



DEBATES
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LEGISLATIVE ASSEMBLY
FOR THE
AUSTRALIAN CAPITAL TERRITORY
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2005

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MR SPEAKER (Mr Berry) took the chair at 10.30 am, made a formal recognition that the Assembly was meeting on the lands of the traditional owners, and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Visitors

MR SPEAKER: At the outset may I welcome members of the ACT deaf and hearing-impaired community. I would also like to draw members' attention to a person from that community who will be providing sign for the comments of the Assembly today.

Death of His Holiness Pope John Paul II

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs): I move:

That the Assembly expresses its profound sorrow at the death of His Holiness, Pope John Paul II, head of the Catholic church for 26 years, and tenders its heartfelt sympathy to the religious community.

For more than two and a half decades Pope John Paul II was one of the world's most influential spiritual leaders. During a full and remarkable life he saw first-hand the horrors of war and Nazism. He opposed the communist oppression of Eastern Europe and his native Poland, and also spoke of the evils of unfettered capitalism. He was a champion of the right of every person to food and freedom, and promoted greater understanding between faiths.

As the first non-Italian pope in almost half a millennium and the first Slavic pope, his elevation to the papacy surprised many but, in retrospect, it was an inspired choice by the cardinals who selected him. He became the most travelled pope in the church's history, and its most accessible, giving audiences to more than 16 million pilgrims.

There is no doubt that his legacy in many areas is a controversial one, both inside and outside the church. For instance, he maintained and even strengthened the church's conservative stance on abortion, contraception, biotechnology and the place of women in the church; but, over the years, there was much to admire in his adherence to justice and in his deep moral conviction. Though badly affected by ill health in his final years the pope was outspoken in his opposition to war—in particular the invasion of Iraq, which he criticised to the last. He described war as “a defeat of humanity”.

The pope was outspoken too on behalf of the world's indigenous peoples. Speaking in Alice Springs in 1986, Pope John Paul II called explicitly for land rights for indigenous Australians. He told the assembled faithful that, from the earliest years of European settlement, men like Archbishop Polding, who was the first Roman Catholic Archbishop of Sydney, had opposed the legal fiction adopted by the settlers that this land was “terra nullius”—nobody's country.

The pope told how Archbishop Polding had pleaded strongly for the rights of Aboriginal Australians to keep the traditional lands upon which their society depended. He told indigenous Australians that in 1986 the church still supported their rights. This speech was among the most contentious yet given by a high-profile visitor to Australia. The historian Geoffrey Blainey described it as “an act of political meddling that has few parallels in Australian history”. Despite such criticism, the pope’s sentiments and the weight of the Catholic Church added impetus to the land rights movement and the cause of reconciliation. The pope was passionate about human rights, particularly the rights of children.

Pope John Paul II was a complex man. A dramatist and playwright, he felt a calling to the priesthood and began clandestine study under the Nazi regime. He was ordained in 1946. In 1958, Pope Pius XII appointed him Auxiliary Bishop of Cracow.

The pope became a cardinal in 1967 and participated in the Vatican II Council. He spoke eight languages, learning one of them—Spanish—only after his elevation to the papacy. In 1981 he was the victim of an attempted assassination, shot by a Turkish extremist in St Peter’s Square. Two years later he visited his would-be assassin in prison. Pope John Paul II visited Australia twice as head of the Catholic Church. The second visit was in 1995 to beatify Mary MacKillop.

Each generation gives rise to only a few individuals of the stature of Pope John Paul II. I am sure the Assembly will join me in sympathising with Canberra’s Roman Catholic community on the death of a man whose influence extended far beyond his own religious flock.

MR SMYTH (Brindabella—Leader of the Opposition): On behalf of the opposition I rise to join with the Chief Minister and my Assembly colleagues to give voice in this condolence motion at the death of Pope John Paul II.

Much has been said, and I suspect that much will be repeated today as people voice how they feel about the pope, but the pope had quite a large place in our house. My mother met him when, as Bishop of Cracow, he came to Canberra just before he became pope. I am sure, as Mr Stefaniak will elaborate, those who met him—from whatever job he was doing—were just amazed at the capacity and individuality of the man.

He was a man who was great in the many things he did, whether it was as pope—the leader of the Catholics—as an author, as a human rights advocate or indeed as a rugby player for Poland. This was an individual who had many gifts, all of which he was willing to use for the betterment of his world. He was a great man; a man of great strength.

The thing that stands out most in my mind about him is that the pope was not a man who was embittered at all by life. Indeed he was a man who had encountered much suffering but, rather than turning it inward and becoming insular, as some do, he used that suffering as a spur to enable him to do even greater things. We are talking about a man who, as a child, lost his mother and his brother, a man who suffered under the years of Nazi oppression in Poland, a man who then suffered under many decades of communist oppression in Poland and a man who was shot.

There was the attempted knifing. He had a run-in with cancer and, indeed, his recent illness. At all times the pope not only maintained his own personal dignity, he also showed that he never lost the knowledge that others also suffered and at all times needed his support and succour, and he was able to give that without reservation. I think that is what people admired most about Pope John Paul II.

He was a controversial pope who will no doubt be reviewed by history. Some will condemn him for being too conservative and some will say he was not conservative enough. You have to admire the man's dedication, his conviction to his cause and his consistency in the things that he was always unwavering about—attacking poverty and addressing injustice, particularly about the rights of indigenous people. It was not just here in Australia that he spoke about the rights of the indigenous, it was also in Africa, Asia and South America. For me, it is that consistency of approach that lingers in my mind.

He took the role of pope to a new level. Archbishop Francis Carroll, the archbishop of the Canberra archdiocese, said, "Pope John Paul has been a much-loved leader of the church who took the papacy to the people, becoming the most travelled pope in history." That accessibility impressed people.

It was unusual for a pope to go somewhere once but, with a country like Australia, the fact that he got back here twice in his official role I think is amazing—without the trips he had to do to all the other countries. It was his understanding that leadership is not about living in an ivory tower; that it is not about being isolated; that it is actually about serving the people he understood so well that drove his travels around this world.

I also believe that his personal courage impressed people. Stalin is reputed to have asked one day why he should be afraid of the pope. He said, "How many divisions does he have?" This was a man who did not have a single division; he did not have a single bullet; but he had his faith and his conviction. We see Lech Walesa's words often repeated about the courage he gave the Solidarity movement to fight something that seemed unable to be fought by ordinary people.

We see his support for Mother Teresa in her work in Calcutta and in truly addressing some of the most shocking poverty in the world. We see his personal attempts to reconcile the faiths, whether it was the Catholic and Protestant arms of the Christian church or whatever.

The pope worked with the Muslim faith; he was one of the first popes to go into some of the significant mosques. He worked with the Jewish religion, and there were his visits to Israel. Without forgetting Palestine: he worked with the Palestinian people in their search for self-determination.

The pope was a man who was not afraid to address the failings of his own organisation—and he acknowledged those. They were as diverse as things like calling the American bishops to Rome and saying, "What is going on?"—and then having the courage to apologise to those who were victims of the church through some of the practices of those priests who did not carry out their tasks well.

Going back in history, one of the things that really impressed me about the pope was that, in 1992, he apologised to Galileo. Back in the 1600s the world was not as advanced—they did not then know as much about science as we know now. Great minds like Galileo were often seen as antichrists and antichurch, because of basic scientific theory. He had the courage to go back and apologise to Galileo and rehabilitate him. In some significant speeches he, for instance, apologised to the Jewish people for the failure of Christianity during World War II. That took great courage.

With all the trappings of office, this was a man who never lost the human touch. This was a man who played rugby for Poland as a religious. This was a man who skied regularly, even when he was pope. This was a man who had no end of time for the ordinary people. As soon as he could get rid of the formal parts of his trips—the official welcomes and the greetings—there he was in the crowd, making time for the crowd, talking to people, blessing them, encouraging them in their faith. This was a man for whom no place was too awkward to go. At the same time, he had time to write. As the Chief Minister has pointed out, he continued to learn throughout his life, picking up other languages.

