps a street could apply to have a fire-prone dangerous tree cut back; the fitting of metal fly screens to windows, et cetera.

The third component in this plan is that fire units, preferably with community police in attendance, would brief community groups on worst case evacuation procedures. With police advice, they would identify the “routes out” plan for evacuation—that is, the best vehicle and pedestrian escape routes, and these would differ for each separate fire weather scenario. Evacuation control measures would be planned, keeping in mind that in thick smoke and the mayhem of a firestorm, calm and well rehearsed evacuation plans will save lives. Perhaps neighbourhood evacuation marshals and guides could be appointed.

Fourthly, the fire units would consider the provision of basic street fire kits to willing communities. Again, communities would need to voluntarily accept such kits and would need to be prepared to store them in a secure but very accessible place—for example, in somebody’s property. This plan would need to involve the training of those communities in the use of such street fire kits. The kits might involve the use of fire hoses and stand pipes. I would stress that the provision of street fire kits would not abrogate the responsibility of fire units to attend fires in those streets and would essentially be only a supplementary measure.

Mr Deputy Speaker, it might be considered that willing communities which already have in place Neighbourhood Watch committees would use these committees as a basis for developing their bushfire fighting community teams. They may seek to employ fire wardens and evacuation guides, et cetera. The Emergency Services Bureau would design the most appropriate models.

An association of fire units, dedicated to suburban areas, would also be advantageous. This would develop an operational partnership and would lead to smoother operations in the mayhem of firefighting. Of course, such dedication cannot be guaranteed because you cannot lock fire units easily into operational zones. To do so would mean the alleviation of operational flexibility. However, in the winter and spring months approaching the bushfire season a dedicated support for fuel reduction burn-offs, training and safety audit purposes would be valuable.

Fire units that go into suburbs such as Duffy, Holder, Isaacs and O'Malley, and suburbs on the north side, would be able to rehearse actions that they might need to take at the height of a fire disaster four or five months down the track. They would become familiar with the suburb and the people and, importantly, they would know the ground.

Mr Deputy Speaker, I again call upon the ACT government to ensure that mandatory bushfire education for all government schools is established and that the same service is offered to all non-government schools. *Hansard* is peppered with my calls for what at least I think is a very important initiative, so I need not go back into the detail of all that. You will recall that such a program would be designed primarily to teach preventative skills to children to better safeguard our bushland and suburban fringes. It would also be designed to teach emergency and safety procedures for children caught up in a bushfire situation.

I can recall the experiences of the three daughters of a very good friend of mine whose house was destroyed in Chapman. They said that in the five different schools they have been to over the last 12 years, they really had not had any decent education about bushfire preventative measures. They told me that had they been given the information perhaps they would have been able to better handle the situation and assist their parents on the afternoon of 18 January.

Mr Deputy Speaker, the program, as I have previously proposed, would also contain an element of combating youth arson. This would be delivered through the mainstream program so that youth at risk are not necessarily singled out. Intervening early in the school life of children would minimise the risk that children who might be prone to do silly things later in life might be impressed enough to think twice about such activities when they mature.

Mrs Gallagher, in a question on 20 February—

Ms Gallagher: Ms Gallagher, Mr Pratt.

MR PRATT: Sorry, for some reason I have got “Mrs” written down in a number of places.

Ms Gallagher: Yes, you've got it written everywhere.

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MR PRATT: I do apologise to Ms Gallagher. I did not mean to upset you. In a question on 20 February about what formal fire education programs exist in the school system, Ms Gallagher advised that there are fire brigade conducted programs available for kindergarten to Year 1, and there are arson programs available for Years 3 to 16. However, the K to 1 program is more about building fire safety, about how children cope in either school fires or fires at home; it does not seem to have much of a bushfire element to it. Additionally, it should be noted that these programs do not appear to be compulsory.

It is clear that a sprinkling of schools across the ACT do, however, undertake very good robust bushfire preventative programs. They do that annually. They ensure that all of their children go through the same type of activity each year with the program being ratcheted up, depending on the age of the class. So they build on the previous education.

Mr Deputy Speaker, I am convinced that a general bushfire education program would be effective in concurrently reaching into the hearts and minds of youth at risk, as well as in ensuring that all school children are better prepared for the sorts of challenges they might need to face during a bushfire season. (*Extension of time granted.*)

Mr Deputy Speaker, the sort of education and rehabilitation that might be undertaken after the event to deal with youth arson is another subject and one that I intend to come back to this place with perhaps a few months down the track. I would like to deal with this very important issue as a separate issue.

What I am proposing will certainly cost the government, because undertaking mandatory activities in suburbs which are identified by the Emergency Services Bureau as being at risk will entail perhaps even paying volunteers to provide this service. This may need to be done to make sure that they get to those suburbs and cover the areas that need to be covered.

In conclusion, can I say that prevention is better than cure—of course, that is a fairly well used proverb but in this case it is absolutely true. Firefighters would prefer to engage in preventative planning with residents in vulnerable suburbs, not because this guarantees eradicating the risk but because the risk will be reduced. If our firefighters can work up front to help with preventative measures, we just might minimise or at least lessen the amount of time they will need to spend on the fire ground.

We are the bush capital, and Canberra by and large is a pretty dry place during the fire season. Those are the conditions in which we live. In city planning terms, we will always want to continue to have a city that has a strong bush content and a fairly robust bush interface. I am sure our residents will continue to want to live in that type of environment. It is therefore important that the government adopts an emergency management plan which includes the sorts of measures that I have proposed: the developing of professional information, education and audit programs in vulnerable suburbs; and the development of mandatory bush fire education in government schools, and offered to all non-government schools, for all years of schooling.

