



DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

HANSARD

2 April 2003

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The Assembly met at 10.30 am.

(Quorum formed.)

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

Sub judice convention—ruling by Speaker

MR SPEAKER: I wish to make a statement concerning the application of the sub judice convention to a notice of motion lodged by Mrs Cross. The sub judice convention is, as described in the fourth edition of *House of Representatives Practice*:

... subject to the right of the house to legislate on any matter, matters awaiting adjudication in a court of law should not be brought forward in debate, motions or questions.

Mrs Dunne has written to me, asking me to rule whether the notice contravenes the sub judice convention. In her letter, Mrs Dunne makes the point that all of the persons who are subject to the motion to be discussed have had their primary applications to reside in Australia rejected and have taken their cases to the Refugee Review Tribunal. Mrs Dunne has further advised that, should they not be successful, they may take further action through the courts.

In deciding whether to invoke the convention, I intend to follow the same principles that are set out in the 10th edition of Odgers' *Australian Senate Practice*, namely: there should be an assessment of whether there is a real danger of prejudice, in the sense that it would cause real prejudice to the outcome of a case before a court. The danger of the prejudice must be weighed against the public interest in the matters under discussion. The danger of prejudice is greater when a matter is before a magistrate or jury. It should be noted that the Refugee Review Tribunal is a quasi-judicial body which does not rely on a jury.

Having considered the matter, I do not believe that there is a risk of the Assembly prejudicing the issue whilst it is being considered by the Refugee Review Tribunal. I therefore rule that the notice of motion be allowed to proceed.

Petitions

The following petitions were lodged for presentation.

Adoption of children

by **Mrs Burke**, from 304 residents:

The petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that the undersigned wish to register our dismay and opposition to the ACT governments proposal, contained in the Issues Paper dated

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December 2002, to extend the law to allow male homosexual, lesbian and other same sex couples to adopt children.

We ask that the ACT Government maintains the existing law that gives to every child for adoption the right and opportunity to be raised in a home parented by a mother and father.

Adoption of children

by **Mrs Burke**, from 152 residents:

We the members of the Crossroads Christian Church, as citizens of the ACT, have signed this petition to express our dismay and opposition to the ACT Government's proposed *Legislation (Gay, Lesbian and Transgender) Amendment Bill 2002*. We oppose this legislation because it erodes the pre-eminent status of marriage and because it allows same sex couples to adopt children.

We ask that the ACT Government maintains the existing law that gives to every child for adoption the right and opportunity to be raised by a mother *and* father, and that traditional Christian marriage be preserved as the pre-eminent relationship model within our society.

The Clerk having announced that the terms of the petitions would be recorded in Hansard and a copy referred to the appropriate minister, the petitions were received.

Sentencing Reform Amendment Bill 2003

Mr Stefaniak, pursuant to notice, presented the bill.

Title read by Clerk.

MR STEFANIAK (10.35): I move:

That this bill be agreed to in principle.

Mr Speaker, I have detected, over many years, concerns in relation to sentencing in the ACT. I first came across it when I started work as a public prosecutor in 1979. Even in those days, the ACT had a reputation for being somewhat more lenient than other jurisdictions.

However, in those days, it was the exception rather than the rule for a person to receive a non-custodial sentence—that is, not spending any time in jail—when convicted of an offence before the ACT Supreme Court. I have noticed, over the years, that that is no longer the exception. Indeed, it is becoming commonplace for persons not to receive custodial sentences for serious crimes when before the ACT Supreme Court.

Over the years, there has often been criticism levelled by members of the public at what they see as excessive leniency in our Magistrates Court, as well as in the more high profile cases that appear in the Supreme Court.

At the end of the day, it is essential that our community values are reflected by the courts and by the legislation that governs the administration of justice in this area. It is essential that the fundamental right of the community to be protected is recognised; that all the principles of sentencing are adhered to—not just one or two—and that the legitimate rights of the criminal are protected as well.

It is often difficult to strike a balance but, unfortunately, in recent times the pendulum has, I think, swung far too much in favour of concentrating on the rights of the criminal, with not enough emphasis being placed on the rights of the victims and society. Excessively lenient sentencing, like excessively severe sentencing, does no-one any favours at the end of the day. The legislation I intend introducing today seeks to address some of the problems the ACT experiences in sentencing.

Whilst I was Attorney-General, I commissioned the department to look at sentencing patterns and compare those of the ACT Supreme Court with those of the equivalent courts in New South Wales—namely the District and Supreme courts.

For murder offences, it was 100 per cent imprisonment, as one would expect. However, for armed robberies, 67 per cent of persons sentenced in the ACT went to jail, and in New South Wales it was 87 per cent. For break, enter and steal and burglary offences, 30 per cent in the ACT went to jail, and 75 per cent in New South Wales. For sex-related assaults in the ACT, it was 30 per cent imprisonment, and in New South Wales 72 per cent. For the offence of supply and possession of drugs, it was 44 per cent in the ACT and 62 per cent in New South Wales.

You can have as many police on the beat as you like and spend huge amounts of money on preventative schemes. However, at the end of the day, unless your laws are able to properly deter persons from committing serious crimes and the courts are willing to, where necessary, impose strong prison sentences, then the justice system will be brought into disrepute. I have witnessed, both as a prosecutor and as a defence counsel, a lot of anguish about our courts by victims and police, as to what they see as excessively lenient sentences in a number of individual cases. One only has to look at the papers and reports of recent incidents to see that people are very concerned over what they see as excessive leniency in our system.

Since I commissioned the study, which relates to the years 1999-2000, I have followed the papers in the ACT. If anything, the percentage of persons not being incarcerated for serious offences seems to have increased. I recall, for example, a matter about 12 months ago where the police were very happy with a drug bust which netted three persons importing amphetamines into the territory. Only one of those three persons, however, received a term of imprisonment when the matter was dealt with by the courts. The rest were given suspended sentences—that is, bonds.

Of course, we also have the famous Saudi Bill case where, at the end of the day, only one person was sentenced to a term of imprisonment—and that person was not even at the scene of the crime. That was a case which I think everyone found bizarre.

A number of people have assisted me to prepare this bill. I thank parliamentary counsel. I also thank the committee of ordinary citizens, assisted by several lawyers—and also a

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member of the Australian Federal Police Association, who attended three lengthy meetings to go through the legislation and make recommendations.

My bill does a number of things but, specifically, it can be divided into four categories. First, it introduces legislation to enable our new Court of Appeal to issue sentencing guidelines and guideline judgments. Second, the bill brings the maximum penalties for offences in our Crimes Act into line with New South Wales. In fact, in 40 matters, sentences have been increased to bring them into line with their New South Wales equivalents.

I should point out that—if anyone reads this legislation and checks it with the New South Wales act—not all the offences are absolutely identical. In most cases it has been easy to simply lift a New South Wales matter and transfer it to the ACT as far as penalty is concerned, although in some instances that has been harder to do. In some aspects, New South Wales, for example, has more offences, and more specific offences, than the ACT. However, in my bill I have tried to replicate their maximum penalties as faithfully as possible for either the same offence or similar offences.

Third, my bill introduces minimum non-parole periods, similar to those introduced recently in New South Wales by Premier Bob Carr. Fourth, the bill removes impediments to proper sentencing from our ACT courts and introduces several new offences which operate in New South Wales but not in the ACT—namely, three offences in relation to assaulting police, and an offence in relation to car-jacking.

My bill enables the Court of Appeal, on its own initiative or at the request of the Attorney-General, to give a guideline judgment which must be taken into account by courts when sentencing offenders. The guideline judgment may be given separately or in any proceedings the Court of Appeal considers appropriate. The section in the bill sets out how a guideline judgment can be given and enables the Attorney to request a guideline judgment from the Court of Appeal.

Guideline judgments and sentencing guidelines have been working very well in New South Wales for a number of years. Now that we have our own Court of Appeal, I believe it is essential that it has the ability to do this. I believe no reasonable person could possibly complain about a procedure such as that listed in this part of my bill.

The second part of my bill deals with bringing ACT maximum penalties into line with penalties in the New South Wales Crimes Act. I think it is very important to have consistency between jurisdictions. That is especially important between the ACT and New South Wales, given that we are an island within New South Wales, and given that a number of our offenders come down the highway from Sydney. It is not at all desirable for the ACT to be seen as a soft touch. Also, I have heard those opposite say—as we also said on many occasions when in government—that it is desirable to be consistent, wherever possible, with our neighbour across the border—for obvious reasons—in all manner of things. This is especially important in sentencing, with regard to the criminal law.

In this area of the bill, all the maximum penalties for rape have been increased, with the current maximum penalty under section 51 (2)—our most serious offence of rape—being

increased from 20 years to life. That is for what is called rape in the first degree. Effectively, it is rape in company, and one could describe it as pack rape. The increase to life imprisonment is something that recently happened in New South Wales. That was of immense benefit to District Court judge, Justice Finnane, when making his landmark decision.

Mr Speaker, hopefully in the ACT we will never see anything as horrible as a rape like that which occurred in New South Wales, but it is important to copy New South Wales with regard to this most heinous of crimes and make sure there is an appropriate maximum penalty. Incidentally, that applies not only in New South Wales, where they have life for that type of rape, but also to a number of other jurisdictions.

The penalty for manslaughter will be increased from 20 years to 25 years, again in line with New South Wales. Interestingly, it is in line with what the current Labor government is suggesting in the industrial manslaughter bill which is before the Legal Affairs Committee at present.

The penalty for wounding, under section 51, has been increased to 15 years, to bring it into line with New South Wales. The penalty for culpable driving, which has attracted some criticism in recent times from a number of victims, has increased from seven years to a maximum of 14.

The penalties for a number of other offences will rise too, including that of abducting a young person, which will rise from five to 10 years. The penalty for false accounting—a white collar crime—will rise from seven to 10 years, again bringing us into line with New South Wales.

Sentencing in sections 27 and 28 of the Crimes Act has also been adjusted to bring it into line with New South Wales. In certain instances, there has been some extrapolation there. One offence has been removed—section 28 (2) (c). That has been replaced by its New South Wales counterpart as a new section 28A. That deals with the setting of traps.

I cannot recall section 28 (2) (c) ever being used in the ACT. The Attorney might like to correct me if he can find something. I think the New South Wales section adequately covers this matter. At any rate, there are other appropriate laws in other acts which cover similar types of situations in the territory.

The penalties for the neglect of children are also somewhat low in the ACT compared with New South Wales. They too have been increased.

The penalties for all categories of sexual assault have been increased, again to bring us into line with New South Wales, or as close as possible to that state. Again, in the area of sexual assault, there are a few extra sections and subsections dealing with this in the New South Wales Crimes Act, compared with ours. However, I have extrapolated, as closely as possible, the mean and maximum penalties where one ACT offence is similar to, say, two or three specific New South Wales offences.

In a number of areas there has been no need to increase the maximum penalty, as those in both New South Wales and the ACT were the same. Indeed, in some new additions to

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our Crimes Act which reflect discussions on a national criminal code, we are consistent with New South Wales.

From around section 90 onwards, there are some offences which deal with minor theft—that is, the theft of an item worth less than \$1,000. After much reflection by the committee I was working with, these have been omitted. That was on the advice of several lawyers assisting the committee and after the representations, especially, of the Australian Federal Police.

There have been a number of problems associated with the prosecution of these offences. There is a concern that they may not be terribly effective, and I accept that. I think it is artificial to have a different section simply because the value of an item is under a certain amount. Of course, courts can take any relevant factors into consideration. There was a concern that these sections were somewhat superfluous. They have been there for a long time and, on balance, there was not a strong justification to leave them there.

Standard non-parole periods have recently been introduced in New South Wales, by Premier Bob Carr. Mr Speaker, I think it is important that the ACT follows suit here, as they ensure a good reflection of community values and a much more realistic tariff for a middle-range offence.

I stress, as indeed Premier Carr did when he introduced his legislation some months ago, that they are not mandatory sentences. A court can in fact deviate from them, if they feel there are sufficiently extenuating or mitigating circumstances—which in my legislation are defined along the same lines as they are in the New South Wales act.

Standard non-parole periods highlighted in my bill include murder—the special category—which is 25 years, where the offence arose because of the victim's occupation, such as police officer, nurse, teacher, emergency services worker, corrective services officer, judicial officer, doctor or community officer.

Murder in other cases, 20 years; attempted murder, 10 years; gang rape—again section 51 (2)—15 years; intentionally inflicting grievous bodily harm, five years; aggravated armed robbery, seven years. For a good definition of what aggravation is, see my definition in relation to the new offence of car-jacking.

Aggravated burglary—if there is a serious injury caused to the person, seven years; normal car-jacking, two years—or if committed in aggravating circumstances, five years.

One offence that is not in Bob Carr's repertoire is that of burglary. He adds several which I do not replicate—in fact, I have less there than he has. Here, in this bill, if an offender has committed a burglary offence, and been convicted of that in the previous five years, there is a standard two-year non-parole period.

Supplying drugs is of great concern. If someone supplies more than 50 times the trafficable quantity of a drug such as heroin, it will be 15 years; supplying more than 30 but less than 50 times the trafficable quantity, 10 years; supplying more than 20 but less than 30 times the trafficable quantity, five years.

Where a court deviates from the standard guidelines if there are extenuating or mitigating circumstances, it must give reasons for doing so. That is important. Obviously, there may well be good reasons—for example, in a murder—to deviate from 20 years. It might be a particularly horrific crime. Something like the Anita Cobby murder might well demand life imprisonment—actual life.

A battered wife who kills her husband on the spur of the moment, after suffering misery for 15 years, might get a suspended sentence. There are those discretions for a court. A court is still able to use commonsense. Obviously, no two cases are ever the same. That is taken into account.

That leads me to the fourth part of the package, Mr Speaker—impediments to proper sentencing. There are a number of impediments to proper sentencing and there are some inconsistencies in the legislation, especially between sections 341 and 345 of the Crimes Act.

Dealing with section 345 of the Crimes Act, my bill would repeal this. There have been a number of comments made by judicial officers recently about the problems this section causes them. Magistrate Madden, in a case reported in the *Canberra Times* on 11 October 2002, stated that he would have sentenced a Mr So to 16 months jail, because his behaviour was absolutely reprehensible despite his schizophrenia, but he felt obliged by territory legislation to use jail only as a last resort.

The section states that a court shall not pass a sentence of imprisonment on any person for an offence against the law of the territory unless the court, after having considered all the available penalties, is satisfied that no other penalty is appropriate in all the circumstances of the case.

I do not think our courts should be placed in a situation where they cannot jail, and feel they cannot because they do not see that as necessarily the last resort. In Mr Madden's case, I think he would have preferred there to be another facility, but there was not.

The section is also contradictory when one looks at the subclauses. I will explain that further in my explanatory memorandum, which I undertake to table. It is not yet ready. I do not believe there is a need for a section like this. I think courts are capable of looking at sentencing matters without this sort of restriction.

Magistrate Somes also recently lamented the fact that he felt bound by this section, in imposing weekend detention in a nasty, culpable driving case which involved the death of a man in Belconnen. The relatives of the deceased were very upset. They made representations to me and, I believe, to the Attorney last year as well. This is an example of judicial officers in the past 12 months commenting on the problems associated with section 345.

Similarly, section 341 is in need of amending. At present, that section lists the principles of sentencing. There are five principles. Basically, any one of those can be taken into account by a court. They cannot take into account anything else for the purpose of imposing a sentence. The only reason you impose sentences is because of the principles of sentencing—and indeed they can take into account two or more. However, I think it is

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desirable—and my committee agreed—that they should take into account all of the principles of sentencing. Obviously, depending on the circumstances of a case, more weight could be given to one or two principles than the others, but all the principles need to be looked at.

There has been great concern in recent times, on many occasions, that our courts place far too much store on rehabilitation—one of the principles in sentencing—and not enough on the other principles such as punishment, deterrence and denunciation—and also the need to protect the community from the offender.

Section 342 also deals with matters for which the court has to have regard. It does not limit the court, but lists a whole series of matters for which the court has to have regard. I feel there is a need to change some of the matters here. Part of subsection (1) (i) states that cultural background is something to be looked at. My committee was concerned that that may well be discriminatory and inconsistent with the Discrimination Act. We feel that is something that could be deleted. If that is a factor, again, there is nothing to stop the court looking at it, but there may be problems there.

We felt it desirable to delete subsection (1) (j), which is about the probable effect that any sentence or order under consideration would have on any of the criminal's family or dependants. Whilst the action of a criminal may bring a lot of sadness to that person's family—and I have certainly acted for people who have brought a lot of sadness to their families—the effect a criminal's actions have on his or her own family I do not think is something a court must take into account. I suppose that, if the court felt there was some particular relevance there, there is nothing to stop it doing so. However, for a court to have to consider that, I do not think is necessarily desirable.

In relation to subsection (m) where the recording of a conviction, or the imposition of a particular sanction, would be likely to cause particular hardship to the person—that is the defendant—at present, that is something a court has to take into consideration.

Invariably, a person committing a crime brings consequences upon himself or herself. It can be said, in many instances, that a sanction or recording of a conviction could certainly cause a person hardship. However, that hardship may well be justified by what the person has done. If there are extenuating circumstances, the court obviously has a wide range of discretionary powers to vary what it does. If it feels the crime was minor and certain sanctions are not appropriate, because they would have an adverse effect, that is something it would naturally take into consideration. The concern here is that that particular section has to be looked at by a court, even for the most serious of matters.

Given that we are moving towards similar legislation across the states, and given that already our courts tend to look at what happens in other jurisdictions, I think it is entirely desirable that another section be amended. That is a section which at present states that courts must look at current sentencing practice. My amendment would simply add “in other states”, to ensure that they do not look only at their own jurisdiction, but across Australia. I think that is a desirable amendment.

My committee also looked at whether a person has demonstrated remorse. It is often very hard for a court to really understand whether a person has done so. Sometimes remorse is

false. (*Extension of time granted.*) Accordingly, whilst that is an obvious thing a court would look at, to see if it is genuine, my committee—especially a couple there who were representing victims—felt that, while sometimes it is fairly obvious to everyone that a person has demonstrated remorse, and that is most relevant, often remorse is simply put on, to attract a lighter penalty. That is something a court would obviously look at. However, to have to have regard for that, even when someone is not being fair dinkum, is not desirable. Accordingly, we would suggest that that be deleted.

Section 342A adds a section in relation to guideline judgments. In section 344 there are a number of matters which cannot be taken into account—obvious things like legislation which has not come into operation, any alleged offences to which the defendant has not admitted—that is fair enough; you cannot take those into account—if the person chose not to give evidence on oath, and the fact that a person chose to plead not guilty. Those are all very desirable things for a court not to take into account.

However, concern was expressed in relation to subclauses (d) and (e). Subclause (d) is that the person may have committed perjury or been guilty of contempt of court during the course of proceedings, and (e) refers to the person's behaviour in court. For those not to be matters which can be taken into account we felt was perhaps not desirable, and we felt that it would be better if they were deleted.

Finally, Mr Speaker, section 375 (1) (b) lists a number of maximum penalties which can be dealt with by the Magistrates Court. The Magistrates Court at present can deal with matters, in certain circumstances, where there is an offence punishable by imprisonment for a term not exceeding (i) if the offence relates to money or other property, 14 years; or (ii) in any other case, 10 years.

As this bill increases, in about 40 instances, a number of maximum penalties, some of which do go up to 15 years, and as I feel it is very appropriate to increase the jurisdiction of the Magistrates Court so it can deal with sentences punishable by imprisonment for up to 15 years, I think it is sensible to lift that level in section 375 from 10 and 14 respectively to 15 years. That replicates very nicely what has been done in the first part of this bill, which is to bring us into line with New South Wales.

There is good reason why the Magistrates Court can exercise a jurisdiction in matters such as that at present, even though it is limited to two years per offence. For consistency and desirability with what I have done in respect of increasing maximum penalties, the maximum limit which will apply to the Magistrates Court should be raised to 15 years. It realistically takes into account the fact that a number of offences have been increased to that limit.

Mr Speaker, I commend this legislation to the Assembly. I remind my colleagues in the Assembly that the vast majority of our citizens want to see improvements made in sentencing, and want to see a toughening-up in sentencing. Of the 75 submissions I received late last year, when I called for submissions in relation to sentencing, some 72 were in favour of a tougher approach being taken on sentencing—not only by the courts, but also by necessary amendments to the law. Two others had a go at both Jon Stanhope and me, saying we are all full of bullshit. He asked why we don't introduce mandatory sentences.

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MR SPEAKER: Order!

MR STEFANIAK: I withdraw that. Basically, he said he did not like the things we were doing, and suggested that mandatory sentencing should be introduced. One submission was very much in favour of keeping the status quo, or looking at other methods as well.

Seventy-two out of the 75 submissions being in favour of a tougher approach, not only by the courts but also by necessary amendments to the law, I think speaks volumes. That coincides with a lot of feedback from the community over a number of years.

Both major parties do polling. A not insignificant percentage of the community think that things could be improved. It is our job, as legislators, to reflect proper community values and to change the law where we have to do so. I believe this package does that. It is consistent with New South Wales. Wherever possible, it follows sensible improvements made by the Carr Labor government, in recent times, to the law of New South Wales. I think the Carr Labor government has got it right in relation to a number of aspects.

I am more than happy to brief individual members, over the coming weeks, and answer any questions they may have in relation to this. In some respects, it is fairly complex. None of these issues are simple, and there is some complexity here.

Mr Speaker, again I apologise for not having an explanatory memorandum at this point in time, but I am in the process of doing it. I will circulate that out of session, within the next few weeks, when I have completed it.

I commend the legislation to the Assembly. Should the Assembly pass this legislation, I believe it will have a significant, positive impact on our justice system. It will bring us into line with the state which surrounds us, and will act as a deterrent. In my view, it will make many victims feel a lot more comfortable with our system; it will engender more confidence in our court system and in our system of legislation generally in the community.

I commend the legislation to the Assembly and thank members.

Debate (on motion by **Mr Stanhope**) adjourned to the next sitting.

Connors inquiry into education funding

MR PRATT (11.00): I move:

That this Assembly expresses disappointment in the ACT Government's appointed Connors Inquiry into education funding in that:

- (1) The inquiry reported on issues which this Assembly had already known to be the case, that is, the ACT education system is essentially one of the best in the country and whilst there are issues which need to be addressed these did not need this inquiry to point these out;
- (2) The inquiry was therefore unnecessary, a waste of time and a waste of \$250,000, money which could have been well spent inside the school gate;

- (3) The inquiry has allowed the government to prevaricate on the timely expenditure of \$7.4m funding denied to our children for a period of 10 months;
- (4) The inquiry has exacerbated concerns that the government will diminish funding to the non-government sector, thereby attacking the principles of diversity and choice on which the ACT education system rests.

Mr Speaker, when I refer in this speech to “Connors” I am referring to Ms Connors’ report. So when I refer to Ms Connors I am speaking about Ms Connors; and when I refer to her report, I may refer to Connors—and that is not to mean any disrespect.

This government since its election has struggled to make decisions. It has struggled to show the people of the ACT that it is in control. It has relied on its reactive nature to exercise authority, and it has contracted out the policy development program in a way unseen in ACT political history.

This government has commissioned a record number of reports and inquiries to develop the policy platform it will take to the next election. Labor Party policy is being developed by bureaucrats and consultants using taxpayers’ funds. Education funding was only area where the government had some idea of what it wanted before it commissioned the report. That is why the government appointed Lyndsay Connors to conduct this inquiry and that is why we have a report containing such recommendations.

The government wanted a report which simultaneously kicked the non-government sector, gave a glowing report about the public sector—while emphasising how much better it could do with the money provided to those pesky “elitist” schools—as well as bashing the federal government as much as possible. Congratulations. The government got what it asked for. But the question remains: will our kids get what they expect and deserve when it comes to their education? The answer, if the recommendations of this report are enacted, is no.

We are extremely disappointed in the Connors report, and when the community absorbs the reality of this report, they, too, will be disappointed. There is nothing new in this report, so how can it possibly set the agenda for education funding in the future?

This report has failed to do what the former minister said it would, and that is point out where the \$7.4 million slush fund should be spent. The Connors report fails to put dollar terms on anything. Therefore, the ideas are uncostered and constitute more of a wish list for the budget submission process which we are about to go into.

Mr Speaker, the major and most galling disappointment for me in this report is that, while examining areas of funding for some school sectors, Connors failed to comprehensively address schooling capabilities across the board. With so much time allocated and carrying a hefty budget, Connors has not significantly addressed the many difficulties in the government school sector, nor sought to identify efficiencies, costed nor cost neutral.

Ms Connors has completed her \$276,000 funded review into education funding some three months later than scheduled. We have always maintained that Connors was

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unnecessary, a waste of time, a waste of \$276,000; that the review itself was a “job for the girls” and that the appointment of a co-convenor of the education lobby group Public Policy was biased from the outset.

The ALP has already blown the ACT’s budget and this report takes it a further \$276,000 into the red. Is this where the \$7.4 million slush fund is going—to fund the government’s budget blow-out?

Naturally, all systems can be improved. The previous government had identified many of the necessary improvements. Indeed, the Assembly, the new government and the general public knew what areas required improvement. The Labor Party had—

Ms Gallagher: What are they?

MR PRATT: I will tell you shortly. The Labor Party had, prior to the election, identified its education policy, and has had more than a year to implement it. Upon its election the ALP had an opportunity to hit the ground running as far as the implementation of its policy was concerned.

I should note that I generally agree with many of the problems that Connors has identified in the government sector—but, as earlier noted, these are problems that have been identified historically and, more importantly, there are fundamental areas within the government school sector which are begging solutions, and Connors has not provided these.

I speak, for example, of the vexed issues of teacher retention, school principal overload, teacher management, accountability of teacher and curriculum performance, teacher support in difficult schools, managing disruptive children, the need to redevelop school cultures to better instil values in our children, child obesity and fitness, drugs education in schools, teacher development, bullying and violence, and more. Connors has identified many—but not all—of these areas as needing attention but she has not offered funding or management solutions to where we might focus on some of these areas.

Mr Speaker, we are committed to an effective and robust public school sector. On this side of the house we believe in this strongly because it is the inalienable right of a community to have that service and it is the duty of government to provide that service. It is necessary to aim to have this sector as effective and attractive to our parents as it seems the non-government schooling sector is becoming.

We needed to see Connors drill into the sector and provide concrete solutions for where it can be improved. Instead, Connors has simply waxed lyrical about how important the government sector is. Well, Mr Speaker, we already knew that and so it did not need repeating. There was no apparent need to call for yet another review and delay decisions that would have seen the allocation of the \$7.4 million remaining from the \$27 million “free school bus” program—that which was going to be placed “inside the school gate”.

It is of great concern that such a large amount of money was spent on an inquiry which, as I pointed out earlier, has fundamentally failed to come up with concrete solutions. I shiver at Ms Connors’ suggestion in a speech given during a recent press conference

about the importance of having another “working party” established. This is just a bureaucrat’s way of getting more jobs for more bureaucrats.

The department has sufficient capability and capacity to examine the useful issues that Connors has pointed out. I am sure that the new minister will have the imagination, the warmth and the ideas to direct her department to get to grips with the priority needs—I hope along the lines that I described earlier.

Mr Speaker, the former Liberal government spent more than any other government on education—more than \$40 million above CPI over our two terms. We also introduced firsts in education: for example, ICT testing in year 10; smaller class sizes from K to 2; teacher appraisal reporting as a first step to developing greater accountability in our schools; school-based management to allow greater autonomy to our schools for more creative programming; core subject testing; and new initiatives in indigenous education.

Labor has thankfully continued with those programs and, to be sure, expanded the smaller class size program. But when is Labor going to introduce a first in education in our system? Well, don’t hold your breath if you think Connors has provided new groundbreaking creative ideas for the new minister to seize upon. Ideological cries for the public sector at the expense of the non-government sector and recommending the transfer of funding from one sector to another is not creative.

In addition, the inquiry has failed to indicate where the government should spend the \$7.4 million—

Ms Gallagher: It was never asked to.

MR PRATT: This is despite a clear commitment, Minister, from the former minister that the report would indeed make such an indication. The new minister, Ms Gallagher, has now informed the Assembly that this money will be rolled over into the 2003-04 budget. Therefore, \$7.4 million less has been spent on education this year than what the government had promised would be spent “inside the school gate”. That was \$7.4 million denied to the students of the ACT in 2002. This amounts to lost opportunities.

Awaiting Connors, which was unnecessary, the government has prevaricated in implementing any new strategies. Of the new initiatives suggested by Connors, nothing has been costed or prioritised. The government, by its actions, has broken promises made to the Catholic systemic schools in respect of ITC, teachers’ laptops, students with disabilities, and class reduction programs. Connors is biased and, while playing lip service to celebrating the diverse nature of ACT schooling, she has not reinforced the fact that 38 per cent of ACT kids go to non-government schools.

Mr Cornwell: How many is that?

MR PRATT: Thirty-eight per cent, and it is 44 per cent between years 7 and 10, Mr Cornwell. She has not demonstrated a strong intention to reinforce that diversity. There is ample evidence in the way this inquiry was conducted which illustrates this bias. Who can forget Mr Corbell’s pathetic response to our initial concerns when Connors was appointed. His response was one of contrived outrage that we had allegedly attacked Ms Connors’ reputation, that we had allegedly attacked her personally.

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The previous education minister appointed an inquiry convenor who he knew would push the outcome of this inquiry to reflect the government's ideological biases. We said that at the time—again to be met by Mr Corbell's contrived outrages. He only gets outraged because he is trying to protect a Labor mate.

Ms Connors said in a speech in 1999 that she was “not an education researcher”. She is an advocate for the public system. In 2001, Ms Connors said, “There are many Australians wanting to take a stand and to speak up for public education—I am one of them.” In August 2001, Ms Connors gave a speech to the AEU in Victoria where she said, “I continue the theme of celebrating public education and unionism”.

An article in the *Herald Sun* in 2000 said this about the various committees led by “high profile has-beens”—their words, not mine—being put together by the new Victorian government:

These are only the most visible parts of the iceberg of panels, commissions and inquiries which are being staffed by political has-beens and activists. These include ALP stalwart Lyndsay Connors appointed to chair a commission reviewing public education.

That is from an article in 2000 which reported on comments made to the *Herald Sun*.

Mr Corbell: Don't believe everything you read in the paper, Mr Pratt.

MR PRATT: Does that sound familiar? Well, Mr Corbell, you can eat humble pie. This report has manipulated the inquiry terms of reference to reach vague conclusions which reflect the government's bias. It is a bias which sees the impeding of the non-government school sector to the advantage of the government sector, rather than a report which supports and reinforces an education strategy celebrating the strengths of both and rewards our diverse system—the rich, creative tapestry that is the ACT education system.

Ms Connors has strongly inferred that a portion of funding in the non-government sector ought to be redirected to the government sector. This solution proposed by Ms Connors may provide some benefits to the government sector but I am concerned that it would be at a detrimental cost to the non-government sector. I am concerned that there seems to have been a lack of evaluation or analysis as to how these problems could be dealt with in a cost-neutral way within the government sector.

The solution provided—simply to rob Peter to pay Paul—does seem somewhat simplistic and may serve only to transfer the problem from one sector to another. Through my consultation with interested parties, it appears as though Ms Connors' report has caused major concerns in the community about the simple transfer of funds from one sector to another. That is the feedback that we are getting. I am deeply concerned about the implied threat in Connors to the interest subsidy scheme which, if implemented, will devastate the smaller independent schools which depend on the ISS for even the most humble of school infrastructure developments.

Following on from that, I am deeply concerned that Connors implies a “new schools policy” which will impede growth of new non-government sector schools and their developments. It would be outrageous were the government to follow this through. Such a policy would simply impede the growth of the non-government sector. While different philosophical viewpoints may favour such a move, the simple reality in the ACT is that 38 per cent of students attend that sector, and we must never forget that.

It is a simple reality that shifting funds from the non-government sector to the government sector would severely damage non-government schools, resulting in a student shift back to government schools. Such a backward flow would also severely impact on the ability of the ACT government to provide enough funding to cater for such an inflow of students. Where would they find the money?

The ACT enjoys a diverse education system that allows for choice. It allows for choice within the government sector. Good government schools compete and provide services that others cannot. It is important that parents are able to be responsible for ensuring the appropriate education of their children. It is not appropriate to undermine a system that works very effectively in order to provide funding to one which requires improvement.

Connors recommends the introduction of an interim funding system pending the next Ministerial Council on Education, Employment, Training and Youth Affairs, which is about only 18 months away. (*Extension of time granted.*) It seems to me quite silly to introduce an interim funding arrangement which may take 18 months anyway to work through and in the process cause great disruption, only to be overturned at the next MCEETYA.

While Connors has constantly stuck to the lines of the idea that her report is a conservative one and that there is nothing radical, should the government choose to implement some of these policies—for example, some of the recommendations—the make-up of the schooling system 60/40 public/private would be severely disrupted, making it unviable for some parents and their schools to meet the brunt of the extra financial burden to keep the same standard of education which they currently enjoy, and which, by the way, the ACT community benefits from. Connors did not even visit the Radford College, which is one of the three schools in Canberra that would be most affected by the implementation of her new policy.