On a personal note to close, I was in Brisbane at the weekend and was speaking to my stepson Peter, who was just 10 when the pope came to Canberra in 1986. Even Peter, who is not particularly religious, commented to me, “Yes, I remember. We went to the racecourse and we all had ‘popescopes’.” They were the little periscopes people could buy so they could see over the crowd if they were a bit short. Even for somebody like Peter, at the age of 10, there was obviously some sort of lasting impression that this was a great man.

I remember that virtually half the suburb where we lived came out. We all had kids at that time. I carried the two capsules with my twins. Family and friends were all lined up—the young families of the valley had gone to see the pope. That will always be an important memory I have with my kids over the years.

On behalf of the Liberal Party of the ACT, we join with this condolence motion on the death of His Holiness Pope Paul II. We look forward to celebrating his life and making sure that he is not forgotten and we say thank you for all he did to make this world a better place.

DR FOSKEY (Molonglo): I would like to endorse the motion of condolence and to pass on my respect and empathy to all those who have lost a religious leader. We want to talk about the pope today more as a world leader on the political scale who played a part not only in the church but also in world politics through the Holy See seat of the United Nations and through the impact of his pronouncements.

Karol Jozef Wojtyla had a fortunate life in that he was, I believe, someone who was able to achieve his ambition, which some have said early on was to be a leader of the Catholic Church. He was able to study; he focused on literature and philosophy; he participated in theatre; he hiked; he cycled; he canoed and he kayaked.

However, there was a darker side to his life, as we all know. His mother died when he was nine; his brother died when he was 12 and his father died when he was in fairly early

adulthood. Also, he lived through the darkness of Nazism and the Stalinist regime that ruled his country for most of his life.

However, as pope he became a very popular leader because, as Alan McElwain and Chris McGillion said in yesterday's *Sydney Morning Herald*, he had the great leader's skill of projecting his presence so universally that people felt they knew him and he knew them personally. Of course this was helped by his grasp of six languages, and one of the world's most savvy media machines, which runs out of the Vatican. He made many overseas trips and television appearances. I think the fact that Mr Smyth spoke about his 1986 visit to Canberra is telling in that regard.

What the pope did for the world we will always remember. There is a tendency at these times to focus on the positive sides of people's lives, and I think that is appropriate. He assisted with the collapse of communism in East Germany through visits to Poland, where his speeches undermined the credibility of the regime. He built bridges between Muslims, Jews and Christians.

Let us remember though that, while the pope did much good for many groups, his strict adherence to the most conservative Catholic dogma meant a continued erosion of rights and health. For instance, in 1994, the historic coming together of fundamentalist Islamic leaders and the Christian leaders of states and in the church was built on an alliance against the reproductive rights of women. That alliance has gained strength and we have seen a lack of adjustment in this approach to birth control and abortion, especially the simple availability of condoms in an era where HIV/AIDS is ravaging Africa and many of the other countries where the Catholic Church is a very influential player.

Let us remember, too, that gay people will forever feel outside those most traditional Catholic churches; that non-traditional families do not necessarily have a place; and that the church was unable to speak out on injustices to women—whilst I acknowledge the pope was very strong in speaking about injustice to the third world.

Let us remember too that the pope opposed the wars in Iraq and Afghanistan. I thought that perhaps the most useful thing I could do was to read something the pope said in his address on the World Day of Peace, 1 January 1990. The pope did speak out on a number of issues, including poverty and environmental issues. He said that day:

The ecological crisis reveals the urgent moral need for a new solidarity, especially in relations between the developing nations and those that are highly industrialized. States must increasingly share responsibility, in complementary ways, for the promotion of a natural and social environment that is both peaceful and healthy ... It must also be said that the proper ecological balance will not be found without correctly addressing the structural forms of poverty that exist throughout the world. Rural poverty and unjust land distribution in many countries, for example, have led to subsistence farming and to the exhaustion of the soil. Once their land yields no more, many farmers move on to clear new land, thus accelerating uncontrolled deforestation, or they settle in urban centres which lack the infrastructure to receive them. Likewise, some heavily indebted countries are destroying their natural heritage, at the price of irreparable ecological imbalances, in order to develop new products for export. In the face of such situations it would be wrong to assign responsibility to the poor alone for the negative environmental consequences of their actions. Rather, the poor, to whom the earth is entrusted no less than to others, must

be enabled to find a way out of their poverty. This will require a courageous reform of structures, as well as new ways of relating among peoples and states.

That is the pope that I would like to remember today. I am sure that, in days to come as the media moves its attention to the political processes involved in the choosing of the new pope, we will have a lot of thoughts about how the next pope will shape our era, just as the recently deceased pope shaped the last 30 or so years.

MR STEFANIAK (Ginninderra): As I think one of the newspaper articles referred to him, the pope was a holy man of God. He was certainly a man who promoted dignity, peace and justice throughout the world. He achieved a great rapprochement between conflicting faiths, and other faiths, especially the Jewish and Muslim faiths.

As members have said, the pope grew up in very trying and difficult circumstances. Born immediately after World War I, he grew up in Poland, which had not been a state for 150 years. On 11 November 1918, it again became a state. His mother died when he was young and indeed his father and brother died as well, before he was anything more than just a young man.

The pope was only about 18 or 19 when the Nazis invaded Poland, and I think his early life experiences shaped a lot of what the man we saw as pope was. In the days after the Nazis occupied Poland, they ultimately intended to exterminate all the Poles and use them as they would use cattle. They were “*untermenschen*”; no Pole was to be educated after primary school because that was considered unnecessary for what the Nazis had in store for the Poles.

The pope survived. He studied underground and joined the church as a priest in 1946, having survived the terrible times in Poland where seven million Poles—three million Jews among them—were killed. Four million Catholics and 5½ million Poles were killed by the Nazis alone. One and a half million were killed when the Soviet Union, along with Germany, invaded and knifed Poland in the back in September 1939. He certainly had a very hard upbringing—and, of course, one tyranny was replaced by another.

He became an inspiration when he became pope. I can recall when he did become pope; it was a magnificent occasion. As the Chief Minister said, not only was he the first non-Italian pope for 450 years, but he was also the first Slavic pope. I recall that, even in Australia, I had a conversation with Jerry Daly at Royals about what this would actually mean for the world and for Eastern Europe. We were to find out very quickly indeed.

The pope returned to Poland in 1979. In that mass he celebrated in Warsaw, amongst hundreds of thousands of Poles, there was a prayer for the Holy Spirit to “renew the face of the earth”. Lech Walesa says it was that prayer that inspired the 10 million Poles who formed part of Solidarity.

Lech Walesa credits the pope with 50 per cent of the collapse of communism—he says that 50 per cent of the collapse of communism is his doing. As a result of the confidence and the hope given to the Poles by the pope, Solidarity was born very shortly after that. It was initially crushed and sent underground, but was never really too far from the surface. As a result of the pope’s efforts, particularly, we saw a speeding up, in a most peaceful way, of the ultimate collapse of communism.

In Solidarity, of course, most of the people were very strong Catholics. They adopted a non-violent stance, which I think was eminently sensible. The pope also had a great rapport with General Wojciech Jaruzelski. He supposedly crushed Solidarity but I think, as much as anything, he was desperately keen to stave off a lot of bloodshed, a possible Soviet invasion and the ensuing fighting that would have gone on between the Poles and the Russians had that occurred.

We did not have to wait too long for the efforts of the pope and movements such as Solidarity, which he inspired, to bear fruit. In 1988-89 in the Eastern bloc the Iron Curtain effectively came tumbling down. This was probably one of his finest achievements—the destruction of an insidious, evil ideology that had gone completely off the rails and was totally oppressive to the various persons and countries that it took over.