The government has a duty of care. The community has a responsibility to look at how it can best minimise risk and it must be as well prepared as it possibly can be to face the

types of disasters seen on 18 January. In our risk management thinking we must consider that bushfire disasters of a similar magnitude—perhaps never quite as bad as that, but disasters nevertheless—will revisit the ACT community, and we do need to be as well prepared as we possibly can be.

MR WOOD (Minister for Disability, Housing and Community Services, Minister for Urban Services, Minister for Arts and Heritage and Minister for Police and Emergency Services) (5.48): Mr Pratt, as he has done in the past, has made a number of comments about this matter, some of which are fine and some of which I would sound some caution about. However, he tended to cover most aspects.

As a teacher over many years, I was much accustomed to good ideas being brought up and to being told that our schools ought to doing this, that or something else. I can tell you, our schools are pretty busy. You could do a lot more if you wanted to extend the school day. That might please some parents but I think we need to think most carefully about what we do in schools.

I want to comment initially on schools, which was one of the aspects mentioned by Mr Pratt. What happens in schools is generally based on centuries of experience and certainly, in more recent times, on a great deal of research. What happens in schools is based on good evidence. I have not yet seen any evidence that trying to teach a kid not to light a fire can work. Where is that evidence? It sounds great, and I know Mr Pratt has very carefully and properly spelt out the difficulties and the circumstances around those children who actually like to light fires.

Let me give you an example of what happened when I was education minister. Unfortunately, at various times, such as during school holidays, there is vandalism around our schools. We had an agreement with the media that they would not report vandalism which was not of a major nature because we knew that such reporting could very often lead to more such incidents. I might say that that conclusion was not heavily based on research; it was pretty much based on anecdotal evidence and experience. So just talking about something does not necessarily mean that it is going to be successful.

I certainly agree with what Mr Pratt said about children being taught at school to be aware of the dangers of fire and that they should be taught what to do in circumstances where perhaps they are alone and are confronted by fire. I do not have any difficulty with that. But I heard him make quite a lot of comment about mandatory bushfire education, and I just want to sound a note of caution. I am just not convinced. But by all means alert children to what they might do to ensure their own safety.

Gosh, I can go back to my days at primary school when we had air raid drills and that sort of thing. Do you remember those days, Mr Deputy Speaker? We had contests to see how long it took us to get down to the trenches that had been dug, to the shelters, or whatever. I am not sure we should go to those lengths. In most circumstances, I would expect children to be under the care of their parents and they should take their advice. But there may be circumstances when they are caught out. Perhaps something untoward may occur at home and they are on their own. I have got no objection to some awareness, but I am very nervous about the concept that we can teach children—and I do not think Mr Pratt is saying this—not to light fires. I just do not think that can happen.

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I concede that it is probably a good idea to look around the ACT more broadly, beyond the schools, to see if we have got a really concerted approach to education. I know—and I reported this in response to a question today—that around about September I did the obligatory early summer promotion stunt of alerting the community to bushfires and the need to clean up their backyards and that sort of thing. It was a big event. On that occasion we launched a substantial manual which contained several years of work on who is responsible for hazard reduction in all the areas of Canberra. So we had a big launch.

Not only that, but Environment ACT did a great job around Canberra. I know that at the back of Mugga Way, for example, there was very significant growth which was often contributed to by residents. So we took out the pines that were close to fences and we cleared the underbrush. We told some of the lessees who had infringed onto the nature park area, “Get rid of it.” They all complied, and subsequently after the January event they were very happy that they had.

So there is a lot of informal education. As I say, it may not be as clearly expressed, outlined and established as it might be. So by all means let us do a bit of that. I think if we can look at it and work those issues through there might be some great benefit.

There is a deal of other activity. The ACT Fire Brigade has been delivering a fire education program in schools. I cannot tell you just how extensive and consistent that is, but it is very much about personal safety. The program was developed from a Melbourne initiative which was progressed through a good, sound education background. It is basically aimed at what children should do in the case of fires in homes.

From time to time, ACT bushfire volunteer brigades do their bit, and that is probably random, ad hoc; it is probably not heavily organised. As much as a promotional effort as anything else, they go to community events and they sometimes visit schools. Over the years ABC television has done some programs in this area. So there is that deal of activity.

I understand that Chapman residents—and this is a part of what Mr Pratt was talking about—did invite their local rivers brigade to advise them ahead of the bushfire season and that session informed the residents of the measures that they could take. Mr Smyth, I do not know what the outcome of that was, and I do not know whether in some circumstances it might have saved some properties—

Mr Smyth: It saved a life.

MR WOOD: It did, you reckon?

Mr Smyth: I know it did.

MR WOOD: Mr Smyth might have something more to say about that program. But that is the sort of thing that has been happening. Admittedly, it is not a widely organised thing covering the whole interface, if I can use that word, between the bush and the urban areas.

I think it could be beneficial to take a closer look at these issues. I think that perhaps a bit more cohesion could come into it and we should be aware of some of the issues. However, I might sound a note or two of caution: do not expect that just talking to children and even introducing programs will necessarily bring about a change in some students. This may well be beneficial for the majority of students but it will not have that impact for some students.

MS GALLAGHER (Minister for Education, Youth and Family Services, Minister for Women and Minister for Industrial Relations) (5.57): I move:

Omit “that this Assembly calls on the Government to immediately implement the following:”, substitute “that this Assembly calls on the Government to report on the potential to implement the following measures in its consideration of the reports of the Coroner and McLeod inquiries into the January 2003 Bushfires:”.

The government supports the general thrust of Mr Pratt’s motion. However, I have circulated an amendment which I believe makes the motion a better motion. The amendment supports the sections (1) and (2) of the motion but says, “Let’s look at these in terms of what the other inquiries are finding out as well; let us have a more considered approach rather than immediately implementing these.”