The report has used skewed and at times outdated information to illustrate a “discrepancy” between the funding arrangements put in place for private schools versus the Catholic systemic schools and government schools. For example, the table on page 127 is seriously misleading. The table leaves out significant funding data. It also seems that data has been adjusted to reflect a certain ideological outcome—I hope that is not the case but, without drawing too many long bows, one could wonder about that.

Another example of outdated information can be found on pages 22 to 25 where Connors refers to the enrolment benchmark adjustment, and earmarks it as current when it no longer even exists. Many of the graphs within the report are illustrated over large time scales which do not give true indicators of the changing—increasing and/or declining—enrolments and therefore the reasoning behind an increase in funding from certain government organisations.

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Mr Speaker, the policy suggestions have not been costed by Connors and she has not disclosed/calculated the effect in financial terms that her suggestions would have on the ACT schooling system. In her recent press conference she said that until the government provides a “blueprint” of her policies which they intend to implement, there was no point in providing costings. Not only was that a blatant cop-out in her consultative responsibilities, and one which has negated the effectiveness of this report, it also means that the hidden effects of her suggested bad policy will not be seen until they are implemented—then it will be too late for the community to object.

Mr Speaker, in conclusion, Connors has based her report around attacking the funding structures that support the non-Catholic private school network in the ACT. Most importantly, I feel strongly that the Assembly must send a strong message to the government that the Connors inquiry has not put forward proposals that would in any way significantly advance the ACT education system. Further, this inquiry has put forward recommendations that would fundamentally undermine and irreparably damage the diverse nature of our education system and, therefore, they should not be adopted.

The inquiry was unnecessary, it was a waste of time, it was late and it blew the budget. The most disappointing aspect of Connors is that it does not drill into the problem areas affecting schools across the board. It does not offer funding and it does not offer non-funded solutions—solutions that could be used to address those areas where we need to do a lot of work.

Mr Speaker, all Connors has done in fact is concern and alarm the community. The report undermines and, indeed, attacks the rich diverse nature of the ACT education system.

MS GALLAGHER (Minister for Education, Youth and Family Services, Minister for Women and Minister for Industrial Relations) (11.20): The motion moved by Mr Pratt this morning demonstrates a lack of knowledge about good governance generally, and about the Connors report in particular. Mr Pratt’s motion pre-empts the government’s response. It would be useful to remind members that this is the government’s report.

The motion is an attack on Ms Lyndsay Connors, an extremely well-regarded Australian education expert. I think that is very unfortunate, Mr Pratt, particularly as you at no stage raised any of your concerns directly with Ms Connors; you did not take part in the inquiry; nor have you since the report was released made any attempt to speak to Ms Connors about your concerns about her credibility and the report that she has delivered.

Mr Speaker, this government committed to holding a public inquiry into ACT education funding as part of its election platform. It has been a long time since there has been an assessment of the public funding of ACT education. The last inquiry in 1992 dealt only with the non-government schools sector. So it was timely to review the basis upon which public funding is provided to both government and non-government schools. It is appropriate that there should be such a review because the appropriation for government and non-government schooling is a significant portion of our budget. If you take away Commonwealth funding, the schooling appropriation in the ACT budget comprised around 25 per cent.

An important aspect of the terms of reference of the Connors report was to make recommendations on how we ascertain the relative needs of students in both government and non-government schools, and allocate funding in a manner that will best meet the needs of all Canberra students.

Mr Pratt's claim that the inquiry attacks the principles of diversity and choice—to suggest that the inquiry is a tool to diminish funding to the non-government sector—is both incorrect and insulting. What this report does do is examine the public funding arrangements for schooling that exist and the principles which underpin them. From my reading of the Connors report, it does not attack diversity, nor does it attack choice. In fact, it supports both. What it does do is promote student need as the more important principle that should underpin the public funding of education.

Mr Speaker, to suggest, as Mr Pratt does, that the only thing Connors tells us is that the ACT has one of the best education systems in the country, makes me wonder whether he has actually read the report. Have you read it, Mr Pratt?

Mr Pratt: Yes.

MS GALLAGHER: All 137 pages?

Mr Pratt: Over the weekend on the beach.

MS GALLAGHER: Have you spoken to anyone about it? What about the P&C, the AEU?

Mr Pratt: While I was sunning myself—it was a lovely read.

MS GALLAGHER: I would have thought that even a quick read of the Connors report would have made it clear that it is a carefully argued and researched piece of work. It provides a wealth of data. Ms Connors has gone to considerable lengths to discuss the principles of public funding policy, and this will go a long way to informing the debate about how decisions on public funding of education are made.

To suggest that this report has only delivered what we already knew is astounding. It is a public report. From the discussions I have had across the sector, I am sure that it has informed the sector about what is going on in education funding. It has raised some new issues. I would be surprised if people were aware of the evolution of school funding, of government models for public funding and private schools, and of understanding new possibilities for pre-schools. All of this is in public papers that were commissioned. Did you know all that, Mr Pratt? I know you are an expert in a lot of things, but I did not know you were an expert in education funding. I certainly do not stand here and pretend that I knew everything that is in this book.

Are we aware of how the Commonwealth funding arrangements and the changes since 1996 have impacted on the sector? Certainly, we can now see from a table that one non-government school has had a 73 per cent increase in Commonwealth funding in its primary school and a 45 per cent increase in its secondary school; and that other non-

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government schools have enjoyed between 28 to 29 per cent increases in Commonwealth funding. This has happened at a time when Commonwealth money to government schools has remained static. Did we know all that? I do not think so. And that is where the data in this report is useful to inform debates in the ACT about how best to meet the needs of students across the sector.

Ms Connors has provided ample opportunity for the education community to participate and, according to Ms Connors, they all did so to a substantial extent. They took the inquiry seriously.

Mr Pratt said that Radford College was not visited by Connors. I notice in the back of the report that Radford College did not provide a submission to the inquiry. Ms Connors visited 31 schools across the sector and she met with all the groups relating to the non-government sector. If Radford College chose not to participate in a public process and provide a submission then that was a choice they made.

The recommendations Ms Connors made are significant and they warrant careful consideration, and that is what I am currently doing. As I said when I released the report on 14 February, as part of my consideration—and certainly before I report to my cabinet colleagues—I am keen to hear what the education community stakeholders have to say about it. I have met with 11 stakeholders so far and I believe I have a couple more meetings to go. I am in the process of putting their comments into a cabinet submission that I can take it to my cabinet colleagues to discuss how we as a government respond to Connors.

The meetings have been an opportunity to hear first-hand from the various peak interest groups about where they may have disagreed with some aspects of the Connors report, and to find out the reasons why they disagreed. It was a useful process. There is broad support, certainly from some of the people I spoke to at the meetings, for Ms Connors' comments. There are recommendations that are supported across the sector. There are recommendations that the government sector agrees with and the non-government sector disagrees with, and vice versa.

It was important that once this independent report was given to me I had the opportunity to hear first-hand what people were saying about it. This has been a useful process, and certainly the discussions I have had right across the sector have supported the way that this government has been handling its response to Connors.

Mr Speaker, I will now turn to Mr Pratt's view that the inquiry has allowed the government to prevaricate over the spending of the remaining \$7.4 million of the \$27 million. What a nonsense. In the Stanhope government's first budget we earmarked \$19.6 million expenditure for specific projects over the four years, including provision of \$1 million for IT in Catholic systemic schools. But we did factor the \$7.4 into the forward estimates. The reason not to use all the money immediately was to give the education community an opportunity to have a say about how that \$7.4 million was carved up. They are the discussions I have been having. Connors will help inform those decisions.

Connors was not asked to tell us how we should use the \$7.4 million, but certainly some of the information in the report is useful. I have also spoken to the Government School

Education Council and the Ministerial Council for Non-Government Schools. I have received their submissions in relation to how we spend the \$7.4 million. But the \$7.4 million is not in the budget this year, so I could not have spent it—I guess I could have spent it illegally as it was not there. But that money has always been in the forward estimates to be used in next year's budget, and that is certainly a commitment that the government is keeping.

When I met with key interest groups about Connors, I informed them that the government does not intend to act prematurely on some of the longer term issues. I think Mr Pratt covered succinctly some of the national work that is being done by MCEETYA. I think there was broad support—

Mr Smyth: So you say he did get something. Well done.

MS GALLAGHER: I know it is a bit scary, but there were some things that I agreed with. From my discussions with the sector, that is the way they feel it would be most sensible to go.

In relation to Mr Pratt's concerns about a working party being established and about us going ahead on our own, I guess we could but, again, I have spoken to the sector and I know that there is really strong support for them to be involved in anything that happens in relation to Connors; they have said that they need to be sitting around the table and talking to government while it is happening. So I think your concerns about that are not supported by the rest of the education community. They want to be part of any discussions in relation to the government's response to Connors. Schools need certainty in their funding arrangements and, therefore, they need reasonable notice if things are going to change.

Mr Speaker, it is difficult to know exactly what point Mr Pratt is trying to make in saying that we are prevaricating so far as the \$7.4 million is concerned. However, as I have said, the money is for next year's budget, the discussions are ongoing and the Connors inquiry will help to inform policy making in the setting of those budget priorities.

Holding this inquiry fulfils an election commitment of this government. It is a substantial piece of work and I am certainly grateful for the time and effort put in not only by Lyndsay Connors but by everyone who participated. I need to balance the need to respond within a reasonable time frame to the Connors inquiry with the need to give the education community time to put their views to me and with the need to think carefully before we make changes. This is good governance; it is using information to inform good policy making. Why would we go to the expense of commissioning such an extensive inquiry and then not spend the time to work through the best way forward from the information gained?

Perhaps Mr Pratt thinks that as soon a report is received the government should jump straight into making decisions and moving in new directions. But we are about properly working through well thought through policies and making sure that we get the best return for our dollar; that we do not short change the Canberra community by jumping into things and not doing the less exciting but just as important groundwork. We do not want any changes that we make to education funding to be referred to as premature and

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not thought through. We do not want to be seen as the type of government that jumps into things.

Mr Speaker, the Stanhope government is carefully considering how to spend the remaining \$7.4 million. We are listening to community views. We will make sure that the money is well spent and that it is spent where it can do the most good—in other words, where it is most needed. We will ensure that it is used to improve educational outcomes for all of our children.

Mr Pratt is concerned that the report is biased towards government schooling. I do not apologise for that at all. The ACT Labor government sees its primary responsibility as providing good resources and enough resources for a very strong and vibrant public education system. Mr Pratt, I do not apologise for that.

MS DUNDAS (11.33): Mr Speaker, I will not be supporting Mr Pratt's motion. Although I have often been critical of the government for conducting reviews instead of spending money on real services—school counsellors is an area that springs to mind—I think an examination of education funding arrangements was warranted.

The Connors inquiry report came up with a number of useful recommendations, such as: that more funding should be given to pre-schools; that more funding is needed to support kids with disabilities; that inequality of resources between government and non-government schools should be addressed; and that new schools have been approved before they could provide adequate facilities.

We certainly do have one of the best education systems in the country but there are still a lot of kids who leave our schooling system with inadequate literacy and numeracy skills and few career options. We could be doing better for these kids and an examination of how these defects could be remedied is highly invaluable. The statistics in this report also show that we have one of the highest educated populations in the country, but that does not mean we should be resting on our laurels. The aim should be to get all our kids up to a high level of education so that they have the options that they want for their future.

The Connors inquiry looked at equity and funding between government and non-government schools. Across Australia, more money per capita is spent on educating each child in non-government schools relative to children in government schools. Although in the ACT children in Catholic systemic schools may still have less resources than public school children, if current trends continue then public school students will be at the bottom of the educational heap, and that is not a situation we want.

I do not agree that a child at a non-government school deserves a better education than one in a government school. When ACT government funding is contributing to inequality of education opportunities, I think it is timely to examine how the injustice can be ended.

I do not think it is a secret that I am a passionate supporter of public education. I see enrolments in public schools declining because our public schools cannot offer a competitive standard of education. Better-off parents who can afford to pay private school fees usually choose to do so and this leaves public schools with a higher

concentration of children from disadvantaged backgrounds, and the job of being a public school teacher gets harder each year. We cannot let the children of those who cannot afford the private school system suffer.

We need to support efforts to make our public school system better than it is at the moment. We need to support those children whose parents cannot afford to send them to private schools. We need to support every child. Public education should be a right, no matter how much money your parents earn, and we should be supporting our public school system to be the best so that all children can get the education that we know they deserve.

Although I am concerned that the money saved on the school bus scheme was not promptly redirected into areas of need—areas such as work with children with challenging behaviours, support for kids with disabilities and school counsellors—I am not at all happy with this motion as it attacks the work that has been done. We now await the budget to see how the remaining money will be spent.

I also think it is important to ask where the other reports are. The Connors inquiry is only one of the inquiries into the educational sector that have been established over the last 15 months, and hopefully we will see the other reports before the budget. The report into school counselling is one that springs to mind. This must be the year for action. We have had the year for reviews and now is the time to turn these reviews into actual outcomes. We need the reports of all the reviews so that we and the government are informed about where the next step should be taken in the education sector. With regard to that, I would draw members' attention to notice No 25 on the notice paper regarding the next steps following the Connors inquiry. We should be taking the next steps. We should be setting up an implementation team to review the recommendations, to report to cabinet, so we do have action as opposed to just having another government report that will sit on the shelf.

It is now time to stop the neglect of public schooling. I praise Ms Connors' report for highlighting the injustices in school funding and for giving the ACT government the evidence it needs to make real changes to current funding arrangements.

MS TUCKER (11.38): The Greens will also be opposing the motion, as we see the Connors inquiry as a constructive contribution to the debate on school funding in the ACT and a necessary punctuation point in the process that had become an unending dispute over numbers.

The discussion of the roles of government and non-government schools in this context, and the funding and accountability recommendations proposed, are particularly helpful. I was also pleased to see a real exploration of the role of pre-schools and other early childhood education and an acknowledgement that education at this level, and overall government responsibility for it, is a given.

The question of funding students with disability remains fraught, with some remaining issues developing an approach which assures students of funding to meet their needs, whichever school system they are in. Nonetheless, Connors' approach to establishing a base level of disability funding, with an individual package negotiated on top of that, is a step in the right direction.

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Other strong elements of the report which should prove valuable—inside cabinet as well as in the wider community—include an intelligent discussion of the value of good teachers, the looming shortage of good teachers and the kind of support which may help us attract and keep hold of good teachers in the ACT government system. It is true, of course, that the challenge of appreciating, training and keeping good teachers has been known for some time. The Connors report is not groundbreaking in that regard. The point is, however, that this report places those concerns in a reasonably sophisticated discussion of how funding and support presently works for teachers in the ACT government system.

In that context, then, the recommended establishment of a system level centre for curriculum development probably comes as a relief for most staff. I think the Liberal years saw an education system pared so much to the bone that it was impossible to support any innovation or real development not directly funded by the Commonwealth. One of the limitations of this report, however, is that there is no analysis or recommendation of how staff would take advantage of this curriculum support without a supportive culture and without additional resources at the school level, and I think this is particularly critical at the high school level.

The report raises the question of pockets of poverty and social differentiation taking hold in our community but it does not articulate in any detailed way a strategy to address that problem. In part, that is a product of the terms of reference that focus on funding arrangements, and that, of course, reflects the context in which this inquiry was conceived, namely the previous Liberal government's scheme to provide free bus travel for all school students and so promote the increased competitive marketing of schooling in the ACT.

I will just briefly pick up on Mr Pratt's statement—he made it several times—about the Liberals' ideology on schooling being about diversity and choice. We have had that debate in this place many times. However, I will just briefly recap the Greens' position on this—I would say that it is the position of many people who have taken a close look at and researched what happens in a society when you promote competition between schools; whether it is between the private sector and the public sector or whether it is within the public sector, as Jeff Kennett unfortunately did in Victoria with very unfortunate consequences for Victorian education.

The basic outcome that you have to address if you are interested in a high quality education system for everybody in the community—lifelong education, but at the moment we are talking about children—is that people have, regardless of their social status or economic status, access to the same high level education; and that a school is a place where people can have an experience of life which is one that informs them and prepares them for life after school.

Evidence taken over a long period shows that when this ideology was imposed on the schooling system in the UK—it is a pity that Mr Pratt is not listening to this because I would like to hear his response—the obvious happened, and there was a movement out of particular schools by middle-class parents, upwardly mobile parents, so those who were able to moved out of particular schools into other schools. Parents ended up

sending their children to schools that they perceived would meet their needs in a better way.

Mr Pratt would say, “Well, that’s good, that’s their choice.” The problem with that is that you end up with marginalised schools. You end up with schools which are almost schools of last resort for people who are particularly disadvantaged in the community. That has implications for the whole of society. These schools, which are attended by children from particular social groups, are not able to attract sponsorship.

This has happened in the ACT as well. I remember a couple of years ago, when we were inquiring into services for children at risk, being told by educators that certain schools that were struggling had to keep attracting middle-class parents because they were the parents who would pay the fees, support fundraising and so on. To keep the children of middle-class parents there was a resistance to adopting programs that adequately catered for children who were at risk. For example, a very strict uniform policy can make it very difficult for students who may come from troubled backgrounds. There are ways of isolating and excluding children even within the public schools of Canberra, and this is one of the reasons why people were concerned about the ideology and education policy of the Liberal government in Canberra.

In the UK and, to a degree, in Victoria there were tiers of schooling. Obviously that is not good in any way for society—I do not know if I need to say why, but I will briefly explain. You get particular groups of people not mixing broadly. We want to have and accept diversity in our community. So often we hear rhetoric from politicians of all persuasions that we need to have a culture in our schools that will promote acceptance and diversity. These are very important values, which inform people’s lives when they leave school.

Groups of people who are isolated from each other according to their socioeconomic status, their race or whatever, obviously have less of a chance than people who have grown with a school experience and in an environment where they have learnt to be accepting and in fact celebrate the wonderful diversity that is in every society.

I was interested to see on television the other night a program in which Catholic boys from an elite Catholic school had meetings with girls from a Muslim school. Of course, these two groups are so separate from each other. When the Catholic boys and the Muslim girls were spoken to afterwards, they said, “Wow, that’s the first time I have ever talked to a Muslim” and “That’s the first time I have ever talked to a rich Catholic boy”, and “Oh, they are like us. They are ordinary people” and so on. I am sure it is obvious at this time in our history why this is incredibly important. That is a more extreme example of what can happen when groups are isolated from each other in that way through the private education system.

You can end up with a situation where children who attend marginal schools, which have fewer resources and are faced with issues of teacher moral and the extreme demands placed on teachers, have not got the same chance to find a way to be active, participating and positive citizens in our society. We want to have in our society universal, high quality, free, accessible education in the public system for everybody.

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People in this place, particularly people of faith, talk at length about Christian values—values that are often stressed in this place. I am not a practising Christian but I have a very strong sense of God and I have a very strong sense of values. I believe that values in education are incredibly important and that by practice you teach values to children. The practice of the society should be to have a high quality education system for everybody, regardless of their capacity to pay.

Mr Pratt talked about diversity and choice. It is a choice if you can pay. Also, in some independent schools it is a choice if you have a particular academic standing. If you do not you will be removed because the school does not want to see its average brought down.

If you look at the children who go to independent schools, you will see that there is a very poor representation of Aboriginal children in the independent school system. (*Extension of time granted.*) As we are well aware, there are issues within the public system for Aboriginal children. So the argument of choice is based on capacity to pay. Mr Pratt might argue that if all schools were funded in exactly the same way, anyone could go anywhere. That would be true if the enrolment, suspension and exclusion policies were the same, but they obviously are not.

It would be interesting in the debate on the public/private issue to see whether a way could be found to have different models of education equally available to every student in respect of enrolment policies and other fundamental questions. For example, I know that there are some concerns from some schools about how they treat children on issues of sexuality. Some private schools demand the right to have a different standard of treatment for children who are questioning their sexuality because they see that as contradictory to their religious position and so on.

If everything is equal, then an argument can be made, but in my discussions with independent schools I have yet to see any of them willing to embrace that equal opportunity. However, I think the discussion can continue. The O'Connor cooperative school did have a slightly different approach to education. It was totally government-funded. We had the School Without Walls. So we did have diversity within the public system. Unfortunately, the previous Liberal government closed the School Without Walls.

I think there is a lot that we can do to increase educational opportunities. There could be different curriculum approaches within the public system. Some of the independent schools could be brought in under the public umbrella if, as I said, there were equal opportunities in terms of enrolment and exclusion policies, and so on.

I do not think the Connors report deals enough with the question of growing inequity and the kind of positive and progressive approach that we need to address it. The fact that this report does not articulate the value of school-to-community links—with individual kids at a high school level and with families at primary—indicates the narrow approach.

In that context, then, we should not gloss over the unwarranted and unfair cut in funds that was inflicted on the youth sector by this government in the last budget; and the number of strong collaborative projects that have not been sufficiently supported by the

department simply, it would seem, because they are centred outside the mythical “school gate”. This government’s promise to ensure that the “school bus money” would all be spent inside the non-existent “school gate” was somewhat unfortunate.

I am looking forward to seeing the government’s response to this inquiry. I trust that it will address all the issues raised in the report and put to bed once and for all the funding uncertainties, particularly as they apply to non-government schools. Furthermore, I would hope that government will take the opportunity to sketch out how this report and previous reports from Assembly committees that I have chaired—for example, the inquiry into kids and young adults at risk and the inquiry into educational services for children with disability—can inform the next steps in shaping our public education system. I would appreciate from Ms Gallagher a reassurance that there is going to be a full government response to this report.

MR CORNWELL (11.52): Dear me. We hear about the politics of equality, the politics of egalitarianism and, most importantly, the politics of envy. Tell me, Ms Tucker: I have just listened to your diatribe against the non-government sector—

Ms Tucker: Mr Speaker, a point of order. Mr Cornwell should know he should address the chair. Could you point that out to him.

MR SPEAKER: I am sure Mr Cornwell is aware of that. Mr Cornwell, address the chair.

MR CORNWELL: Thank you, Mr Speaker. Ms Tucker, I listened in silence to your comments, and I simply ask you this question—

Ms Tucker: No, ask the chair.

MR SPEAKER: Direct your comments through the chair.

MR CORNWELL: Thank you, Mr Speaker. I have listened to Ms Tucker in silence and I just ask her this question, sir, through the chair of course: how come the attendance at non-government schools has risen to 38 per cent of the school population with 44 per cent in the years 7 to 10 area? I would think that probably indicates that choice and diversity in this city are not only alive and well but are welcomed by parents in the ACT. Therefore, I would suggest that all of the comments that are being made by the government, by the crossbenchers, simply reinforce my colleague Mr Pratt’s concern about the Connors report, that the schools in the non-government sector of education in this city have every cause to be very worried about their future.

I have known Ms Connors for some considerable time. At one stage I served with her on the old ACT Schools Authority. It is unquestionable, as my colleague Mr Pratt said, that Ms Connors is an advocate of public schooling. She always has been. I am talking of 20-odd years ago but she has not changed her mind at all. Therefore, it came as no surprise that when she was appointed to conduct this inquiry there was every cause for the non-government sector in the ACT to be concerned and to expect something of a bucketing. Indeed, they have received it.

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I do not have to look any further than the list of recommendations in the report. We have some 16 recommendations, and the majority of them relate to chapter 6, “Non-government schools”, and this is not an even-handed approach. There are statements such as: “Quality control measures for the enrolment census for non-government schools that are consistent with those applying to government schools”, “Strengthening registration and re-registration requirements to protect the safety and wellbeing of students and the quality of education provided”, “Reporting to the ACT Government as a condition of school registration and re-registration” and “In the case of an application to establish a new school, evidence of demand and community support”.

Is this in the spirit of what the government is trying to tell us is an even-handed approach of diversity and choice to education here in the ACT, Mr Speaker? I would suggest, sir, no. I repeat that the non-government sector has every reason to be very concerned, very worried, about what this government, along with its crossbench supporters, will do with this report.

Of course, we have to think very carefully about what the effect will be if the government follows through and achieves their equality approach. We would have a situation where the non-government sector would be virtually wiped out. In fact, I would go one step further and say that it will be wiped out. If some of these recommendations are imposed, the educational viability of non-government schools will be reduced to such an extent—because of the insufficient number of pupils whose parents can still afford to send them to the school as well as the school’s inability to present the educational subject range—that they will be under threat of closure.

But let us consider what would happen if that occurred. Can you imagine the cost of fully funding education here in the ACT if an extra 38 per cent of pupils went back into the government sector? It would be a considerable cost. Yet this government is talking about providing to the government sector the best education that money can provide. I think with an extra 38 per cent of pupils coming in you may find that more difficult to achieve.

But I am more interested in the social costs that may occur. I would think there would be something like mayhem in some government schools. You would find that a great many parents would come into the government sector, and they, of course, would know about the virtues of the non-government sector—the virtues perhaps that sent them to the non-government sector in the first place. They, of course, would be requiring—indeed, perhaps demanding—that these virtues be adopted by the government school to which their children were forcibly moved. I do not know how well received that would be within the sector. That does not seem to me, Mr Speaker, to be a question of choice and diversity.

Many of the non-government sector schools are religious schools, be they Catholic or of other Christian or, indeed, non-Christian religions. How will this affect and how will this slot into the government school sector? Parents who have sent their children to a non-government school because they wanted their children to have the religious education that it provided, will quite properly require, indeed demand, that they have every entitlement to this sort of education. How will this fit in with the great ALP scheme of government schooling—exclusive government schooling, I would suggest to you, because that is the long-range plan?

I was amused by Ms Gallagher's comments about the \$7.4 million not having been spent yet. Of course it has not. You are waiting for the budget next year. It will come down probably in next year's budget, Mr Pratt. Does that come as a surprise to you, sir? No, of course not.

Mr Pratt: Good for the kids, though, Mr Corbell.

MR CORNWELL: Perhaps, although unfortunately in this city there has been a long history of the attitude that shovelling enough money at education will solve all problems. I do not accept that argument—I never have and I do not believe that I ever will.

What my colleague Mr Pratt has said in relation to this matter is perfectly true: there is grave concern about Ms Connors' report in relation to the non-government sector. I would strongly suggest that the government tread very carefully before they start to interfere and overturn, for ideological reasons, the position of ACT non-government education in which 38 per cent of pupils attend the non-government school sector and 44 per cent of pupils in years 7 to 10, the high school years, attend non-government schools. I would suggest that you let both government and non-government sit side by side, thus endorsing the concept of diversity and choice in education.

MR CORBELL (Minister for Health and Minister for Planning) (12.02): Mr Speaker this is a disappointing motion from Mr Pratt, disappointing because it simply continues his attack on the author and, indeed, on the very important issues of education funding in our city.

Mr Pratt in his comments criticised Ms Connors' report for, amongst many other things, not addressing a range of education policy issues—bullying, violence in schools, et cetera. These are important issues and the government has strategies—which it continues to refine and develop—to address, amongst other things, violence and bullying in schools. But what Mr Pratt reveals in those comments is his fundamental misunderstanding of this report. This is not a report about education policy per se. It is not about policy issues in education: it is about how we fund education. Mr Pratt has missed that point and, therefore, his argument is fundamentally flawed in that regard.

Mr Speaker, the purpose behind this inquiry, as the minister for education has pointed out, is about ensuring that public funds, the ACT community's funds, are spent in the best possible way to ensure that we maintain and develop further our high quality education system. The government made clear this commitment prior to its election and by its implementation we are keeping an election commitment.

Mr Speaker, the Connors inquiry raises some very important philosophical issues—ones which the opposition should pay heed to. When public money is spent in any other field of government activity or non-government activity in the ACT we have extremely high levels of accountability and reporting in respect of expenditure. Through the annual reports process in this place and scrutiny by Assembly standing committees, there is a very detailed accounting of the way every single dollar is spent in the public education system.

Mr Speaker, what accountability is there for the way non-government schools spend the public money they receive? Is there any annual report? Is there any scrutiny by this

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place? The answer to that is no, and that I think is an issue that this Assembly needs to consider further. There is simply a line in the annual report of the department of education which shows how much money went to the non-government sector. We do not know how well it was spent, we do not know how it was spent, we do not even know if it was spent, although presumably it is. These are the sorts of issues that Ms Connors has appropriately outlined.

This is not simply a debate about public versus private, but if you want to make it one, that is fine. This is about accountability for public funds and it is about making sure that public funds are spent in a way that our community considers to be both appropriate and focuses on its needs. That is the philosophy behind the inquiry. The reason the government commissioned the inquiry is that we recognised, first of all, you can never spend enough money on education; but, secondly, because you can never spend enough, you have to make sure that what you do spend is spent well to meet your objectives of delivering a high quality education system.

Mr Speaker, I thought some of the points that Ms Connors raised in her report were interesting. I was particularly interested to see the results of her detailed investigation into the interest subsidy scheme. I was very interested to see that the overwhelming majority of those funds went to the three most wealthy private schools in the ACT—an enormous amount of money, tens of millions of dollars of public funds, being used to subsidise elite facilities in elite non-government schools.

Mrs Burke: It's all about choice.

MR CORBELL: I do not have a problem with choice but I do have a problem with some elite schools that charge high fees, that pick and choose who they accept into their system, using public funds to further enhance their elite status. I do have a problem with that and that I think is unacceptable, and Ms Connor's inquiry points that out.

If as a community we decide that it is okay to do that, that is fine. That is the purpose of the report. I will not agree with such a decision but at least there will have been a discussion. The reality is that this subsidy has been hidden. There has been no accountability in terms of where this money has been going and no public understanding of the fact that tens of millions of dollars have gone to the three most elite non-government schools in the ACT.

How can that be justified? How can this government, how can any government, justify public funds being used to support, say, the development of a dramatic art facility in the richest non-government school in the ACT—

Ms Gallagher: Airconditioning under seats.

MR CORBELL: —with airconditioning under the seats, when public schools struggle even to get their gymnasium upgraded? That sort of issue is centred around equity and need, and that is what this report is all about

Mr Speaker, Ms Connors has identified a very wide range of issues and she is right to also focus on the issue of the relationship between Commonwealth funding and territory funding for schooling. It is unfortunate that the federal model for funding schooling now

delivers more dollars to the richer schools. How can we justify that on any good public policy basis? It is immoral. There is no other word for it—it is immoral. But, unfortunately, it is the approach that those opposite advocate and will seek to protect at all costs.

Funding issues must be addressed at the national level. Ms Connors outlines a range of issues that the territory government can advocate and put forward in the national forums where we have national representation, including obviously at the Ministerial Council on Education, Employment, Training and Youth Affairs.

Mr Speaker, the Connors inquiry is a worthwhile piece of work. It will greatly value and inform the decisions this government makes in the expenditure of the remaining money set aside from the Liberals free school bus bribe scheme, and it will put in place a well-informed structure as we move forward on education and funding issues in the ACT. The government obviously will not be supporting this motion.

MR STEFANIAK (12.11): Mr Speaker, whilst I must confess I have not read the report word by word, I have looked at the salient details. I must say that I would have to agree with Mr Pratt that the Assembly should express disappointment in relation to this inquiry. For starters, I do not think the inquiry tells us anything we do not already know and, therefore, I would tend to agree with Mr Pratt that the inquiry was probably very much a waste of time and money—the \$250,000, which I note has blown out by about 10 per cent. I wonder how many other things this government has done are blowing out by about that amount?

Mr Cornwell: It would put some airconditioning under the seats, wouldn't it?

MR STEFANIAK: Yes, it would put something under the seats—maybe a bomb or something to get them moving on a few things.

I also note that Mr Corbell said that Mr Pratt had missed the point that the report was about funding. I hardly think that is the case at all. Several points in Mr Pratt's motion quite clearly deal with funding, including paragraph (3), which states:

The inquiry has allowed the government to prevaricate on the timely expenditure of \$7.4 million funding denied to our children for a period of 10 months;

In fact, it is probably more than that, Mr Pratt, because I think that funding has been available since the free school bus scheme was abandoned by this government. It went to the election on that and it abandoned the scheme—fair enough, that was an election promise. As a result of that, it had extra money to spend on education. We have not actually seen that yet.

I would think it must be fairly obvious but we still have this—

Mr Corbell: Yes you have—\$19 million was spent in the last budget, Bill.

MR STEFANIAK: What about the \$7.4 million, Mr Corbell?

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Ms Gallagher: \$19 million more than you were going to spend.

Mr Pratt: It should have been \$27 million.

MR SPEAKER: Order, members! Mr Stefaniak has the floor.

MR STEFANIAK: You have had 18 months and you have not worked out how to spend that yet. So what arrant nonsense.

Mr Corbell admits that this report is more than just about finances. He also states it is about ideology. I think he is quite right—there are certainly some worrying ideological aspects in the report. I will come to those aspects shortly, especially in relation to the interest subsidy scheme which I saw operate over a number of years as minister, and I think operate quite well. But more of that later.

What has disappointed me as a former education minister has been the lack of any real new initiatives in education by this government over the last 18 months. In an 18-month period you would have thought you would have started to have some real positive initiatives, big initiatives, that would assist in the education of our children and in maybe identifying where things could genuinely be done better. There are always things that we can do better in crucial areas such as education and health. Quite clearly, there are things that can be improved upon. Yet what have we seen?