He became pope. He was a great traveller and a great communicator. As the Chief Minister said, he spoke eight languages. He was able to relate to all kinds of people. I do not think any other pope, let alone a lot of world leaders, have travelled as much as the pope did.

He promoted understanding between peoples. Not only was the pope an excellent spiritual leader, a fine Polish patriot and a man who believed strongly in freedom, peace and goodwill, he was also a fine human being. He was actually a good bloke. He was good at sport: he played soccer; he was a magnificent hiker and skier. He loved to go off and hike in the Tatra Mountains in the south of Poland.

As my colleague Brendan Smyth has said, the pope played prop for Poland. That was a bit of trivia which Gordon Bray, I think, let out during the World Cup. His resoluteness, stubbornness and dedication to the task at hand I think made him an ideal prop. Again, he was a fantastic sportsman, and he related to all people. He was a people's person. He got on with virtually anyone, even though he was no spring chicken. He was a man in his 70s and 80s for much of the time he was pope.

He related particularly to young people. He loved to sing and dance. He had an excellent voice. I recall meeting him briefly in 1973 when, as cardinal of Cracow, he opened the White Eagle club. I remember the warmth in his face, the twinkle in his eye and the humorous, pleasant manner of the man. Sadly, I did not stay around—I think I had something else on like uni or whatever—to attend the dinner dance that was on afterwards.

My father, who was then president, came home and said what a wonderful night it had been and what a fantastic voice the cardinal had. He thought he was a great bloke. They were singing and dancing and everyone was having a fantastic time—he just mingled and got on well with everyone.

The pope had an unswerving devotion to duty. I do not know who is going to fill his shoes—they are huge shoes to fill. There are few individuals, I suppose, in world history who have had a very significant impact—and some of those are evil impacts. We think of Hitler, Stalin and Pol Pot and the evil impact they had on the world. We think of other people who have had a much more positive impact on the world. My colleague

mentioned a number of people. Mother Teresa, who died recently, was certainly one who had a positive impact.

The pope has had a huge and positive impact on the world, not only for what he has done in the course of his religious duties—bringing together other faiths as well and getting over a number of centuries-old problems between the church and the Jewish religion, for example, and to an extent the Muslim religion—but also what he has done for freedom and for humankind in this world.

Few people, if any, could have done what the pope did to inspire the nations of Eastern Europe to get rid of communism. He leaves huge shoes to fill. Farewell, thou great, good and faithful servant. Thank you for all you have done for the world and, in your native tongue, “dziękujc bardzo”.

MR MULCAHY (Molonglo): His Holiness Pope John Paul II brought the human face of the Vatican to people of every culture and in every part of the world. Indeed it is remarkable to think that an entire generation of the world’s population have known no other pope.

Over the decades, John Paul II devoted much of his energy to challenging the world’s political powerbrokers with his vision of morality and social justice. He was not content with tending to church affairs; the world’s business was made his business, with particular importance placed on human rights.

You will recall that he was elected pope in 1978 after the sudden death of Pope John Paul I after just 34 days in office. He had a unique background from which to deal with the problems of the church and an unparalleled understanding of the workings of both the communist regimes and the systems of government in the western world at large.

It has been noted that the world will not see his like again. Not only was Pope John Paul II a man uniquely shaped by the 20th century but he also uniquely shaped the affairs of the 20th century. I am sure the new term already being quoted, referring to him as “the great” will end up being the term that the history books embrace for the extraordinary effects he has had on world affairs. *Time* magazine noted, in naming him man of the year in 1994, that he generated an electricity unmatched by anyone else on earth.

As has been mentioned, he was the most travelled pope in history, and he spoke eight languages. He reached out to religions like no other pontiff. John Paul II was the third-longest serving pope and the first to enter a synagogue or a mosque. He canonised more saints than all his predecessors combined, and put many more on the road to sainthood through beatification.

Having grown up living through the holocaust in Poland, he lost many friends because they were Jewish. The impact this had on his life is evident in the role he played in toppling the communist regimes in Eastern Europe. As Mr Stefaniak pointed out, he avoided deportation and imprisonment by the German occupiers in 1940 by working as a stonecutter in a quarry in Cracow by day whilst completing his university studies underground by night.

The pope had an extraordinary and canny understanding of the communist system, which equipped him, many would believe—and I certainly do—with the capacity to bring that system down. In 1979 Pope John Paul made his first visit to his homeland since becoming pope. He ended a mass with a prayer for the Holy Spirit to renew the face of the earth—words that became a rallying cry. Much of the effort, in my view, leading to the collapse of communism can well be said to be his doing. Following the pope's visit to Poland millions of people began to organise strikes, protests and negotiations to bring down communism.

The pope's role in the fight against communism in Eastern Europe and the fall of the Berlin Wall was largely symbolic and moral. Mr Smyth pointed out something taken from another chapter of history when Soviet dictator Joseph Stalin had spoken disparagingly about an earlier pope. As reported by Prime Minister Churchill, Stalin said, "The pope? How many divisions has he got?" He did not have the soldiers and the tanks, but he certainly had many divisions of spiritual followers and used that to great effect for justice in our world.

His triumphant political activism in Eastern Europe made the pope a hero. As one who has had the privilege of travelling to the Eastern bloc before and quite recently—earlier this year—and having seen that world changed under the impact of what he did, particularly in Berlin, it is quite remarkable to see the newfound freedom that continues to this day in so many of those countries that lived under the tyranny of communism.

An eminent clergyman in the United States, a Reverend Thomas Reece—editor of a magazine called *America* and an expert on the papacy—has written that, "Historians may one day see him as the most important world leader in the second half of the 20th century because of his role in helping to bring about the fall of communism".

Not only did the pope's Solidarity culminate in the disintegration of communism in Eastern Europe, but it was also the factor that brought down the Soviet Union in 1990, ending the regime that had controlled Russia since 1917, which had been so heavily involved in dividing Europe and such a key factor in the Cold War, which had dominated European politics since 1945.

Whilst many previous popes were not close to the Jewish people, Pope John Paul proved he was different from previous popes. He was a declared and close friend of Jewish people because he knew and grew up with Jewish people. Whilst it is encouraging that, in more recent times, the work of Pius XII has been reported in far more positive terms than happened previously, it certainly is this pope whom we saw over the past 26 years take many initiatives in helping to improve those relations.

Indeed, he was the first pope to visit a synagogue and the first to visit the memorial at Auschwitz to victims of the holocaust, ending the Catholic-Jewish estrangement. Indeed, he coined the term "our elder brothers" in referring to the Jews. He will be forever remembered as the supreme pontiff who brought the relationships of the church with the Jewish people to a whole new level, and who established diplomatic relations and signed treaties with the state of Israel.

The pope's death ends a history-making pontificate of more than 26 years, obviously one that dramatically changed the Catholic Church and left its mark on the world. It was in 1978, against all odds, that Karol Wojtyla became the first non-Italian pontiff in 455 years, having been elected as John Paul II at the relatively young age of 58—relatively young when it comes to those who have achieved election as a pope.

Whilst he was relatively young in those terms, he began a journey that carried an intense amount of pressure for someone moving into his 60s. I find it interesting, in seniors week in this society where we see challenges for older people joining the work force, that one could take on a role such as this when they are almost 60 years of age, and have such a dramatic impact on world affairs for another 26 years. Is that not an inspiration for us all?

Pope John Paul was a man intimately and physically acquainted with suffering. Despite his various bouts of ill health and the attempted assassination on him, he battled on with his work and celebrated publicly much of the work as leader of the Catholic Church. He went on to lead the church to the strongest position it has been in in a long time. Never before, I would suggest, has the Catholic Church had as much respect as it does today.

A decade after witnessing the fall of communism the pope fulfilled another dream. He visited the Holy Land in March 2000. Praying at Jerusalem's western wall, he asked forgiveness for Catholic sins against the Jewish people over the centuries. It is doubtful that there has ever been a pope who has so successfully translated his strength, determination and faith into such widespread respect and goodwill. In a world of shifting trends and sometimes leaders of doubtful virtue, John Paul II has been a towering figure at the moral centre of modern life.