As far as I can see, the evidence to introduce a curriculum change in respect of bushfires is not necessarily apparent at the moment, other than we have had a bushfire. To immediately implement a change of that nature to the curriculum seems a bit knee jerk when we have not looked through the issues. Certainly, developing appropriate curriculum for our students is a specialised skill. I think the issues Mr Pratt raised are worth considering but we need to do so in terms of our whole response to the inquiries relating to the bushfires in January.

The schools already have a variety of programs in place, and Mr Pratt has alluded to some of them. They are designed to develop students’ understanding and values around community issues, including safety. I guess the point I would make, though—and Mr Wood has made it already—is there is not enough time in the day to cover every aspect of young people’s lives. We are already teaching children a wide range of health and wellbeing issues, from nutrition to drug education. We are encouraging children to be more active and take part in exercise. We are teaching our students about citizenship, road safety, driver training, sex education, and personal safety issues. All of these are on top of the core business of teaching the eight key learning areas—English, arts, health and PE, languages other than English, mathematics, science, studies of the environment and technology. So, as you can see, our students are already pretty busy with their curricula.

As I have said before, this is also a matter of community education, and not just solely the responsibility of the schools. Policy and information packs on emergency and disaster planning have been distributed to all school principals. A critical incident planning for schools policy is issued by the department. This policy is supported by government-wide policies, such as fire safety and emergency procedure; it is also supported by the *Emergency/Disaster Planning for Principals* handbook. This handbook, which all schools have a copy of, provides guidance to principals on how to plan and respond to emergencies, analyse hazards and risks, look at evacuation planning, assess

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danger and react during emergencies. The handbook contains specific advice on responding to fires, including bushfires.

All schools are also required to have a critical incident management plan and this plan must be reviewed annually. The plan has to include preparation, training, practice drills and procedures for immediate response as well as post-incident management; preparation of an emergency contacts list and development of procedures for all excursions; and implementation of an emergency evacuation drill at least twice a year.

We have also scheduled a further review of the critical incident policy in light of the bushfires in January. Since the bushfire in January, meetings have also been convened to provide support and assistance to principals, teachers and students affected by the bushfires. Information packs have been distributed, as have regular updates via emails.

Help in how to support families who have lost loved ones and homes has been provided to school communities. Also, extra counselling has been in place at particular schools since the beginning of the term this year to deal with some of the issues that the children affected may have. This is being constantly reviewed to make sure that those counsellors are in place where they need to be. Schools are also well equipped with guidance and policies to prepare, plan and react to critical incidents.

I support what Mr Pratt is trying to do—to look at whether there are gaps in the system and whether bushfire prevention strategies need to be taught in schools. I just think we need to be a little more considered about whether this is the right way to go. I want to see some evidence that such a program would be the right way to teach children about bushfires; whether it is the school's role.

As I said, I think we need to recognise that curriculum development is a very specialised skill and we cannot just decide that children need bushfire education because there was a bushfire in January. This does not support a change to the curriculum to the extent that Mr Pratt is seeking. So I cannot support the motion as it stands. The government will support the motion as amended by my amendment.

MR PRATT (6.03): I will not be supporting Ms Gallagher's amendment simply because I do not think we can wait for the outcomes of the inquiries which are now under way and which will take some time to be finalised. I think the community can pretty much identify that these types of measures need to be taken. I think they are pretty clear cut. There is a lot of feedback that these types of programs are quite viable, are needed, and we do not need an inquiry to tell us that much. Certainly, we do not need an inquiry to answer a thousand other questions. I believe that we can now get on with implementing the programs that I am recommending today.

MR SMYTH (Leader of the Opposition) (6.04): Mr Speaker, we had a debate on this very issue before the Christmas break, and at that time, if my memory serves me right, the government said, "Look, there are programs, they are in place, and it is adequate". I think what Mr Pratt seeks to do today is to simply say that in the light of what has happened and in the light of comments that have been made I think probably to all of us—certainly to members of the opposition—many people do not feel there was enough information around.

To highlight the value of additional information, I was at the briefing Mr Wood spoke about that was organised by one of the residents of Chauvel Circuit. She invited her neighbours, and one of them said to me, “Brendan it’s on, do you want to come?” So I went along. The units from rivers brigade attended; I think there were some parks units there. They explained the procedure of what might happen should a fire occur; what response could be made and the sorts of things residents could do to attempt to fireproof their house or land; and how to escape if the fire became uncontrollable. I will check with the lady but I am sure she said that she believed that the briefing actually led to the saving of a life because they knew what to do when the house exploded and everything was on fire.

So the value of this sort of briefing to one street is clearly evidenced by the fact that people were able to use the information on the day. I think it was intended to follow up and have more and more neighbourhood briefing so that people could become very comfortable with what was required and what might happen in their locale, so that they would be able to cope better and so as to make sure that what happened may not have happened.

This one small incident illustrates the point that this briefing was possibly responsible for saving one single life. But what could we have done if we had more of these sorts of briefings across the board in the suburbs that were endangered?

I do not think it is fair to limit this discussion, as the Minister, Ms Gallagher did, to just schools. It is a much broader issue. There are two issues in the motion: one is about the suburbs that fringe the bushland and the other is about education in all our schools. Yes, you are right in one sense—we should wait for the outcome. But the coroner’s results probably will not be known for two years. The McLeod inquiry will report at the end of June, but we will have lost several months to reinforce this message in our schools. Although we would acknowledge that the pressure on teachers is great and curriculums really are quite full, Canberra is the bush capital and the only thing that is certain is that parts of Canberra will burn again.

I have been to fires on and off for 10 years at the same block of land in Monash, at same hill in Oxley, and at the same lump of pines on the Monaro Highway. The reality is that, because of their very nature, these sites burn regularly. What we need to do is educate particularly young people as to the impact of lighting fires. Also, we can certainly help adults, parents and older people in the community to be well able and well equipped to cope with what goes on in their area.