I am reminded of what happened in the first 18 months of the previous government back in 1995/96. By that stage we had introduced some significant improvements in physical education in schools, and Mr Pratt raised a point about growing obesity problems and health problems. I note the ALP was very reluctant about that one at the time and was somewhat obstructive. They showed considerable reluctance to support that very important initiative, an initiative that now needs building on further by the current government. I note in relation to that that some proposed fitness test assessments which would have built on that excellent initiative were scrubbed. Something happened with that tender; it just did not proceed. I am not quite sure what the circumstances were, but clearly we have seen no further action there.

In the first 18 months of the previous government, literacy and numeracy assessments were certainly well on the way to being bedded in, and the first ones occurred in 1997 for years 3 and 5. Again, this is an initiative which I note the current government is quite properly continuing. There might have been some argy-bargy about how best to report, and perhaps the reporting conditions that they are undertaking are not quite as good as we would like to see. Nevertheless, that initiative, which relates to years 3, 5, 7 and 9, is continuing. Of course, the IT assessments are continuing.

But what happened in the first 18 months of the previous government? We had immense opposition from the then Labor opposition in relation to this most sensible of initiatives, which parents in the government schools sector were very keen to see—an initiative which they have commented on very favourably, and indeed continue to do so.

So it does disappoint me, Mr Speaker, to see so few real initiatives under the present government. There has probably been a bit of window dressing, the odd initiative here and there and maybe the odd program which might have some effect.

Ms Gallagher: Like reducing class sizes?

MR STEFANIAK: Ms Gallagher interjects, “Class sizes.” It was the previous government that put money in its last budget, with money put aside for successive budgets, to reduce, after a few years, class sizes to 21 in kindergarten to year 2 in government schools. It was the previous government which put money aside, which employed in the first year some 30 or 40 extra teachers to cover that. We incurred a bit of criticism from the non-government schools because they could not possibly match this initiative, and this led to some further adjustments to enable us to perhaps assist. This clearly kept the ACT at the forefront of public education, and in fact enhanced what had been done.

I am delighted to see that Premier Carr is now following the good policy in the ACT by doing similar things in New South Wales. There are a few areas in which we can follow some of his good policy, too. But, again, these are major initiatives which were started or were well underway in the first 18 months of the previous government.

Mr Speaker, I am a very proud product of the ACT education system. When I was at school the system happened to be run by New South Wales, and some of the teachers who taught me are still in the ACT. It has always been an excellent system. Like Ms Gallagher, I am certainly very proud to have gone through it. Nevertheless, I have always accepted—and I accepted as minister—that we have a very vibrant private education system. In fact, my two little kids are now in a Catholic school, mainly because my wife is a very good Catholic. I suppose if I had my druthers, I would probably put them into a public school, but I must say I am very happy with where they are. It is a good little school.

What impressed me when I was minister was the way the systems complement each other. There is a need to maintain the excellence in both systems. If anything, I noticed that some schools in the non-government sector probably did not have the same access to resources that the government sector could provide. That was not really across the sector, but I certainly saw areas where IT resources in non-government primary schools were not the same as those in government primary schools. So I think it is absolute nonsense to say that all of our non-government schools are incredibly well off and do not need assistance.

As my colleagues have said, 38 per cent of kids in the ACT go to non-government schools, and 44 per cent of year 7 to 10 kids go to non-government schools. I would be very concerned to see any great winding back of assistance by government to non-government schools because, if this happened, we might end up with a situation—I have a vague recollection of this as an 11 or 12-year-old; certainly I have read reports about it—similar to the one when the Catholic bishop of Canberra and Goulburn threatened to send all the kids at the Catholic schools in Goulburn to the state school system, and I think that precipitated state aid. I would hate to see anything like that happen.

I would caution the minister about a number of things in relation to the non-government sector. Firstly, be aware of the figures in the report. Have a very good look at things like the interest subsidy scheme. I think Mr Corbell’s comments were really off the mark in this respect. The schools put in what they need and what they want in respect of short-

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term or long-term projects. Allocations are made by a committee—I assume that this is still the case—which deals with the limited resources that are available through that scheme and the block grant system. The committee allocates those resources, divvies them up, between all the schools who put in for consideration, and I think this is done in a very fair way.

The system is very similar to the sports loan interest subsidy scheme. In other words, it is a system under which the government pays up to 10 per cent of the interest on capital grants in respect of buildings or whatever. It is an interest subsidy scheme. Of course, the level of interest rates these days means that under this scheme interest payments are covered. This is a wonderful way of having some excellent facilities built. For example, I think the hockey centre was partly built with the assistance of the sports loan interest subsidy scheme, and you, Mr Speaker, as an ex-sports minister, would be well aware of that scheme.

The interest subsidy scheme for the non-government sector is an equally good scheme. It enables schools in the non-government sector to build necessary capital works which otherwise they would have huge difficulty doing. It would be a real shame if the recommendation to toss the scheme were followed, because schools use the scheme very well in building their infrastructure. I think there would be a real problem if they were unable to do so. I commend those remarks to the minister and I also commend Mr Pratt's most sensible motion to the Assembly.

MRS BURKE (12.21): I am sad to see Ms Gallagher sitting all on her own. I am sorry that you have not got the support, Katy. To describe the report—a report that has cost us all \$276,000—I would use Mr Corbell's words “disappointing” and, indeed, “nothing new”.

I support Mr Pratt's motion. I must acknowledge, Ms Gallagher, that I have not read the report from front to back but, having been in the sector, I am very aware of some of the issues that the sector has been facing over the last 12 to 18 months.

Whilst I enjoyed reading the report—it was a good read because it refreshed what I already knew—I am sad to say that it was lacking in the ideas and innovation needed to drive education forward in a practical manner. I do not think Lyndsay Connors has really identified anything new. We have paid all this money for the report and that concerns me. The report simply tells us the obvious. It tells us about the problems that still exist some 17 months after this government took over the reins, and some six years after Labor was in opposition.

I remember distinctly Labor members telling me that they were ready for government and they had all the answers, and education was one of those big areas. Well, where are their solutions? Where are this government's solutions to the problems we have known about for the last 17 months at least? Where are they going to spend the \$7.4 million? I could tell you now where we could spend some of those valuable dollars. I am confounded and astounded that we needed to spend this amount of money to tell us where we need to spend the money that we have. It does not add up.

Where is the innovation needed to implement new strategies to move the education sector forward, to be relevant in the 21st century? The simplistic view and possible

action of moving funding from one bucket to another is simply not dealing with the real issues, but that seems to be the major point that this government and this report keep making. Are they about giving choices to students and parents? I think not. The government stridently pushes the public school agenda at the risk of downgrading the private school sector. What are we gaining? So does Labor want to severely limit a student's or parent's choice? It would seem so to me.

Mr Speaker, \$7.4 million is a lot of money. The schools are waiting for the money but the government is waiting for the schools to give them ideas. Haven't they been out there listening, getting information, informing themselves and making plans about what is needed? No. What have they done in the 17 months since taking office? They have spent some \$276,000 to find out what they should have found out while sitting in opposition.

Ms Gallagher: We have spent \$19 million.

MRS BURKE: Obviously, Ms Gallagher was not then in her present position. Now in government, they are sitting on their hands.

This inquiry is interesting. It succinctly tells us what we already know, but to me it does nothing to further the cause of innovation and better schooling for all students. I would like to know what Lyndsay Connors is getting at when she talks about a "Needs based model". I was fascinated by the comments at page 90 of the report under the heading "A needs based model". The report states:

The Inquiry is persuaded that, to be effective, public funding to non-government schools should, as far as practicable, be on a needs basis. In other words, priority in public funding should not be directed to schools that have the means to provide education standards in excess of those applying in government schools.

I would say that this is a strange statement.

Mr Cornwell: Made by the sacrifice of the parents.

MRS BURKE: My learned colleague Mr Cornwell makes a very valid point. Has the government asked parents how much they pay out each year in school fees? What is the basis for Lyndsay Connors' statement "schools that have the means to provide education standards in excess of these applying in government schools"?

Page 71 of the report talks about curriculum reform. We have seen this one coming for over 12 months. Mr Speaker, when I was involved in this sector over two years ago I was pushing hard for KLA areas and other things to be looked at. I know that the mechanism is slow, but the government has been in office for over 17 months and I have seen no energetic moves to address this area. This is not rocket science, as we say. Did we need an inquiry to tell us we must keep up with modern advancements? I think not.

Transition from school to work, vocational education sooner than year 11—all these are issues that we know about. Vocational education and training is an extremely important area. We needed a report that dealt more fully with how we are going to better prepare young people for the transition from school to the workplace—seamless or smooth transition or pathways, whichever you want to call them.

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I note, Mr Speaker—and I am sure that my colleagues will know, too—that there is a federal inquiry into vocational education in schools currently underway and it obviously is placing a huge emphasis on that. We need to be backing up the system, looking at these things much earlier than we are. I could have told them that; I would have willingly told them that had they asked me. I could have told them what we seem to be being told all the time.

I want to pick up and comment on a couple of points that other speakers so eloquently made. Ms Tucker talks about Christian values. The Christian values that Ms Tucker refers to are very much the driver for choice in education in our community. All schools, Christian and non-Christian, need our support.

Many parents are prepared to go without and to make sacrifices. My parents did so for me. I do not call them well off. I would like Ms Gallagher to know that my parents did without. Maybe I am of the old school, but my parents worked very hard to send us through private schools. Am I to be judged or my parents condemned for that? Choosing to send their children to these schools means hardship and doing without, and parents gladly do so. Are we now judging people's right to choose anything but public schools?

Ms Gallagher makes the suggestion that the current funding models for schools only support those who are well off. I am sorry, but this is a very naive statement. As I said, many parents go without to send their children to schools that are not public schools. Have you asked these parents why this is so? Have we asked the parents why there seems to be a fundamental shift from the public school sector to the independent private/Catholic school sector?

Ms Dundas made the point that she did not agree with Mr Pratt's motion because she reckoned the report was good; that the report pointed out that more money should go to pre-schools and to provide services to students with disabilities. Again, I would like to think that the government already knew that. I was lobbied about these issues when I was last in this Assembly. We know these things.

The two sectors always need support, financially and in every other way. We all know this. We did not need another amount of money to be spent to tell us that. Of course, no-one in this place would not be for public schooling, and I think it is a real insult to infer that we are all private school wallowers and that we do not believe in public schooling. Well, I went through a private and public school system, so I am very much for it.

Mr Corbell said he was disappointed. Well, so are we. He also mentioned accountability of public funds. What about reports to school boards? It is nonsense to say that schools are not accountable. It is nonsense for him, as a former education minister, to say that there is no accountability. Members on this side of the Assembly are protecting choice and diversity and adding to the input of our students. Mr Speaker, I rest my case and support Mr Pratt's motion.

Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour.

Sitting suspended from 12.30 to 2.30 pm.

Ministerial arrangements

MR STANHOPE (Chief Minister, Attorney General, Minister for Community Affairs and Minister for the Environment): Mr Speaker, I advise members that my colleague, the Minister for Health and Minister for Planning, is travelling interstate to a ministerial council meeting. I regret his absence from question time. I am happy to take any questions members might want to ask of the minister and will respond as soon as I am able.

Questions without notice

Treasurer's Advance

MR SMYTH: Treasurer, on 11 December last year you stated in this place:

Under advice from Treasury to cabinet, the government applied \$10 million of unexpended Treasurer's Advance to an urgent maintenance need in relation to fire safety ...

Yesterday you informed the house that there was no written advice or that, since you did not have such a paper, you assumed it did not exist. Are you saying that cabinet decided—I think you will find that it is cabinet decision No 0187—to expend this \$10 million on social housing on the basis of oral advice?

MR QUINLAN: I understand that this issue has been the subject of an FOI request and that Mr Smyth has been provided with a sheaf of papers. I presume that all relevant material, other than cabinet documents, has been provided.

I am not sure of the exact words I used, but I think I have said in this place once before that that occurred in May, in the last week or two before the budget was finalised. You need a week or so to print the budget. I assume, Mr Smyth, the time you spent in government was not totally wasted and that you would be aware of the processes that would occur leading up to the finalisation of the budget. A lot of decisions are taken very close to the deadline, because priorities are being set and reset.

Let me assure you that when we sit in cabinet we have the benefit of the advice of not only the Under Treasurer and officials that handle the budget but also agency heads. Sometimes their collective advice is good enough.

MR SMYTH: I ask a supplementary question. Who gave you the oral advice, and are you going to apply the same sloppy standards of verbals to this year's budget?

MR QUINLAN: To answer the first question, I recall that the main advice came from the Under Treasurer at the time, Mr Ronaldson. I will not answer the second question so much as respond by saying, "Isn't it about time we got beyond the undergraduate style inherent in the question?" The standards at question time in this place over the last 12 to 15 months have been pretty poor.

Sustainability agenda

MR HARGREAVES: Mr Speaker, my question, through you, is to the Chief Minister and Minister for the Environment. Can the minister outline the level of community support for the government's commitment to pursue a sustainability agenda?

MR STANHOPE: Mr Speaker, sustainability is clearly an issue that is close to the heart of all Canberrans. There has been an enormous level of community support for the government's decision to pursue a sustainability agenda in the ACT. For example, after my announcement in June last year that we were establishing a sustainability expert reference group, the office of sustainability received over 80 nominations for membership of the group. The Sustainability Expert Reference Group contains an enormous breadth and depth of expertise and commitment to sustainability. It has been closely involved in the development of our recently released sustainability policy—*People Place Prosperity*—and has given the document its endorsement.

The office of sustainability consulted widely in the development of the sustainability policy. This included providing numerous briefings to public forums, industry, community and government organisations and advisory groups, as well as conducting a sustainability workshop. The office also linked these activities with the Canberra Plan consultation process to achieve efficiencies.

The office received over 40 submissions to our *Towards a Sustainable ACT* discussion paper from a wide variety of areas in the community, including peak business, industry, environment, social welfare and education organisations, as well as government advisory groups, community groups, academics and individuals. Overwhelmingly, these submissions congratulated the government on its initiative and leadership in pursuing a sustainability agenda.

For example, ACTCOSS said that it “believes the Government has shown real leadership in generating debate on sustainability issues”; the Canberra Business Council said that “the initiative taken by the ACT Government ... will yield considerable benefits for the community of the ACT and the broader regional community”.

The Canberra Business Council has pursued with me the possibility and prospect of continuing the partnership between the ACT government and the business council in relation to sustainability issues. The Conservation Council of the South East Region and Canberra congratulated me on moving so expeditiously to fulfil my election promise to establish an office of sustainability and create a sustainable Canberra. Indeed, the Conservation Council of the South East Region and Canberra repeated those congratulations at the launch of *People Place Prosperity*, and expressed its satisfaction with the pace at which the ACT government is pursuing a sustainability agenda.

Also at the launch of *People Place Prosperity* on 27 March, Mr James Moody, a successful young businessman, and Professor Bob Wasson, who is head of the sustainability reference group and a respected academic and environmental expert, expressed their support for the government's commitment to sustainability. They congratulated me and the government on *People Place Prosperity* as the most advanced document of its kind released in Australia.

I am extremely pleased with the way our business community has embraced the concept of sustainability. The business council is certainly a very strong partner in the sustainability agenda which this government is leading.

I am aware that some within the business community are taking the initiative and developing their own proposals to pursue sustainability. This type of community support is essential for the pursuit of sustainability. As we make clear in our policy, the government accepts its leadership role but we recognise that we cannot pursue sustainability alone. It is the responsibility of all Canberrans.

I am proud of the substantial progress we have made on sustainability in a short time. The policy articulates the commitments we make and the principles we use to lead the transition to sustainability in the ACT. As a guide to decision-making, it will have a powerful influence over future actions of government agencies and will have a flow-on effect to the private and non-government sectors.

The development of indicators and the preparation of the ACT report on sustainability are, of course, priorities for the office of sustainability and indeed are the next major challenge the office and the government face. The process of change has started. Sustainability will underpin the development of the Canberra Plan—our strategic blueprint for Canberra's future which, as you know, includes the spatial plan, the social plan and the economic white paper.

As part of a sustainable transport system, the government has initiated a range of sustainability-focused initiatives. Similarly, as members know, we have committed to the development of a major—and the first ever—strategy in relation to water. Water, of course, along with transport, is an issue which presents major sustainability challenges for this community.

Bushfires

MR PRATT: Chief Minister, in response to a question from Ms Tucker on 18 February about whether submissions to the McLeod inquiry would be made public, you stated:

I cannot imagine why they would not be, unless somebody sought confidentiality ...
But in the ordinary course of events I would expect submissions to be made public.

Chief Minister, what has happened that all submissions will not be made public—all, including ones from government agencies?

MR STANHOPE: It is with some weariness but predictability, I guess, that this matter has arisen again today, given the determination of the Leader of the Opposition and the Liberal Party to undermine the McLeod inquiry into the operational aspects of the January bushfires, the penchant for attacking dedicated individuals involved in the bushfire and the bushfire processes. We know already that the Liberal Party is determined to sack, through Mrs Dunne's legislation, Sandy Hollway, Robert de Castella and Terry Snow.

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Mrs Dunne: I take a point of order, Mr Speaker.

MR SPEAKER: Order! Chief Minister, resume your seat.

MR STANHOPE: We know what Terry Snow thinks about the prospect of being sacked by—

Mr Cornwell: Sit down.

MR SPEAKER: Order, Chief Minister!

MR STANHOPE: Sorry, Mr Speaker.

MR SPEAKER: Order! I can manage.

Mr Cornwell: Thank you, sir. My apologies.

Mrs Dunne: The point of order is that, again, the Chief Minister is misleading this place and other people about the views of the opposition.

MR SPEAKER: Order! Withdraw that. You cannot make the accusation that people are misleading the place. You would know by now that you have to do that by way of a substantive motion, so I order you to withdraw.

Mrs Dunne: Sorry. In that case, Mr Speaker, I withdraw it. But constantly in this place the Chief Minister has made assertions about what the opposition wishes to do with the personnel of the—

MR SPEAKER: Mrs Dunne, that is not a point of order. You may wish to rise later in this place and deal with the issue substantively—that would be up to you—but that is not a point of order.

Mr Stefaniak: Mr Speaker, I would like to raise a point of order under standing order 55, which relates to imputations of improper motives. I think that what the Chief Minister has just said is probably the closest you can get to the standing order. He actually said it in a debate some time ago, too, which caused a fair bit of furore here. It is painfully obvious that what he is saying is quite wrong and I think that he is imputing improper motives. I would ask you to ask him to withdraw.

MR STANHOPE: On the point of order, Mr Speaker: the Liberal Party, through Mrs Dunne, has introduced legislation in this place to replace the bushfire task force with a statutory authority. There is absolutely no way that we are going to have a bushfire task force headed by Sandy Hollway and comprising Robert de Castella, Terry Snow, Maureen Caine and Robert Tonkin and a statutory authority designed to do exactly the same thing.

Mr Stefaniak: What is your point?

MR STANHOPE: My point of order is that I have not imputed an improper motive. The Liberal Party has introduced legislation designed to sack the bushfire task force and

replace it with a statutory authority. There was no imputation at all. These were just statements of fact.

MR SPEAKER: Order! Everybody should cool down a bit. Mr Stefaniak, if you have a problem with what the Chief Minister has said about you in particular, you have the option to rise to your feet, pursuant to standing order 46, and seek my leave to make a statement on personal matters. I would not rule in your favour on the issue of imputation. Do you want to raise another point?

Mr Stefaniak: I did not refer specifically to personal reflections, Mr Speaker; I spoke of improper motions. He has said again, imputing an improper motive to the opposition, that we wish to see Mr Hollway sacked. We have had the substantive debate in this Assembly, which was that that group of people would be simply transposed to what Mrs Dunne has introduced. He has continued to misrepresent that and is imputing improper motives to the opposition. He is blatantly wrong and continues to maintain that position. That is, I think, very close to imputing an improper motive, Mr Speaker.

MR SPEAKER: Whether your motives about Mr Hollway are proper or improper is a matter for debate and is not one that I can resolve. I would not regard it as imputing an improper motive if somebody were to say that you had introduced certain legislation which might bring about certain events. Those are matters of fact that cannot be avoided, it seems to me.

Mrs Burke: We wouldn't say, "Sack him."

MR SPEAKER: I heard the interjection from Mrs Burke and it assists me. If we were to place a total ban on that sort of language in this place, lots of people here would not have much to say. I am not going to rule in your favour, Mr Stefaniak. I do not think that he imputed improper motives to you personally. Therefore, I will not rule in your favour.

MR STANHOPE: Mr Speaker, I will let the matter go, but I do know what Mr Snow thinks about the prospect of being sacked. I will go to the next attack, the attack on Mr McLeod, the ex-Commonwealth and ACT Ombudsman, who is conducting an administrative inquiry on behalf of the ACT government into all those issues around the bushfire. It is but one of the inquiries, I have to say, but he is conducting an administrative inquiry into a range of issues around the bushfire.

Mr Smyth: Oh, it now an administrative inquiry.

MR STANHOPE: We have always said that. It is not judicial; it is an administrative inquiry. That is how it has always been titled. You might even find that in its terms of reference, but you have probably not bothered to look at those. You are more interested in overcoming the relevance deficit—"deficit" is probably a kind word—that you are suffering.

Mr Wood: Deprivation.

MR STANHOPE: No, it is kind. I does not actually go to the expense of the deprivation that the poor old Leader of the Opposition is suffering at the moment in relation to his

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position and Canberra public life. But it is an unfortunate politicising of an inquiry, a very important and significant inquiry, into the bushfire, the first of five inquiries.

Mr Pratt: I take a point of order under standing order 62, which relates to irrelevance. Can I please have an answer to the question?

MR SPEAKER: As long as the Chief Minister addresses the subject matter, the irrelevance rule is not appropriate.

Mrs Dunne: I take a point of order in terms of standing order 42 and ask the Chief Minister to address the Chair.

MR SPEAKER: Address your comments through the Chair.

MR STANHOPE: I am addressing my comments through the Chair, Mr Speaker. To put this matter in context, we need to understand the full suite of inquiries now in place or about to be undertaken. There is the McLeod inquiry, the inquiry which I established, an inquiry designed to review the way the emergency was handled, so that—I think that this is of fundamental importance—if there are lessons to be learned, they can be implemented before the next bushfire season.

I think the first and most fundamental responsibility of any responsible government is to ensure—at least to ensure to the extent we can in the time available, acknowledging that the next bushfire season starts on 1 November—that we have learned the hard, sharp lessons that we need to learn. That is a fundamental responsibility of this government, a responsibility that we will fulfil.

It requires us to have in place a review of what happened, what was done, what might have been done better, what wasn't done, and what was done that should not have been done. We have put in place a process through Ron McLeod, a person of unimpeachable integrity and reputation, to undertake that first look at the way we responded.

Then, as members know, there is the coronial inquest, an ACT coronial inquest, a full, essentially judicial, process being undertaken by Maria Doogan. It will cost between \$1.5 million and \$2 million. It will take between 18 months and two years to complete. It will have the full panoply of the law. People will be subpoenaed. People will be cross-examined. There will be full legal representation. That is what we are doing. That is the second aspect of the suite of inquiries we have in place.

Mr Smyth: I rise to a point of order, Mr Speaker. Standing order 118 (a) says that answers shall be concise and confined to the subject matter of the question. The question was about the Chief Minister's words; it was not about what anybody else was doing or what other inquiries were in place. The simple question was about whether he will honour his commitment, the words he has used both publicly and in this place. Will he answer that, not throw up a smokescreen, as he is wont to do, and talk about everything else except his commitments, on which he is failing?

MR SPEAKER: While ever the Chief Minister sticks to the subject matter of the question—

Mr Smyth: But he hasn't today, Mr Speaker.

MR SPEAKER: Mr Smyth, he might not be sticking to it in the way that you want him to do, which is the difficulty with question time. It is not within my scope to require ministers to answer questions in a way that pleases the opposition. I am not able to do that. In fact, if I were to do that, I think the government of the day would be quite correct in referring me to a considerable number of precedents on how that has never been required of ministers. I rule that, while ever the Chief Minister stays with the subject matter of the question, it is open to him to answer it in any way that he wishes.

Mr Smyth: Mr Speaker, I respect the abilities that you have and the standing orders in the way that they govern what you are allowed to direct ministers to do, but Mr Pratt's question specifically asked the Chief Minister to comment on his own words about whether submissions would be made public and whether his inquiry would be a public inquiry. He chooses to talk about things that the Liberal Party is doing and he chooses to talk about things that everybody else is doing, but you have the ability to direct the Chief Minister to answer to the essence of the question, which was about his own words, under standing order 118 (a). I request that you do so and bring him to order so that he might answer the question appropriately.

MR SPEAKER: I do not have to direct the Chief Minister to comply with standing order 118 (a) because, while ever he confines himself to the subject matter, I do not think that you have a point of order. Generally speaking, it has not been the practice of this place or of many others to order people to take note of the time so long as they stick to the subject matter of the question. I cannot rule in your favour, Mr Smyth.

MR STANHOPE: It is important that we understand the context in which we are operating in relation to inquiries and it is important to understand the place of the McLeod inquiry in relation to the suite of inquiries so that we understand the circumstances and the import of what it is that we are discussing. As I say, the second inquiry is the ACT coronial process—full, judicial, open, public, cross-examination, lawyers wall to wall.

The third inquiry, of course, is the New South Wales coronial process. It will probably cost as much and take as long—exactly the same process. It is very important and significant for the ACT because of the McIntyres hut fire, a fire that I think on much analysis will be shown to be the fire that burnt into the southern suburbs of the ACT. The process will be exactly the same—open, judicial, public, it will call for submissions, exhausting, cross-examination day after day, examination, summonses, subpoenas, submissions, counter-submissions. It will take a year to two years and cost a couple of million dollars.

The fourth process is the Victorian coronial process. Perhaps the Victorian fires did not impact directly, but we were dealing with a range of fires. Issues around the national impact and the national response are very important. It is probably important that the ACT have some involvement in that. The Victorian coronial process—a couple of million dollars, one to two years, lawyers briefed wall to wall, open, accountable, public, cross-examination, examination.

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The fifth inquiry—the Wilson Tuckey spectacular, a select committee of the House of Representatives, eight members of the Liberal and National parties, four members of the Labor Party and a Green, open, public, submissions called for, parliamentary privilege applying, take until after Christmas, all welcome to make submissions, all welcome to appear, all welcome to be examined by the eight members of the Liberal and National parties, the four members of the Labor Party or the Green on every aspect of every fire in Australia.

The sixth opportunity is the inquiry proposed by the Prime Minister—the COAG process. I table the letter from the Prime Minister inviting the ACT's participation in that inquiry and congratulating the ACT on its response to the fires.

Mr Smyth: I take a point of order, Mr Speaker, under standing 118 (a). An answer should be relevant, concise and confined to the subject matter of the question. Nowhere in the question did Mr Pratt talk about the Prime Minister, New South Wales, the standing committee, the Victorian inquiry or any of the other inquiries the Chief Minister chooses to use as a smokescreen. The question was specifically about the Chief Minister's words. I would ask that you direct the Chief Minister to speak about what he said and how he would make that happen, not about what everybody else is doing.

MR SPEAKER: I am not going to direct the Chief Minister or any other minister on how they ought to answer questions or on what the content of their answers ought to be. Mr Pratt raised this issue in the context of an inquiry. It is hard to imagine a situation in which other inquiries in relation to the same event are not relevant to a response from the government. I think it is unreasonable for you to insist that ministers not stray from other inquiries that are occurring into the same matter.

Mr Smyth: Mr Speaker, by your own words, you have just admitted that the Chief Minister is now straying from the subject matter of the question.

MR SPEAKER: I think that is reasonable.

Mr Smyth: I would ask you to bring him back to the point. It is not a matter of whether it is reasonable; it is a matter of whether the standing orders permit it. The standing orders require that he be concise and confine himself to the subject matter of the question. He has not once mentioned the subject matter of the question.

Mr Stanhope: I will get to it.

Mr Smyth: The Chief Minister says, "I will get to it." That is an acknowledgment that he has chosen not to answer the question. I would ask that you direct him to answer the question, Mr Speaker.

Mr Hargreaves: Mr Speaker, Mr Pratt's question went to transparency and accountability. The Chief Minister has been describing those elements with respect to the other inquiries. He has been relevant to Mr Pratt's question.

Mr Pratt: I take a point of order. My question went to the heart of the McLeod inquiry, no other inquiry. Mr Hargreaves is wrong.

MR SPEAKER: The length and content of answers to questions are largely in members' hands. If you do not like the way ministers respond, you can take action in the Assembly in accordance with the standing orders. I have said this over and over again: I am not going to direct ministers on how they should answer questions. You have to expect that they will contextualise answers. If you ask a question about something as big as the fire inquiry, you have to expect that ministers will respond in full. I trust that ministers will keep in mind the standing orders, in particular the one that mentions that answers be confined to the subject matter of the question. But you cannot require ministers to be bound so tightly as to respond only to the words you use. You have to allow ministers to respond in context. This is in context, in my view.

MR STANHOPE: Thank you, Mr Speaker. I will conclude. It is obvious that the Liberal Party is not interested in the substance of the fire and what caused it or in the six inquiries that are now under way into the fires that befell south-eastern Australia in January.

There are six inquiries. There is one here in the ACT—the inquiry being conducted by Mr Ron McLeod, the former Commonwealth and ACT Ombudsman, according to the terms of reference that were delivered. An issue has come up in relation to his *modus operandi*. I understand from what I have read that the McLeod inquiry has received about 70 submissions. One of the submitters has asked whether they may appear in public. As I understand it, Mr McLeod is negotiating with them about how that might be achieved. None of the other submitters have asked, requested or sought to have the matters they raised discussed at public hearing. I am advised that some of the submitters have asked for their submissions to be treated as confidential. Other submitters have not asked for their submissions to be made confidential. It may be that their submissions contain matters defamatory of others.

I understand that Mr McLeod may be proposing to utilise exactly the same procedure that is utilised by committees of this place: not to authorise for publication submissions that trample the reputations of others. That is the standing arrangement. It certainly has been on every parliamentary committee I have been associated with, as it should be. People's reputations should not be trampled through privileged processes.

It is important that this committee be at arm's length from government; that there be no government interference—and there is not and there will not be. I will not tell Mr McLeod how to conduct his inquiry. I understand that a report will be delivered by the end of June, in time for us to implement before the next bushfire seasons those aspects of it that need to be implemented to ensure that we, the government of the ACT, protect the people of the ACT to the greatest extent possible, with the advice we have available to us.

Interestingly, it will be the only inquiry of the six that will be completed before the next bushfire season. Doesn't it give you some comfort to know that there will be at least one inquiry completed before the next bushfire season? The only one that will be completed is the McLeod inquiry. The only reason it will be completed before the next bushfire season is that it is not a judicial inquiry.

MR PRATT: In a vain attempt at getting within 1,000 kilometres of the issue—

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MR SPEAKER: Order! Come to the question.

MR PRATT: My supplementary question is: why has the inquiry you established failed to meet the commitments you made in this Assembly and to the community that all submissions would be made public?

MR STANHOPE: It may be that they will be at the end of the day, other than those for which confidentiality has been sought or those that trample the reputations of, or defame, others. I do not know what processes or procedures Mr McLeod will use. Perhaps it will be that when he delivers his report he will attach the submissions to it and I will have a capacity to table the entire report in this place.

I do not know what Mr McLeod is going to do. I have not directed him as to how he will conduct his inquiry. He can speak for himself, as he is doing. He spoke to the media today. He is to speak to the media again today. I have been advised that he proposes to put out a press release today to respond to the mischievous claims made by Mr Smyth—the claims designed to undermine the integrity of the process. I cannot understand why they would not be made public, unless—

Mr Smyth: Did you ask?

MR STANHOPE: I am not going to interfere in his inquiry. My expectation is still the same. It is what I am going to do with the government submission. I will be making all of the government submissions publicly available. I do not know why Mr McLeod has taken the decisions he has in relation to the 70 separate submissions. He can speak for himself, as he is doing.

Mrs Dunne: Mr Speaker, I draw your attention to standing order 42 and ask the Chief Minister to address the chair.

MR SPEAKER: I think the Chief Minister has finished.

Theft—role of illicit drug taking

MRS CROSS: My question is to the Attorney-General, Mr Stanhope. Mr Stanhope, on the front page of the *Canberra Times* today, an article appeared citing Australian Institute of Criminology research that links 65 per cent of ACT thefts to illicit drug taking. Minister, is the government aware of this research and, if so, what application does it have to present law enforcement activities?

MR STANHOPE: Yes, I am aware of that, Mrs Cross. It may be more appropriate for the Minister for Police to respond to your question, but certainly I am aware of the issue. Certainly, we are all aware of the connection between drugs and property crime in particular. Mr Wood may be able to provide more up-to-date information on the police response to those issues.

MR WOOD: Yes, that information was released through me, as Minister for Police. Your claim is right. It is verified there. What is also concerning is the willingness of people in the ACT to purchase goods that are—with any thought at all—clearly stolen.

The police action against drugs continues. It is, I believe, effective in its operation. The use of drugs varies from time to time. I will send you a breakdown of drug usage, which I am sure you would find interesting. It shows how the use of various drugs—heroin, cannabis, amphetamines and the like—changes from time to time.