In closing I would like to again refer to a definitive description of John Paul II by Reverend Father Thomas Reece, who, in a book entitled *Inside the Vatican* wrote:

This is not a pope who looks at the public opinion polls. He says what he thinks is right and wrong from conviction. And that's why people admire him. He's a man of integrity and prayer, even if they don't agree with him.

Not only was John Paul II a holy man and spiritual leader of more than one billion Catholics, he was also a truly great citizen of the world and a man of peace.

MRS BURKE (Molonglo): I would like to add my brief but nonetheless sincere respects to what some people may see as a man for his times. That is the way I like to see the pope. We may have differing views about Pope John Paul II, but we have to consider the things this great man did in the time span, and what he achieved in that time span. He brought together people from across the world who were once enemies, and he was a man who majored upon the civil rights of human beings in third world and Eastern bloc countries.

He will be well remembered for his compassion and genuine unconditional love for humanity, particularly children and young people. It is remarkable to note that his final hours were marked by an overwhelming number of young people keeping vigil outside his Vatican apartments. It is interesting also that, in his last message specifically to the

youth of the world, he said, “I came to you, now it is you who have come to me. I thank you.” This shows the humility of such a great man.

We are here today to celebrate the life of this man, loved by millions of people across the world, a man who could speak eight languages fluently. It is interesting to note that his personal mission was, as the leader and chief teacher of Catholics worldwide, to implement the lessons of the second Vatican council, emphasising the universal call to holiness and the church’s role in a modern world. I think the church as a whole, per se, has a long way to go towards fulfilling the pope’s dream, but we are one step nearer and this great man has certainly led the way for that.

He asked that people not cry or shed tears at his death. Personally it has been a difficult time for me, just a few days after my own father-in-law passing away—and burying him. I can relate to the senior members of the Catholic Church, who encourage us with the fact that the pope died at Easter-time. As many will know, Easter is not just a time of Easter bunnies and eggs; it is a time of life and new beginnings. The pope demonstrated that he was a man of new beginnings; he was a man of change. Some of us may not have agreed with some of those changes but, nonetheless, he left his mark in history.

Towards the end of his papacy, there were those, both within and without the church, who thought that the pope should resign or retire—even term limits for popes were suggested. However, as John Paul had indicated his acceptance of God’s will that he should be pope, he was determined to stay in office until his death. That shows the mark of the man. He knew the job he had to do right to the very end, even from his final appearance on the balcony—and we must not forget that he was loved by millions of people.

He was mourned by a crowd of over 70,000 within Vatican City; by over one billion Catholics world wide; and by many non-Catholics. The pope always said that his death should be celebrated as the passage to the next stage of his eternal life. He was obviously clearly a man who did not fear death but was certainly ready for the next stage of his eternal life. The crowd at the Vatican clapped when the announcement of his death was made, following a traditional Italian custom signifying respect. I certainly applaud the man and support this motion of condolence today.

MR SESELJA (Molonglo): Mr Speaker, I rise today to pay my respects to one of the most important and well-respected figures of the past century, Pope John Paul II. When I woke on Sunday morning to the news that the whole world had been anticipating, I must confess to having mixed feelings. While shedding a tear over the passing of such a great man, I did feel a sense of relief that his suffering had finally come to an end. Of course, Catholics, like all Christians, believe in the afterlife. I would suggest that the pope is now in heaven, a place where the suffering of this world is left behind.

I have happy personal memories of seeing the Pope in 1986 in Canberra, when I was quite young, and again in Rome in 2001. There are many things that can be said about the life of Karol Wojtyla, and many of these have been said today. His pivotal role in the end of communism in Europe, his ability to reach out to Catholics all over the world, his efforts to bring reconciliation between Christians and other faiths, his preaching of peace at times of war and his advocacy of a cultured life—these are just some of the accurate reflections which could be made of this man’s life.

While endorsing all of those sentiments, I would just like to focus on a couple of aspects of JPPI's life and times which particularly stand out for me: the role of suffering in his life, and his great capacity to forgive. Karol Wojtyla was a man who suffered greatly in his life, and that has been said a bit today. And it was this suffering that helped shape him into the great man he became. He lost his mother at age 8, his brother at age 12, and the last remaining member of his immediate family, his father, at the age of 20.

He suffered under Nazi occupation, watching some of his Jewish friends taken away while, at great risk to himself, helping many other Jews to escape the Nazi death camps. He survived the Nazi occupation, only to face a new oppression, the evil of communism, where his freedom and the freedom of his countrymen and women were severely restricted.

I believe it was this life of hardship that gave JPPI a great empathy and connection with people, especially oppressed people all over the world. It was this connection with people which made him such a widely loved and respected person—love and respect which have been starkly demonstrated through the amazing, worldwide interest and outpouring of grief over the past few days.

JPPI's connection with all types of people meant that he was admired at home and by world leaders and ordinary people alike. When meeting with people from oppressed nations, with the severely disabled, with missionaries, with dignitaries or with leaders of other religions, the pope was able to draw on his own difficult story to make a personal connection. And it was this personal connection that made him so widely loved.

While commentators have focused greatly on JPPI's contribution to the fall of communism, I believe one of his lasting contributions will be the way he conducted himself through the final years of his life. In a world where death and dying are sanitised, the Holy Father openly displayed his human frailty. Struck down with severe arthritis and Parkinson's disease, he continued his ministry, though with increasing difficulty and discomfort. For a man who had consistently defended the value of every human life, no matter how young, old or frail, publicly battling on through his suffering was his way of demonstrating that the sick and the frail do have value. It was the ultimate way of practising what he had long preached.

The other thing that strikes me about JPPI was his capacity for forgiveness. While listening to news reports on the weekend about the pope's worsening condition, one story that stood out for me was that of Mehmet Ali Agca who, like many others around the world, was said to be praying for the pope in his final hours. And the reason that the story struck me was that this was the same man who had attempted to assassinate the pontiff in 1981. It seems that the change of heart was brought about by the pope's visiting Agca in prison and forgiving him for his attempted murder. Not surprisingly, this had a profound effect on the young man.

This speaks to me of an authenticity that is all too rare in leaders. It is one thing to preach forgiveness and love; it is altogether something else to genuinely forgive someone who tries to kill you. To me, this will be his most enduring legacy: he was that rare person who managed to genuinely practise the forgiveness that he preached.

Mr Speaker, this was a truly great man. He has left a legacy that will last well beyond his death. He was a man of vision, a man of strength, integrity, compassion, faith and love. The world would be a better place if more of us had lived as he did. And the world is certainly a better place for Karol Wojtyla having been in it.

MR PRATT (Brindabella): Mr Speaker, firstly I would like to give my condolences to ACT Catholics and to all other Canberrans who feel themselves personally mourning the pope on this occasion. The pope, to me and to many millions of others, was more than simply the head of the Catholic Church. He was a truly effective leader on the political stage and a leader entirely for the good, entirely for the good of various world causes.

Karol Wojtyla was the son of an army sergeant and a man from simple and rough beginnings. He grew to be a robust and quite a tough man. We have heard here today about his exploits on the rugby pitch, in the boxing ring and other places. He was no shrinking violet. He was a character, more colourful and greater than life. But he was also a man who was quite artistic. He sought an acting career and gave that away. He was culturally sensitive. He was very, very concerned about his community and about others. He was a man of many, many complexities.

During World War II, he was a member of the Polish underground. And even then, he commenced his priesthood. When the Nazis were defeated and the communist regime, another dictatorship, took hold in Poland, he defied those authorities. He organised and ran an outdoor church in his own township, one of those socialist, utopian, government-established collective townships where the workers were put together for the good of the state. But this man stood outside in the mud and snow and, in defiance of the authorities, ran one of the more effective outdoor churches and clearly sowed the seeds for revolution in that country. So he was a robust man, but he was cheerful and he was compassionate. He supported and inspired Solidarity. And this inspiration that caused significant change was to be seen later in many other theatres.