There is a large amount of educational material out there. I do not believe there is any need to reinvent the wheel. The CFA has some excellent material, and so have some of the other fire services, and it would not be hard to make this information more widely available.

We raised this issue before Christmas because we thought, based on the predictions, that it was going to be a bad season. Nobody had any idea how bad the season would end up. We now have an opportunity to begin to be a little bit more proactive, and I think with that in mind it is quite appropriate that we should implement immediately the matters contained in the motion.

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I do not believe that waiting would be of great benefit. We could start the educational process and, as we get input from McLeod and then from the coroner, it would be more than acceptable to add value to the fabric of what we are doing in the community and our schools.

I think Mr Pratt is quite right: we should oppose the amendment. It is quite interesting that Ms Gallagher says, "Show me the evidence". If there is no evidence that the education was not necessarily effective, why then is the education being carried out now? I think the previous minister said before Christmas that we had adequate programs in place. Surely they were put there because of the evidence that was available. The evidence is even more real and more stark now—you only have to drive around the suburbs to see it. With that in mind, the opposition will oppose the amendment because we think there are things that can be undertaken immediately.

One of the other things that come to mind is that I know my brigade and all the other brigades do things on request. They visit pre-schools, schools and school fetes and give demonstrations of what a fire truck looks like. The relationship that the brigades have built up with several of our local schools has led, over the years, to volunteers, as they get to the age of 18, joining the brigades. Some of the guys used to run—I do not think they do it now—a cadet program. They ran a cadet program at one of the local high schools for kids under the age of 18. They would teach some basic firefighting skills to kids who were interested. This was aimed at kids that teachers said might benefit from a bit of extra curricular activity and the guys in my brigade were certainly very happy to go down to various schools and do that. I think that is important as well.

So I think there are a number of things that can be done immediately. I think we can later on roll into the training anything that might come out of McLeod or the coroner, and so build up a total, systematic, thorough education system about the dangers of our bushfires, both for suburbs and individuals. But I think we should be starting now.

MS TUCKER (6.10): I will be speaking to the motion and the amendment. Firstly, I appreciate what Mr Pratt is attempting to do with this motion, which is one of several on the notice paper dealing with bushfire-related matters. Each of these motions takes a different approach to addressing the issues raised by the bushfires. We all want to do something to help us learn the lessons and deal with the causes, but none of us has the total or perfect solution. Our contributions have to be coordinated and complementary if we are to work together effectively. We want an approach that deals with both the specifics of the recent bushfires as well as the broader planning and environmental issues that these events have raised, even if that means we have to wait a little while rather than determine the course of action right now.

Mr Pratt's motion calls for immediate implementation of, firstly, prevention information and emergency management briefing programs in vulnerable bushland suburbs. Mr Pratt may or may not be aware that there have been similar recommendations on the agenda since 1995 through the various reports that have been produced by the Task Force on Bushfire Fuel Management Practices in the ACT. I will read specific recommendations from the 1995 report that I think are particularly relevant. The third recommendation is:

ACT government land managers, in consultation with the residents, give priority to fuel reduction and to bushfire safety awareness education for residents in the identified high hazard areas, eg those referred to in ... ;

The 16th recommendation is:

Education programs be implemented to inform the public of the bushfire risks in the ACT, the need for hazard reduction burning and the inevitability of some impact from smoke;

The 21st recommendation is:

The Chief Territory Planner, on the advice of the Chief Fire Control Officer of the Bushfire Service, be responsible for the declaration of urban areas as bushfire hazardous areas;

The 22nd recommendation is:

The Building Code of Australian standards and guidelines relevant to bushfire prone areas be adopted in the ACT and the building control authority ensure their application in declared bushfire hazardous areas;

The 23rd recommendation is:

Urban edge guidelines be revised by Public Works and Services taking into account bushfire hazard assessments; and

The 24th recommendation is:

The revised guidelines be applied where feasible to all existing and future urban edge areas.

If you look at those recommendations you can see that they do not so much deal with emergency management, which is in the first part of Mr Pratt's motion, but they deal with prevention. You will see that they require other supporting work, and that is obviously about what zones are declared bushfire-prone areas et cetera. That is work that is being undertaken by the government at the moment. I think it is logical that that work has to be done to support those sorts of recommendations. These recommendations are calling for that work, and that is why I do not think it is practical to have a motion that calls for something to be done immediately.

I agree that these recommendations should have been progressed. They should have been progressed by the previous government and they were not. I strongly believe, and I have already said so in this place, that they need to be progressed now. Mr Corbell has responded in terms of the processes that this government has outlined for determining areas that are vulnerable. I am not totally happy with this but I am watching with interest.

Emergency management briefing programs are slightly different, except that there was reference in this work to the inevitability of some impact from smoke, and I understand that to mean burning off. So the emergency management question is slightly different. I will be supporting Ms Gallagher's amendment because I think these are good ideas and

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work needs to be done. But I do not think it is possible to do the job properly if we do it immediately.

Mr Pratt also wants immediate action on mandatory bushfire prevention and safety measures programs in all schools. I am concerned, as are Mr Wood and Ms Gallagher, about also calling for that to happen immediately. According to the Minister, we do have some programs in the schools, and Mr Pratt and Mr Smyth have some anecdotal evidence about what they perceive to be the adequacy of that.

I can give anecdotal evidence and suggestions as well. I have spoken at a number of schools and, on the question of arson, I have asked young people, "Would further and more intense education on the dangers and prevention of fires have an impact on young people who may have tempted to light them?" Overwhelmingly, the young people said that would not make a difference.