With the reduction in heroin supply, the task of police was somewhat eased, although they also play a significant part in reducing the supply of heroin in their policing, both here and elsewhere in Australia. The police are constantly alert to and aware of the problem of drugs. It is a major effort to contain the use of drugs. They know that, by doing that, they will contain the level of theft in society. Every measure is taken in order to do that. Of course, what the police do is one measure, and many other measures are taken in this society that are of importance in trying to alleviate the impact of drugs.

MRS CROSS: I thank the minister for his answer. Minister, are you aware of other research or studies that show a link between illicit drug use and crime, and can you indicate what role such research is playing in strategies to combat crime in the ACT?

MR WOOD: Mr Speaker, I cannot initially specify other studies. I am sure there are many there. You can read in the popular press of a variety of studies of this nature. In terms of the Institute of Criminology, I read everything that comes from there. I have over many years. I am sure I have seen relevant studies from there, but I cannot specify one at this time.

Mrs Cross: You can take it on notice.

MR WOOD: I will certainly take that on notice, but I do not contest the notion that the use of drugs is a very significant part of the crime scene. I think that does not need much demonstration.

Economic white paper

MR STEFANIAK: I direct my question to the Treasurer. It is about expenditure on the government's economic development white paper. Treasurer, budget paper 3 makes it clear that \$250,000 has been allocated in 2002-03 and that the funding for that amount was provided in the second Appropriation Act 2001-02. It is here on page 163 of BP3. The explanatory note reads: "Funding provided through the 2nd Appropriation Act 2001-02."

I should also point out to the Treasurer that he was wrong in his answer on this matter in the Assembly yesterday when he referred to that section of the budget as "Initiatives explained". There is, of course, no such thing; it does not exist. He might like to read the papers through himself to avoid such errors.

Treasurer, you said yesterday that \$500,000 has been allocated to the white paper. Since budget paper No 3 shows that only \$250,000 has been allocated in 2002-03 and that this amount was rolled over from 2001-02, is budget paper 3 wrong?

MR QUINLAN: The answer to that is: it is how you read it. But if you look at page 35 of budget paper 4, you will find that the changes to appropriations show that there is \$500,000. This is factual: \$250,000 was provided in the second appropriation bill, before

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this budget was brought down. A further fact: this paper says that there was an initiative, in 2002-03, of \$250,000.

I will concede that it might not read all that well. But if you in the opposition actually did your homework, you would not have made the blue that the Leader of the Opposition made yesterday, embarrassing himself—following on the embarrassment of claims in the discussion about GST. I appreciate that, as a loyal deputy, Bill, you would like to try and square this off, but the budget papers show that \$500,000 is allowed for the economic white paper. It is on page 35, budget paper No 4.

MR STEFANIAK: Mr Speaker, I have a supplementary question. Treasurer, so will you correct budget paper No 3? And what else will turn out to be wrong?

MR QUINLAN: I refer to my answer to the Leader of the Opposition's earlier question. And "Initiatives explained" is the title on page 137.

The question was: will I correct budget paper 3? No. In fact, if you want to take a literal interpretation of it, it says, "There is an initiative," and below there is a note that says, "Funding was provided in the previous year". It did not say exactly that funding. I understand how you could have made your mistake, Mr Smyth. But if you had done a little more homework, you would not have embarrassed yourself.

Disability services—complaints mechanisms

MS TUCKER: My question, which is directed to Mr Wood or Mr Stanhope, relates to review of complaints mechanisms in respect of disability services and more generally. I do not know which minister wants to answer this question—sometimes Mr Stanhope and sometimes Mr Wood answers them.

My question is about the selection panel for the person who is going to be selected to review complaints. As I understand it, the selection panel comprises heads of government agencies. I understand that a request from the community to have a representative on that selection panel was rejected on the grounds that the community representative would have a conflict of interest. I do not understand why a community representative would have a conflict of interest. If the reason is because they are engaged in services that would be subject to the complaints review mechanism then obviously the agencies are equally in a position of having a conflict of interest. I would like an explanation of that.

MR WOOD: I will provide part of the answer because I have been interested in this matter. I understand that the process is being managed by the Attorney-General's Department but, given that I am responsible for disability services, I have been much interested. Yes, you are correct in saying that a community nominee was not accepted onto that panel. I understand that there has been an approach over a period for the community to be involved. The community has been much involved in all the Gallop process and outcomes.

As I understand it from the briefings and discussions that I have had, the departmental approach was simply a reasonable and proper way to go—a way that does not denote any particular antagonism or resistance to having someone from the community. Members of

the community will have ample opportunity to make their comments. I think the evidence shows that there is no limitation to the consultation. The communication really has been extensive. I have to say that I am not fazed or concerned because one particular person has not been able to be a member of that panel. I think the outcome is eminently reasonable.

MS TUCKER: The question was about the conflict of interest argument. If Mr Wood does not want to answer that, perhaps I could ask a supplementary question. Could you tell us whether it is correct that the selection process for accepting someone to do this review has been delayed? If so, what are the implications of that for any legislative timetable that we had?

MR WOOD: I do not know that it has been delayed; I have not attended to the timing. Tenders were called on 18 January and four companies submitted proposals to undertake the review. My advice is that the preferred tenderer will be chosen within the next three weeks and that the review will begin at the end of this month—by the end of April.

To repeat: we believe that there will be a strong participation on the part of the community and groups, and that continues to be an important part of the process. So, it is about to get under way.

Bushfires—Commonwealth assistance

MR CORNWELL: My question is to the Chief Minister. Chief Minister, in the immediate aftermath of the 18 January bushfire disaster, the Prime Minister promised to consider the provision of further assistance following a request from you. At a meeting of the Public Accounts Committee on 26 February this year, five weeks after the disaster, the chief executive of your department, after much prevarication, said that a letter to Mr Howard would be sent, he hoped, within the next week, that is, around 7 March 2003. Has the letter been sent yet and, if so, would you table it please?

MR STANHOPE: Yes, the letter has been sent, Mr Speaker, and I might say that, in addition, I have had conversations with both the Prime Minister and the Treasurer on the subject. I believe that Mr Quinlan has also had a conversation on the issue of further support from the Commonwealth, as a consequence of the fire, with the federal Treasurer.

No, I will not table that letter.

Community housing

MS DUNDAS: Mr Speaker, my question is to the minister for housing, Mr Wood. Minister, can you please inform the Assembly who in the ACT has received community housing funding from the Commonwealth-State Housing Agreement grants for the financial years 1997-98 through 2002-03?

MR WOOD: Yes, sure I can. That is no trouble—it is all in my back pocket here. I will give you the names of each of the members of those bodies too, if you like, and their dates of birth.

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I am aware that there is some agitation in the community housing sector—the social housing sector—about funds and who is getting them. We do not have vast amounts of funds going to those. There are a number of providers. I think you will understand when I tell you I will get back to you with details of those. Those details are readily available. I will get them to you as soon as I can.

MS DUNDAS: Mr Speaker, I have a supplementary question. Minister, you said that this information is readily available. Can you then please explain why community housing organisations in the ACT have not been able to receive this information, even though they have been asking for it for over 12 months ?

MR WOOD: I do not know. You might have something there which says I have denied it. I do not recall that. I do not know why there seems to have been a problem. I am not sure it is the case that there has been a problem around it, but I will respond to you, just the same.

Tourism

MRS BURKE: My question is to the minister for tourism, Mr Quinlan. On WIN news on 22 August, while launching a short-term campaign to attract people to visit Canberra in late autumn and winter, Mr Quinlan said: “I think we’ve got enough in Canberra if we did absolutely nothing.”

Your do-absolutely-nothing approach to long-term tourism issues, such as the National Convention Centre, the dragway and staging events to attract people to Canberra, has led to the ACT coming dead last in bed occupancy rates for several months. When will you finally make a decision on the National Convention Centre?

MR QUINLAN: In the preamble to that question I think Mrs Burke quoted me correctly, but only in part. The sentiment I was communicating was that we have tremendous facilities and attractions in Canberra if we do absolutely nothing—but.

I think it is—I am not sure of the words I am allowed to use these days because that has got a bit tighter, but “disingenuous” seemed to have currency in the place last year and the year before. I think it is disingenuous to frame a question like that. I refer again to my answer to the Leader of the Opposition’s supplementary question and ask you to at least reflect on what I said, as opposed to selectively—

Mrs Burke: But you said it!

MR QUINLAN: Yes, but it was half a sentence and it was followed by an absolute qualifier, which means that what you said would mislead any reasonable hearer. Not only that, Mrs Burke, but the fact that the whole question was based on that means that you did not even ask me a question. You asked me a question on a falsehood.

Mrs Dunne: I have a point of order. Under standing order 58, the member is digressing from the question, which was: when will you make a decision about the National Convention Centre?

MR SPEAKER: The minister was dealing with the subject matter of the question. Please continue, Minister.

MR QUINLAN: First of all, I will respond to the point of order. I think that the succession of points of order in this place is wasting our time. It has been used by the opposition consistently to debate a point—as opposed to make a point of order.

Mr Cornwell: On a point of order, the Treasurer—if he would do me the courtesy of sitting down while I make the point of order—makes the comment that successive points of order—

MR QUINLAN: Well, I want to make a point of order over the point of order.

MR SPEAKER: No, you cannot. Resume your seat, and we will just go through these one at a time.

MR QUINLAN: I was on my feet, responding to a point of order. If he can take a point of order while I was doing that, I can take a point of order while he is doing that. I am doing exactly that.

MR SPEAKER: I understood that you were answering a question. Resume your seat.

MR QUINLAN: No, I wasn't. I was answering a point of order brought up by Mrs Dunne.

MR SPEAKER: Assist me by resuming your seat for a moment, will you? Continue, Mr Cornwell.

Mr Cornwell: My point of order was that the Treasurer said that the succession of points of order in this house was a waste of time. I regard that as a reflection on the chair.

MR SPEAKER: It is open to members to raise points of order at any time. They are not a waste of time; they are an important part of the business of the chamber. Continue, Mr Quinlan.

MR QUINLAN: I have forgotten where I was, Mr Speaker. I know, I was responding to that point of order.

MR SPEAKER: Order! Frivolity is sometimes appropriate, but assist me by coming to the point of order or getting on with answering the question.

MR QUINLAN: Mr Speaker, I wish to make the point that you have allowed what I believe are inappropriate points of order and inappropriate discussion of a topic, as opposed to the point of order.

MR SPEAKER: That is a reflection on the chair, and I ask you to withdraw it.

Opposition members: Hear, hear!

MR QUINLAN: I withdraw that, Mr Speaker. Where was I?

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Opposition members interjecting—

MR SPEAKER: Order! Mr Quinlan has the floor.

MR QUINLAN: I was responding to Mrs Dunne's point of order, which I shall continue to do.

Mrs Dunne: On the point of order, haven't you already dealt with the point of order? Mr Speaker?

MR SPEAKER: Mrs Dunne, resume your seat. I understood that you were answering a question, Mr Quinlan.

MR QUINLAN: Mr Speaker, I will clarify matters, if I may. I was answering a question. Mrs Dunne arose and made a point of order. I was responding to that point of order when you permitted Mr Cornwell to take a further point of order. You then asked me to desist from taking a point of order on his point of order. I am now back to making a response to Mrs Dunne's first point of order.

MR SPEAKER: This is getting close to abusing the standing orders in respect of points of order. Mrs Dunne raised a point of order in relation to standing order 58, as I recall. I ruled against her, so you did not need to respond to it.

Mrs Dunne: That was why I stood up to make a point of order. I thought you had already concluded that.

MR SPEAKER: He had.

Mrs Dunne: So can he answer the question?

MR SPEAKER: I have already ruled against Mrs Dunne on that point of order, so you do not need to respond. The air is clear. Would you like to come back to the question?

MR QUINLAN: Thank you. Was that before Mr Cornwell raised his point of order?

MR SPEAKER: If you push me too far, I will order you to resume your seat, Minister.

MR QUINLAN: That is okay. What I was actually doing was addressing the preamble of the question, which I rather think I should be allowed to do—should I not, Mr Speaker?

MR SPEAKER: Sure.

MR QUINLAN: The preamble of the question mentioned in part what I said, and mentioning it only in part would communicate to the reasonable person—should there be one—a total misconception of what I was saying. Therefore, most of the question does not stand because it is based on a misleading quotation from me—misleading because it was only a quotation in part.

But I will answer the question at the end of the day, by saying: yes, the government is taking action on the Convention Centre. We will make decisions that work and are for benefit of the ACT, and we will make them after due consideration. Remember that we are not talking peanuts here; we are talking very large amounts of money. I think the figure given simply to refurbish the current Convention Centre was in the vicinity of \$40 million.

I think everybody is aware—certainly the Leader of the Opposition has been telling the world at large—that we have budgetary pressures. So it is fairly clear that, if we are to make decisions which concern at minimum \$40 million, we ought to investigate every avenue to make sure that at the end of the day we will get value for our money.

A lot has been made of the Convention Centre, and I agree that, one way or another, we need to have a better primary convention centre. But I refer you to the Convention Bureau's annual report, which shows a full page of the various venues that are available for conventions. It is misleading for a debate to be based on the seemingly unstated assumption that we either have one convention centre or none. We have all sorts of facilities, and I commend the annual report of the Convention Bureau for your reading.

MRS BURKE: I have a supplementary question, Mr Speaker. In that case, Minister, would it be fair to say that, because of your financial mismanagement, you have not been able to commit to improving the Convention Centre earlier?

MR QUINLAN: No.

Bushfire inquiry

MRS DUNNE: Mr Speaker, my question is to the Chief Minister. Chief Minister, on 26 March, you issued a press release critical of the Minister for Territories for proposing a select committee of the House of Representatives to inquire into the January bushfires. In that press release, you said:

The process proposed by Mr Tuckey ... is clearly constructed to deliver a pre-determined and politically biased outcome, which will protect the interests of certain interest groups only.

Minister, as you can see, this is a fairly serious claim to make against a minister in another government. Will you explain what you meant by this? What is the predetermined and politically biased outcome to which you refer? What groups are having their interests protected in this inquiry?

MR STANHOPE (Chief Minister, Attorney-General, Minister for Corrections, Minister for Community Affairs and Minister for the Environment) (3.31): The political interests are those of the Liberal Party, Mr Speaker. Probably nobody has yet forgotten Wilson Tuckey's introduction to the debate, a couple of days after the fire, around the cause of the fire in the ACT.

We all remember his sensitive entree into the debate about the Canberra fire on the Sunday or the Monday after it—19 or 20 January—as people were dealing with their

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grief and losses. We remember it well. It was all about those damned greenies—they are to blame—the people who lock up national parks. It was all about greenies and the Labor Party administration of New South Wales. That is what Mr Tuckey was interested in. That is why he has pursued this particular inquiry against, I think, the knowledge and the wishes of the Prime Minister. I have no doubt that at no stage in the establishment of the select committee, Mr Tuckey consulted with either the Prime Minister or the Prime Minister's office.

The timing was incredible. On the Monday, or the Friday, prior to the announcement of the select committee, I received a letter from the Prime Minister designed to seek a bipartisan approach to the issue of national bushfire management. That letter sought the cooperation of the territories and states in the establishment of an inquiry under the auspices of COAG—a jointly funded and jointly managed inquiry. As I said publicly, it was a process I endorsed and in which I was happy to participate.

The issue now for the states and territories is whether we can support the Prime Minister's inquiry. I am sure the Commonwealth never intended to have two national inquiries running in tandem. It has to be said that the Tuckey inquiry—the one being run by the member for Eden-Monaro—has compromised the process that the Prime Minister intended. However, they are the interests—the cheap, crass, political interests—of the Liberal and National parties and their determination to attack the management of national parks and state forests, particularly in New South Wales.

I will conclude on this point. I find it interesting that the great proponent, in addition to Wilson Tuckey, of attacks on greens and green interests—conservationists, people interested in health and welfare who wish to support our national parks—were very much in the gun of Peter Webb, the past member for Monaro. He is the fellow who attacked the national parks; he is the fellow who attacked national parks management; he is the fellow who attacked Bob Carr; he is the fellow who based his entire campaign for the seat of Monaro—the New South Wales seat most affected by the bushfires—on bushfire management and the management of the national parks. What is he doing for a living these days? What is he doing for a crust after last Saturday week?

Is it one of the seats that the Nationals handed to the Labor Party, which cemented Bob Carr's stewardship of New South Wales? It is interesting—isn't it—that, in this attack by the Liberals and the Nationals on national parks and bushfire management, the one member of the New South Wales parliament who attacked the management of national parks, state forests and bushfires in New South Wales lost his seat. That really connected with the voters of Monaro. The attack on national park management, state forests and bushfire managers and the attack you are launching on our Emergency Services Bureau—

Mrs Dunne: On a point of order, Mr Speaker, I must again refer to standing order 58. I asked a question about the bushfire inquiry by the House of Representatives. We are now talking about the former New South Wales National Party member for Monaro.

MR SPEAKER: Mrs Dunne, I regret to inform you that reference to standing order 58 will not help you. Standing order 58 refers to questions which are before the house—that is the question that the motion be agreed to, et cetera. This is questions without notice.

MR STANHOPE: I will conclude, Mr Speaker but I think it has to be said that there is nobody who thinks seriously about these issues, who is being honest with themselves, who does not know that the Wilson Tuckey approach to an inquiry into the bushfires is all about furthering Wilson Tuckey's fetish about forest management and national parks—Wilson Tuckey's fetish about bagging and attacking any Labor government he can get into his sights.

I think you should reflect on the fact that his great disciple in all of this was Peter Webb, until Peter Webb lost his seat. One has to ask: What did he run on? What did he campaign on? Why is it that the National Party member for Monaro lost his seat to a member of the Labor Party? It is because he ran his campaign on these crass, cheap political attacks on bushfire management in national parks?

Mrs Dunne: On a point of order, Mr Speaker, this is a question of relevance and 118(a). It is inappropriate to be going on and having a post-mortem about the New South Wales state election result in the seat of Monaro, when I am asking a question about Wilson Tuckey's proposal for an inquiry in the federal parliament.

MR SPEAKER: When you asked the question, Mrs Dunne, I think I heard you raise the question of whose interests this would be in. It is a politically loaded question which invites a political response. You are going to have to wear it.

Budget 2003-2004

MS MacDONALD: Mr Speaker, my question, through you, is to the Treasurer. Treasurer, can you inform the Assembly of the particular pressures facing the government in its work in forming the forthcoming budget?

MR QUINLAN: Thank you, Ms MacDonald. If I may, I would express to this house my gratitude to the Leader of the Opposition who, in recent times, has been identifying in the public forum the external pressures on this government in putting its budget together.

I must say I think it is only fair that I should get an own goal from a bloke who the wags at the CFMEU got to wear a large lapel badge yesterday. Guess what day yesterday was? It was April Fools Day, Mr Speaker!

Mr Pratt: Yes, but it was after noon.

MR QUINLAN: Yes. After noon, you wear, "Kick me" on your back, but he was wearing it at the front.

Mrs Dunne: You have a real problem with the membership of the CFMEU.

MR QUINLAN: I thought it was hilarious that the Leader of the Opposition was wearing a CFMEU badge this big, all day on April Fools Day, when he is from the other side of the house. Well done. Well done the CFMEU!

Regarding the genuine pressures the budget faces, there are the findings of the Grants Commission. The Grants Commission initially reduced our allocation by an expected \$14.8 million. We were able to work through the figures, find some errors, and reduce

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that to \$10.2 million. So there is a \$10.2 million reduction in what we should have otherwise expected, based on the growth in incomes within the ACT, and therefore an assumed capacity to generate more revenue in land conveyancing, payroll tax, and from gambling.

More worrying is the fact that the federal Treasurer held back a \$15 million payment for special fiscal needs, which is examined by the Grants Commission and recommended as a genuine cost to the territory of catering for the existence of the federal government in the ACT. That was held back under the concerning statement that, "We would like to review that, along with your request for additional funding for bushfires."

I said yesterday, and I repeat, that I hope that at least the Prime Minister is an honourable man, to the extent that he will honour his commitment to provide additional funds to the ACT, as he did in the days immediately after the fires of 18 January. I hope we do not get a double shuffle of the funding that would normally come to the territory, so that some money still comes but in fact it boils down to nothing.

Further external pressures are the returns on superannuation investments. This is a problem faced by virtually all superannuation funds, a problem that might otherwise be redressed by different forms of accounting. Both the Auditor-General and the Estimates Committee of this place believe that we should continue to account for our superannuation investments and their operation, along with our normal operations. That is rather confusing in light of what we are actually trying to measure.

This government faces wages pressures on a number of fronts—wages pressures that were, I think, manifestly obvious for some time but were not included in the forward estimates of previous governments. They were ignored, to give what I would say is not quite an accurate picture of the future from budgets brought down in years past. That would have to be either one of those monumental oversights or a little bit of manipulation.

Of course, we have the impact of the bushfire disaster. Beyond insurance and beyond the natural disaster relief arrangements, the latest figure I have—I am not going to be held to it precisely, because there are a number of puts and takes, depending on what the Prime Minister does, and depending on what the Department of Finance does, in relation to accepting or not accepting matters to be included under the natural disaster relief arrangements—is about \$30 million net.

There may be some cash flowing from the insurance claim on the pine forests themselves, which might shore-up our cash position. However, our operating position is still under that pressure, and therefore under that pressure which would go through to our credit rating on our long-term bottom line under the accounting regime we now employ. That is an accounting regime that I have in other ways, at other meetings, questioned in forums within my profession.

I am pleased to note that, of recent times, I have had some support from Professor Alan Barton. Maybe we could revisit the absolute application of accrual accounting in government. I think it does go over the top and probably does create a picture which is a little misleading—a little harsher picture than ought be created—as to the position of governments.

I can confidently state that this territory could stand a \$30 or \$40 million deficit every year, have a capital budget of about \$100 million a year and still be absolutely solvent and be virtually staying up to a standard mark, but it is just the way we account for every last matter.

So there are a number of pressures on the budget. As I said, I appreciate the assistance we have received from the Leader of the Opposition in clearly pointing up the external pressures that apply, pressures about which this government may take action but nevertheless cannot necessarily influence.

I notice that, in a couple of questions today we were talking about it being all financial mismanagement—oversimplistic. I hope the media are objective, as they have been, and recognise that the simplistic claims of the opposition are really ill-founded and that there are genuine external pressures on the budget of today.

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

Loss of noise credit allocation

MR STANHOPE: On 13 March, Mr Stefaniak asked:

... is it true that the Fairbairn Park Control Council will lose several of the very limited noise credits allocated for local motor sport owing to the use, by the Rally of Canberra, of the hill climb track there between 25 and 27 April?

I have been advised that, as a special stage of the Subaru Rally of Canberra, CTEC is proposing to use the motorcycle flat track on 25 and 26 April 2003, in agreement with Fairbairn Park Control Council. Noise tests conducted by CTEC's acoustic consultant at the motorcycle flat track indicate that the rally is unlikely to require event credits, as the noise was below the limit of 45 dBA when measured at the Ridgeway compliance location. I present the following paper:

Fairbairn Park Control Council—Answer to question without notice asked of the Chief Minister by Mr Stefaniak and taken on notice on 13 March 2003.

Community facilities needs assessment

MR WOOD: Mr Speaker, yesterday Ms Dundas asked me a question without notice regarding the progress of the community facilities needs assessment. She asked a supplementary question about whether or not the needs assessment is looking at the requirement for public liability insurance.

As the question was directed to me specifically, as minister for community services, I understood it to refer to the assessment of the condition of the community facilities managed by my department, and I responded accordingly. There is a large number of those facilities.

In respect of that, as I indicated, a building condition assessment was undertaken of those buildings in 2002, and I believe that has been completed. However, the community needs assessment to which I believe Ms Dundas refers is a broader needs assessment across all

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forms of community facilities. That is being undertaken by PALM, which falls under the portfolio responsibilities of Mr Corbell.

As Mr Corbell is away today, I will respond on his behalf, and on behalf of my portfolio. The community facilities needs assessment study is an assessment of the current and future provision of community facilities in the three districts of Central Canberra, Belconnen and Gungahlin.

The study analyses demographic trends, changes in service delivery and government policy, and provides an assessment of community needs as they relate to the use and supply of community facilities on community facility land. A qualitative assessment was undertaken through a range of consultation strategies.

That study—I think this is the question Ms Dundas was asking—is scheduled to be completed in May/June 2003. It is expected that phase 2 of the study will be extended to cover Woden, Weston Creek and Tuggeranong during 2003-04.

With regard to insurance coverage, the above study is not specifically addressing the issue. However, information is being provided by the Department of Disability, Housing and Community Services this week to all their contracted non-government community facility managers on new arrangements for public liability insurance.

A consortium of insurers, the Community Care Underwriting Agency, which is IAG, NRMA, QBE and Allianz, has put in place insurance cover for non-government organisations. As part of securing insurance cover, an organisation must prepare a risk management plan, based on a risk profile of the organisation and the services it delivers.

The plan provides the basis for determining the level of insurance cover required. To make the development of the risk management plan easier, non-government organisations are able to locate a template risk management plan by accessing the Department of Treasury web page. In addition to the above service, the Department of Treasury has been coordinating risk identification seminars for non-government organisations. I hope that, between those two departments, your question has been answered.

Petitions—out of order

Mr Wood, pursuant to standing order 83A, presented the following papers:

Petitions which do not conform with the standing orders—

Duffy Shopping Centre—Proposed refurbishment—

Mr Cornwell (108 citizens).

Mr Cornwell (216 citizens).

Personal explanation

MRS DUNNE: I seek to make a personal explanation in accordance with standing order 46.

MR SPEAKER: Please proceed.

MRS DUNNE: Today in question time, again the Chief Minister said it was the intention of myself in particular and the opposition in general that we should sack the members of the Bushfire Recovery Taskforce. I would like to put on the record again, as I have in this place, what was said when I introduced the bushfire authority bill on Wednesday, 5 March.

Among other things, I said that I am well aware that we have expertise here in the taskforce; that I can think of no better person to head it than Sandy Hollway; but that the taskforce is merely an advisory body. I suggested that we give it some real power—that we should empower Mr Hollway—and that the opposition would be happy to endorse him as its head, not just to advise but to act.

I went on to say that we have an excellent bushfire recovery task force. I congratulated the government on the skills and talent it had assembled in such a short time—but why not give it the power to act rather than just advise?

On the following day, I was interviewed by Mike Jeffreys on radio 2CC. That was on Thursday, 6 March, at about 7.30. When Mr Jeffreys asked me what sort of people I had in mind to go onto the authority I had suggested, I responded by saying that I would take the existing task force, with Sandy Hollway, Terry Snow, Robert de Castella, and all the very good people, and put them into the authority—take the very excellent staff that they have and turn them into authority staff. I mean, all you have to do is take a very good structure that the government has already started to build and make it a better structure.

I would like to reinforce for the record, Mr Speaker, that at no time has anyone from the opposition, including myself, ever proposed that Mr Hollway, Mr Snow, Mr De Castella, Ms Kaine or Mr Tonkin should be sacked. On the contrary, we have encouraged that they should be given more, rather than less, power.

I hope this is the last time we must have this clarification in this place.

Connors inquiry into education funding

Debate resumed.

MR PRATT (3.52), in reply: Mr Speaker, in closing, I would like to first go to a point raised by Ms Tucker in her riposte to this motion. Ms Tucker talks about choice as if only people who can afford to pay can exercise choice, but that is wrong. If we work on our government schools and reinforce the individual strengths many of them have, then we offer a further range of choices to those families who choose to use the public sector.

Impeding the non-government sector and forcing students back to the public sector will not reinforce the notion of choice. An overloaded public sector, which needs a lot of work on it, will not advance the principle of choice—so I reject Ms Tucker's assertion.

Going back to some comments made by the minister that I wish to respond to, perhaps I may inform the minister that I have indeed read the report in my office, and on the beach

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at Jervis Bay. I certainly found some parts of the report very interesting. I found some aspects of the report quite useful but not to the tune of \$267,000.

Mr Speaker, the minister says that the report does not attack the diversity of the ACT education system. She goes on to say that Connors actually made a statement supporting diversity. That is correct—it does, but the point is, it does not back that statement up in any substantial way. The report does not follow on from that rather bald statement. We are asking the minister to disregard the major negatives in that report, when she sees the initiatives she must exercise when she brings down the education bill.

Finally, while the Connors report makes a touchy, feely, warm-hearted statement, it does not in fact demonstrate that attitude. For God's sake, it flies in the face of that by sending strong signals which would perhaps indicate a shifting of funding from one sector to another.

Yes, I would agree with the minister that the report raises some new issues and has generated new debates but, fundamentally, it has simply listed the areas of concern the previous government identified and which the community continues to raise. It does not drill into those and it does not identify solutions in the context of a funding plan and methods of funding which would perhaps start to take issue and resolve some of those matters.

The minister has been welcomed by the stakeholders, I am pleased to say. They are certainly happy with the new minister's attitude. We on this side of the house hope she can keep up this consultative process and this consultative attitude. Unlike the Connors interviews, we hope the minister will reflect on all the concerns of the stakeholders she continues to speak to.

In respect of the working group the minister spoke about, yes—certainly community involvement is very important. We would support that, but that is not the issue we are taking here. What we are saying is that a bureaucratic set-up involving bureaucrats to help implement recommendations from the Connors report is not going to be helpful. It would be far better if there were community involvement—if representatives of the broad range of education stakeholdership were involved—in helping to implement any recommendations the minister may wish to look at for possible implementation in her new education bill.

Mr Speaker, perhaps I may turn to the ex-Minister for Education, Mr Corbell. Mr Corbell raised in his speech the issues of accountability of expenditure in non-government schools. This is a very good point. We have never, at any time, said we would disagree—and we have not disagreed—with the issues raised by Connors in talking about the accountability of ACT government funding in the non-government sector. Of course, that needs to be looked at. We would be willing to get involved in a debate about how that could be better streamlined. I think a fair point is made that, if the government is going to put money into the non-government sector, then they need to feel that they are getting bang for buck.

Mr Corbell went on to say that the report was about funding and how funding should be spent. He had a bit of a crack at me. He criticised me for raising a list of issues which I said merit attention for improvement. I must say it is a reflection of Mr Corbell's rigidity

that he cannot see the point we are making—that a report which seeks to make recommendations on funding priorities and methods and systems of funding should not also involve comments on program priorities and program expenditures. Perhaps Mr Corbell could lighten up and get a little more broadly reflective on these issues.

Going to Mr Corbell's attack, as he called it, on elite schools, his attack is fundamentally flawed, Mr Speaker. This emotional assertion made by him in attacking the so-called elite schools sidesteps the screaming reality that some of these schools have worked very hard for decades—in some cases, they are based on institutions going back a century or more—to fund and develop their schools.

If they have done that, should they be penalised? Should governments penalise these types of schools? Should the families who choose to send their children there be penalised because those schools have simply worked very damn hard, using their own initiatives, to fund their systems? The fact that some schools have raised and banked funding, and then used volunteer community school support labour to save on costs—putting the money aside instead—is to be lauded, but Mr Corbell is simply not equipped to understand that point. He reverts instead to the politics of envy.

I would like to point out where we think the government could have allocated that \$7.4 million in the financial year 2001-02. There was sufficient funding in that bag of gold. It is fine that the \$19.6 million was spent. However, we would say that the remainder of that \$27 million could have been spent, and that there were areas which could have been easily identified in early 2002 which were screaming out for attention.

We believe the \$7.4 million would make a very strong start on addressing the following types of areas—firstly, funding for a teacher performance-based pay system. In fact, you could almost introduce about 200 teachers to the system over two years. Secondly, funding could be introduced to trial a disruptive children-at-risk program, incorporating two district support units, to lighten the burden on schools with major problems. There could be separation of students and special classes with specialist teachers, incorporating Dairy Flat if necessary.

Thirdly, we believe there is enough funding there to go a bit further for the Catholic systemic school system to continue on with its ITC program. Fourthly, we believe funding would be available to start doing something about support for children with disabilities in non-government schools, to try to spread that burden—to spread that load to allow non-government schools to pick up their responsibility to take care of children with disabilities.

Fifthly, we believe funding ought to be applied, and that there would be enough in this bag of gold of \$7.4 million, in concert with the stuff I have just spent, for a boys' education trial. How about selecting a cross-section of schools to conduct core subject segregated classes?

The next point is bushfire education. We have talked about that before, in this place. Beyond that, how about funding for obesity and fitness, trialing activities—a Robert de Castella type of fitness assessment program, and funding for about five new full-time PE

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teachers, as a starting point? Just get the trial on the ground—implement it in a couple of schools to see how it goes. Then, finally, funding for fitness testing. (*Extension of time granted.*)

We do not need a trial to see whether fitness testing is needed or how it works. Again, we pick up the Robert de Castella program, which has already been implemented in a number of schools. We could expand that to a number of primary schools. That would be good money well spent, to get some very important programs underway.

Mr Speaker, with all due respect, I think the minister's blind defence of Lindsay Connors is predictable. We understand solidarity in the ranks, but I guess the evidence speaks for itself. I have been meeting with stakeholders. There are enormous concerns with many of the recommendations of this report, particularly the attacks on the non-government sector. The \$7.4 million was allocated by the coalition, in a particular spending timeframe, and was not spent by the Labor Party. Any suggestion it was not going to be spent before 2003-04 is simply wrong. Mr Corbell promised that Connors would advise how to spend that funding—he said that. The new minister is now contradicting that, perhaps simply because Ms Connors did not undertake that allocation and notate where that money might go.