Mr Speaker, to Catholics, to members of other Christian faiths and to Muslims and Jews—the religions of the book—Pope John Paul II was a solid rock for principle in a sea of uncertain change. The pope's critics, those who claimed that he divided his own church and who will claim he was a divisive influence in a so-called modern, progressive world, in my view, were entirely wrong and continue to be. It was those critics, mainly holding a radical position in the Catholic Church and others outside the Catholic Church—atheists, socialists and others—who were and continue to be the divisive ones, the harbingers of so-called change for the so-called good.

What has admired millions around the world was that this pope held uncompromising principles, based on high moral values, and refused to be bent by trendy radicalism. To say that he was simply conservative and an impediment for sensible progress is simply wrong. And those who moan such views cannot love civilisation as this man did.

Mr Speaker, the pope was a compassionate man. He championed the poor, and clearly those critics do not see that. He travelled to all corners of the world and he stood shoulder to shoulder with and defended the underprivileged. He railed against dictatorships of the extreme left and the extreme right, so powerfully so that he contributed to substantial change in Eastern Europe and the Philippines. He was

a catalyst for change in the Philippines. He was one of those who influenced the bringing down of the Marcos regime. He travelled to the South Americas and stood by the poor. He railed against the regimes in those countries that did not give a damn about their own people. He put untold pressure on the gunmen of Northern Ireland. He was an influential change agent in the demise of the Cold War.

Pope John Paul II reached out to the Muslim world at a time critical for this to happen. He is greatly respected by the Muslim community around the world, something that is underestimated. In the Middle East he travelled to, joined with and gently cajoled Israeli and Palestinian leaders to get a grip on the Middle East peace process. But surprisingly, he was to put the weight of his position behind the Palestinian cause. And this had untold influence on Western thinking on the management of this particular Middle Eastern problem.

He met President Mubarak of Egypt and other senior Muslim leaders. He was the first pope to pray in a mosque. He was the pope who apologised to the Jews for what he, himself, said were the fundamental failings of his church during the times of the Holocaust and other times prior to that.

Over the weekend, my wife and I were glued to BBC coverage of the poor old fellow's final moments and then his passing. Clearly, he was brave in death and he took the same uncompromising position to prepare himself for his death that he had held throughout his life. My wife and I will personally miss, and a lot of other people will miss this great man. And I would really put it to this place that perhaps we ought to be influencing whoever we can to see that this man is indeed named Pope John Paul II, the great.

MRS DUNNE (Ginninderra): Mr Speaker, the death of John Paul II is a great loss for the world, for the Catholic Church, and is a matter of personal loss as John Paul II was the leader on earth of the faith to which I ascribe. It is a great loss to me personally because of the influence that he had upon my life.

His elevation to the papacy and his early pilgrimages to South America coincided with a strangely formative part of my own life, when I suppose I could say I was going through a spiritual crisis. And that coincided, also, with my first visit to Europe, which mainly concentrated on Italy. I remember—and I was recounting to some of my staff this morning—that I arrived in Italy one day, it was a Tuesday, and my brother met me at the airport and said, “Vick, tomorrow we’re going to a papal audience.” As a young 20-something, I could not think of anything less exciting to do on one’s first day in Rome than go to a papal audience. But it was a most uplifting experience. Mr Stefaniak spoke of the warmth of contact with John Paul II. At a formative time in my life, it was a very important contact.

There was much discussion in our household over the last couple of days about the importance of John Paul II. It brought it home to me, when my youngest daughter asked me last night, “Since you’ve been alive how many popes have you seen?” that all of my children have only known one pope, that is, John Paul II. I started to recount the popes for my children. Pius XII died in 1958, so that meant Pius XII, John XXIII, Paul VI, John Paul I, a short reign, and now the enormous reign of John Paul II. And it showed a very sharp contrast of the experiences of older Catholics with those of young Catholics.

It shows also, in contrast, that what is emerging probably is the standard media line on the papacy that goes roughly like this: John Paul II was a man of the people; a victim of Nazism and communism; instrumental in bringing about the fall of communism; a tireless traveller; an apostle to the world; a critic of both socialism and unbridled capitalism; a friend to the poor; a defender of the weak; charismatic; and charming; he appealed to Catholic and non-Catholic alike.

Then, Mr Speaker, there is the “but”. And it seems to be a key word. Then they say, “But somehow he is strangely conservative on issues of sexuality, of the beginning and end of life and things like clerical celibacy.” One might ask, “Conservative on what scale and conservative compared to whom?” It is perhaps too much to expect the press corps to be familiar with the history of the papacy. And perhaps John Paul II was a victim of his own longevity here, as the only pope most of them had known since they became journalists and, for many, since they were born.

In a sense, such an analysis misses the point of the Catholic Church. To attempt to analyse its teachings in social and political terms makes the mistake to which we are understandably prone—especially in this place—and which Cardinal Pell yesterday warned against in relation to the election of the pope’s successor. A conclave is not a pre-selection. In a sense, it is not even an election. And the Catholic Church is not a political party and is not a government in the ordinary sense. It is not simply that it adopts policies for higher reasons than electoral success. We know, despite cynical views to the contrary, that political parties, after all, do argue for their own views of what they think will benefit their electorate and not just themselves, albeit tempered with the knowledge that we are operating in the world of the possible, that we are operating in the here and now.

The difference lies in the fact that the Catholic Church deals primarily in doctrine, not in policy. The test is ultimately not what works in terms of the world but what is true. And the eternal truth does not change with the change of government. If a pope believes and teaches what his predecessors believed and taught, it is not because he is at heart a conservative. By any standard, John Paul II was not. He did much to reinvent the papacy, albeit within historic limits, and his work to reconcile the Catholic teaching with the schools of modern philosophy to provide phenomenological rationales for Catholic positions was a heroic undertaking.

Although many experts may differ on the degree of his success and laymen like myself struggle with the prose which, according at least to urban myth, was supposed to have been translated from Polish into English, then Polish into Italian, then into better Italian and then into the official Latin before it was translated and made available for monoglot English speakers like us, it was sometimes very difficult to come to terms with. But this does not mean to say that what Pope John Paul II was teaching was any departure from 2,000 years of tradition.

The church stands or falls on the proposition that it possesses the truth, the truth that is handed down by its founder, and it transmits that patrimony intact. Some of the implications from time to time may be drawn out for more detail, but it has to be transmitted intact. If it could be changed, it would not be the church. One of the things that struck me on Sunday—we had a gathering of 18-year-olds after a birthday party on

Saturday night—was that one of the people still around said to me; “Mrs Dunne, why is it that of all organisations only the Catholic Church has managed to have the one world leader thing when no-one else has succeeded?” I think it is because of that. If we could change, it would not be the church. I saw my children’s eyes roll as I rose to the occasion and gave the answer that, perhaps when Peter was told that the gates of hell would not prevail against it, Jesus Christ really meant it; and that, when we are told as children that this is the one true church, they really mean it. And this is why the so-called conservatism that people criticise is at the heart and soul of what is John Paul II.

The point is not that John Paul II preserved the essentials because he was conservative; the point is that, even though he was in every sense a modern thinker, in every sense a man of the 20th century, yet he was the leader of the Catholic Church and knew that a church which denied its historical basis would be denying itself. This is not to say, of course, that the church is entirely free of practical considerations. In our time, the church undertook great experiments. The experiments centred on the Second Vatican Council, whose key documents for their stand showed the influence of the present pope years before his election.

In practical matters, in appearance if not in fundamentals, the church has largely reinvented itself or at least in the way it presents itself to the world. The legacy of John Paul II has been to manage much of the implementation of change—the working out of the new vision to steer the church from a period where shockwaves of change were still echoing through the corridors and cloisters towards a period of new stability and, hopefully, of greater strength where those changes have been assimilated but it is still recognised that change is not an end in itself.