That is anecdotal only, and I am not claiming it is definite evidence. My point is that this is a complex area, and I think it is very important that we give the educators the responsibility of determining what is appropriate, what is useful and what is constructive. For that reason, I think we need to take time to make sure that what we do is not counterproductive.

I think it is important that programs have the full benefit of the knowledge that will have been accumulated through the inquiries that are under way, particularly the McLeod inquiry which, according to the timeframe, is to report in June. I understand that Mr Pratt and Mr Smyth do not think that is soon enough. I understand that the government wanted June because they want to get information in time to prepare for the next bushfire season. I support the caution that has been expressed by the government rather than going ahead immediately and half cocked with something whipped up at Mr Pratt's instigation.

However much we might support the intention of Mr Pratt's motion, unfortunately it does seem to pre-empt the work that is going on. It is jumping the gun by proposing specific actions before these inquiries, and the McLeod inquiry in particular, have been given the time to look at the evidence and deliver well-considered conclusions and recommendations based on the evidence. In my view, this is not a good way to create public policy.

Mr Pratt said in his presentation that he was identifying systemic weaknesses and improving them. With respect, I think it requires more than Mr Pratt to identify systemic weaknesses. That is why I think we need to have a more thorough investigation. I think it is very important to do it right and in an integrated way rather than simply doing it now just because that, on the face of it, seems to be a good idea.

As I said, if we let the inquiries, and the McLeod inquiry in particular, do their job, we will be able to act with confidence on the findings. It is not as if we will be waiting a long time. I understand it is also intended that Mr McLeod will be consulting with the coroner's inquiry, so that could produce useful information.

I repeat: I appreciate Mr Pratt's intention in moving this motion. I look forward to working constructively with everyone in the Assembly to develop sound and positive initiatives for bushfire prevention and better preparedness.

MS DUNDAS (6.19): Mr Speaker, I will be addressing both the substantive motion and the amendment. We are talking about what has become a very debated issue in this chamber—the bushfires and how we respond to them. It was and still is a quite traumatic and emotional time. We all have a sense of what needs to be done, almost what should have been done, and we all wish to contribute to that debate.

We have before us in the form of Mr Pratt's motion some very sound ideas about how we can progress education on fire prevention, and I think through the debate this afternoon we have all agreed with the importance of education on fire prevention and how to deal with bushfires. But how that education is put out and received is something that I believe warrants further investigation.

I was concerned about the section in Mr Pratt's motion that relates to the school curriculum component. As we all know, our school curriculums are incredibly crowded with subjects that were once considered to be the responsibility of parents to impart to their children, but we now recognise that schools have a greater social role than just imparting algebra. This means that the curriculum is incredibly crowded.

We have to consider what is most beneficial to students in the ACT, and how we can best impart that knowledge. The education union has informed me that bushfire education was already being incorporated into curriculum, specifically through the Birrigai outdoor school programs; that the department has planned to include bushfire education in the curriculum; and that following the events of January, that content was to be expanded.

Every ACT public school student usually has the opportunity to participate in a program at Birrigai, and this will include bushfire education. The Birrigai services are also extended to Catholic systemic schools and other non-government schools. I am sure that the bushfire education component will be part of the broader consultation that the current minister had spoken about with the rebuilding of Birrigai and the continuation of outdoor education and outdoor school programs, which we know are an important part of new learning methods for our young people.

So, in a sense, I believe that the second part of Mr Pratt's motion is already under way—that we are already looking at how bushfire education needs to be included in our school curriculum; how it already is included in our school curriculum; and how that can be expanded.

There are concerns about making our houses and our living environments safe from bushfires. I guess they will never be completely safe, but it is incredibly important to consider how we can impart knowledge so that residents are aware of what they can do in event of a threat and how they can get an understanding of how emergency services will disseminate information, and the first part of Mr Pratt's motion relates to that.

I think we need to further explore whether briefings are the best way to go. Some people respond well to one-on-one information; and some people will not be able to attend one-on-one information sessions. But the flip side of that is: do we want to spend hundreds of thousands of dollars writing to every householder informing them of what to do if a bushfire approaches? All of these things need to be considered.

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As the Chief Minister has informed us again and again, inquiries are looking into this. I am not necessarily 100 per cent happy about how those inquiries are going to operate, but they are under way and let us use the information that we will get out of them. Hopefully, the bushfire fighters themselves will be able to be part of those inquiries. Residents will be able to put forward their feelings and ideas about how they would have liked to have received information that would have helped them cope with the events of 18 January, and the best way to help them deal with future bushfires. But let us not pre-empt the outcome of those inquiries.

Hence, I will support the amendment moved by Ms Gallagher in that it does recognise that there is a lot of work being done in this area. We need to take note of that work and, hopefully, together as a community, educate ourselves as much as we can about bushfires and other threats that will have an impact on this city.

Amendment agreed to.

MR SPEAKER: The question now is that Mr Pratt's motion, as amended by the Gallagher amendment, be agreed to.

MR PRATT (6.24): Mr Speaker, a number of interesting points have been raised. I take the point raised by Mr Wood that school time is precious. I understand that it is a real challenge to find the time to squeeze anything else into the curriculum. But I would stress again that as we live in a bushfire-prone bush capital we have to try and find one hour per year per child for this type of fire education.

Secondly, I acknowledge the good points raised by Ms Gallagher and Ms Tucker with respect to the recognition of the danger of talking to children about arson; of how it is so difficult to reach into the hearts and minds of youth at risk and try to deter them; and the danger of talking about any form of bushfire education. I know that this is clearly an issue that has to be addressed. But I just ask the question: what is the alternative to doing what we are doing now, which does not seem to be too much at all?