This report has blown the budget. In fact, it has cost more than \$2,000 per page. I don't know what we get for that—I don't think we get anything. The minister has said she will not apologise for the Connors report. Fair enough—she did not appoint Connors, but the government did and the government should apologise.

The minister's responsibility is to provide a good education system. I am sure she is up to it. The minister's responsibility is to focus on all sectors. It is her responsibility to celebrate their complementarity—the complementarity of the ACT education system. She is the minister for the ACT education system. I do not think Connors does any favours in supporting her role and her mission in that regard.

Mr Deputy Speaker, I conclude by saying that this is a government of waste and inaction—and Connors underwrites that.

Question put:

That **Mr Pratt's** motion be agreed to.

The Assembly voted—

Ayes 5

Noes 10

Mrs Burke
Mr Cornwell
Mr Pratt
Mr Smyth
Mr Stefaniak

Mr Berry
Mrs Cross
Ms Dundas
Ms Gallagher
Mr Hargreaves

Ms MacDonald
Mr Quinlan
Mr Stanhope
Ms Tucker
Mr Wood

Question so resolved in the negative.

Motion negatived.

Offensive words

MR SPEAKER: Members, during question time, Mr Stefaniak raised a point of order in relation to personal reflections or improper motives. I refer members to page 490 of *House of Representatives Practice*, and in particular some comments by Senator Wood, who was Acting Deputy President of the Senate in 1955. It says:

... in my interpretation of standing order 418 ... offensive words must be offensive in the true meaning of that word. When a man is in political life it is not offensive that things are said about him politically. Offensive means offensive in some personal way. The same view applies to the meaning of “improper motives” and “personal reflections” as used in the standing order. Here again, when a man is in public life and a member of this Parliament, he takes upon himself the risk of being criticised in a political way.

I will take guidance from that ruling. Although things are not black and white in any sense of the word, I think that is a useful guide.

Public and community housing

MR HARGREAVES (4.10): I move:

That the Assembly:

- (1) notes the high levels of demand for public and community housing in the Tuggeranong area;
- (2) supports moves by the Government to ensure that more public and community housing is available in Tuggeranong; and
- (3) in particular, welcomes the Government’s commitment to regularly update and turn over the housing stock to meet the changing needs of the community.

I rise to speak about the high levels of demand for public and community housing in the Tuggeranong area. Members may be aware that people on the waiting list for ACT Housing properties in Tuggeranong number over 1,100. About 25 per cent of them are in the priority allocation categories. My office receives a steady flow of constituents seeking assistance with acquiring an ACT Housing property in Tuggeranong, many of them seeking priority housing status.

The community housing sector is very small in Tuggeranong—across the ACT, for that matter—but it is growing. In the past few years the number of community housing dwellings across the ACT has increased fourfold. I am very keen to see Tuggeranong benefit from these increases.

I will now talk about moves by the government to ensure that more public and community housing is available in Tuggeranong. Since Labor came into office in November 2001, ACT Housing has acquired a further 71 properties in the Tuggeranong area and have another 10 in the pipeline.

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Older persons housing has also been addressed, with a further 34 properties in Calwell and Gordon under construction. These properties will bring older persons housing in Tuggeranong to over 190 units. Tuggeranong has handed over the “Nappy Valley” tag to Gungahlin. In the northern part of Tuggeranong the demographics are changing quite starkly. We now have a lot of older residents in the post-55 age group and second generation families in the Tuggeranong Valley.

Housing is a finite resource within the Tuggeranong Valley. Some kids leaving home are not in a position to enter the private rental market so seek to be accommodated within the public housing system. When they do that, they want to be close to their family networks and their support mechanisms. The same thing can be said of older people coming into the valley to be closer to families and to social and other support mechanisms.

To be fair, the previous government deserves some credit for the purchase of 18 properties in Kambah during their term. I do not want to be seen to be particularly partisan on this issue. If I appear parochial, tough luck. But if I appear partisan, I do not mean to be.

This government has acted to address the growing desire of people to live in Tuggeranong. It is a particularly attractive place to live. It has many things to recommend it. Many people see that and want to move there. We have noted, an aim to meet the desire of many ACT Housing clients to be close to family and friends. It is important to note that Tuggeranong has reached a stage in its development where there are three generations living there. I can remember speaking to Mr Smyth about Tuggeranong when he had responsibility for housing in the last Assembly. He told me at that time that it was the most popular area for people wanting public housing.

I welcome the government’s commitment to regularly update and turn over the housing stock to meet the changing needs of the community. Tuggeranong is quite a reasonable social laboratory. It opened up in 1974 and now has three generations living there. The demographics have changed over time.

Since the mid-1980s there has been a gradual decline in the share of public housing stock in the inner north and an increase in Tuggeranong. There has also been a change in the types of dwellings. The trend is towards smaller dwellings, reflecting the long-term decline in average household size in Canberra. Looking to the future, I hope to see a continuation of this trend. I am pleased that the government has taken steps to acquire more properties in Tuggeranong. I can only see demand for ACT Housing properties increasing in this wonderful area.

I am concerned about, and want to address, a common perception that increasing public housing in outer suburban areas is banishing low-income people to the fringes of the city. The policy of the government is to spread people within the public housing system across the ACT, avoiding the creation of public housing collectives. We are integrating public housing into and within existing communities.

When I married, I waited three years for a government house. In 1972 I moved into one in Holt. You would remember what Belconnen looked like in 1972, Mr Speaker. We used to boast that we had the tree in Holt, in our backyard. Those were the young days of West Belconnen—no grass, no trees, just young families establishing themselves.

I know what it is like to live in public housing in an outer suburb. I described that recently when I talked about what I was going to say in this speech. The street I lived in, Lindrum Crescent, was almost entirely public housing. We got a reputation for being a government housing street. I wore that as a badge of pride, but some other people did not. For that reason, I welcome the government's policy of spot purchasing and spreading public housing throughout Canberra.

Contrary to feeling that I had been pushed out to the urban fringe, I welcomed the chance to establish my young family in the company of others in a like situation. I saw a chance to shape and develop my own living environment. Later I needed to move closer to the centre of Canberra for work reasons. In 1984 I moved to Tuggeranong, where I found the same atmosphere as I had found in Belconnen in 1972, an atmosphere which I understand from my family members who live in Gungahlin exists in Gungahlin now—a sense of newness, freshness and adventure.

It is imperative that public housing provide an opportunity for those who have waited patiently on the list. It is also imperative that the government respond to the demographics of age, family connection, family history and, in a sense, personal choice. This means a blend of homes in a variety of suburbs across Canberra. It means providing for young families, older people, single-parent families, large families and people with disabilities. What a challenge that is.

We also need to be careful that we do not stick a stack of public housing in Gungahlin. That is what happened in Tuggeranong, Belconnen, Ainslie and so on. We need to make sure that people do not care whether they live in public housing or private rental housing. In this instance the government is merely a real estate agent.

I know that Tuggeranong is a popular area of choice for people seeking public housing. This is principally because they have grown up in the valley or have essential family and societal support mechanisms there. One only has to speak to the public housing tenants who suffered in the bushfires to appreciate the sense of community that they have, the bond which provides such strength in times of adversity.

I spoke to many public housing tenants in the places which feed into Colquhoun Street in Kambah. Many of them went into despair over the loss of their homes. They were concerned not only about the loss of their goods and chattels that they so dearly loved. They had pride in the premises they were renting from the government. They took personal pride in their gardens and in the fabric of the inside of their homes. They took particular care. The loss of their homes was as acute as the loss of their treasured possessions.

We need to be a little bit cautious about being too Gungahlin-centric, too Civic-centric, or too Tuggeranong-centric. I do not care if we get a bit over the top, but I caution against it being anything "centric". We are part of the ACT. If we are going to treat our public housing tenants with dignity, we need to provide premises across Canberra. JJ Maher built the G3 house I moved into in 1972. The developer provided houses to the government of the day. We can get a stack of ground in Gungahlin and stick houses on it, but that is not the best way to go about it. If we spot purchase or take a house out and put

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another one in its place so we can blend public housing tenants into the community, we can do that in Tuggeranong as easily as we can do it anywhere else.

I fully expect members for Ginninderra to bounce out of their box and say, “Don’t forget Belconnen” or “Don’t forget Gungahlin.” Good on them. That is what we are elected to do. I am after equitable treatment for the constituents in Tuggeranong. I am very confident that the policies that ACT Housing have developed and are now implementing will provide that.

I would like to record my appreciation of the current minister for the assistance he has afforded the constituents I have placed on his doormat—quite a lot of them. My statistics show that over the five years I have been here about 35 per cent of my constituent inquiries have had something to do with housing. Half have been about housing allocations, priority housing, swapping with other people and waiting lists. The reception I have received from ACT Housing, thanks to the concern the minister has imparted to his officers, has been in stark contrast to the reception I received when I was in opposition, when I had to drag the minister and the department kicking and screaming to the altar of concern for people’s welfare. Under this minister it has been a breath of fresh air. I appreciate that very much. I would encourage the minister to continue with his policies.

Spare a thought for the old and the grey amongst us. One day we might be in dire need of older persons accommodations in the fair suburbs or Tuggeranong ourselves. Provide older persons accommodation roughly in line with the growth in the number of older people who are finding that God’s own garden is the best place to live.

MS DUNDAS (4.24): Affordable housing has become one of Australia’s most critical social issues. Anglicare’s *State of the Family* report, which was released just two weeks ago, identified the acute shortage of affordable housing as the chief drain on social services and the chief cause of entrenched poverty in Australia. This is just one in a long stream of reports that we have seen that have identified housing as a key part of breaking the poverty cycle.

Here in the ACT, where house rents are the highest in Australia and vacancy rates are the lowest, we have a bigger crisis than most other states and territories. The government has pledged to increase the number of ACT Housing dwellings by 1.4 per cent this financial year. This follows a decline in the number of public housing dwellings during the first financial year that Labor was in office.

I agree that we need public housing spread across Canberra, including Tuggeranong but also Gungahlin and Belconnen, because everyone benefits if low-income people can stay connected with their community, their family and other social networks.

I appreciate that the demand for affordable housing in Tuggeranong has risen far faster than the number of available dwellings, so I support an increase in the proportion of public and community housing dwellings in this region. I also support the increase in the number of dwellings for accommodating older people in Tuggeranong and across Canberra, because the proportion of older Canberrans will continue to rise.

But I know that the need for affordable housing is acute in all parts of our city. There are homeless people on the priority list for every region who cannot be housed, so I feel reluctant to support a motion that praises the government for selling dwellings in central Canberra on valuable land for a huge price and then replacing them at close to a 1:1 ratio with significantly cheaper dwellings in Tuggeranong. This reshuffling of stock is similar to rearranging deck chairs on the *Titanic*.

I presume that the money left over from property sales in the inner south and inner north is going to expensive refurbishment of existing dwellings, but these dwellings should not have been allowed to run down so far in the first place. Management of the ACT stock of public housing has long been a disgrace, not only something that this government needs to take responsibility for, but something that the last government should definitely have been looking at.

The shortage of housing is a massive social problem that is not being seriously addressed by the ACT government. I hope that the budget we are waiting for in May will show the first signs of a real commitment to affordable housing, since government action to date has been confined to reviewing the problem.

I will be opposing this motion today, to express my very strong view that the government needs to do far more to tackle homelessness and housing-related poverty before the congratulations that this motion proposes will be in order.

MRS BURKE (4.28): I trust that negotiations and discussions on the state housing agreement and the subsidiary bilateral agreements are progressing well.

Mr Wood: No, they are not.

MRS BURKE: I am hoping, Minister. We are depending on you. We hope you will be battling hard for funding for the ACT. I am pleased to see on the ALP website that Labor supports housing that assists people in need and supports a culture of services responsive to people's needs.

Labor also believes that ACT residents on low incomes have the right to live in security, peace and dignity. That is the essence of article 11.1 of the International Covenant of Economic, Cultural and Social Rights. Some issues around that need highlighting and bringing to the fore, as Ms Dundas has said. This is a great start, Mr Hargreaves. We certainly need to keep bringing it to the fore. I appreciate your doing that.

Labor is planning to change the culture within ACT Housing so that it is required to focus more on the individual circumstances of its tenants. I applaud that. I am wondering how this plan is progressing, Minister, and how many ACT Housing tenants in this category have been consulted so far. It is always good to talk to the people. They are the ones able to advise us of their individual circumstances and needs.

I am concerned that Labor's policy states that it will support and resource the community housing sector, including through the development of a peak for community housing that can work with the sector to develop policy, management and other skills; and will examine other means to increase community housing, including alternative financing models. What a shame the government transferred \$10 million away from the sector.

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Labor's ALP news statement "Poverty And Disadvantage: How Services Should Be Delivered" talks about training. It is commendable that you retrain staff who often have to face very difficult tenants. I have put a question on the notice paper asking how many tenants in the ACT have been consulted on further training to improve the quality of service to tenants. I am eagerly awaiting a response.

I support Mr Hargreaves' motion. I am pleased to see he is on the ball. I agree that we should support not just Tuggeranong but other areas as well. Much of what is coming from the government simply confirms what we already know and is what the government should be doing anyway. That was said by Ms Dundas as well. It is a good start. We need to do more. It is nothing more than we should expect of governments.

When will the government start to address the issues Mr Hargreaves has raised? I will wait to see how you escalate the program as you promised. You bashed the Liberals about reducing it, as I note from several media releases. Do not restrict it to Tuggeranong. Keep the banner going. Sadly, more and more people are living alone, Mr Hargreaves, as you well know, so the demand for public and community housing is high generally.

I thank Mr Hargreaves for bringing this matter to the attention of this Assembly.

MR PRATT (4.31): I rise to support Mr Hargreaves' motion. As a member for Brindabella, I wish to make some comments about the needs of people who have demands on the housing service. Having doorknocked through the entire Kambah public housing estate, I appreciate the age of the housing stock there. I agree that upgrading and replacing that stock are pretty important. I do not know where the government is going with that. I will be very interested to see what their plans are. It is no mean feat to get into that estate. There are almost 1,000 residents scattered through that area just south of the main road.

The Tuggeranong Valley continues to grow. Aspirational growth applies not only to those who can afford to buy but also to those people who have a need—indeed, a right—to call upon government services. Needy people who cannot afford to buy a house but who pay taxes and serve the community to the best of their capacity are entitled to aspire to live in those areas which meet their needs. There are many very attractive areas in the Tuggeranong Valley, and people ought to aspire to live in those areas. I would hope the government, in its planning, takes that into consideration.

Let us talk about the breathing of life into Tuggeranong Town Centre. I would hope that the government would identify sites in and around the Tuggeranong Town Centre and along the lake foreshore to build public housing. I would hope that such planning would involve a healthy mix of community housing and private housing so that as a community we may avoid the ghetto-like mistakes of the past. I refer to that dreadful complex people live in east of Civic and some of the housing blocks along Northbourne Avenue.

Mr Wood: Some of that is prime stuff. I will take you through some of that.

MR PRATT: I know that. I am talking about developments that have been around for a long time. I am not pointing the figure at you, Minister. I am just saying that it has been a

fair period of time since those blocks were developed, and they are now showing their age. In some places I would think living is a little bit tough. I would prefer not to see such heavy concentrations of those types of community housing blocks but perhaps smaller numbers of houses mixed with private housing estates.

Mr Wood: It is standard practice.

MR PRATT: Let us hope that that practice is ratcheted up to the next level. That is what I would like to see happening in Tuggeranong. I also hope that the government will continue the follow-up, feedback and communication with residents. Doorknocking through Kambah, you get lots of questions and lots of feedback about the issues that people have. I have gained the impression over the last 18 months or so that government departments are pretty much on top of what needs to be done, but vigilance is required and sometimes you come across people who say, "I have a leaky roof. I have had it for about five or six weeks. Mr Pratt, what is going to happen next?"

It is important that the government ensure that they get residents together from time to time to seek their input into housing estate issues. While I support the motion, I am not standing here to celebrate magnificent achievements. There have been some good achievements over a few years. We must remain vigilant, and I trust the government will keep the pressure on. It will be very interesting to see how things go.

MS TUCKER (4.36): Housing is perhaps the most important indicator of the support government offers those in need, and public housing policy thus demonstrates the values that inform the government's approach.

The provision of adequate, stable and affordable housing is recognised as one of the central elements to mitigating poverty among people on low incomes. The provision of public housing provides a key platform from which people experiencing disadvantage or low incomes can address other life concerns such as health, education and training, as well as seeking, obtaining and maintaining employment. They are very familiar words to many people in this place, I am sure, because I have been saying them for many years. We said them in the report of the Select Committee on the Role of Public Housing, of which Mr Wood was a member.

Mr Hargreaves' motion commends the government for taking steps to address housing need in Tuggeranong. It is good to see housing in Tuggeranong. I know that there has been a lot of unmet need there, but we cannot get away from the fact that there is a housing crisis right across Canberra. Public housing and community housing are complementary parts of an overall strategy for ensuring access for all to appropriate, affordable, secure housing. Preventing homelessness requires improving coordination of housing and community services and increased public and community housing stocks. Community housing can develop innovative ways to include community and personal empowerment.

In commenting on last year's budget, I was pleased to note the government's statements about access to safe, affordable housing being a right of everyone in the community and about the importance of developing sustainable tenancies. I assume this means this recognises the need in the public and social housing sector to engage with tenants as

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people, and at times as people with particular needs, not just as people who pay the rent. This is in contrast to the previous government's attitude, which was more about bricks and mortar.

There is currently a shortage of appropriate and affordable accommodation in the ACT, and this has been exacerbated by the recent bushfires. Unfortunately, it is unlikely that there will be an injection of additional funds from the Commonwealth for housing for people on low to moderate incomes.

While we recognise that there is a high level of demand for public and community housing in Tuggeranong, the Greens would not accept that this demand would be met by reducing funding in other areas of Canberra. I strongly suspect in the current economic climate that this is what would occur.

The Select Committee on the Role of Public Housing, in March 2000, commented that it was concerned about the lack of availability of single-person accommodation, because many of the one-bedroom units and bed-sits which were then, as they still are, concentrated in multiunit complexes were being upgraded or demolished. That is still a serious issue. We are still losing single-person dwellings as a result of the upgrades and changes to some of the multiunit complexes. That has had a severe impact in the community that has been well documented by the community service agencies working with people in crisis—emergency services, refuges, services for people who are homeless and so on. We need to have a strong consciousness about those issues still. We have not dealt with that problem since March 2000. While I acknowledge that it is good to see the work done in Tuggeranong, it cannot be at the expense of the rest of Canberra.

We need to remain aware of the problems for single people particularly but also for families in Canberra who are not able to access secure, stable, affordable housing. The government often says that this is a huge cost. I do not disagree with that. I understand it is a huge cost. I am concerned that we have not seen built into private developments much more affordable housing.

We cannot expect the government, neglected as it is by the federal government, to find the millions of dollars that are necessary. We certainly want housing as a priority in any budget decisions. I will continue to make that point to government. Mr Wood acknowledges this need and appreciates the issue being raised by members of the Assembly and people in the community. But the problem I still have—and maybe it is Mr Corbell's area—is that affordable housing is not being structured into private developments. We had an opportunity to do it. We lost opportunities from Kingston foreshore to the recent major developments in the city. I wish the government would pick that up in a more proactive way.

The affordable housing task force came up with a position on this. We will be debating that tomorrow. But it is much too vague and general, and the government's response to the task force's report has not appeared yet. Once again, I see that as a lost opportunity. We have been raising this issue for so long. We were told, "Hold on. Just wait. There is going to be an affordable housing task force." That has happened, but we are still waiting to see anything concrete come out of it. The government says that we will see something in the budget, but that is not good enough.

Mr Wood: I cannot promise what we will see in the budget.

MS TUCKER: Mr Wood says that he cannot promise what we will see in the budget. I understand that. But I thought the government had said that there would be responses to the affordable housing task force through the budget. Mr Wood shakes his head. That is disappointing. We do not know whether that is going to happen. I was misinformed.

While I support Mr Hargreaves' statement that he welcomes the government's commitment to regularly update and turn over housing stock to meet the changing needs of community, I think the whole of Canberra has to be considered. I am not quite sure what turning over housing stock to meet the changing needs of the community is about. But I want to make it quite clear that I understand that the government supports security of tenure. I asked for that, and it was a recommendation of the Select Committee on the Role of Public Housing. I hope that the turnover Mr Hargreaves refers to does not suggest that security of tenure will not be continued.

MR WOOD (Minister for Disability, Housing and Community Services, Minister for Urban Services, Minister for the Arts and Heritage and Minister for Police and Emergency Services) (4.44): I thank Mr Hargreaves for moving this motion and members for contributing to the debate on it. It is pretty clear that members and this Assembly as a whole give a very high priority to housing, acknowledging its core role, as Ms Tucker pointed out, in ensuring the wellbeing of people.

I was much impressed with Mrs Burke, who spent most of her time reading out Labor Party policy. I think it reads extremely well. I listened intently to it. I am sure that Mr Quinlan, the ACT Treasurer, also listened very carefully to our Labor Party policy, which I now emphasise is government policy. That is a point that needs firm emphasis.

Mr Pratt made the relevant point that we need a mix of public housing, government housing, community housing and private housing. That was so well before this government came into being and is part of how things are managed these days. He spoke about the housing complex east of Civic. It goes back to the former government, which started it. Alawa and Bega are prime living. It is a credit to the previous administration and to this administration, which carried it on, that those flats, with air-conditioning and a quite large area for what they are, are prime living. The government is agonising what we need to do with Currong. We are not rushing into a decision on that, but it will have to be made at some stage.

I was interested when Mr Pratt said that as part of his doorknocking through public housing areas in Tuggeranong he found that generally government departments—in this case housing, I assume—were on top of the issues. I thank him for that comment. It encourages me to pick up a point I read in the report Senator Vanstone circulated on housing across Australia. I received a copy today. As I flipped through that—I have not researched it in detail yet—it seemed pretty clear to me on the bottom-line figures that ACT Housing is the best housing manager in Australia. As minister for nearly a year and a half now, I am enormously impressed with the calibre of administration within ACT Housing and broadly within the Department of Disability, Housing and Community Services. The housing management we have is outstanding. That needs to be firmly acknowledged. I thank Mr Pratt for his comments.

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Ms Tucker spoke about the affordable housing task force. I have a recollection that when I tabled the report here I said that I was not proposing to come back with a consolidated government response. There were lots of controversial issues in that. We wanted to get the best of every idea, but not everything was absolutely agreed. I am working away at all the components that initially sound most promising. I will respond to those. If I did not say it then, I will say it now that I am not proposing to come back with one government response to the task force.

I appreciate Mr Hargreaves' motion. We acknowledge the demand in Tuggeranong. It is often said that the highest demand is in Civic and the old Canberra area. That is not necessarily the case. There is a demand in Tuggeranong. I am speaking from memory here, so my figures might be a bit out of date, but the waiting list and demand in Tuggeranong are greater than in North Canberra. As Mr Hargreaves acknowledged, we need to continue to attend to that demand.

The government is keen to encourage the spread of public and community housing across the ACT. Ms Tucker and others, we take note of what you say about that. ACT Housing properties in the Tuggeranong area make up some 7 per cent of dwellings in the valley, compared with an average of 8 to 9 per cent for ACT Housing properties across the whole of the ACT. So perhaps you can see why there is a demand in Tuggeranong. These holdings include more than 1,980 houses and town houses, as well as some 130 older persons units for the greys. What did you call them, Mr Hargreaves?

Mr Hargreaves: The older and greyer.

MR WOOD: The older and greyer. I would think that is below the number that we ought to have. There are approximately 160 flats there. In addition, there are approximately 40 community housing dwellings.

Originally public housing in Tuggeranong was developed by the Commonwealth, as it was in many of the older suburbs. Recently, as policies have moved to a greater mix of public and private housing, properties have been purchased on the open market. As well as basic family housing, there has been a focus on housing for older people, which we must continue to move on. Eighteen properties were purchased in Kambah by the previous government. Let me acknowledge that. Mr Smyth would know of those properties in Kett Street. They are excellent properties. A further 34 properties in Calwell and Gordon are under construction. Mr Hargreaves, we are moving on that. These purchases will substantially increase older persons housing in Tuggeranong.

ACT Housing's purchases are driven by the time taken for applicants to be housed in particular areas. That is the reason for the focus on Tuggeranong. The current applicant list indicates a high level of interest in housing in Tuggeranong, with particular needs for two and four-bedroom or larger properties. These needs are being addressed through an acquisition program, along with a requirement for properties in new areas such as Banks, Gordon and Conder. Housing for larger families and groups is also a priority, with a total of 19 properties of four or more bedrooms being purchased since November 2001.

It is now more than 30 years since building commenced in Tuggeranong. This means that some ACT Housing properties are reaching the end of their economic lives. Since we came to government, 47 properties have been sold in the Tuggeranong area. Some

proved uneconomic for us to restore to tenantable standard, while others were divested to reduce concentrations of properties in particular areas. It is satisfying to note that the vast majority of these sales, 35, have been to public housing tenants whose financial situation allowed them to buy the homes they had rented for lengthy periods.

In addition, eight properties have been demolished as a result of fires. You would know those around Colquhoun Street, Lyle Crescent, Ammon Place—which is off Colquhoun Street—and Studley Street. Mr Hargreaves and some of his colleagues were very helpful in those days in liaising with the tenants in those streets. You and I, Mr Hargreaves, are going out to give them the keys to the new buildings one day—hopefully, before Christmas. Reconstruction is expected to commence shortly, and the target is to finish them before Christmas.

Since December 2001, ACT Housing has acquired a further 71 properties and has another 10 properties in the pipeline. There are also a number of emergency accommodation options for young people in the Tuggeranong area—namely, the Bellenden Youth Service, Lowanna Young Women's Shelter and Tunladden youth refuge. Complementing these are 22 group houses available to people with a disability.

Members, I can assure you, Mr Hargreaves in particular, that the provision of adequate levels of public housing in Tuggeranong is an ongoing priority. The people want it, and we want to provide it. ACT Housing is continuing to develop and refine its holdings to ensure that people who are eligible for public housing and want to live in Tuggeranong for work, study or family reasons have a full range of options, whatever their age or financial and social situation.

MR SMYTH (Leader of the Opposition) (4.53): I recall from my days as the housing minister the imbalance that Commonwealth government policies created over almost 100 years. When the ACT received self-government, we had the oldest stock in the country. More than a third of suburbs in the inner city were public housing, while some suburbs had no public housing.

Mr Wood: And the Commonwealth much neglected it as well.

MR SMYTH: Tuggeranong has 7 per cent public housing, yet the average across the territory is probably closer to 10 or 11 per cent. Mr Wood interjects that the Commonwealth had neglected public housing. It is true that Commonwealth governments from both sides of politics neglected public housing stock in the ACT. Initially public housing was provided as an incentive for people to come and live in Canberra. They would then move into their own accommodation. That changed over time. What did not change was the location and type of stock. As the stock aged, we had a problem. I thank Mr Wood for his acknowledgment that the previous government did something about it.

This motion notes the high level of demand for public and community housing in the Tuggeranong area. I think all of us know of that demand. The motion also supports the moves by the government to ensure that more public and community housing is available in Tuggeranong. I would question the amount of support the government has given to that.

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The motion also welcomes the government's commitment to regularly update and turn over housing stock to meet the changing needs of the community. I would question the government's commitment to that. It is not the minister's commitment that I question. The way in which the government took decisions and changed those decisions in the space of a week or two denied ACT public housing and community housing the sum of \$10 million that, according to the Auditor-General, was misused by the Treasurer.

It might interest Mr Hargreaves to know that during the budget process last year the government decided to give ACT Housing \$10 million from the Treasurer's Advance, not for fire safety as the Treasurer told this place, but for social housing. That money was to be split, \$5 million for ACT Housing and \$5 million for community housing. If Mr Hargreaves' motion were correct and there had been a government commitment, that money would have stayed where it was.

We can argue about the legality of using the Treasurer's Advance for that till we are blue in the face. We will get to that in the Public Accounts Committee later. But we know that the Under Treasurer wrote to the CEO of Urban Services on 4 June and said:

As you are aware, the government has agreed to provide an additional \$10 million to Housing this financial year. The additional funding is for social housing. An appropriate split of funds between public housing and community housing needs to be determined.

I suspect, Mr Hargreaves, that that is cabinet decision 0187 from the budget cabinet 3 process. I made an FOI request for all the documents relating to this \$10 million, and all I got from Chief Minister's was cabinet decision 0187 of budget cabinet 3 of 2002-03.

In early May, Housing was going to get \$10 million, which would have been a good thing. The process, according to the Auditor-General, might have been a misuse of funds, but that money would have been a good thing. But some time after 23 May, more than likely on 30 May, that money, by cabinet decision or by the Treasurer acting alone, was diverted to fire safety upgrades. So the government's commitment to additional housing, in particular community housing in Tuggeranong, lasted probably one or two weeks and then disappeared from the books.

In answers to questions today, the Treasurer said that it was advice from the Under Treasurer that led to the \$10 million being granted for fire safety. The Under Treasurer's letter of 4 June makes it quite clear. After the decision was made to shift the \$10 million from community and social housing to fire safety, the Under Treasurer said that the issue of fire safety should be a matter of priority for the existing housing budget.

Why was the purpose of the funding changed? We do not know. The Treasurer seems to be woefully unaware of the reasons for this \$10 million being expended, so I do not think we can expect an answer from him. I am not sure that we will get an answer from Mr Wood, because I would suggest he got rolled by the cabinet when, in an attempt to run the surplus down, cabinet agreed to spend this \$10 million on social housing. Presumably somebody raised objections that this was in violation of the reason for the Treasurer's Advance, so the fire safety argument was invented. They will be issues for another day.

But the upshot for Mr Hargreaves, who is not part of the cabinet process, is that he needs to realise that, for reasons not adequately explained, social and public housing in the ACT is now \$10 million short of what it should have had. I suggest that this diversion occurred to save somebody's skin, not because of a commitment to fire safety and certainly not because of a commitment to social and community housing by the current government.

Mr Wood said that 47 properties had been sold, 35 of them to current tenants. Unfortunately, eight were destroyed. I assume they will be replaced. If I heard Mr Wood right, it would appear that out of 1,800 homes and units, 130 OPUs and 40 community houses only four houses have been turned over. Thankfully 71 have been purchased and 10 are coming. That is 80 out of more than 2,000. I am not sure whether that is an outstanding commitment as Mr Hargreaves' motion would suggest. But it is some work that is being done by the current government.

You have to question the sorts of motions that Mr Hargreaves and Ms MacDonald move so regularly in an attempt for relevance. You have to question the Assembly "welcoming" and the Assembly "supporting". I think it might be more appropriate to say that the Assembly questions the government's commitment to these things and that we will keep a watching brief on all of you.

MR HARGREAVES (5.00), in reply: That was nice little tickle-up, Brendan. What you said about relevance deprivation was a good one. I am absolutely devastated about that.

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

MR HARGREAVES: I want everybody to know I was absolutely devastated by that stinging attack on my relevance in the electorate. I point to the number of votes I got in the last election. I was the one sitting at the shopping centre receiving constituents' complaints when the Leader of the Opposition walked past on his way to the bakery. I am upset by what he said about relevance. If you are going to have a good slag at me, at least get your facts right. I did not mention that the government had an outstanding commitment. I did not say anything about it being outstanding.

Mr Smyth: Neither did I.

MR HARGREAVES: Yes, you did. Have a look at *Hansard*. You also have an incredibly poor memory. It was only seconds ago that you said it. I am happy for you to look at *Hansard*. If I am wrong, tell me and I will apologise here. In fact, I will do it outside the Assembly.

Mr Smyth tried to divert the debate from housing to the \$10 million. The government, particularly the minister, was absolutely chuffed to get \$10 million. It was \$10 million he did not have. It was half of the \$20 million that you people took out of the budget to kowtow to that warmongering John Howard. Good on you. You took out the \$10 million. We put it back.

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Mr Stefaniak: I take a point of order, Mr Speaker. I think “warmongering” is somewhat unparliamentary.

MR HARGREAVES: It is not unparliamentary.

MR SPEAKER: There is no point of order.

Mrs Cross: Isn’t that an imputation against the Prime Minister?

MR HARGREAVES: No. That is bad luck. I don’t like him. Canberra started as a public housing estate. It was created when Parliament House was built. We had public housing stock back then. Mr Smyth was quite right when he said that we have the oldest stock in the country. Indeed, I welcome the idea of not building more but replacing the ones that are now old by selling them and spot purchasing new ones.

I wish the minister all the power he can get when he battles with the bean counters and Treasury. Sometimes I think accountants, Chief Minister’s and Treasury are a bit out of touch with service delivery, particularly with service delivery line managers, who know how people feel, know how people suffer and know how people react to government policy. Often the people sitting here in Civic do not talk to the people who are fronting the folks in Tuggeranong, Belconnen and Gungahlin. The bureaucrats who are dishing out the dough do not talk to the line managers, the people on the counter.

Mrs Cross: He is talking about you, Ted.

MR HARGREAVES: No, I am not. I am talking about his officers.

Mrs Cross: I thought you were talking about the Treasurer.