At this point, Mr Speaker, it is perhaps useful to remind ourselves that the church is truly a world organisation. The view that we have of the church in the West, where the TV cameras mostly are, is not the whole picture, nor even the largest part. We tend to forget the principal concerns of the church in most of the world are not with scandals and bio-ethical dilemmas or arguments about the physical resurrection, important though these things are, but about the struggle to provide the basics of care for the souls and bodies of the poor, the poor in spirit, for the starving in Sao Paolo, for the oppressed of Sudan or Aceh or for the dying in Calcutta.

We also have to remember that the Catholic Church is not just a church for the poor. I would like to quote from Father Robert Sirico, an American Catholic priest and commentator. In one of the things that he has written recently on John Paul II, he says:

One of the marks of John Paul’s greatness was his rejection of ideological categories and limitations and his ability to hold complex thoughts together as a result. For him, there was no contradiction between the celebration of the vocation of business leaders, as he does so innovatively in his 1991 encyclical *Centesimus Annus*, while upholding and defending the rights and dignity of simple peasants. In his view, both positions flowed, not from some poll he took, but from the intrinsic dignity and eternal destiny of the human person: a being at once unique, unrepeatable and immortal.

The people engaged in this work are, on the whole, not wracked by self-doubt. They are not giving interviews or dancing on the edge of dissent and they are not holding seminars and being too busy for people. John Paul II, from his perspective as a man involved in

the greater struggle for the souls of the 20th century, was in no danger of forgetting the responsibilities of oppression, the realities of evil in the world. He was of a generation, particularly in his homeland, in no danger of giving in to the temptation to which many of us in the West are subject—the temptation to believe that all our problems will be solved and that the church itself may be made irrelevant by technology or by progress. This is certainly not the case.

Nevertheless, John Paul II remained true to the church and true to the understanding that no part of the church had been untouched by the changes of the 20th century, particularly those following the Second Vatican Council, and no part untouched by the hand of the man who had the stewardship of the church in these most troubling times where Catholics struggled to come to terms with the implications of change.

It is too soon to tell how well this endeavour has succeeded. But we know the effort that this has cost and we cannot be but grateful that the church had such a wise head, such a strong pair of shoulders and such a great heart to steer her through one of the greatest periods of change, perhaps the greatest trial in her history so far.

For all that, the thing we must pay tribute to John Paul II for, as Mr Seselja called it and as it has been called often in the past few days, is John Paul II's commitment to the dignity of life. Mr Seselja called it his culture of life. Again, to quote from Father Sirico:

To John Paul it made no difference if the human life in need of protection and affirmation was in the womb or a hospital ward, in a bean field or in a board room.

Every part of the apostate of John Paul II was about upholding life and the dignity of life. It was most completely explained in one of those turgid documents, those difficult documents, *Evangelium vitae* which has been, especially for Catholic politicians, a great model for what we should attain and strive for in our vocation as politicians, people called to public life.

The whole life of John Paul II was, in fact, a sermon on life, as the Archbishop of Canterbury said so eloquently yesterday. In particular, his passing was a sermon on life. The dignity, the openness that we saw in dealing with the death of John Paul II, should be a lesson to us all. Death comes to us all; death is an essential part of our life. It should be approached with dignity, with love and compassion and with openness and honesty.

In concluding my remarks, I think that last lesson that he taught us taught us most about our human frailty. I conclude by saying, "John Paul II, requiescat in pace."

MR QUINLAN (Molonglo—Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for Racing and Gaming): Just very briefly, Mr Speaker, let me say that I was born into a Catholic family and sent off to Catholic schools and I did have some of that veneration for the pope drummed into me to some extent by the nuns of the 1940s.

I am no longer a Catholic, I have to say, but I remember those days. The pope that we learned about was a very, very remote figure. Although, as I said I am no longer a Catholic, I have to say this pope was not a remote figure and this pope was able to communicate his genuine concern to people by his willingness to travel, by his

willingness to mix with people. Just by the very body language of the person, he was able to get through that he was a person that genuinely was concerned for all of humankind.

He has been the pope through a period, I think, where particularly Western religions struggled a bit to hold, on one hand, to traditional beliefs in a world where there is change, a world of discovery and a world where we have come to understand more of our origins and more of the whole universe that surrounds us—a time when conditions in the world have changed; where we do face problems with overpopulation; where we do face problems in just feeding ourselves and in overuse of arable land; and of course the AIDS pandemics and other problems that arise from time to time and test fundamental beliefs.

I expect that, in the years to come, the world will continue to change and religions will change. Certainly from my time when I went off to mass as a school kid and the very few times that I go there now, there is just a world of difference. I have to watch the people around me to know when to jump up and sit down and all that. And the rules have all changed. I expect that change will occur again. I think Cardinal Pell was predicting another conservative was likely to replace John Paul II. But I think that it will be inevitable that there be some adaptation to the conditions of today and tomorrow.

But all that being said, for the man, John Paul II, I am relatively certain that he will be, on balance, remembered kindly by history, remembered for his support and his work in relation to the freedom of Poland and the breaking down of the communist bloc and for his obvious humanity and ability to communicate.

Question resolved in the affirmative, members standing in their places.

Naval helicopter crash in Indonesia

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs): I move:

That the Assembly expresses its profound sorrow at the death of nine Australians in a helicopter accident in Indonesia and tenders its heartfelt sympathy and condolences to the families, colleagues and friends in their bereavement.

Mr Speaker, these deaths are especially poignant because of the circumstances in which they occurred. There is special sorrow reserved for those who, in coming to the aid of others, become victims themselves. It is worth reflecting that, for most of our history as a nation, apart from a few, thankfully brief albeit bloody and destructive periods of war, coming to the aid of others has been the main vocation of our servicemen and women. Some of our most enduring and iconic images of our service personnel are drawn from places other than the field of battle. They are images of men and women sandbagging river banks, distributing food and blankets, comforting a stricken child.

This was the proud legacy of assistance and comfort that the nine men and women of the HMAS *Kanimbla* were continuing in Nias at the time of their deaths. The nine were on a flight to a village on the remote west coast of Nias, transporting emergency medical help to locals affected by a massive earthquake. The HMAS *Kanimbla*, on which the ill-

fated Sea King was stationed, had been on its way back to Australia last week, after weeks spent assisting Indonesians in the wake of the Boxing Day tsunami. It was diverted upon news of the Nias earthquake.

Among those killed on Saturday were two whose passing has particular resonance here in the ACT: lieutenants Matthew Davey and Paul Kimlin, two members of our community, known to many Canberrans and indeed, I believe, personally known to members of the Assembly, as are their families. Lieutenant Davey will also be known to the many professionals in the public health system in the ACT and to many at the Australian National University. He worked as an intern in Canberra Hospital in the early part of 2000 and he was a visiting fellow at the Australian National University in the 1990s. Lieutenant Kimlin, a naval pilot, was an experienced officer who had served Australia in East Timor, Christmas Island and Iraq.

Today, on this most sad occasion, I extend my particular condolences, on behalf of all Canberrans, to their families and friends here among us in Canberra and also of course everywhere else in Australia.

As we honour the memory of Lieutenant Davey, Lieutenant Kimlin and the other seven Australians today and lend our support to their families, friends and colleagues, it is important that we think, too, of the many hundreds, perhaps thousands, of Indonesians robbed of their lives by the earthquake of 28 March. It is important that we think of their families, equally bereft, and of their shattered communities still to be rebuilt.

The nine Australians who perished on Saturday were part of a proud Australian tradition. As servicemen and women they officially died for their country. But as men and women, like many before them, they died in the service of humanity.