I would hope that these kids will be reached somewhere in a proactive bushfire prevention education program. Certainly, we cannot single those kids out. We cannot identify and pull those kids to one side and say, "Okay you little beasts, we think you are potential arsonists, so we are going to educate you." Of course we cannot do that. But we just hope that through a proactive education program they can develop a love for their environment and they can learn and understand the implications and the dangers to people and infrastructure if they do silly things later on in life. We would just hope that sinks in, and I think that at least this is an initiative worth looking at.

Ms Gallagher talked about the critical incident management plan that schools are required to have. Of course, that is a given. All organisations, all institutions, must undertake that form of emergency management safety training and safety preparation. But that program, certainly in schools, does not include bushfire prevention training as a mandatory activity, so there still is a need for a stand-alone activity.

The minister of education said that she would like to have a look at these programs and see how relevant they are. Her predecessor pointed out to me last year that there are

bushfire prevention programs available in the education system which schools can tap into, so somebody has recognised a use and a need for that type of training somewhere. I would commend the minister to check those out and hopefully look at taking those on board as a mandatory—

Mr Corbell: She said that. The minister has said that.

MR PRATT: She said that when?

Mr Corbell: Just now.

MR PRATT: Thank you, Mr Corbell. You are being so helpful today. Mr Speaker, if planning was under way to include bushfire education at Birrigai, as pointed out by Ms Dundas, then I welcome that.

Ms Dundas: It is part of the program of outdoor education.

MR PRATT: Yes, that is fine; that is when the Birrigai program gets back up and running again. But it still begs the question: what about bushfire education for secondary students? There is still a need that has to be met there. I was not aware that a mandatory education program had already been put in place at Birrigai. If that is the case, we would certainly welcome it.

Mr Speaker, it is not good enough for any responsible authority in the ACT or, for that matter, any other jurisdiction in this country—and I am talking about suburban bushfire prevention programs—to ignore the concept of proactive preventative bushfire emergency planning in our vulnerable suburbs and our vulnerable townships. I believe these programs should have been implemented years ago. I thank Ms Tucker for pointing out that there are recommendations going back to 1995 by various committees that have identified these as issues that need to be addressed. I would, therefore, support her call to the government to move on with those recommendations and see that they are implemented.

Mr Speaker, scarce resources and under-trained firefighters are challenges that will need to be overcome, but they cannot be obstacles to the implementation of these types of suburban programs. I think those are challenges which can be met. We cannot accept the loss of more lives and property.

It can be well argued that residents can be better prepared and their losses reduced if they are instructed by experts in respect of preparation, particularly evacuations. I believe that if residents in front-line streets are at least taken through the principles of evacuation, instructed to pack essential belongings, advised where to locate cars for an easier controlled evacuation, and briefed on the fine timing between how long to stay to fight a fire in and around their property and when they must choose to abandon their property, they will stand a better chance of getting away with more of their precious possessions and belongings.

Mr Speaker, clearly the amended motion will get up. I would be quite happy if Minister Wood and Minister Gallagher, who put forward the amendment, could undertake—I will not ask them to guarantee—that the issues dealt with by the various inquiries will be put

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into practice in time for the 2003-04 bushfire season. We would be quite happy if that is the government's intention.

Mr Speaker, I commend at least the amended motion, and hope that we will see improvements to the ACT's emergency management planning in time for the next bushfire season.

Motion (by **Mr Pratt**), as amended, agreed to.

Mental health outreach workers—proposed recruitment

MS DUNDAS (6.33): I move the motion standing in my name on the notice paper relating to the recruitment of mental health outreach workers.

That this Assembly, recognising the need for more Mental Health Outreach Workers to provide support for people leaving emergency accommodation, calls on the ACT Government to make the recruitment of more Mental Health Outreach Workers a high priority for the 2003-2004 financial year.

As I am sure this Assembly is aware, I am not going to take the whole 15 minutes to present my case.

This motion calls on the government to make the provision of more mental health outreach workers a high priority for the next financial year. I have moved this motion because I am concerned that the government has not properly recognised the urgent need for increased funding for outreach workers. As few as three or four additional workers would make a significant difference to the unmet need.

Since 1999, the Canberra Schizophrenia Fellowship has been calling for government funding of an outreach program to provide home visits and organised outings for those suffering from mental illnesses, but their calls have so far been ignored. The Women's Centre for Health Matters, in their submission to the status of women inquiry, noted that, due to poor mobility and financial capacity, women in poverty often have difficulty accessing existing counselling services. An outreach service was recommended as the model to help isolated women suffering from depression and stress.

The homelessness needs analysis received submissions from supported accommodation providers and clients who stated that increased support was needed for people making the transition from supported accommodation to independent living. They identified a need for case conferences to coordinate support across services. They also identified a need for workers with cross-disciplinary experience in drug and alcohol counselling, mental health support and homelessness.

The consultation paper for the affordable housing taskforce also identified the need for outreach workers to support people with mental illnesses living in ACT public housing. The homeless men inquiry of the community services and social equity committee heard evidence from the Canberra Fathers and Children's Service that some fathers presenting at the crisis accommodation service could be just as effectively assisted through outreach services, if they were available.

The final recommendations of the Status of Women in the ACT report, the needs analysis of homelessness in the ACT, and the report on accommodation and support services for homeless men and their children, all called for more mental health outreach workers, yet we still have not seen any new positions created.

Many people become mentally ill or stay ill longer because they cannot maintain stable housing, yet many people are discharged from hospital or leave crisis accommodation before they are in a financial or psychological position to locate or maintain appropriate housing. It simply isn't socially responsible, or even cost effective, to have people cycling through or slipping through our crisis services.

I have heard that, this year, hundreds of people have already been turned away from our crisis accommodation services. These crisis accommodation services are reporting that these are people they have seen before—that people are going through a tragic cycle of spending time in the crisis services, getting things together, but not having extended support as they move back into the community. Hence, they lapse back into crisis and end up knocking on the doors of the crisis services again.