MR HARGREAVES: No, not at all. Ms Tucker talked about the affordable housing task force. We did not have one under the previous regime. We have one now. Whatever it does will be an improvement on what happened before.

Ms Tucker talked about not understanding the turnover of housing stock to meet demographic change, so let me explain that. As people get older, they do not need a big house and a big yard. They need a town house. My father is in public housing premises in Duffy next door to a vacant lot where the premises were burnt out by the bushfires. My father lives in two-bedroom town house that has an emergency crash button. That is what I mean by changing demographics. A family with two kids live in totally different housing to that which older folks need. That is what I was talking about.

Mr Pratt also talked about the age of housing stock in Tuggeranong. It was nice to hear that he was wandering around the electorate looking at it. Perhaps he can put some muscle on his federal colleagues and get us a better deal under the Commonwealth State Housing Agreement. He made the point—and I would agree with him—that we are getting a healthy mix of community, public and private housing all over town. Tuggeranong is no exception to that.

I echo the minister’s congratulations of Mrs Burke for telling us what Labor Party policy is and directing us to the website of the Labor Party—not that I know where that is. It

would have been nice to know what the opposition's policy on this was, if they had one. Because Mrs Burke is so predisposed to Labor Party policy, I guess we can expect the Liberals to pick up our policy and run it as Liberal Party policy. I congratulate Mrs Burke for telling us that Labor Party policy is so wonderful. I guess she is just going to copy it.

I take issue with what Ms Dundas said. She indicated that she is going to oppose the motion. Therefore, it stands to reason that Ms Dundas does not note the high levels of demand for public and community housing in the Tuggeranong area. We have had numbers quoted on that one, but she still does not acknowledge it. She does not support the moves by the government to ensure that public and community housing is available in Tuggeranong. Therefore, she does not believe that the government ought to be providing any support for low-income people in the suburbs of Tuggeranong. That is an appalling state of affairs.

Ms Dundas says that she does not welcome the government's commitment to regular update and turnover of housing stock. What does she want to do? She wants to return to the good old days and build some public housing estates in Gungahlin, perhaps something like the multistorey flats at Collingwood, where people have significant drug problems in their tiny dog boxes. Is that what Ms Dundas is talking about?

Mrs Cross's hands are pointing east and west. I guess that is not because it is Easter. (*Quorum formed.*) I was giving the Democrats a tickle-up, because they were opposing the provision of decent community housing in Tuggeranong. Ms Dundas, in opposing this motion, is saying that she does not want to meet the high levels of demand in Tuggeranong.

Ms Dundas does not want to support the move of the government to ensure that public and community housing is available in Tuggeranong. I take that to mean that she does not want any government activity for community and public housing in Tuggeranong. She does not welcome the government's commitment to regularly update and turn over the housing stock.

What does she want for Tuggeranong? Does she want it returned to a sheep station? I find her opposition somewhat offensive. It is not surprising. It is appalling and offensive. I expect nothing else. She has not read the motion. If she had read the motion, she would see what goose she is making of herself by opposing it.

I commend the motion to the house.

Motion agreed to.

Deportation of East Timorese people

MRS CROSS (5.11): I move:

That, the Legislative Assembly for the Australian Capital Territory:

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- (1) noting:
 - (a) the reported decision of the Australian Government to deport from Australia 1600 East Timorese people;
 - (b) the fact that most of these people have been in Australia for a time exceeding 10 years;
 - (c) the contribution of the East Timorese community to the fabric of multiculturalism; and
- (2) recognising:
 - (a) the pain and suffering of the people of East Timor, particularly those who fled their country to escape persecution including threats of torture; and
 - (b) the cruelty of uprooting children of East Timorese who have grown up as members of the Australian Community; and
- (3) calls upon the Chief Minister to write to the Prime Minister, Mr Howard and the Minister for Immigration and Multicultural and Indigenous Affairs, Mr Ruddock, expressing these concerns.

Australia has had a lengthy relationship with East Timor, a relationship that has had its ups and downs. During World War II, Australia sent troops to East and West Timor to establish what it hoped would be a deterring presence but what was in reality only a token force. In the west they were readily defeated by advancing Japanese forces, but in the east Australian special forces continued to operate, mainly in an intelligence gathering role, with the assistance of East Timorese.

Following the sudden withdrawal from, or abandonment of, East Timor by the Portuguese, there broke out a vicious civil war between the communist-leaning liberation front, Fretilin, and pro-Indonesian forces, which wreaked great devastation on the people and the country. When Fretilin looked like getting the upper hand and therefore possibly introducing communism into the region again—remember the fear of communism that prevailed at the time, particularly in Indonesia—in December 1975 Indonesian forces invaded East Timor to restore stability and, of course, stayed there.

And Australia, no doubt feeling embarrassed from time to time, nevertheless went along with that fait accompli up to recent times, when things finally fell apart and tiny East Timor became an independent nation after a long and painful journey. It has been reported that the members of this group fled to Australia after the massacre at Santa Cruz cemetery in Dili in November 1991, which sounds like a good reason to me.

With bridging visas they settled down in the safety of Australia and began to establish lives here, working, paying taxes and raising families. They lived among Australians. You could say that they became Australians, adapting readily to life here and fitting in seamlessly, unlike some other groups that seek refuge in Australia.

I am talking about a small group of people from a small neighbouring country with whom we have had, and still have, a close, even special, relationship. These are people who have spent a decade in Australia—some of them have known only Australia—and have readily and easily adapted to life in the compatible Australian society. Their fledgling nation remains beset by many problems—particularly staggeringly high

unemployment and very low wages—and in no way could it be considered as restored to normalcy after its harrowing experiences over the last few years. It seems unthinkable that this group of people, after so long in the country living among and living as Australians, should now rather unceremoniously be bundled up and sent back.

I firmly believe that this group should be allowed to remain in Australia. I consider, for reasons I have touched on above, that they should constitute a special case. Their case should not be linked in any way to the cases of other groups who have claimed or are claiming residence in Australia. There should be a one-off decision to allow them to stay, that decision being subject to a legal rider that the decision is not to be used as a precedent in what may at some time be claimed by someone to be a similar case.

Recently, the *Australian* ran a story that quoted Xanana Gusmao, East Timor's first president after it became independent. Some of the article reads as follows:

Iraq is not the only humanitarian issue facing the Howard Government today.

East Timor's President Xanana Gusmao made an urgent and desperate appeal to Australia last week and failed to raise a flicker of media interest.

The crisis facing East Timor is profound. "Independence is very good," Gusmao told this paper during his Australian visit. "But without capable administration then maybe we will fail." The 2002 Human Development Report documented the scale of crisis on our doorstep: 40 per cent of the people live on less than US\$55c a day; life expectancy is 57 years; the infant mortality rate is 80 in every 1000 births; and the adult literacy rate is only 43 per cent with 46 per cent of people having no schooling or skills.

In a speech to the Asia Society's Australasia Centre last week, Gusmao looked with a forgiving realism upon his country: "Once fortnightly I meet with dozens of people, mothers, widows, youths, orphans, men, elderly, who raise and present their difficulties to me: be it the fact that they have no means of subsistence, or no jobs, or no roof, or mostly, they cannot pay their children's school fees. Just try to imagine: one Australian dollar per month per child in prep and primary school. Even this, they cannot afford to pay." There is no functioning economy or "mechanisms for the purchase, processing and distribution of products". Most people operate in subsistence agriculture. The conditions for foreign investment are yet to be created. As he said, maybe East Timor will fail. But is anybody listening?

Gusmao tells me he wants to focus not on human rights violations in the past but human rights needs for the future—clean government, anti-corruption, food, housing and education.

But he made one specific request. Just one, for the moment. Could Australia, acting out of compassion, allow the 1600 East Timorese residing here to stay at least for some time? These are the Timorese who came in the first part of the 1990s and whose return home will just further impoverish a poor nation. Gusmao knows their status as asylum-seekers is no longer relevant since East Timor is free. He appeals "to the sensibility of the Australian authorities, in particular, to the Prime Minister". It is a President to Prime Minister request.

The article continues:

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But Gusmao wants a new approach. He asks Australia to take a decision on the East Timorese as a category for humanitarian reasons.

It then says:

... domestic politics suggests this is a one-off issue. The Northern Territory parliament passed a bipartisan motion for the East Timorese in the NT to be permitted to stay.

Having spent some years in the region and having visited East Timor a number of times, I have got to know the East Timorese people very well, and I have had a close association with them since 1990. I was in Indonesia when the Dili massacre took place. I visited the Santa Cruz cemetery, which was at the centre of the impending catalyst for independence for East Timor. I met and spoke to many East Timorese people, going back to the early 1990s and, more recently, last year when I visited.

I was inspired by the incredible attitude of people who have very little. In fact, I do not think most Australians could comprehend how one can survive and smile at the same time with very little and have an attitude that is soldiering on.

It reminds me a little of the Australian Anzacs who fought for us at Gallipoli, who suffered terribly, lost their lives and who came back, perhaps, without limbs. Those are people who soldiered on and showed incredible bravery and humanitarian spirit. What I saw in the faces of the East Timorese when I was there was truly inspirational. It certainly puts your life in perspective and makes you appreciate more the things you have and gripe less about things that are not as important as you think they are.

I commend this motion to the Assembly, and I hope that the federal government sees a way clear to allow these people who have made Australia their home during the past decade to stay.

MR STANHOPE (Chief Minister, Attorney-General, Minister for Community Affairs and Minister for the Environment) (5.21): The government is happy to support Mrs Cross's motion in relation to the East Timorese people currently residing in Australia.

Mrs Cross has starkly detailed the circumstance of so many East Timorese people who are living in Australia. There are up to 1,600 people, as Mrs Cross indicated, and it appears to be the Australian government's intention to deport them now that there has been a return to some stability in East Timor. Now that East Timor has gained independence, stability has to some extent returned. It is the view of the federal government, a view consistent with some of its past behaviours in relation to refugees and temporary protection visa holders, that they return to their homes.

The threat of deportation now facing the 1,600 East Timorese people living in Australia on temporary protection visas is a huge blow to their hopes and dreams. As Mrs Cross said, these people have been through significant hardship. Many East Timorese came to Australia after experiencing threats of execution or torture or, indeed, having been tortured. With the passage of time, these people have unavoidably become part of our

communities. They have adapted to our way of life, and their children have been educated here and call Australia home.

The argument is that, now East Timor is independent it is time for these people to go back to their native land. Mrs Cross argued the contrary position very well, which goes to the connectedness that so many East Timorese now have to Australia and the extent to which it has become home, despite their links to their native land.

The government and the people of East Timor have certainly made great progress, but in many areas food remains inadequate, electricity is not available, water and sewerage are limited and little or nothing in the way of education or health services is yet being provided in many parts of East Timor. There is a continuing threat of militia violence, which puts at risk not just the welfare of East Timorese but also the nation as a whole. Whilst we acknowledge the enormous progress that the people of East Timor have made, we all understand quite clearly the distance yet to travel.

The United Nations Undersecretary-General for Peacekeeping Operations last month urged the Security Council to delay a cutback to the United Nations mission of support in East Timor and its troop presence in that country. Why would the United Nations Undersecretary-General for Peacekeeping Operations request of the United Nations that the peacekeeping force remain, unless in his view there was a continuing threat? No person is better placed to express a view on the level of stability and safety within that country than the person charged with the management of the United Nations peacekeeping operations. There is no starker evidence than that of the undersecretary-general about what is yet to be achieved in East Timor.

The East Timorese leadership itself has also argued against any forcible return of its citizens. It is the view of the government of East Timor that citizens who left the country under threat to their wellbeing should not now be forced back to East Timor simply because independence has been gained. Mr Abel Guterres, currently director of the Australia New Zealand and Pacific Islander division of the East Timorese Ministry of Foreign Affairs, told the ABC's *7.30 Report* very recently that East Timorese people should return to East Timor only if that is what they wish to do.

There is much concern in the Canberra community regarding the fate of so many East Timorese. The Canberra community has strongly supported the East Timorese in their struggle for freedom, and that support continues. One of the ways we can extend goodwill to the people of Dili and to East Timor and support them in the rehabilitation of their country is to support them in their aspirations, and those aspirations are that people be allowed to return if and when they are willing to do so. That in itself will assist East Timor in the rebuilding, restoration and recovery that are part and parcel of that nation's emergence as an independent nation.

We know through other experiences that temporary protection visa holders continue to be amongst the most disadvantaged people in our communities. That is the case even in the ACT. Temporary protection visa holders have almost invariably been through harrowing times, and they deserve our support. This motion, while directed at the circumstance of people from East Timor, is also relevant in sentiment to Kosovar families still living within our community. The majority of Kosovar families that came to

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Australia at the height of that war have returned home, but the majority of those who remained have temporary visas that are due to expire in July of this year.

I have met many of these families, and my advice is that seven Kosovar families remain living in the ACT. Their temporary humanitarian concern visas expire in July 2003. As I was saying, while the majority of people who came to Australia in 1999 from Kosovo under the safe haven arrangements have returned home, 157 were allowed to remain in Australia until July 2003 to enable them to undergo continued medical treatment and psychological counselling.

Tragically, the physical and mental health of the Kosovar families that remain is deteriorating. A study undertaken in 2002 revealed a re-emergence of trauma-related symptoms as the level of concern about their future increased. That concern is mounting now as the time of their ultimately signalled forced removal from Australia approaches.

I have met a number of these families, who are gravely concerned that they will be forcibly deported some time within the next few months. These families have lived within the heart of the community for four years. Their children have attended our schools and have an outlook that is Australian and Western; they have become cemented as part and parcel of the Canberra community.

There are seven Kosovar families here now, and the arrangements put in place for them will perhaps be repeated for the East Timorese. Some of the Kosovar families have extended families. There is one situation in the ACT where two brothers from the same village came with their families to Australia together. One of the brothers has been granted permanent residency status; his brother, who has been waiting for two years to achieve the same status, has been denied it and is facing forcible removal or deportation in three months time.

One would wonder at the machinations and perambulations of our refugee infrastructure if we have the heart-rending situation where families who have lived here as part and parcel of this community and as law-abiding, productive members of the community are forcibly deported in the next three months.

I have written a couple of times now to the federal minister for immigration in relation to the plight of these families, to date with no positive response. I hope that the Commonwealth moves quickly and humanely to finalise the consideration of the fate of these seven Kosovar families who, if nothing happens over the next month or two, will be forcibly deported from our midst. It is a painful and horrible prospect that they face—and, I believe, we as a community face—that these families who have become part and parcel of this community will be forcibly removed from us.

It is similar to the issue Mrs Cross raises. When it gets to that ultimate position of forced deportation, it is the most traumatic and awful prospect that these families can face. That is precisely what awaits the East Timorese people if the attitude of the Commonwealth government and the federal immigration department does not change: forcible removal—utilising the full force of our authorities, police, customs and immigration authorities.

I acknowledge that the struggle to rebuild East Timor is a major challenge, not being taken lightly by the East Timorese. Our contribution should be to help them by example,

by extending compassion and the hand of friendship and by providing those that are here with stability and a home. It may be that in time many of the East Timorese that are here will choose to return to East Timor, but they should not be forcibly removed to East Timor. They should be able to do that at the time of their own choosing.

I believe that, in delaying their return, it may even be that they are assisting the authorities in East Timor, who are struggling with the enormous challenges and population that they have. It may ultimately be an enormous boon and of assistance to East Timor if these people are permitted to remain in Australia, returning, if they wish, to East Timor at a time of their choosing.

The government supports the motion. I am more than happy, in the terms of the motion proposed by Mrs Cross, to write to the Prime Minister and to the minister for immigration expressing the concerns and sentiments raised by this motion.

MR PRATT (5.33): I take a strong interest in this motion. This is a sensitive and complex issue. The 1,600 refugees may indeed need to be considered as a special case. The federal government has to be careful in weighing up its refugee management policy and the different circumstances that can arise, and in this case an argument could be put for this particular case to be treated as a one-off.

I would argue with anybody in this country that these refugees are different to other refugees and other entry people who are currently on the books in this country. These people are absolutely genuine refugees. They fled what are well documented to have been atrocious, life threatening conditions and under international law are entitled to cross borders and seek refuge. They certainly fit into that category. They are genuine refugees; they are not economic migrants.

Ms Tucker: Ah!

MR PRATT: We do have in this country, Ms Tucker, people who might be categorised in that way. These people are certainly long-term settled. They have been here a long time, and they have children who have grown into our society and are well established.

This group is the victim of a long process of litigation—litigation between the previous federal Labor government and the Portuguese authorities over their status. These people were a soccer ball being knocked around for a hell of a long time. That is another reason why they should be considered a special case. This vexed issue of litigation goes to the heart of the problem we have in this country regarding refugees from a broad range of backgrounds, and it slows down the wheels of refugee determinations. The people themselves become victims of that, too often being used as a political football in this country by various interest groups. That is unacceptable and needs to be sorted out.

However, there is a danger of precedence—although that would not stop me making a determination in their favour, I must admit—which must be taken into consideration. I am quite sure that the federal minister for immigration is working his way through this particular case.

If the federal government were to determine in their favour, they would need to have mechanisms in place to ensure that precedence is not allowed, which would cause other

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circumstances to be raised. Our country is quite vulnerable to people movements, legal and illegal. We have a special relationship with Timor, and that is another good reason why the federal government might determine in these people's favour. We are taking East Timor under our wing, and that is a very important role for Australia to play. Against that background I think this case needs to be determined favourably.

The Chief Minister raises the interesting situation of Kosovars, and he raises some very good points. It can be argued that there are Kosovars whose cases ought to be determined as one-offs, and these one-off cases could be determined without creating precedence.

I know a Kosovar family who fall into the category of being entitled to settlement in this country. They come from the small town of Vranje, which sits on the Serbian side of the Kosovo border. I used to drive through that town all the time once upon a time, shall I say, driving back between Belgrade and Pristina. Vranje is a vicious little town, and how Kosovar Albanians can exist there is beyond my comprehension.

I think that is a case where the federal government's system needs to be flexible enough to take those one-off cases into consideration. I will see what I can do, too, to represent that particular family. Perhaps we have too many letters flying back and forth on behalf of one family, but I suppose the more the merrier, Chief Minister. I can perhaps add to their cause by describing what I know about that part of the Balkans and why their case is fairly much beyond reproach.

The Chief Minister raised the interesting point of two different determinations occurring within one family. It is not surprising to see different circumstances applying to different people in the same family. It depends on myriad factors, including backgrounds. Let's hope that consistency is being applied in the determination of those cases. The Chief Minister's point is taken there.

I finish by saying that, while I hover on the side of supporting the settlement of this particular case, it must be taken into consideration that the factor of precedence is firewalled and the government must be allowed to exercise that consideration. We need to be patient and understanding. There are 20 million refugees in the world. There are genuine refugees, and other people, on the move in massive numbers, and this is creating difficulties in many places around the world.

Australia is vulnerable to that movement, and I believe we have to understand and accept that. So, a good refugee management program must take that into consideration, and we must be patient and understand why the government has to consider all of the factors. However, these refugees are clearly deserving of settlement, and I will watch where this goes from here with great interest.

MRS DUNNE (5.42): I rise to speak on this motion today with a little trepidation, not out of anything but goodwill towards the East Timorese people who live in Australia but out of fear that this will become another opportunity for bashing the federal government over its immigration policy. So far, there has been a general spirit of goodwill here, and I think we should keep in mind that this is a very sensitive issue.

I think we need to put on record the proud record of the present federal government in their dealings with East Timor. Between 1975 and 1999, Australia had a very sad record

in their dealings with issues in relation to East Timor. When East Timor was invaded by Indonesia, the response of the then Labor government was fairly appalling; it turned its back on the people of East Timor. The extensive litigation under previous Labor governments to attempt to determine that East Timorese in Australia, who had fled in fear of their lives at various stages, were in fact Portuguese citizens and the responsibility of the Portuguese authority was a means of fobbing them off to somebody else.

The federal coalition government has a proud record on East Timor, through the referendum and the transition to independence. Although what is being asked for today would cause, in terms of pure public policy, some problems for the government, I am very heartened by the minister saying, on many occasions, that he would exercise his discretion under section 421 of the Immigration Act on a case-by-case basis.

At the moment, these people are applying for temporary protection visas because until now they had been on bridging visas, mainly as a result of the attempted litigation to prove that they were Portugal's responsibility and not ours. Unfortunately, their requests for temporary protection visas are not being acceded to; they are being rejected.

After that they have the possibility of applying to the Refugee Review Tribunal. Most, if not all, of those cases are currently there at the moment. If they get a negative answer there, they can apply to the minister to exercise his discretion under the Immigration Act. I was informed by the minister's office earlier this week that, so far, very few people have done so. But on a number of occasions the minister has said he will be looking at individual cases. I quote from a press release of 25 September:

Applications will be assessed on a case-by-case basis, and the outcome of future decisions will depend on the circumstances of individual cases.

As recently as this morning in an article in today's *Australian* about the fate of the East Timorese in Australia and the application made by Xanana Gusmao in regard to this problem, the author, Paul Kelly, is quoted as follows:

But when interviewed by this paper yesterday, Ruddock offered a distinct concession: he said the use of his own ministerial discretion on a case-by-case basis "may see a higher proportion staying than many people expect".

I think that is a positive sign from the federal government that they are beginning to look at this in a compassionate way, and I hope it will continue. I would caution against using this as an opportunity to generally beat the federal government around the head on immigration issues. Rather, we should call on them to hold their heads high—as their record on East Timor is a proud record—and keep their proud record intact.

MS DUNDAS (5.47): The ACT Democrats will be supporting this motion. There is considerable opposition in the community, particularly in the northern city of Darwin, to the deportation of between 1,600 and 1,800 East Timorese who fled Indonesian rule during the 1980s and 1990s. Most of the East Timorese have lived in Australia for over 13 years, found jobs, undertaken studies and begun to raise families, earning the respect and affection of other people in our towns.

Yet successive federal governments, both Labor and Liberal, have kept them in legal limbo for more than a decade, refusing to finalise their claims for asylum. Back in 1999,

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when deportation was last mooted for the East Timorese, the Howard government suspended moves to remove the refugees probably because deportations would have undercut Mr Howard's claim to have sent in troops for humanitarian reasons.

Successive Australian governments have expressed concern for the East Timorese, but there has been much hypocrisy involved. Even at the height of the pro-Indonesian rampages, the government allowed only about 200 Timorese UN staff and their immediate families to flee to nearby Darwin on a three-month safe haven visa. When these visas expired, they were forced to return to the war-torn island.

Now, three years later, John Howard has determined that sufficient time has elapsed to allow the government to ignore humanitarian considerations altogether and push for the immediate departure of long-term asylum seekers. Last month 84 Timorese living in Darwin received immigration department letters formally rejecting their refugee claims and giving them 28 days to leave Australia or appeal to the Refugee Review Tribunal. Since September, the department has processed 564 applications, rejecting them all, with another 1,070 people awaiting decisions.

If the review tribunal applications fail, these people will face fees of \$1,000 each. Under new laws introduced last year following the *Tampa* crisis, no appeal can be made to the courts. Asylum seekers can make pleas to immigration minister, Minister Philip Ruddock, for compassionate consideration, but in the meantime they lose their right to work and to all social entitlements, including Medicare health coverage. These are people who have been living in this country for over a decade.

Many of them currently live in Darwin, but hundreds have moved to other cities, including Sydney, Melbourne and Adelaide. All have chosen to remain permanently. Most of their children cannot speak Portuguese, the official language adopted by East Timor, or even the more commonly used languages in Timor of Tetum and Indonesian.

Many of these East Timorese fled their homeland in the wake of the 1991 Dili massacre, when Indonesian troops killed more than 200 people after opening fire on a funeral procession for a pro-independence demonstrator. The Keating government prevented them from gaining protection visas, beginning a series of legal manoeuvres against the families, which has now been continued by the Howard government.

Having deliberately stalled the refugees' application since 1996, the Howard government now claims it is safe for these people to return, give up their lives of the last 10 years and go back to East Timor. This assessment flies in the face of all available evidence. East Timor is the poorest country in Asia, with unemployment estimated to be at around 80 to 90 per cent. Health and education facilities are minimal, and diseases such as malaria, dengue fever and tuberculosis are common. Forty per cent of people live below the poverty line of US\$55c per day, 50 per cent are illiterate and the average life expectancy is only 56 years. These conditions are creating enormous social tensions, giving rise to severe unrest and disturbances, including last week's clashes with police and UN troops—last week, not last year.

The situation facing the Timorese highlights the duplicity and hypocrisy that have driven Australian policy in relation to the island for the last three decades. Suharto's regime invaded East Timor in 1975 with the backing of the United States and Australia—a

shameful part of our history. More than 200,000 Timorese died as a result. But in return for access to the lucrative oil and gas deposits under the Timor Sea, in 1978 Australia became the only country to formally recognise the Indonesian annexation, something even the UN never did.

The current assault on the basic democratic rights of long-term Timorese residents in Australia is entirely in line with the record on East Timor of successive governments over the last three decades. The overriding consideration dictating official policy has been to obtain the lion's share of Timor's oil and gas wealth and to advance Australia's strategic and economic interest in the region, regardless of the consequences for the Timorese people.

It is time that we took responsibility for these people and showed some compassion. Perhaps this motion will inform the Howard government that at least some people in this community care about Australia's image overseas and that Australia should act as a compassionate global citizen.

MS TUCKER (5.52): The Greens will be supporting this motion as well, although I do feel slightly uneasy about it—not because I do not have absolute sympathy to the plight of the East Timorese people. I have a long association with the issue, like many people in this Assembly and the Canberra community.

What I hear Mr Pratt saying is that this is a precedent. The argument he put is that he will accept it and the government should consider accepting it because Australia has responsibility due to its gross mishandling of the situation for so many years. The reason I feel slightly uneasy is that there are many people from different places in the world who are actually in much more danger than the East Timorese people.

Our compassionate minister, Mr Ruddock, is sending people back to Iran, offering them money to do so and saying, "If you do not accept this money and go, you'll go anyway." What they would be going back home to is death. That is well established. There is also a grave question about whether there has been any agreement with Iran anyway—not to mention our friends from Iraq. I am also now personally acquainted with a number of them in detention centres. There is the bizarre situation where we are bombing Iraq with this Bush-led attack and creating millions more refugees.

My fundamental feeling is that we do not have a government that shows compassion, has any sense of its human rights obligations or responsibilities under international conventions or seems to care at all about the very many people who will want to find a home in Australia and other countries as a result of its foreign policy on Iraq.

There are other people in a similar situation in Australia right now on TPVs, which are inhumane anyway. There are the Kosovars. We made a special plea for Kosovars in this Assembly when Kate Carnell was here—I have a copy of the letter here. It was signed by everyone in the Assembly except for Mr Cornwell. I think he was the only one who didn't sign it at that time. Mrs Carnell sent it to Mr Ruddock.

We have Afghan refugees at the moment on TPVs in Young, who are well accepted in the Young community. They have been employed at the Burrangong meat processing

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plant in Young since 2001, and that has been a very good example of the contribution that asylum seekers and refugees make to our community—as the East Timorese have proven before.

People from all over the world come to our country and make a contribution to our society. We should accept, value and celebrate them instead of having this closed door approach of the current federal government. The people who are here and being put under TPVs are suffering. It is a form of torture to a degree. They have children, and they are settling themselves into this country as well.

We are not having a motion on those people here tonight, though; we are having a motion on the East Timorese in particular. They have been here for a number of years, as I and other members have said. I won't go over the whole history; it is not necessary—I think people here are well familiar with it anyway. I understand why Mrs Cross has focussed on them and I understand the arguments, but I want to put on record my reservation that we could equally be having motions on many other people, either incarcerated in detention centres or under TPVs in the Australian community.

MR CORNWELL (5.57): I rise to support, in general—somewhat to the surprise of this Assembly, I am sure —Ms Tucker's concerns on this matter. I say “in general” because I will come back to the specifics of this motion. I appreciate that fact. I also believe that, once again, it is not a matter that this Assembly should be addressing when we have responsibility for the 312,000 people living on a day-to-day basis in the territory.

However, the matter is worth discussing without going to opposition. We have to recognise the sensitive matter—as some of my colleagues have said—that the Australian federal government has its own rules and regulations in relation to refugees.

In my opinion, the problem of these East Timorese people is that they left their country some 10 years ago because they were obliged to. Many groups have had to do this in the past, but the majority of them have at some stage gone back to their own countries. One only has to look at the various wars that have swept across this globe over many centuries. Many people, because they didn't agree with the policies of the invaders, left their country. But, in turn, many of them set up governments and other activities in exile and have been extremely keen to get back to where they came from as soon as possible.

An argument could be put forward that the East Timorese people who have been here for up to 10 years and have acquired skills and money that could be of great value to a new and financially struggling country such as East Timor would assist their old country by going back. The other problem is that, if we look at the humanitarian grounds—that they have been here for 10 years and other reasons outlined by various people—perhaps governments will be cautious in future of allowing people into the country on a temporary basis because of the precedent that Mr Pratt suggested might occur.

Indeed, Mrs Cross herself, in setting up, addressing and introducing the motion, stressed that this was an exception. But the next thing we know is that in the middle of the debate the Kosovars come into it. I am not criticising the introduction of the Kosovars into the debate; I am simply saying that it is not possible to exclude one group or another. You can't say, “Let's make a single exception of this particular group.” You can't do that; you've got to think of other people, and there are many around the world.

Ms Tucker commented that there are people outside, and perhaps still inside, this country who have better claims for being allowed to stay: if they are sent back home their fate will be uncertain, which is not the case with these East Timorese.

The debate raises an interesting question about the future of East Timor. I was looking at some of the media comments that came out in May last year when East Timor became independent. The *Canberra Times* said, "East Timor faces hard times after euphoria"; the *Age* said, "Who will clean up after the party?"; The *Australian* said, "Timor's tryst with destiny: a brave new beginning."

Freedom is fine, but you can't eat it and you need other things to support it. Therefore, in enjoying the advantages that freedom brings, we have to be aware that support is needed in the future. My suggestion is that support needs to be given, not only by other countries but also by citizens of the country concerned who have come out here or to other countries for various reasons. They should give serious consideration to what they can do to assist the brave new world that has been created—in this case, in East Timor.

I will conclude by reading a small piece from *Spectrum* in relation to this third part of Mrs Cross's first motion, the contribution of the East Timorese community to the fabric of "multiculturalism". That is a word that I think is being used far too often; I prefer "integration" myself. I quote from *Spectrum*:

Multicultural. (...) In the future it's essential to distinguish between Australian policies of multiculturalism and descriptions of Australia as a "multicultural society". Australian policies of multiculturalism are mainly concerned with a principled non-discrimination in immigration policy, with helping immigrants find a place in Australian society and with ensuring that they and their descendants share the rights of other Australians to pursue their ways of life, within the law, as they wish (including maintaining aspects of their national, religious or ethnic heritage if that's what they want). If our political parties had come together in "selling" the decency of this policy in straightforward, pragmatic language, the talkback shows might have lost much of their poisonous sting. Unfortunately, use of the adjective "multicultural" has also at times suggested (although not deliberately) that multiculturalism is the defining feature of Australia and that the only groups who have a "culture" are ethnic groups.

We should always be ready to proclaim that Australians make up an inclusive society of multi-faith, multi-national, multi-ethnic and multi-racial origin. But this includes all those who see their background as pre-eminently Australian.

Before everybody jumps up and starts to criticise, that was written in *Spectrum* of November 19 last year by Donald Horne. I would commend those thoughts of Mr Horne to members and, although I am sure this motion will go through without dissent, I would just like to have the comments that I made recorded. It is a matter that we need to consider seriously in terms of national issues and the whole question of migration and the rules and regulations that this country has pertaining to them.

MR WOOD (Minister for Disability, Housing and Community Services, Minister for Urban Services, Minister for the Arts and Heritage and Minister for Police and Emergency Services) (6.07): I make a brief entry into this debate, based mainly on the

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fact that I have some family interests in Darwin and get up there from time to time. A very compelling factor in supporting this motion is that it is very clear to me on the visits I make to Darwin that the Darwin community is very strongly in support of keeping those people, their guests, in Darwin.

I think that says it all. Here is a large community, close to East Timor, who are very much aware of the issues but, more than that, very familiar with the people who are now in their midst. And they are saying, "Hey, we want these people. We like them; they are valuable; we need them; let's have them." That is the message that should be got out more broadly.

MRS CROSS (6.08), in reply: First, I would like to thank members who have supported the motion and those who have expressed their support of the sentiment of the motion. There are a few things I need to clarify. I made it very clear, in what I said and what I did not say, that there was no intention at all to criticise the federal government in the motion. I do not believe that, in trying to achieve positive things, getting into the blame game is productive, and I am not going to touch on other issues.

Ms Tucker said that, even though she supported the motion, she would have liked it to have been more encompassing of other issues. I say this to members: if you have other issues you would like to bring to the floor, put the motion on whatever your issue is on the notice paper, whether it relates to people in the Baltic area or anywhere else. I decided to put this motion on just the East Timorese because I felt it was an issue that should be handled separately. It is a unique situation.

Mr Cornwell, I take your point, but there are occasions when countries and governments make mistakes and, in this instance, I should tell you that most of the people who arrived in Australia about a decade ago from East Timor arrived on tourist visas due to lax arrangements in our visa system—that is, the Australian visa system in Dili. Then they lodged refugee claims. They could not do anything other than that because of the incompetence of Australia's system at the time.