On behalf of the ACT Legislative Assembly and all the people of the Australian Capital Territory, I condole the families, friends and colleagues of Lieutenant Matthew Davey, Lieutenant Paul Kimlin, Lieutenant Matthew Goodall, Lieutenant Jonathan King, Petty Officer Stephen Slattery, Leading Seaman Scott Bennett, Squadron Leader Paul McCarthy, Flight Lieutenant Lynne Rowbottom and Sergeant Wendy Jones, and I convey the Assembly's hopes for a full and speedy recovery to the two survivors of the crash.

MR SMYTH (Brindabella—Leader of the Opposition): Mr Speaker, I rise on behalf of the opposition to offer our condolences to the family and friends, to the shipmates and to the defence force colleagues of these nine great Australians. To Lieutenant Matthew Davey, a doctor from the ACT; to Lieutenant Matthew Goodall, a helicopter observer from New South Wales; to Lieutenant Paul Kimlin, a pilot from the ACT; to Lieutenant Jonathan King, a pilot from Queensland; to Petty Officer Stephen Slattery, a medic from New South Wales; to Leading Seaman Scott Bennett, air crewman from New South Wales; to Squadron Leader Paul McCarthy from Western Australia; to Flight Lieutenant Lynne Rowbottom from Queensland; to Sergeant Wendy Jones from Queensland; to their families, their friends and those that they leave behind—we send our sincere condolences following their deaths in the Sea King crash at the weekend.

To the captain and crew of HMAS *Kanimbla*, who continue the good work that led to the occasion of the death of these nine Australians, we wish you well in what must be

difficult times, in delivering that aid, made more grim by the loss of your colleagues and your friends.

Mr Speaker, it is always dangerous to be in a defence force, whether it be army, navy or air force. The training is difficult enough without the prospect of either going to war or overseas service on humanitarian missions. I think the way the crew of the *Kanimbla* have conducted themselves is something to be congratulated, but I think the memory of these nine young Australians really does need to be rooted in our hearts.

On behalf of the Canberra Liberals, I wish to extend particularly to the family of two Canberrans Paul Kimlin and Matthew Davey our prayers and our sympathies in what must be a tremendously difficult time. These two Canberra men tragically had their lives cut short while working to help others. They were overseas. They were actually volunteers. All members of our defence force are volunteers. They were there doing what they were trained to do—they were there to serve, they were there to make the world a better place.

We also extend our sympathies to the families of the other seven service personnel who lost their lives. To the two survivors who are recovering from this tragic event, we wish you well and a speedy recovery and a swift return to service.

Mr Speaker, on a personal note: we have heard much in the past days from the loved ones of Lieutenant Kimlin that he died doing what he loved. He knew that it was dangerous, but he died doing what he loved. In the short space of time from his graduation from the naval helicopter school, Lieutenant Kimlin served in East Timor, Christmas Island, Iraq and Aceh following the tsunami and then the second earthquake that caused the visit of this crew to the island of Nias. He also flew in support of many national rescue missions since joining the navy in 1996 as a pilot.

To those that knew him, Lieutenant Kimlin was a kind, gentle, generous and caring man. He brought much joy, happiness and laughter to those around him. And you can see that in the celebration of his life by his loved ones who have allowed us to join them in their time of sorrow.

I think the impact of his death hits home to many here in the Assembly as his loving partner, Laura Ryan, actually worked in the ACT public service and worked for now Senator Gary Humphries when he was a minister in the Assembly. Laura would be known particularly to many of the staff, and certainly to all of the members of the Liberal Party she would be well known. To Laura, we offer you our best wishes in this terrible time.

I am told by some of those particularly close to Lieutenant Kimlin that, in his too short 29 years, he did make the most of every minute; he was the sort of guy who did not do something half-heartedly, whether it be flying in the navy or learning how to ski. This was a gentleman who put his entire life into that which he did.

Lieutenant Kimlin, while thriving in his role in the navy, also sought adventure and excitement in his private life. He was never scared to try something new and always wanted to succeed and get better at whatever tasks he undertook in his life. He was a meticulous individual. He was a very special friend to those who knew him as a son, an

uncle, a partner and a friend. And our prayers and thoughts go out especially to Lieutenant Kimlin's sister, Janelle, to his parents, to his nephew, Hugo, and to his partner, Laura.

His life is paralleled by another life. The pilot, Lieutenant Kimlin, was working with a navy doctor, Lieutenant Matthew Davey. I think it has also been a shock to those who knew him, particularly again inside our public service due to his work at the Canberra Hospital, most recently in its intensive care unit. Our prayers and thoughts go out to his family and in particular to his partner, Rachel Henson.

Lieutenant Davey worked hard to reach the position he worked in, with a university education spanning six years. It is clear that Lieutenant Davey was not only a dedicated medic but was also dedicated to every facet of living a full life. His resume reads like an adventure in itself. I would like to bring to the attention of the Assembly, and hence our community, just the volunteer work that Lieutenant Davey undertook in his short life. He was in the Flinders University neurology club; he was in St John's Ambulance here in Canberra; he was in the International Physics Olympiad Organising Committee here in Canberra; he was at the University of California, Berkeley, ballroom dancing club; he was part of the Australian Biology Olympiad here in Canberra; he was part of the Tuggeranong Judo Club; he was part of the National Science Forum; and he was part of the Australian Physics Olympiad. This is not a young man that was half-hearted in what he did.

Lieutenant Davey was also influential in terms of humanitarian aid provided by our defence forces and received the United Nations force commander's commendation for his work as part of the resuscitation team in East Timor. This was the job to stabilise critically ill patients at the UN hospital so that they could then be passed on for further medical treatment.

Like all of those aboard the Sea King, he was a dedicated professional and wanted to use his skills simply to help others. It is a tragic event when our country loses nine fine young men and women, all of whom wanted to do just that—use their skills to help those most in need. The families of the deceased face a difficult day today when their loved ones are returned to Australia, but you have them home now. We wish them all strength at this time.

I would just like to also say thank you to those brave Indonesians who went to the assistance of our troops. Having suffered, first, the tsunami on Boxing Day and then a number of earthquakes in the last couple of days, these people did not hesitate to return the generosity that has been shown to them, and they were successful in rescuing two of our crewmen. To them, we would offer our thanks for putting themselves at risk.

It is a common trait today to condemn our youth as indolent and not up to the legacy that has been fought for them over the many years. I think the death of these nine young Australians, whom I think it would be fair to describe as some of the best and the brightest, is an example and an indication that Australia's future is in tremendous hands, because what we have is young people who are willing to serve their country, young people who are willing to go overseas on humanitarian missions and serve their world, and young people like these nine who offer all young Australians a tremendous role model and an example for the future.

With these words, Mr Speaker, on behalf of the opposition, on behalf of the ACT Liberal Party, I would offer my condolences to the families and the friends, to the shipmates and the defence force colleagues of these nine Australians and wish them well in their difficult times.

DR FOSKEY (Molonglo): The Greens offer our condolences to the families and friends of the nine people who died when the Sea King helicopter went down near Aman Draya on the west coast of Nias on 2 April. We also wish a full recovery for the two injured service members.

As the personal stories of these people emerge, we see that we have lost special people, dear to their families and committed to doing good work in the world. We have seen and heard over the last few days the partner and family of Paul Kimlin, one of the Canberra people involved, determined to present a true picture of Paul to the world. Clearly, Lieutenant Matthew Davey was known to many, often without those people knowing it, through his role as a registrar in emergency at Canberra Hospital. With him, we have lost skills that are sorely needed in this city. Yet his compassion and desire to help extended from the people of Canberra to the victims of the tsunami and then the earthquake and, thanks to Mr Smyth, I now realise that his desire to help actually extended much further than that.

In the light of their deaths, it is sad that these people had no opportunity to visit their families as they went from the disaster in Aceh to the one in Nias. I commend and respect the courage of their colleagues on the HMAS *Kanimbla*, who have stated that the best way that they can remember their mates is to continue the work to which they were so committed. And indeed today we also need to acknowledge the 2,500 people who died in the earthquake.