Our crisis services are stretched to breaking point—that cannot be denied. There are many ways in which we can assist our crisis accommodation services to support people in need. An easy answer is more beds, but the provision of outreach workers is an important aspect of that. They help people who are not currently in crisis, either as they are moving out of crisis or before they are counted as being in crisis. I think that is a far better solution, as prevention is better than cure in working through social problems, and that is part of the aim.

We know outreach workers with expertise in mental health will provide support for people before they find themselves in crisis, and help them to make the transition to a self-sufficient life. The workers will be able to provide counselling and the practical help people need, such as assistance in dealing with rental arrears, finding employment and getting medical treatment.

Sometimes people move on from crisis accommodation, before their lives are stable enough to enable them to maintain their new situation. If they are not given support, they are back at the doors of the crisis accommodation services within a few months. We must take action to break this vicious cycle.

I think this Assembly, this government and the former government have heard sufficient evidence—there have been countless reports, submissions and activities of lobbying by SAPP services—from people who have been through crisis accommodation and from people who provide support to our community, that, a priority, outreach workers are needed. I hope the Assembly will support this motion, so we see more mental health outreach workers engaged, as soon as possible—and in the 2003-04 financial year.

MRS BURKE (6.38): I give my full support to Ms Dundas's call for the government to act quickly to recruit more mental health outreach workers. I believe that, at this stage, in the order of three or four would be very helpful. We have had enough of government rhetoric, and there have been enough reviews. Now is the time for action. It is time to listen to the community and meet the unmet need.

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A serious and ongoing issue is the availability of properly qualified professionals to work with people experiencing some form of mental health problem who are able to move from specialised facilities, such as Hennessy House, into their own homes and into the community. This is the ultimate goal—to see individuals living normal lives and contributing to the community.

A key issue with this process is to ensure that these people are supported by appropriate networks of family, mental health professionals and other appropriate people, and that they are encouraged to remain in their home environments and develop their lives in the local community. It is essential that such people have effective relationships with families, carers, and mental health professionals. Such people require large supportive networks, to ensure there are no relapses, a large measure of nurturing and encouragement along the road to total recovery.

The major issue, however, with this, as with virtually all other matters of public policy, is funding. Mr Speaker, I would suggest that an investment of around \$300,000 is a small price to pay for the support of fellow human beings.

One important aspect related to funding of people being treated for mental health problems is to facilitate their moving into their own homes or like accommodation. This strategy also frees-up places in expensive, specialised, public facilities such as hospitals—and other facilities.

An integral component of this overall approach is to have sufficient people to provide the crucial networks of support and professional assistance. Of course this takes substantial funds, especially for salaries and associated costs—but is \$300,000 a big price to pay?

Mr Speaker, we should remember that the previous Liberal government provided considerable funds in its 2001-02 budget for mental health outreach workers, including \$212,000 for vocational rehabilitation, \$292,000 for mental health services—particularly case management for aged people—\$120,000 for home-based outreach for young people, and \$186,000 for indigenous mental health workers.

A focus of all our activities with regard to mental health is young people. As a program on ABC television last evening emphasised, when investigating people with psychoses, early intervention and treatment is invaluable and likely to be more effective than treatment in later years. Key activities in this strategy, when dealing with younger people with mental health problems, is to work with them in their home environments using, as necessary, health professionals.

I can speak from experience of a family member who was fortunate to have a good network of family support during his long road to rehabilitation from heroin use, through to drug-induced psychosis as a result of the use of marijuana and alcohol. He is now a happily married man with children but, without the underpinning of a strong support network, the story could have been very different. People often need a hand up, not necessarily a handout.

I will refer to three quotes from Ms Dundas's media release. Firstly, it says, "It simply isn't socially responsible, or even cost effective, to have people cycling endlessly

through our crisis services.” Absolutely. Secondly, “Outreach workers with expertise in mental health provide support for people in need before they become people in crisis, and help them make the transition to a self-sufficient life.” Thirdly, “We have had enough of reports and reviews, it is the time for action.”

Mr Speaker, funding for extra outreach workers is a necessity, not a luxury. This is surely a case of prevention being better than cure—Ms Dundas alluded to that. There are sure to be cost savings if this government would urgently consider the funding of new mental health outreach workers. Transitional support is vital to establishing networks and long-term housing for these people.

Crisis mental health and housing solutions are very costly, once a person is allowed to go down the slippery slope. We should certainly look at other jurisdictions in relation to this matter. Adelaide and Melbourne have combinations of models using transitional housing managers in such facilities as Hanover, Anan, St Vincent de Paul and the Salvation Army, working well together. With these examples there is, I am told, a greater capacity for a flow-through for clients, which does not put them in a treadmill situation within the system.

Another important aspect of this issue is the role of specialist non-government community organisations. They are being placed under enormous pressure at this time. The government should stop dithering now, make a decision and act to meet the need. Organisations, such as the Mental Health Foundation and the Canberra Schizophrenia Foundation among others, require adequate funding to support the provision of their services within the community.

I have pleasure in supporting this motion, Mr Speaker, and urge other members to do likewise.

MR CORBELL (Minister for Health and Minister for Planning) (6.44): I thank Ms Dundas for raising the issue of mental health services in the ACT. It is a sad legacy of the seven years of the previous Liberal government in the ACT that, in comparison with other states and the Northern Territory, the ACT was ranked last in the nation in its per capita expenditure on mental health for 1999-2000.

The Commonwealth, in its National Mental Health Report last year, published this figure. This report uses 1999-2000 figures, which are the latest available comparative figures. It shows that, in the ACT, mental health expenditure was 18 per cent below the national per capita average. That is the legacy of the previous Liberal government. Mrs Burke would do well to recognise that.