I am not going to blame any particular government. It was a system in place and, all right, it was incompetent. We wouldn't even be here debating this motion today if our system was more effective. These people would already be Australian citizens. Let us understand that. Whether they have gained skills or not over the 10 years, I am certainly not going to impose this group on a poor country that is in the middle of trying to rebuild. I am not going to say to them, "You've had 10 years here, but I'd like to send you back there to pass on the skills you've learnt in Australia. We think you've had enough time in Australia, so I'd like you to go back."

I am sorry, but that's not the way things work. That is unrealistic. Frankly, you cannot treat people like they are appendages of us. They are not. They are an integral part of this society. They have spent 10 years here. They work, they earn money, they pay taxes, their children go to school, they are educated and they speak our language. In fact, they come from a Christian society, which lets them integrate quite well with us. I am not saying that they are better or worse than others; I am not going to make a moral judgement. I am simply saying that it is our stuff-up that primarily caused the majority of these people to be in this situation. We have a moral obligation to address this problem.

I have already mentioned that these people have integrated themselves quite well in the community. I have already mentioned that they work and they pay taxes. But a lot of these people left their country under very difficult circumstances and have not been back to their country since they left. It is very difficult to pick up where you left off when you leave under that type of cloud. It is not as if we can say, "You know what? You've had 10 years here, or nine or eight, or whatever it is. We think we've given you a fair go. Now chuff off." It is a nonsense.

If their applications had been processed when they arrived—and Indonesia ruled Timor at the time, remember—they would have been successful and most would be Australian citizens now, as I mentioned earlier. The main delay was due to Australia's view that Portugal was the refuge of such asylum seekers, a claim rejected by the Federal Court.

In the article in the *Australian* that Mrs Dunne quoted from before, it says, "Domestic politics suggests this is a one-off issue." I stated this clearly. I am not going to make a moral judgement against the immigration minister, Mr Ruddock, because I feel he has a very difficult job. He has stated, as mentioned earlier, that he will assess these issues on a case-by-case basis. I know that the Prime Minister has put the East Timorese case to the Australian people as a special case, and most Australians still share the view that it is.

While I would like us to be all things to all people, we can't. Why did I bring this to the chamber? Because I have constituents in my electorate who are part of this group who do not want to go back. Even though this is a federal government decision that has to be made, I have had people coming to me for some time saying, "We do not want to go back. We have been living in this community for some time, and we want to remain." This is why I decided to bring this motion to the Assembly.

That does not preclude any other member from bringing on any other motion about any other group of people that they feel have been badly treated or should be revisited in some way. I am happy to do it. But please do not get up in this chamber and say to me that we could have included this and this and this. No. This motion is simply to do with the East Timorese. I understand about the groups that other people mentioned, and I empathise. I do not like to see people suffer. I certainly do not like to see people victimised. I do not think anyone in this chamber likes to see anybody victimised. Although I am sure some people enjoy doing it, I do not think they would like to experience it.

As for the peacekeeping forces that were mentioned before, I was fortunate enough to meet a lot of these people. My colleague Mr Pratt has had the benefit of meeting some of them as well. I found them to be incredible people, particularly our Australian soldiers. Most people know that I have a close affinity with the Defence Force through my husband. I have a lot of friends in many countries who have sacrificed their personal life to serve their country and help others in great need.

I saw many Australians in East Timor sacrificing their personal enjoyment to do what was right, perhaps in redressing past wrongs that were inflicted by successive governments. My motion is not about blame; my motion is not about trying to put someone out there and shoot them because they did something wrong; my motion is simply that we have an unusual case. We have an extenuating situation here, and this is

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why I decided to make this about only the East Timorese. I believe they have every right to claim permanent citizenship in this country.

I am hopeful that the immigration minister and the Prime Minister will view this case seriously. I am hopeful that they will be allowed to stay. If not, I will be very sad, but I live in hope. I am not as negative as some. We have an unusual and close relationship with East Timor, which goes back almost half a century. I truly hope that the letter the Chief Minister will, hopefully, write to the Prime Minister asking him to allow these people to stay in Australia is successful. I thank members for their support of my motion.

Motion agreed to.

Proposed new land rating system

Mr Smyth, in accordance with standing order 128, fixed the next day of sitting as the time for the moving of this motion.

Sitting suspended from 6.17 to 8.00 pm.

Youth Week celebrations

MS MacDONALD (8.00): I move:

That the Assembly:

- (1) notes the importance of young people to our community;
- (2) notes the importance of youth support programs; and
- (3) supports Youth Week celebrations.

Mr Speaker, even as we live longer and have fewer children, young people make up a large part of our community. It is timely that we reflect on their importance. This Saturday, Youth Week starts. Last Friday, the youth suicide prevention organisation Here for Life held its annual fundraiser. According to Here for Life, 10 young Australians will die by their own hand this week and more than 1,000 will attempt to do so. Statistics like that show that we need to appreciate our young people. It may be a cliché, Mr Speaker, but they are our future.

Every day we see young people working, studying, volunteering, entertaining and more. We should celebrate their achievements during National Youth Week, which is from 5 to 13 April. The activities during Youth Week reflect the diversity of our youth. There will be bands performing, a sexuality summit, a carers' breakfast, skateboarding, and art and writing workshops.

Organisations such as the Youth Coalition of the ACT, which is organising Youth Week activities in the territory, do a fantastic job supporting Canberra's young people. But sometimes, for complicated reasons, young people fall into trouble, such as depression. It is important that we realise the seriousness of that and that we pull them out again.

The Stanhope government is also working to reduce young people's involvement in crime. The approach brings together police, non-government organisations and

community groups. The Quamby Youth Detention Centre and the community unit also look after youth clients. The government provides practical assistance through support services for young people at risk. It is also contributing funds to Oz Help, a new support service for workers in the building and construction industry. I was privileged to be in attendance last week, Mr Speaker, when you launched that good program. The youth connection program and the adolescent day unit are other intensive support services for young people. But it is important not to overstress the number of young people in trouble. In fact, I am very proud of Canberra's young people, as I am sure are all in this place.

Highlights of the 2002-03 budget saw the Department of Education, Youth and Family Services undertake significant reviews, such as the inquiry into education funding, reviews of counselling services, schooling reporting, and careers advice. Other highlights saw class sizes progressively reduced, laptops provided for government school teachers, and government school IT infrastructure upgraded. The inaugural Youth InterACT conference, entitled "Exploring ideas, shaping directions", was held last October, and 105 people aged between 12 and 25 registered.

Delegates expressed enthusiasm for the concept, with one saying, "I think that we should definitely have another conference like this. Youth InterACT gives me a chance to express how I feel about where I live, and I'm glad to know that I can shape my future." As that shows, young people are engaged, active and concerned about their world. During the fires, they were helping to hose their homes and clear their gutters, and then do the same for their neighbours. Those who lived in safe areas were heading to the fires to help.

In fact, in my own instance, I had two young people trying to help out. One person tried to notify us and came over to help, as I have mentioned in this place already, and another young man willingly came over to our house and cleared out our gutters for us, which, as I have said before, is a good thing, because I do not know how I would have got up there and I do not know how Brendan would have got up there, either.

I do remember that in a speech after the fires Mr Cornwell noted as well the participation of the young people in Canberra and how they have done us all proud during the fires. Members of the Legislative Assembly may have been lucky enough to hear stories from some of these young people. The *Canberra Times* post-fire thank you notices were filled with mentions of many others. Mr Speaker, that is only one example of how young people get involved and participate in their community and help to shape our future and their own future.

More recently, thousands of young people took to the streets to protest about the war against Iraq. Their concern was extended beyond the local, beyond even the national, to people in the Middle East they have never met. We should admire their political interest and their engagement, whatever our own positions on the war may be. I certainly do, and I encourage them to keep up their active interest in politics and local, national and international issues into the future, to the time when they are no longer considered to be youth.

Youth issues are particularly relevant in Canberra, because our age profile is much lower than the national average. According to the executive summary of last year's youth in the

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ACT social and demographic profile, this is because Canberra is still a young city and the nature of the industries and occupations continually attracts young, educated and skilled people. To continue quoting from the summary, young people in Canberra have obtained a high level of involvement and success in the Canberra work force.

Some young people opt to volunteer as well as work, according to the Youth InterACT report. In 2000, there were 12,900 people aged 18 to 24 who willingly gave unpaid help in the form of time, service or skills through an organisation or group in the previous 12 months. Canberra's number of young volunteers, at 36.4 per cent of the age group, is much higher than the national average of 26.8 per cent—nearly 10 per cent higher.

Our carers aged 10 to 18 are supported by the Cyclops initiative, which the ACT government funds. These carers achieve so much despite their young age and they are a credit to our society. Mr Speaker, having been in the situation at a young age of having to exchange roles with somebody with a mental illness, being at times more a carer than the carer, I do relate to their situation. I know that some of them do not have the support mechanisms around them that I certainly have had, so I do acknowledge the excellent work that Cyclops does for these young carers.

The youth organisation Galilee lost a Kambah building and \$60,000 of equipment and resources during the fires, but director Craig Webber told the *Canberra Times* that the worst of times also brought out the best in people. He said, "We've weathered the storm. The staff and students have really pulled together in what has been a very difficult time." Mr Webber said that 15 students were currently being taught in a temporary building in Kambah and that it had been heartening to see the community and students rallying behind the service.

There are many reasons to be proud of Canberra's young people and it is timely that we acknowledge their importance on the eve of Youth Week, Mr Speaker.

MS DUNDAS (8.10): The ACT Democrats will be supporting this motion in recognising the importance of young people and of Youth Week. National Youth Week is an annual feature in Australia's youth calendar and provides a platform for reaching the 3.8 million people aged 12 to 25 in every Australian state and territory. This year's theme for Youth Week has the provocative title "What's it to you?". This is challenging young people to be creative and display what it means to be young in this country. This displays the diversity of young people in our community.

Just a quick browse through the many types of events provides a snapshot of what is going on in Youth Week. There will be many artistic pursuits, band competitions, a summit on sexuality, a young carers expo, a multicultural picnic, a disco for the disabled, dance parties, skateboarding competitions, a picnic for young parents and even a film festival. Mr Speaker, I will also mention the special event that you and I will be attending on the weekend, that is, the street chalk art competition in Belconnen. The theme of the event is "What's good for your mind".

Mr Speaker, you and have been selected as the guest judges for this event. I'm sure that we'll be able to spot good chalk art when we see it. The prizes are vouchers of \$100 to pursue artistic endeavours and the winning chalk art pieces will be printed on postcards to be sent round the country. I invite all members to come along to the free barbecue

outside the Belconnen library at 3.00 pm this Saturday and see what the artistic young people of Belconnen can do.

The theme for the event, “What’s good for your mind”, shows the emphasis that is being placed by many in the youth sector on the mental health of young people and youth resilience. It is a sad fact that youth suicide in the ACT has doubled in the last seven years and the incidence of teenage depression is at epidemic levels. About one in seven children and young people will experience mental health problems in the next six months. That makes it as common as asthma.

Whilst we can wear board shorts to work and have fun, as many did last Friday, with National Boardshorts Day, it was for a serious cause—to help organisations such as Here for Life help Australia’s young people, because they need the resources to be able to reach out to many in the community who are feeling that they just can’t cope any more.

When I have met with the school groups that visit us in the Assembly, I have had young people come up to me and ask for help, despairing that the support offered in schools isn’t real enough, that what they are learning does not actually help them with the everyday problems that they are facing. This is a real problem that needs real solutions. We need to empower young people so that they are able to help themselves.

Statistics show that young people get most of their information off other young people. So, if we can start the cycle right and help young people help themselves, they will help each other and, hopefully, it will build for a stronger community and a community where more of our young people want to stay around.

Another startling fact that came from the 2002 youth poll sponsored by Senator Stott Despoja revealed that 53 per cent of respondents know a young person who has attempted or committed suicide. Further, an increasing number of Australia’s youth are trying drugs: 44 per cent of respondents have tried marijuana and 15 per cent have tried amphetamines or hallucinogens, such as ecstasy, LSD or speed. These risk-taking activities are symptoms of deeper problems. We need to start teaching resilience so that we can start to turn these number around.

Ms MacDonald mentioned the initiatives that the government presented in last year’s budget for the Department of Education, Youth and Family Services. Unfortunately, in last year’s budget we had a huge cut to the resources that were made available to the youth sector as we focused on education. I must clearly state that the youth sector cannot suffer another cut like that. I know that the next budget is going to be tight, but we do need to support our youth sector. We cannot just sweep them under the carpet and say that they are people who do not vote, because they are people who are part of our community and what they think and feel is very real. We need to support them, otherwise they will not want to be part of this community.

One thing that comes through again and again in talking to young people is that they are concerned about their future, that they are not able to have a say in their future, that because they are young nobody cares what they think now and what they think of the future. They see grown-ups making a mess of their world, which is why we have so many young people who are willing to take a stand against the war. They do not want to move into a world where war is the answer. They want to find another solution and they

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want to be heard. I urge all of us, as community leaders, to listen to our young people, to get involved with National Youth Week, show our support and see if we can find an answer to the question: what's it to you?

MS TUCKER (8.16): Youth Week is a growing national event. It is still driven largely by community organisations in the youth sector and primarily funded by government agencies with youth interests, such as the ACT Department of Education, Youth and Family Services and the Commonwealth Department of Family and Community Services. However, over the past few years, as the event has grown, more sponsors and participants have come on board.

In addition to stalwart youth organisations such as the youth centres, Young Carers, Canberra Youth Theatre, 2XX and the Youth Coalition itself participating, we now have Ronin Films, FM104, Epimedia and many more contributing in Canberra and, nationally, sponsors such as Commonwealth Bank, *Girlfriend* magazine, Triple J and ninemsn.

This reflects the growing capacity of youth sector organisations to build their activities into the mainstream and the increasing awareness of the work of the youth sector really does touch on the very situations that most young people face, including issues relating to sexual, cultural and religious identity and questions of health, poverty, education, housing and the law.

Given the quality and value of the work that goes on in the youth sector, given the importance to our social health of young people, who are on the whole positive, energetic, expressive and constructive, and given that Youth Week in part promotes and in part reflects this work and these values, this Assembly clearly ought to support the youth week celebrations. I am sure that it will.

In noting the importance of youth support programs, I remind the Assembly that it was the youth sector alone which had to carry a cut in indexation last year. While other community organisations, even those funded by the Department of Education, Youth and Family Services, received an increase in general grants of more than 3 per cent, the youth sector received 1 per cent.

I also remind the Assembly that, in the context of a revitalised commitment by this government to young people at risk of unsatisfactory educational outcomes, a number of successful innovative programs linking such students to support and activity in the youth sector failed to gain expected funding. What has happened to them? Furthermore, there are ongoing problems of poor quality facilities, overcrowded buildings, exploding public liability and other insurance costs, and increased wage costs.

Whilst Youth Week is, indeed, a fine event, well coordinated by the Youth Coalition of the ACT, the youth sector will judge us by how well we support them in this budget cycle. I quote from the document attached to the Youth Coalition's budget submission:

The youth sector's budget priorities identified in this submission have two essential themes—the first being the continuing viability of the sector; the second being gaps in essential services.

An increasing demand on community youth agencies reflects how young people are accessing the support and opportunities available in community settings. It is

important that Government recognise the service delivery needs of young people and the fundamental role that community youth services play in the delivery of these services.

The increase in demand for services has been reported right across the community sector and this has raised issues of viability that need to be addressed through appropriate resourcing.

As such, a critical budget issue for the Youth Coalition in its submission this year is the sustainability of the community sector. The compact “acknowledges the vital role played by the community sector” and expresses the government’s undertaking to “support (its) sustainability and long-term capacity” however a number of issues are impeding the viability of the sector, which are raised in the submission.”

Furthermore, the increase in the number of young people with mental health issues, intellectual disabilities, drug and alcohol issues and care and protection presenting before the children courts as a result of criminal matters, and entering Quamby Youth Detention Centre (Office of the Community Advocate Annual Report 2001-02 and the Government’s response to recommendations 1 and 3 of Coroner Somes’ inquest into a death at Quamby) indicates a number of fundamental shortfalls in current policy and service delivery.

The role of the community sector in the provision of a range of interventions to support children and young people and their families in their “natural” communities, and identifying needs and collaborative solutions, warrants a firm commitment by the ACT Government.

The Youth Coalition believes that it is critical that the 2003-04 ACT Budget demonstrate a significant commitment to the community sector. An investment in the community sector will be a worthwhile investment for the whole community.

Tonight, I urge the government to make that commitment now. If it does not, motions such as this will cast us as hypocrites. We need to support these sorts of motions with practical policy responses as well as funding.

MRS BURKE (8.21): I am really pleased to be able to stand up tonight to support Youth Week, being a young person myself.

Members: Ha, ha!

MRS BURKE: I do not know why you are all laughing; it is true. As the saying goes, growing up is mandatory and growing old is optional, or the other way round, or something like that.

Children are our future. Do we realise and understand the awesome task and responsibility that have been placed upon us as a society? Are we really paying heed to the fact that whatever we instil into our young people now will form the platform and basis for their transition to adulthood? I believe that it is incumbent upon any government to create not only an atmosphere, but mechanisms conducive to assisting our young people into the future in a balanced and stable way.

It is very tragic that so many young people take their own lives, often in very desperate and lonely circumstances. We must do better by our younger generation. I am always

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reminded at this point of a cousin who took her own life at a very young age, who had had two babies as a teenager and left those two children. Obviously, I am of a heart to try to listen to young people and I really believe that it is tragic that many people do not have mechanisms, do not have support systems and do not have family around them at their point of need. We need to meet young people at their point of need, not expect them to be always coming to us. We must do better by our younger generation.

I think that we often send wrong and mixed messages to a very vulnerable age group. One of the many ways we can assist young people is by ensuring that they have hope for the future, hope that they will have the stability and certainty of a job to move on to, or at least by providing them with a range of skills to equip them for the world of work.

My dad always told me that you cannot put an old head on young shoulders. How right he was. Notwithstanding this, it is important to provide mechanisms for our young people to be heard. As I have said, we often try to suppress the voice of young people. Sometimes there is wisdom in doing that; other times we need to allow them to have that voice.

I love the theme for this year's National Youth Week—"What's it to you?" I am sure that many young people feel that they are not being heard. Whilst I am only one person, I listen to and take seriously the rights of young people to have their say. After all, I may even learn something. This theme, whilst challenging young people, as Ms Dundas says, also challenges me. Are we really serious when we say that children are our future? Are we really thinking that out and are we thinking that through? I would ask members of this Assembly to think really hard about what it is to them? What are our young generation to each of you? I fully support Ms MacDonald's motion.

MRS CROSS (8.24): Youth Week, as has been mentioned on a number of occasions this evening, is to run between 5 and 13 April, starting this Saturday. Events in the ACT will include a sexuality summit, a youth expo celebrating the youth of Gungahlin, soccer games, discos, a film festival with short films made by the young, a young parents' picnic, street drama and theatre, as well as classes, writing workshops, forums and open days at various facilities.

Given that we are speaking of Youth Week, I would like to acknowledge the young person we have in our chamber today, Abby. She is our future. She is one of the people that we're speaking of today. It is nice to see you, Abby.

I would like to commend Ms MacDonald on her motion. I support it completely. One of the things that I find very interesting is that statistics from the census carried out by the Australian Bureau of Statistics in 2001 show that there were 12,011 boys and 11,480 girls aged between 10 and 14 in the ACT and there were a further 12,622 boys and 11,867 girls aged between 15 and 19, that is, a total of 23,491 boys and girls aged between 10 and 14 and a total of 24,489 young adults aged between 15 and 19. I am sure you were riveted by that statistic, Mr Speaker. In total, we have 47,980 people aged between 10 and 19.

Those statistics also reveal that close to 11,000 in the 15 to 19-year age group are voters. That should be interesting. That means that the number of 10 to 19-year-olds form about

15 per cent of the population of the ACT. The public policy question which Youth Week will shine a light on is how, in fact, we as the adults in this community are treating that 15 per cent.

Mr Speaker, in these modern times, I have to ask: where is the importance of parenting placed in today's scheme of things? We have given our youth freedoms none of their parents had, but we have not emphasised that with freedom at times comes responsibility. I wonder whether governments have taken away the rights of parents with such things as giving youth an allowance to live away from home and freeing them to do in their parents if they feel they are being treated unfairly.

What about drugs? Have we done all we can to give the right information to youth in a way that doesn't say, "Do what I say, not what I do?" Have we removed the right of the parents to discipline their children? Are we depriving our youth of the opportunity to experience the joy of being young? Are we insisting that they now grow up too fast?

I congratulate the unsung youth of our community, the volunteers, those who are carers of their parents and the elderly, who go about their business without want of reward and those students who excel at school, in the community and the workplace. I salute those who strive to do their best and succeed, even if they do not make it to the front pages of the press. Of course, we can never forget those young people who are an inspiration to us all as they show their strength through their disability.

To the young people of our community I say, "Grow strong and proud. Show us your integrity, honesty and fortitude, and we will applaud you as adults as well."

MR PRATT (8.28): Mr Speaker, I rise to support this motion. Our youth is our community's most important interest and we can never do enough—unfortunately, we do not really do enough—to take care of and nurture our young people. National Youth Week is therefore extremely important and we can only hope that it will remain a proactive and uplifting week for the youth of Canberra.

Of major concern to me as I look around is the need for a decent array of youth community centres across the ACT. As to those which we do have and which are open, I do not understand really why they are not so well patronised by our youth. I think that that is something that the community needs to look at. We need to be able to provide safe and secure entertainment for our kids, certainly through the weekends of every week. Our schools are so important to the instilling of positive values in our children and, of course, it is on our school programs and our school infrastructures that we must continually focus to see that we are moving ahead and developing those capabilities.

Mr Speaker, even with Youth Week this week, unfortunately the war is a subject which arises, as a number of my fellow speakers have also noted this evening. I support our youth being well educated about the war in Iraq because the war is in our face, it is something that is there. Our children are worried about it, they have questions about it, and we need to make sure that we sensitively engage with our youth in explaining what the hell is going on.

I must say that I do abhor the politicisation of our youth by hard-core political elements, such as Resistance Alliance. We have seen that in Sydney. We have seen the deliberate

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engaging of high school groups by that organisation, usually young adults, university students, deliberately going out and targeting high school children to politicise their involvement in this war. I think that it is just a great shame, because our kids still need to be in a position where they can think and learn at that age. In their school years they need to be able to learn about and understand all the elements of what the hell is going on and they need to do that in a controlled and calm environment, but this sort of thing does not help.

I would therefore call upon the department of education, our teachers and our youth community leaders to protect our youth from extremists and hard-core political elements. I call upon teachers to take the time to educate our secondary school youth about the war in a calm and peaceful environment. For that matter, go that extra step further and talk about the war against terror.

Our youth who wish to protest against the war are entitled to do that. I would call upon our teachers to promote peaceful, dignified protest which is respectful of our community. I would also call upon our teachers to put their personal views to one side and ensure that in educating our youth about this war they introduce all sides of the debate.

Mr Speaker, going on to a less controversial element of this subject, but one which is extremely important and has its own risks as well, I am concerned about students at risk and would hope to see our education department make a resolution during Youth Week to better serve the needs of our youth at risk. It must be recognised by the community as a whole—it simply does not fall only on the shoulders of the department; it is something that we as a community must join with the department and our schools in recognising—that not all of our children are suited to go or really want or desire to go to university. We need to make sure that we engage with our youth who are of that mind.

VET programs of the certificate 1/2 variety in high schools as well as in colleges are, I believe, very useful for identifying and engaging with a lot of our children at risk. That is something which is not given enough focus and I think that we as a community should certainly call upon our departments to focus more on that area.

I would like to see greater effort made by the department of education to establish support units to assist challenged schools and challenged teachers to engage positively with children at risk. If we can take care of that issue, we will make our schools calmer, more proactive teaching environments and take care of those children who feel, for whatever reason, that they have not been engaged, particularly those children who come from broken homes and are really at risk.

Allied with that is the issue of drugs, of course. Drugs clearly are a major scourge with that group of children who are at risk and who come from broken families. Clearly, we need to press on with engaging better with those children at risk—there is a lot of debate on that in this place and we must keep that debate going—and more robustly assist our children in that category to disengage from drugs.

Mr Speaker, tonight I celebrate with my 18-year-old son, who has just stepped out into the world, having just finished high school. He proudly told me last night, as he struggles with his first job and learns to balance his meagre budget to find the right digs to live in, that he is having a lovely and challenging time. I was really proud to hear that he

understands the realities of all that and is approaching it quite sensibly. I am quite proud that he has been able to think in those terms at such an early age.

I, too, shall be attending Youth Week. Indeed, this old carcass has been sucked into a soccer game somewhere and that will be my means of celebrating Youth Week.

MS GALLAGHER (Minister for Education, Youth and Family Services, Minister for Women and Minister for Industrial Relations) (8.35): I am pleased to have this opportunity to speak today on the motion brought forward by Ms MacDonald on the importance of young people to the ACT community. This importance was never more evident to me than during the bushfire crisis experienced by all of us in January of this year. Despite the negative view that some have of young people, I was made aware of many instances of young people selflessly assisting others on the day of the crisis, 18 January, and in the days and weeks that followed.

I am aware of Deb Morgan, a young woman of 18 years of age who is a member of the Ministerial Youth Council. Despite losing her family home and church to the bushfires, Deb has spent many hours volunteering to help others in the community, particularly other young people affected by the fires. I have been told of the story of five young men who spontaneously assisted with the evacuation of elderly residents in the Weston Creek area on 18 January. When the Canberra community was most at need, these young people and many of their peers stood up to be counted.

We need to acknowledge that some young people struggle to deal with the complexity of issues faced by youth today. These young people, in particular, require our collective support and encouragement. This government wants to encourage all young people to reach their full potential, to achieve a real sense of purpose and belonging and ensure that they are recognised and valued as members of our community. To achieve this, we have to build on the strengths of young people and encourage the development of the personal resilience that underpins the key relationships and connections that are important to the lives of all of us.

This government recognises the importance of providing assistance to young people who, for whatever reason, have additional support needs or have already become disconnected from their families or the community. In last year's budget, we did commit more than \$3 million for new youth initiatives, such as the high school development program, an indigenous youth drug and alcohol project, funds for the student pathway initiative, increased funding for adolescent mental health services, additional youth services in Belconnen, and funds to establish Youth InterACT, the youth consultation and participation initiative.

I am aware of the issues that have arisen from the decision to index the community sector at only one per cent last year. I met with the Youth Coalition last week for a couple of hours. Prior to that meeting I had read through their budget submission, which had, I think, 86 recommendations. I told the Youth Coalition at the time that, in an ideal world, you would fund every single one of the proposals that they brought forward in that submission. It is something that I am very conscious of. I think the community sector did take a hit last year with that indexation. It does impact on service delivery and we need to acknowledge that.

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Last April, during National Youth Week, the Stanhope government outlined its commitment to the four key priority areas for young people—participation, access, transition and support. The four priority areas have been used to guide government activity in relation to young people over the past year. Today, I reaffirm our commitment to this framework for youth policy and program development as we move forward.

In the short time I have here, I would like to focus particularly on the issue of youth participation and involvement in the community. I believe that the full and equal inclusion and participation of young people in the community is an essential component of addressing disadvantage and improving social outcomes. It has been widely recognised that the involvement of young people in a high-quality education system is a key equity consideration.

The ACT does have the highest year 12 completion rate nationally for both females at 78 per cent and males at 73 per cent in 2000 to 2001. The quality of our education system can be measured not only through academic activities and the winning of awards, but also through the calibre of the young adults it nurtures and develops.

In order to remove barriers which prevent young people from reaching their potential, the ACT government is seeking to further promote inclusive teaching practices within school that cater to the diversity of young people and their needs and develop school communities with strong student support mechanisms. A key initiative to achieve that will be the development of individualised student pathway plans for all years 9 to 12 students during 2004. Through the development of a pathway plan, young people will be supported to identify their personal strengths and interests and shape their transition through secondary education to further study or work.

Approaches such as these emphasise that young people are individuals and have different needs. They highlight the importance of tailored and individualised responses that recognise the diversity of young people and their aspirations. In the time that I have been minister and the visits I have had to schools, I have certainly been impressed by the ability of schoolteachers across the board to meet the individual needs of students within their classrooms, and they are so diverse. In any one classroom you can have students operating across four years of schooling in terms of their capacity and interests. I think that the ability of teachers to teach across that spectrum and meet the needs of the young people is quite astounding.

Participation by young people in the community benefits those individuals directly as well as the community as a whole. It builds confidence in individuals and it improves the responses by government and the community to addressing need. Participation makes visible the diversity of the youth in our community and their willingness to make a contribution. The government youth consultation and participation initiative, Youth InterACT, significantly expands participation opportunities and the number of young people able to contribute to discussion on youth issues in the ACT.

Youth InterACT is for people aged 12 to 25 who reside in the ACT, including those who experience disadvantage and young people who would not normally be encouraged to participate in an initiative of this nature. Young people are able to contribute to government policy through a variety of mechanisms, including the Ministerial Youth

Council, a youth consultation register, issue-based forums which are being run by the Ministerial Youth Council, and online consultation opportunities.

The consultation register currently has 145 members, comprising 96 young women and 49 young men, and this number is increasing all the time. Members of this register receive regular information on a range of activities and relevant government and community events. The Ministerial Youth Council is a large council with diverse representation between the years of 12 and 25 and its members have met 12 times since their appointment in August 2002, which indicates high levels of commitment and a busy work agenda. Certainly, I acknowledged that when I met with the Ministerial Youth Council last month. The tasks they have chosen to take on and the commitment they are showing are being undertaken on top of work, school, university and study—you name it, they are doing it on top of that. The government really appreciates their commitment and the time that they devote in advising me on issues affecting youth.

The council hosted the inaugural Youth InterACT conference, entitled “Exploring ideas, shaping directions”, on 18 and 19 October last year, with 110 people aged between 12 and 25 being in attendance. Three themes emerged from the conference—easy access, youth to youth, and awareness. Under the easy access theme, conference participants identified a need for improved information products and strategies to inform young people about the variety of services available in the community.

With the youth to youth theme, young people requested greater involvement in the planning and development of activities that concern them and support for peer support and young people as educators. Under the awareness theme, young people expressed a desire to inform and change negative perceptions of young people in the community and profile young people in their achievements. The conference report was distributed widely in December. I have been discussing the conference outcome with the youth council and look forward to assisting them to progress these key areas over the coming months.

Members may be aware that Youth Week will take place from 5 to 13 April this year. I think that has been covered before. The ACT will be marking Youth Week with a range of events that will enable young people to share ideas, have a voice on issues of concern to them and showcase their talents and abilities. We will also announce the winner of the 2003 young Canberra citizen of the year award. The theme of National Youth Week is to celebrate and recognise the value of all young Australians to their community. I am sure that you will all agree that this sentiment should apply equally to the other 51 weeks of the year.

In conclusion, Youth Week is also a time for us to remember the youth that we do not connect with, for one reason or another, the youth that choose not to participate in government support programs, in school and in work and the difficulties those young people face and the difficulties that we have as policy makers and legislators in looking at ways that we can reach those young people. We will never reach some of them, but I am sure that we can do a bit better in trying to reach some of those young people who face disadvantage for a variety of reasons and support them through those troubled years so that they can fulfil their dreams and aspirations in adulthood.

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MS MacDONALD (8.45), in reply: I thank members for their support in this debate. I would like to acknowledge that Ms Dundas ran the National Boardshorts Day fundraiser last week for Here for Life. I have to say that I do not own a pair of board shorts, so I did not wear any, but it was rather cold on Friday and I noted that Ms Dundas did end up changing into something a bit warmer in the afternoon. I applaud Here for Life for having run something a little bit different to raise awareness of the issues that they are promoting.

I acknowledge all those organisations in our community and across the country who support young people for all the work they do. I mention in closing that, as part of Youth Week, the Lanyon Youth Centre will be holding an open day this coming Saturday. For anybody who has not seen Lanyon Youth Centre, it is an excellent facility. I understand that some of the other youth centres throughout the ACT are looking towards modelling their own youth centres on it a bit more because it is very participative, it is in a good location and it has been set up in a great way.

I have talked a little about young people contributing to their own future through getting involved politically. I would like to acknowledge, in closing, the work of organisations such as Young Labor, of which I was a member not that long ago in comparison with some, but it seems like a lengthy time now for me, although I acknowledge that I am one of the younger members of this place. I believe that organisations such as Young Labor do a good job in terms of promoting discussion and debate on political issues. The debate can often be fiery, but sometimes it can be less so. It is hard to imagine how I ever got impassioned about some of the issues that we debated when I spent my time in Young Labor, but it was a great training ground for me in terms of getting me involved politically. I was already politically interested. I know that it has led to greater things for other people.

As well as having organisations round the country that do good work for those young people who are not as well off, such as Cyclops, which I have already mentioned, I think it is important that we be here to encourage all young people, whatever their backgrounds, and say to them that they should become involved in politics because it is part of life and it is a way of making a difference to society. That was by way of digression a little.

I thank members for having risen and spoken about the different issues. I acknowledge what Mr Pratt was saying about vocational education and training, although I am not sold on the idea of taking VET down to the junior years of high school. I do think there is possibly some way to go in terms of VET preparation for those younger years. I do not necessarily agree that we should be taking our students through certificate 1 courses at that stage. I think that should be done in the college years.

There are, of course, preparation courses. I have said in this place before that we need to be showing young people that university is not the be-all and end-all and vocational education and training provides an alternative pathway for many people, with millions of people participating on a yearly basis around the country, not just our youth.

I commend the motion and again thank members for their support.

Motion agreed to.

Yellow box/red gum grassy woodland preservation—north Watson

MS TUCKER (8.51): I move:

That this Assembly calls upon the government to extend the western boundary of the Justice Robert Hope Park 50 metres to the west of its current alignment in order to:

- (1) incorporate the associated grasslands and allow their restoration to thereby preserve a representative area of yellow box/red gum grassy woodland;
- (2) provide an adequate buffer between the woodland and the North Watson residential development; and
- (3) ensure that these grasslands are managed sustainably.

I move the following amendment to the motion:

After “western boundary of the” insert the words “designated urban open space around”.

Basically, I have just added those words to my motion to clarify exactly what I am talking about. I think it is clear already from my motion, but I have moved an amendment just in case. I think that this motion is important in terms of the Labor Party's, and now Labor government's, credibility because before the election Mr Corbell made very clear statements on behalf of Labor about this area.

I understand that when Minister Corbell provided for the protection of the yellow box/red gum trees at north Watson he did so by creating 14 hectares of designated urban open space, rather than by formally extending the borders of Justice Robert Hope Park. Just to clarify, the boundary I am referring to in my motion is actually the western boundary of this designated urban open space, which is the interface between the woodland and the proposed north Watson residential development, although, as I have said, I think the intention is clear.

This motion relates to one particular issue in the long-running story of preserving the north Watson woodlands, that is, the issue of the buffer between the proposed north Watson residential development which is due for release fairly shortly and the trees that the Labor government has protected by designating 14 hectares around the earlier declared five hectares of Justice Robert Hope Park.

I begin by again commending this decision on the part of the government and acknowledging the efforts of Minister Corbell to produce good results for both the environment and the community and find a sensible balance between urban development and environmental protection. When the minister announced his decision, he said:

The new park reflects the integrated approach to planning being taken by the Government, in collaboration with the community. It also provides a unique opportunity for the Government and community to continue working together in preparing a management plan for the park.

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An important part of the management plan will be restoring the woodland understorey and recording the planting and other activities to be undertaken by the community. This will provide an educative tool that will enable the Government and community to consider undertaking similar partnerships elsewhere.

Work on this estate will build upon the Government's commitment to high quality sustainable development—

I stress the next bit—

and will incorporate appropriate buffer areas between development and open space and best practice urban water management initiatives where appropriate.

I would like to put on record our view that this partnership approach has been largely a success story. The Watson Woodlands Working Group has been working with the government and its consultant, Purdon and Associates, in a way that could provide an example to be used as an educative tool and form a basis for undertaking similar partnerships elsewhere. But the one issue causing considerable concern that the government and the community group have not been able to find agreement on is that of what constitutes appropriate buffer areas between development and open space.

Planning for the land release is proceeding rapidly. I understand that the government hopes to have the first blocks on sale by May. But this planning is being done on the basis of an inadequate buffer having been provided for. The purpose of my motion is to increase this buffer so that this development does form the sort of good example that the minister expressed hopes for. More recently, Mr Stanhope, as Minister for the Environment, has made many strong statements about the need to understand the relative value, particularly of endangered grassy woodlands.

The narrow buffer currently provided for is not something that the community group has ever approved of or agreed to. I understand that it was decided between ministers Corbell and Wood and had to do with the management issues involved in maintaining the buffer land provided for. Because of these origins, it has become known as the ministers' line, but the rationale for it is a mystery to the community.

The Watson Woodlands Working Group maintains that a buffer of at least 50 metres is needed if we are to avoid significant ecological effects on the lower part of the reserve. Effectively, the current buffer between the urban edge and the woodland is little more than the provision of a road plus about five metres of the grasslands. Any ecologist the ministers speak to will tell them that a 21-metre buffer which is primarily hard-surface road and very little grassland is inadequate to protect the ecology of the woodland.

This does not amount to the appropriate buffer that the minister promised. In this instance, the minister has not delivered. This motion is the last chance for us to ensure that an adequate buffer is delivered. While the woodland part of the grassy woodland has been preserved, the grassy part has been somewhat left off—with the urban edge, comprising the development and the road, coming more or less right up to the trees.

The Watson Woodlands Working Group supports the inclusion of the road as the primary divider between the suburb and the reserve, but points to the detrimental effects

on the reserve of such disturbance factors as house and car lights, traffic and other noise, domestic pets and pedestrian traffic that will be operating in the adjacent urban area.

The recent bushfires have provided a good opportunity for us to re-examine how we manage the whole idea of the urban edge. I understand that the government is doing work in this area in its studies. I understand that PALM is doing an urban edge review and that PALM and Environment ACT are working on buffers with the Conservation Council of the South East Region and Canberra. They are trying to develop a list of principles for what does, in fact, constitute an appropriate buffer between development and open space.

This is a good initiative and could provide the sort of rationale that should underpin the formation of buffer zones in future developments, such as those proposed in north Gungahlin. But it seems to me that it would be a great shame not to take this opportunity to benefit from this thinking and incorporate a sound and well thought out buffer zone between the new north Watson development and the Watson woodlands. This would make the Watson instance a far better example to use as a case study in the way that the minister suggested when he announced the development of a management plan for the area.

An increased buffer would also have other benefits, quite apart from demonstrating a positive and properly working partnership between government and community over development, conservation and environmental management. It would also allow the preservation of a more representative section of grassy woodland in that there would be a grassland border.

It is true that the original native grasslands have been degraded by grazing and other activity and that the area we are talking about is not currently in the best environmental shape. But the area is eminently restorable, and the community group is ready and willing to restore the native grasses and other elements of the understorey in partnership with government. Of course, the cattle grazing that has been permitted in this area is an issue in this regard. While it continues, it prevents this restoration from beginning. With the drought, though, the dam became empty and the cattle were removed, providing a very good opportunity to keep the cattle off so that the restoration work can begin in earnest.

The north Watson site provides an opportunity to preserve a now rare example of the interface of woodland and natural grassland in north Canberra. The proposed fence line is close to the lowest existing trees on the site and leaves virtually no example of treeless grassland along that edge of the site. With the buffer that I am proposing, we could expect the natural tree line to recover downslope, to the north and west, to its original natural edge, leaving some adjacent grassland. The patches of grassland currently found between the large mature trees found on the rising ground to the east will also recover.

The experience of the Canberra bushfires is another reason why we should have this large buffer of grassland area that I am proposing. It would offer a far greater margin of safety than the 21.5 metres on the plans at present. Indeed, a larger buffer to Stirling Reserve should also be considered for the same reason. I find it surprising, after all the words that have been spoken in this place about the need to be cautious and careful about

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how we design our developments in terms of fire sensitivity, that we are seeing this rather stubborn approach from the government.

Naturally, there is a cost associated with increasing the buffer. The reason that Purdon and Associates was not prepared to recommend a wider buffer and include some of the native grassland in north Watson was that it would mean a loss of income which they believed the government would find unacceptable. I would like the minister to prove them wrong on that by acknowledging the soundness of the arguments and indicating the government's preparedness to forgo the amount of land sales revenue involved for the sake of preserving a more complete and representative grassy woodland and to show that they are acting in good faith with the statements they have made about the need to be careful about development and fire risk.

I believe that increasing the buffer would amount to forgoing a row of about 12 housing blocks. I would argue that this is a small price to pay for the retention of a now rare piece of lowland woodland and adjoining grassland. In considering the cost, we should also remember that the new opportunities for the use of burnt-out pine forest relatively close to the centre of Canberra could mean a significant change in the supply of residential land in the ACT and offer alternative sources of high value land sales revenue. This should be taken into account when we are considering the revenue that would be forgone as a result of agreeing to this motion.

As shadow minister in opposition, Mr Corbell moved a motion to protect this woodland by designating it as urban open space, which he later did in government. In his speech to that motion, he said:

I ask Assembly members this morning to consider this site as part of an endangered ecological community. Degraded understorey, yes, but nevertheless an endangered forest type of which only 5 per cent remains of the pre-European existing coverage ... Our decision in relation to Watson recognises that degraded understorey can be restored and that we can work to better protect those areas of endangered forest types.

I couldn't have said it better. It is interesting that Mr Corbell put that motion in this place rather than me. The community was very pleased about that because they were so nervous that if Labor got into government they would back down on that. Mr Corbell made those statements. The very same statements I am making tonight were made by Simon Corbell.

Why is it that the government is choosing to turn around on this? It is really unnecessary, particularly, as I said, because of what has happened in the last three months in Canberra with the fires. As I said, I absolutely agree with what Mr Corbell said. This is the sort of spirit that we would like to see shown by the minister and it is that sort of working better to protect these areas that we are asking for in urging the government to increase this buffer area to an appropriate size. This is a rare opportunity to complete a piece of remnant woodland. Not to include such an appropriate buffer would be an opportunity lost forever.

MR WOOD (Minister for Disability, Housing and Community Services, Minister for Urban Services, Minister for the Arts and Heritage and Minister for Police and

Emergency Services) (9.03): The government does not agree with the amendment or the proposal. I have had quite a deal to do with this issue, more than most in this chamber.

Mr Smyth: Because you've always wanted it to be residential.

MR WOOD: Mr Smyth, I have wanted to do several things. Over the years when I was Minister for Planning, I wanted to protect those trees, and that was always going to be the case. There was never any issue about that. The value of that area really lies in the trees. It is acknowledged, I think conceded, that the understorey has been grazed and is totally degraded. There is nothing there that is natural. When we look at that area we have in mind those very nice trees, scattered in some areas and in clumps in other places, and they were never to be part of any housing blocks. Subsequently, a very fine community group maintained its interest in the area and the government—the opposition of the day—defined its policy and it agreed that the trees would be protected as a whole. It was the trees that would be protected. The government of this day has delivered on the commitments that were given at the time.

Ms Tucker asks for a large buffer. As the two ministers at the time, Mr Corbell and I went out there and looked at it on site, as I had done on many occasions and as he had done. We looked at the maps, we took advice from officers and we did exactly what Ms Tucker wants. We provided a large buffer. We did that. Take a look at the map. Go and stand on the site and take a look at it. We provided a large buffer. We delivered on a commitment that Mr Corbell had given. I want to say 20 times that that buffer is very large. To seek to increase it further is just amazing. I just do not know what it would achieve.

There are no grasses there that need to be protected. All the technical advice, uncontested over the period, talks about the understorey not being there. There are wishes and there have been claims to restore the native grasses. I can understand that and I hope that it will happen under the trees in the future. The community group that will emerge may do that, but it is no easy task to restore native grasses. I think that that is generally conceded. I think that the trees are well protected and the area is well protected. As the minister who, with Mr Corbell, drew the line, I can tell you how we shifted it and moved it to provide exactly for the very large buffer that has been asked for. Folks, it is there.

MRS DUNNE (9.07): Mr Speaker, the Liberal opposition will not be supporting Ms Tucker's motion tonight because for as long as I have worked in this place, since May 1996, I have been constantly advised by officers of Environment ACT and the forerunners whenever this has been an issue that, although the trees were nice and the trees were significant, the understorey was degraded. It was nice to see Mr Wood come in here tonight and admit that. It would have been good for the Labor Party to have admitted that when it was in opposition in June 2001 rather than—

Mr Wood: What did I say then?

MRS DUNNE: They did actually admit that the understorey was degraded but, come hell or high water, the Labor Party, when it was in opposition, was going to save this piece of land. How the times have changed! You got into government and you suddenly went to water. The thing is that the Labor Party here are the bogeys in this regard,

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because they cannot keep their word with the people. They made commitments when they were in opposition because it is good, easy and cheap politics to make commitments that you do not have to keep.

I will not be part of an opposition which makes cheap commitments that it might never be able to keep in government. I understand many of the arguments put forward by Ms Tucker in her speech today and I congratulate Ms Tucker and the Watson community on their consistency in this regard over many years. When I came here in 1996, Ms Tucker and the Watson community were talking about the value of preserving and restoring this area and the Liberal Party was saying that it thought that a better use for it would be for residential purposes.

I still hold to that. It would be possible to maintain the trees in a residential environment. A lot of work was done by Environment ACT to go down that path and the previous Liberal government set aside the best areas in a park that is now known as Justice Robert Hope Park. That is where the best trees were and the best hope for maintaining those trees would be.

Most of what has been said here tonight has been about acknowledging that the understorey is pretty crook and outlining what we should do to set about restoring it. I think that it is a bad priority for governments and communities to pour their resources into restoring or re-establishing something in places where it does not exist when they could be pouring their resources into maintaining and making it better in places where it does exist.

Yes, the yellow box/red gum grassy woodland is an important and very threatened species. We understand that only 5 per cent of the pre-European distribution of this woodland type still exists. But in the ACT, that proportion is much higher; it is close to 15 per cent. In many ways, the ACT is doing very well in its attempts to maintain yellow box/red gum grassy woodlands, characterised by the introduction and constant maintenance review of action plan 10.

I would say to all of us here that, because we have such an onerous duty on us to maintain and preserve in the best possible ways those elements of yellow box/red gum grassy woodlands, we should be putting our efforts into the high quality bits in east O'Malley and places like that that are already in the Canberra Nature Park and already have resources dedicated to them so that our resources are put in to making sure that the good bits we have are better, rather than taking something that, in a sense, does not exist and trying to turn it into something that might exist one day.

MR STANHOPE (Chief Minister, Attorney-General, Minister for Community Affairs and Minister for the Environment) (9.12): Mr Speaker, I find myself concurring with Mrs Dunne in most of what she says. As members know, Environment ACT is preparing—indeed, it is just about to conclude—a lowland woodland conservation strategy. As has been indicated by members, and I do not think anybody will be surprised to know, the Environment ACT lowland woodland conservation strategy will not identify the trees at north Watson as part of the yellow box/red gum endangered ecological community.

Mr Smyth: But we told you that.

MR STANHOPE: You did tell us that.

Mr Smyth: You voted against it.

MR STANHOPE: No, we did not vote against that; we voted for the protection of the trees. But it needs to be acknowledged and recognised in future debates we have around the protection of yellow box/red gum in the ACT that we do need to be a little bit sophisticated and refined in our debate and in the decisions we take around protecting this endangered ecological community.

There is a danger, I acknowledge, in full frontal attacks aimed at protecting yellow box/red gum when we are not distinguishing between remnant yellow box/red gum trees and endangered yellow box/red gum grassy woodland ecological communities. The view of the department of the environment which will be reflected in the lowland woodland conservation strategy on the basis of all of the expert advice that has been taken into account in the preparation of that strategy is that the north Watson yellow box/red gum trees are not an endangered ecological community. They are remnant trees. There is no connectivity there. They are not part of the endangered woodlands. They are that degraded that they have past the point of recognition or definition as part of the endangered ecological community. They are past the point of no return. That conclusion is consistent with action plan 10.

As Mr Wood and Mrs Dunne just said, the trees have amenity and habitat value and they will be protected, as the Labor Party said they would, within the areas declared as Justice Robert Hope Park and its proposed extension. The grassland adjacent to Justice Robert Hope Park is not, I am advised by the department of the environment, an example of the natural temperate grassland endangered ecological community that is subject to action plan 1. Repeated ecological assessment of the area indicates that it will not have any conservation values that warrant its protection. The view of the department of the environment is that the grassland adjacent to Justice Robert Hope Park has no conservation values that warrant its protection as part of the lowland woodland conservation strategy—none.

To restore a woodland that is representative of the yellow box/red gum ecological community from the degraded vegetation that now remains would require a very large input of resources, far beyond the capacity of this government at the moment to provide. The area is not a priority for restoration. Good luck to the community if they wish to attempt that. There are, however, extensive sections of lowland woodland in nearby areas where restoration activities would be far better applied for much greater conservation return, the point that Mrs Dunne made.

These are the difficult decisions the government will have to make. There are great swathes of endangered yellow box/red gum, particularly in north Gungahlin, currently denoted for residential development that have a far higher conservation value and are issues that will occupy much of our attention in the coming months and years in terms of the decisions that we need to take and make in relation to the needs of an expanding ACT, acknowledging that it is anticipated that over the next 25 to 30 years the population of the ACT will increase by about 100,000.

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I have to say that I believe that that anticipated rate of growth may prove to be conservative. Over the next 30 years, we as a community will perhaps need to house an additional 100,000 people. At the moment, it is anticipated that the majority of those will be housed in north Gungahlin. At the moment, as the Territory Plan stands, they will be housed amongst high conservation value, well-connected, high value ecological communities of yellow box/red gum.

There are some difficult decisions to be made. We can fight and claw over fully degraded stands of yellow box/red gum of no ecological value, actually with no ecological indicia at all, or we can build in north Gungahlin. These are hard decisions. We will have to house those 100,000 people that we know will be our fellow residents within the next 30 years. We can house some of them in north Watson or we can house them in north Gungahlin. These are the decisions that we as a legislature will have to make.

Mrs Cross: A bit of both.

MR STANHOPE: Absolutely, a bit of both—50 metres here, 50 metres there. Where do we draw the lines?

Mr Smyth: That is what we said in government, but you objected every time.

MR STANHOPE: Another 50 metres into the high conservation yellow box/red gum of north Gungahlin or another 50 metres into north Watson. These are the issues that we are presented with. Mr Smyth is right: those are the issues that are presented to governments.

Mr Smyth: Oh, you can say anything in opposition!

MR STANHOPE: No.

Mr Smyth: Well, you did; it's here.

MR STANHOPE: No, not at all. We said that we would protect these trees and we have. We are now having a debate about an appropriate buffer. It is appropriate, of course, that the motion goes to appropriateness and the definition of appropriate. A buffer is being provided. A notion or a context well consulted with the community is that the buffer will be a road and the road, as proposed in this instance, provides a buffer for the control of any impacts, essentially weed infestations.

Mr Wood: And that's a further buffer.

MR STANHOPE: That's right. The buffer is a buffer against weed infestation. In terms of a site such as north Watson, what else would it be? The buffer proposed is a verge on the western side of 9.5 metres, a road surface of 7 metres, a \$5 million verge on the eastern side, and a grass swale seeded with a sterile mix of grasses. The total width of the buffer is to be 21.5 metres.

Some may argue that that is not appropriate. Environment ACT thinks that that is more than appropriate, having regard to the nature of the degraded state of the site that we are talking about—a 21.5-metre buffer to protect against the infestation of weeds in an

ecological site where the understorey has lost all ecological value or connectivity. We could stand here and argue around what is an appropriate buffer in those circumstances. My advice is that an appropriate buffer is 21.5 metres, as we have proposed, and I do not think anybody can argue against that.

Mr Smyth: You did. The Labor Party did last time.

MR STANHOPE: We have not had this debate before. It is not a debate that we have had before. This is the first time that we have had this debate. We did not argue against anything else because we have not debated this before.

Mr Smyth: It is important that the site be protected from development; Simon said so.

MR STANHOPE: We are doing that. We are protecting the site with a buffer of 21.5 metres and the park is also to be fenced along the western edge with a rural-type fence to control other impacts.

In conclusion, Mr Speaker, given that the area is not a recognised endangered woodland or a grassland ecological community, the road provides a suitable form of buffer between the park and the north Watson residential estate. There is no justification for an extension.

MR SMYTH (Leader of the Opposition) (9.22): Mr Speaker, I have to say, as the former minister for planning, minister for housing and minister for the environment, that it has been interesting to sit here and listen to the reversal of positions. We have a Labor Party, led by Jon Stanhope whose members said anything they had to say to get into government and will do anything they want when they are there. That is the galling bit about this debate tonight.

What you have to admire in Ms Tucker is her consistency. The Liberal Party and the Greens probably will not agree on a whole lot of things over time—I think we are doing better and better as the years progress—but we have always maintained our positions and we have always put clear cases on what we believe should happen and when and where it should happen, unlike the Labor Party. Perhaps Minister Corbell has been sent from the chamber to places different so that he could not sit here tonight and listen to this debate or argue against it.

It is really interesting that in the debate in 2001 Mr Corbell spoke about a key factor in the Labor Party's consideration of the issue being the protection of the woodland component of the site. He went on to say:

I must very clearly state that it was a decision of a former Labor government to originally designate this site for residential development. But as new information comes to light and new factors come into being, it is appropriate to reconsider those issues, and that is what all of my colleagues—

I assume by that he included Mr Stanhope—

and I have been doing in the past 12 months.

You might have been there for the discussion, Mr Speaker. The speech continued:

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One of the key factors has been the release of a report entitled, *The ecological values of the Watson woodland: a case for preservation*.

Mr Corbell went on to say:

... the woodland is important because it represents this type of forest community and it is at the lowest altitudinal component of the gradient of the open forest and woodland communities ...

The government—

the Liberal Party government of the day—

proposes that this site be developed for residential use ... The government argues that the site can be retained ...

But Mr Corbell went on to say:

I argue that the government's approach is fundamentally flawed. It is flawed in one very important respect: that preserving only part of the site diminishes the capacity of the site to be a representative element of this endangered ecological community. Just as importantly, permitting residential development in the remaining component, with tree protection measures—

what did the Chief Minister say about having residential development in the remaining component with tree protection measures?—

does not allow that woodland to continue to operate as an intact ecological community. Indeed, given the nature of the trees on the site, it is commonsense to see that residential development within the site will lead to pressure for tree removal and changes to the woodland setting over time.

You get into government and all the wisdom and common sense of Mr Corbell goes out the window because you have to balance the books and you have to put more people in more houses.

Mrs Cross: Do you think he got rolled?

MR SMYTH: We were saying that when we were in government. As Mrs Cross points out, somebody got rolled and somebody is now not here to defend his position because it is now indefensible. Mr Corbell opened that debate on behalf of the Labor Party that Mr Stanhope leads in government by saying:

The Labor Party has come to the view—and I have also come personally to the view—that the area of north Watson—

he was talking about all of it—

is of significant environmental value and that this warrants its removal from the residential land use policy and its inclusion at the very least as an area of urban open space.

Mrs Cross: Who said that?

MR SMYTH: Mr Corbell said that—the shadow minister for planning and environment in the former Labor opposition who is the Minister for Planning in the current Labor government and who has been rolled in cabinet. He went on to say:

The north Watson area is an area of yellow box/Blakely's red gum grassy woodland, although it has a degraded understorey—that is, a degraded grassland element. This type of woodland is highly endangered. I will give you some background.

Mr Corbell went on to give some background and it was material that we had all heard. He finished his speech of the day by quoting what Phillip Toyne said at a meeting there. I think Mr Cornwell was there. I was there and Mr Corbell was there and Phillip Toyne talked about what is being lost and what has gone, in his opinion.

Mrs Cross: Kerrie was there, too.

MR SMYTH: My apologies, Ms Tucker; you were most certainly there. I remember that. Mr Toyne finished by saying:

If there was a planning decision to make that area available for housing, it has to be reversed.

Mr Corbell agreed on behalf of the Labor Party. Mr Corbell went on to say:

That is why the Labor Party is moving this motion today. We believe it is important that this site is protected from development. We believe that, as a minimum, it should be incorporated into the urban open space network of the city. That is what this motion requests the government—

the government of the day, the Liberal Party—

to do. We believe that further work needs to be done on deciding exactly where the buffer zone should be between the end of this woodland area and the commencement of the grassland area below it. That is something we would be interested in pursuing further and have already indicated to the Watson Community Association, who have been one of the key proponents in this issue.

Mr Stanhope, the Minister for the Environment, got up here earlier and said, "Can't do it, degraded woodland. The department of the environment told us to forget it." But what did the Labor Party say in the lead-up to the last election? What did the Labor Party say when we debated this issue? What did the Labor Party say when we put the same words exactly to this Assembly?

Mr Stanhope: We said we'd protect the trees, and we did.

MR SMYTH: No, you are wrong. Mr Corbell said:

I ask Assembly members this morning to consider this site as part of an endangered ecological community. Degraded understorey, yes, but nevertheless an endangered

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forest type of which only 5 per cent remains of the pre-European existing coverage—5 per cent when the government itself says we want to try and achieve 15 per cent protection of this forest type ...

He finished his speech that day by saying:

Our decision in relation to Watson recognises that degraded understorey can be restored and that we can work better to protect these areas of endangered forest types. That is the purpose of the motion; that is the context in which the Labor Party has reached its decision. I urge members to support this motion today.

It is a shame that the leader of the government and Minister for the Environment hasn't got the courage to support that decision today as well, as he did back on that day in 2001.

MS DUNDAS (9.29): I was very much interested in how this debate would go. I was considering it myself and looking at weighing up the different aspects of the triple bottom line—the social, the economic and the environment considerations of this motion, given what is going on in north Watson.

Will the housing that is going to be built in north Watson be affordable and accessible for those on lower incomes? Will we be able, as the Chief Minister has talked about, to house the growing population of the ACT, which is what I understand we are doing with the spatial plan and draft variation 200? We are looking at all those things. We do not have the answers yet, but we are meant to be looking at all those things.

What are we going to do about the environment as our city grows? Not only will we be cutting into grasslands and trees to build houses, but also we will be putting extra stress on the water table, how water flows throughout the ACT, how we contribute to greenhouse gas emissions. A whole lot of things need to be considered and this motion is almost a microcosm of the whole future of Canberra.

I was thinking that if we had the Office of Sustainability up and running and a little bit more focused, they would have been able to provide information to this debate that would help us weigh up those three different aspects. While I was thinking about this motion, I was also thinking about the debates that we had on this issue in 2001. I must say that Mr Corbell, who has been quoted here tonight by both Ms Tucker and Mr Smyth, spoke very eloquently. What he was saying was quite right: we do need to recognise, as Ms Tucker also said tonight, that trees are not confined to the space that they currently fill; it is a matter of what goes on around them, how they fit into the environment around them and what is happening nearby. It has an impact on their roots. How the understorey is maintained has an impact on how the tree will be able to survive.

The area that we are talking about is not currently classified as an endangered ecological community because it lacks the understorey and has been frequently grazed. That has prevented regeneration of the vegetation and restoration of the original woodland cover. But it has been identified by the Watson Woodlands Working Group as a site for possible rehabilitation to promote the resurgence of red gum/yellow box grassy woodland, which I think we would all agree is an endangered ecological community.

The government's current proposal for the north Watson site does not allow for any expansion of the woodland through regeneration or replanting. The Chief Minister has

talked about how our population will grow. The *Your Canberra your say* document talked about how people wanted to retain the character of Canberra, the open space. As more people grow, we will need more open space to keep these people comfortable, to keep these people in tune with the bush capital that we have come to know and love. If we start cutting it back so much as we try to put more people in we will degrade our social amenity as well as degrading our environment amenity.

I understand that the government had been working with the local Watson community to help address the concerns that they had been raising. It appears that, once again, the government has ignored the concerns of the community and proceeded with its own agenda. The Minister for Planning made a great deal of noise before the last election about protecting open space but, faced in government with community concern on this very issue, has not delivered.

We cannot continue to have the short-sighted view that our ecosystems exist in a static state. Ecological communities are able to regenerate and regrow and our planning system needs to be able to take these ecological needs into account. While it is true that in its present form this particular section of woodland is in a degraded condition, it may be able to recover if given the space and resources to do so. We must look at how that would help promote the future amenity of Canberra.

North Watson, which is on the Federal Highway, is one of the main entrances to Canberra. What better way to start welcoming people to the bush capital than with some fantastic pieces of bushland? That is what will be promoted if we allow an extra buffer region for this space to continue to grow. The buffer region between the current border of Justice Robert Hope Park and the proposed residential development will allow proper management of this community resource.

The third part of Ms Tucker's motion goes to the sustainable management of these grasslands that would form part of the buffer. We debated a similar issue when we looked at development in east O'Malley which, despite failing to gain support in this Assembly, was removed from the land release program on the advice of the Commissioner for the Environment.

We cannot see pockets of land as discrete units. All ecosystems interact with their surrounding areas and degrading their immediate surrounds will have a detrimental effect on the reserve. The current planning proposal put forward by the government and the former government will adversely affect the remnant vegetation and reduce the likelihood that it can be successfully rehabilitated. A government that is dedicated to ecological preservation would be mindful of that. The current government, however, appears quite happy to ignore the environmental concerns in a rush to sell land to raise money.

Going back to what I said at the beginning, we do need to consider the triple bottom line—the social, the economic and the environmental impact of supporting this motion. I believe that supporting this motion as moved by Ms Tucker will have great environmental benefits and also great social benefits. It can have great long-term economic impacts if we recognise that the environment is an important part of our economy; that if we have more people able to breathe the clean air which we get from

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trees, we will have fewer people putting a strains on our hospital services and we will have a better, cleaner, healthier future, which will help our economy no end.

I am happy to support this motion. I hope that we will remember the triple bottom line as we approach all motions in this Assembly and look at the long-term impacts of what we are trying to achieve.

Question put:

That **Ms Tucker's** amendment be agreed to.

The Assembly voted—

Ayes 2

Ms Dundas
Ms Tucker

Noes 13

Mr Berry	Mr Pratt
Mrs Burke	Mr Quinlan
Mr Cornwell	Mr Smyth
Mrs Cross	Mr Stanhope
Ms Gallagher	Mr Stefaniak
Mr Hargreaves	Mr Wood
Ms MacDonald	

Question so resolved in the negative.

Amendment negatived.

MR SPEAKER: The question now is that the motion be agreed to.

MS TUCKER (9.40): I need to make a couple of points. Mr Smyth repeated for members the comments I made at the beginning in terms of the turnaround that Labor has done on this issue. I did give credit to the Labor government for improving the area in terms of the amount that they said they would actually protect. I find of concern the language from the government and from the other sides of the house, to a degree, such as, “The trees are nice.” These trees are pre-settlement trees. They are not just nice; they are incredibly valuable trees in the city.

A point that Mr Stanhope made over and over was that this area is not an endangered ecological community. Apart from the fact that that is not what Simon Corbell said before the election and apart from the fact that that has left the Labor government in very poor standing with the members of the community who care about this issue, because it has certainly let them down, I find of concern that we now have this language about definition. Mr Stanhope even used the word “sophisticated”. I like that. Apparently, Mr Stanhope thinks it is sophisticated to say that we have to make a distinction between an intact endangered ecological community and something that is not intact, that it is about knowing how you talk about these environmental issues and this is being fair and sophisticated.

It is sophisticated, in my view, to look at the map of south-east Australia. Five per cent of such areas is left and we are arguing about whether this area is totally intact. We know that it can be made totally intact. The Watson community are prepared to do that; they have said that. The argument from the government has been about resources, again. Basically, we are getting economic arguments from the Labor government. We are getting arguments about the resources it would take to look after this area. We are getting arguments about housing loss.

Also, Mr Stanhope chose to use the rather low tactic in his contribution to the debate of saying, "Are you saying that if we have this one, we will not save and protect the grasslands in Gungahlin?" I do not know why he had to do that. I have already said in the debate that we have extra land available because of the fires. We have land available in car parks in the city. If there was a serious understanding of sustainability by this government, it would know that there is much land available for development for housing in car parks. If we had a government which understood sustainability was planning for the future and was putting in public transport instead of freeways, we would be able to free up a lot of that land around the city. That was a very false argument from Mr Stanhope. All I can assume is that he is struggling with this matter.

A basic point I want to repeat is that this land can be restored. A buffer zone is not just about whether the actual grasslands are intact. A buffer zone is about protecting the "nice" trees. They do have habitat value; they are pre-settlement trees. The buffer zone is about protecting them. But, as I pointed out in my initial speech, that buffer zone is also about having a sweep and a change in the landscape from Mount Majura down.

As I said—I will repeat it as people seem to like repeating things, so I will do that, too—the Watson community have said that they are prepared to put the resources in to regenerate this area. If the government is just worried about resources and the resourcing implications of maintaining this area, they have got a community who care about it and a community who are prepared to put energy into it because they appreciate the ecological value as well as the community amenity.

Ms Dundas talked about community benefits, not just environmental benefits. I stress again that there is a particular community issue here that I do not think the government is giving significant attention to, that is, the importance of acting in good faith with election promises. I am sorry, but what I see happening in this place on a number of environmental issues is causing total disillusionment with the Labor government. I am sorry about that, because I supported the Labor government. I supported Jon Stanhope as Chief Minister. I know people voted for them because of what they said on particular environmental issues and I know that those people think they have been betrayed. That is a social issue. That is about social capital. That is about faith in the institution and democracy.

Question put:

That **Ms Tucker's** motion be agreed to.

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The Assembly voted—

Ayes 2

Ms Dundas
Ms Tucker

Noes 13

Mr Berry
Mrs Burke
Mr Cornwell
Mrs Cross
Ms Gallagher
Mr Hargreaves
Ms MacDonald

Mr Pratt
Mr Quinlan
Mr Smyth
Mr Stanhope
Mr Stefaniak
Mr Wood

Question so resolved in the negative.

Motion negatived.

Adjournment

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

That the Assembly do now adjourn.

The Assembly adjourned at 9.49 pm.