The National Mental Health Report 2002 also stated that population growth in the new suburbs of Canberra required augmentation of existing services to meet increased demand.

Since coming to office, the Stanhope Labor government has made mental health a high priority. Members should be aware that it was an ALP election commitment to spend an additional \$1 million on mental health. In fact, we did far better than this in our first budget. The government increased funding for mental health services recurrently by \$2 million in the 2002-03 budget—and that was in these areas, Mr Speaker.

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There was an additional \$466,000 for child and adolescent mental health service enhancement; an additional half a million dollars for the CALCAM adolescent mental health day program; an additional \$300,000 for psychogeriatric care; an additional \$85,000 for Mental Illness Education ACT; an additional \$326,000 for Calvary Mental Health Growth in-patient throughput, and an additional \$322,000 for Older Persons' Mental Health Service expansion.

Besides that, during the course of the year, it was decided that, from the \$1 million allocated for respite care in the 2002-03 budget, \$105,000 would be allocated currently to Respite Care ACT for the mental health respite care program, and \$100,000 worth of one-off funding to Carers ACT for the Carers of People with Mental Illness project.

Ms Dundas calls on the government to make the recruitment of more mental health outreach workers a high priority for 2003-04. The government recognises that this is a legitimate call for further support. What is not clear from Ms Dundas's motion is exactly what sort of outreach workers or services she has in mind.

Does she mean outreach visits in the community setting, from one of our nurses or social workers, or a clinical member of a regional Mental Health ACT team? Or does she mean outreach in providing a worker in supported accommodation, like a group house? Does she want clinical staff or non-clinical community workers? Does she want the government or the non-government sector to do it? Does she see that the need is amongst young people, women, indigenous people, or in all of these categories?

I would like to illustrate the complexity of the service delivery issue by giving some illustrations. For example, Mr Speaker, the ACT government currently funds Centacare to the level of \$123,000 per year for the home-based outreach for a young people with special needs project. This project assists a minimum of 15 young people, aged 12 to 25, with mental illnesses and complex needs, to maintain stable accommodation.

However, we find a different type of service at Inanna, where the government provides \$130,000 for medium-term accommodation for women, with or without children, who are experiencing crises. Inanna also provides information, advice, outreach services and workshops.

Additionally, the government funds the Richmond Fellowship to the tune of just over \$400,000, to provide accommodation and support to 14 people living in group houses. It also provides outreach support to another 19 people living in their own accommodation. The program is transitional, aiming to have people living independently of the service after a period of time. There are different services, different service models, and different needs. The challenge for government is to decide which is the highest priority and which kind of service best meets identified needs.

Mr Speaker, we need to develop a strategic approach to mental health service development. The government's approach is about the rational, planned and consultative development of a comprehensive service system in collaboration with the community. This is why, late last year, the Chief Minister, Mr Stanhope, as Minister for Health, announced the development of a new five-year mental health strategy and action plan for the ACT. Preparation of the plan is already well underway. It is being overseen by a

broadly based steering committee which includes consumers, consumer advocacy groups, carers, clinicians, the government, and non-government service providers.

Only two weeks ago, around 30 consultation sessions were held with groups all over the ACT. Information about the project was posted on the ACT Health website, and anyone in the community can have input into the plan by putting a comment on the site.

In developing a new strategy and action plan, the government will take into account community and consumer needs. This will not be just about outreach workers for people leaving crisis accommodation. It will also cover mental health promotion, prevention and early intervention work force planning needs, which is critical to address where any new services are being planned. Just as importantly, it will examine the critical interface between health programs and other areas of human service provision which impact on people's mental health.

The new strategy and action plan will assess the needs of the most vulnerable in our community, including youth and others at risk of mental illness. It will also address emerging and existing needs, such as depression, anxiety, self-harm, suicide and the dual diagnoses of mental illness and drug and alcohol problems.

Mr Speaker, we are going about the business of planning and delivering mental health services in a strategic, consultative way. We want to get this right. We want to make sure that, above all, consumers, carers and the broader community are satisfied with the approach. As a government, we want to get the best value and best outcomes from the resources we have to allocate. That is why we will work with the community to determine these priorities. I do not think it is in anyone's interests to bypass the community and respond only on specific issues.

Mr Speaker, the proposition from Ms Dundas is nevertheless one which highlights that area of need. I have sought today to outline how the government has already worked to address mental health issues, and what its long-term strategy is to address these issues. I welcome Ms Dundas's call for these extra resources. I will certainly consider those, as will my colleagues, in the context of developing this year's budget.

MRS DUNNE (6.51): I rise to speak in support of Ms Dundas's motion. Having listened to the minister, I suspect he was a bit out to lunch. Ms Dundas was quite clear that she was not being prescriptive about what she wanted, but was leaving that for the budget consultations.

For those of us who have been talking with members of the community about this need, there is no doubt that there is a need for this sort of outreach in the ACT community. It is a factor we have seen year in and year out, through State of the Territory Reports and other publications. The ACT—government in and government out—has always been one of the worst possible performers at getting people out of assisted housing and into unassisted housing.

Our performance at funding people through SAPP and into independent housing is not very good. This is one of the mechanisms we could use to make the system better. As Mrs Burke has said, there are models in other jurisdictions that we could look at and

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adopt holus bolus, if necessary, or adapt to our needs. Nevertheless, there is a significant need here which has been demonstrated time and again in the community sector.

I am concerned at the note in the minister's speech that this is all terribly difficult, and you need to be much more prescriptive about what you want—and we are already doing bucketloads, anyhow. It is time for us, in this place, as a community, sit down and look after the people in our society who are least able to look after themselves—and take on the sensible approach suggested by Ms Dundas today. I commend the motion to the house.

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

Assembly adjourned at 6.53 pm.