Mr Speaker, it is particularly sad when people die doing good things for people in need on our behalf and I hope that, in the fullness of time, this fact will provide the families of these nine people with some consolation.

MR CORBELL (Molonglo—Minister for Health and Minister for Planning): Mr Speaker, I join with other members of the Assembly in expressing my condolences for the tragic and untimely deaths of the service personnel in the naval helicopter accident in Indonesia. In rising this morning, I pay particular tribute to the work and the life of Dr Matthew Davey, who was an intern in the intensive care unit at the Canberra Hospital.

Dr Davey died tragically and all too young. He died, as members have outlined this morning, doing one of the many parts of his life that he valued so highly. Dr Davey served as a lieutenant in the specialist reserve for the Royal Australian Army Medical Corps, in the Canberra Area Medical Unit of the Royal Military College, Duntroon, a the Specialist Reserve and, when he died, he was serving as a lieutenant in the regional reserve of the Royal Australian Navy.

Dr Davey, in the time I have had since news of his tragic death came through on Sunday, strikes me as an incredibly talented and amazing young man—a young man who was making a contribution to his community in so many different ways and who had earned

the respect and admiration of his colleagues in the Canberra Hospital. I know he will be sadly missed by his colleagues and counterparts at the Canberra Hospital, and I express to them my sincere condolences at the loss of such an esteemed workmate.

I would like to briefly outline to members some of his history, because I think it underscores the significance of the contribution he made to our community locally, as well as the contribution he made at a broader level. Matthew Davey graduated from the Australian National University with a Bachelor of Science with first class honours. He majored in mathematics and neuroscience. He was awarded the University Medal, which is the ANU's highest award. It is awarded to the top candidate or candidates for the degree of bachelor. He was also awarded the Tillyard prize, which is awarded to the student whose personal qualities and contribution to university life have been outstanding. This is the oldest and most prestigious prize awarded by the ANU and it is the highest honour awarded for contribution to the community and the university.

As Mr Smyth has outlined, Dr Davey also undertook a range of volunteer work, including working with the St John Ambulance, volunteering in the organisation of the International Physics Olympiad and the Australian Biology Olympiad, held here in Canberra. He was a keen judo enthusiast. He was an instructor with the Tuggeranong Judo Club and was, as I understand it, State Judo Champion for the ACT in 1989. Some of his other activities included paragliding, being involved in independent theatre and, as has been mentioned, ballroom dancing. He was someone who lived life very much to the full.

In closing, it is worth highlighting some of the awards that he received. He received the Queen Elizabeth II Silver Jubilee Trust Fellow award for research at Cornell University Medical College New York, where he was an exchange student. He received the AMA/JG Hunter research scholar award for research at the ANU. He received the Fellow's Prize for academic excellence at Fenner Hall, the Australian National University, and the Australian Students' Prize for Excellence from the federal government of Australia. This was a truly exceptional young man—a young man who was dedicating his life to serving his community and to living life very much to its fullest extent. He will be sadly missed and I extend my condolences, and those of the government, to his family, his colleagues and his friends.

MR STEFANIAK (Ginninderra): Mr Speaker, it is always particularly hard when we see fine young people in the prime of their life, who have done so much to date and who had so much to offer, being killed. We have seen this tragedy of nine young Australians who have laid down their lives in the service of others, and I do not think there can be any finer or nobler sacrifice than that. The Australian Defence Force has a very proud tradition as not only splendid fighters but also of excelling at humanitarian work around the world. These fine young Australians died doing a job they loved and doing it very well. They were bringing help and hope to people who were suffering.

Defence work is very dangerous and, despite all the safety precautions—and we, I think, pride ourselves in this country on taking exceptionally strong safety precautions—there are still accidents, there are still injuries and there are still, tragically, deaths. The *Canberra Times* a couple of days ago, I think, listed the number of Defence Force personnel who have tragically died in accidents, be it on exercises or on active service. I think it just shows the very nature of the job, working in difficult conditions with often

very dangerous equipment. And, despite all the precautions, tragedies do happen. It was not all that long ago in this place that we had a condolence motion for the 18 SAS members who died in the Black Hawk disaster in Queensland. Again, I think this optimises the fact that working in the defence force is inherently dangerous.

Our special condolences go to the families of the two local Canberra officers who died. Lieutenant Paul Kimlin, in his short life, served his country magnificently in a number of spots around the world including East Timor, Christmas Island, Iraq and Indonesia. As my colleague Brendan Smyth said, Lieutenant Kimlin's partner, Laura Ryan, who has shown such magnificent composure over the last couple of days at this most tragic time, and is an inspiration to us all, worked in the Assembly with Gary Humphries, when he was a minister, and was known to many people here.

Lieutenant Matthew Davey, Royal Australian Navy Reserve, registrar from the Canberra Hospital, as the minister said, was an absolutely exceptional young man who was highly regarded by his colleagues at the hospital and who combined so many things in his life, working in a number of voluntary organisations and combining his role at the hospital with a role as a reserve medical officer in the Australian Defence Force and specifically in the Royal Australian Navy.

In recent years there has been much greater integration of the Reserve and the regular forces, and I think Lieutenant Matthew Davey epitomises the exceptional skills and talent so many reservists, especially in the medical area, bring to the Australian Defence Force. He had an outstanding academic career and an outstanding sporting career. He was a dux at Tuggeranong College and, indeed, won a university medal. He was admired and respected for his excellent work both at the hospital and also with the Royal Australian Navy.

These young men and women are an absolute credit to their families and to Australia. They died doing what they knew to be right and good, and doing the job they loved. May they rest in peace, lest we forget.

MR MULCAHY (Molonglo): I also join with other members of the Assembly in extending my deepest sympathies to the families and friends of the nine Australian service personnel who lost their lives serving this country through the provision of aid to the devastated communities, particularly on the island of Nias in Indonesia. This has been reported as the biggest loss of life overseas amongst our service personnel since the Vietnam War. When we see the reports in our paper today and see those with children, particularly, it is a terrible situation for those families who are left behind.

The Indonesian helicopter crash victims are remembered today as young Australians who loved life, loved flying and loved helping others. These nine young people were devoted to their job and had strong desires to help as many people as they could in their lives. As the minister and Mr Stefaniak just mentioned, those that were known well in Canberra made extraordinary contributions through their participation in their community. This work was simply being continued in helping the folks in Indonesia.

It is always easy to reflect on the dreadful experience of death and the tragic circumstances in which these individuals came to their end, but today I think it is important that we reflect and admire the dedication and commitment of the crew. It takes

someone special to carry out the work that many of our defence personnel are currently undertaking. Too often our defence personnel are criticised in their overseas endeavours but in fact there is no greater calling than that of the hand of the humanitarian. A real passion and purpose was firing in each crew member, and they died pursuing their greatest feat. These young people were serving Australia. They were administering much needed aid to the devastated communities of Indonesia, something quickly recognised by the President of Indonesia, who is currently visiting Canberra, and who has announced he will be awarding his country's medal of honour both to the deceased and to the surviving defence personnel involved in this tragic accident.

Let me also counsel against what I see emerging in the media and that is this preoccupation about sheeting home blame at this time. Whether it was the age of the helicopter, or mechanical or electrical failure, or human error—all of which might emerge as possible factors in the crash of this aircraft—there are three inquiries into this tragedy planned, and we should wait until those inquiries have completed their work and announced their conclusion before we rush to passing hasty judgment. I think it is ill-advised to make assumptions on factors that cause accidents of this nature and it is naive for many commentators to rush into judgment. This quest to find someone or something to blame should be a secondary consideration this week, as we reflect on this loss of life and the contributions made by these young Australians.

Australia's defence forces, and the individuals within it, play a vital role in strengthening the Indonesian relationship. The events of East Timor, not only in recent years but as long ago as 1975, have at times challenged that relationship but indeed the speedy, generous and professional approach taken by Australia and our defence forces in the wake of the tsunami tragedy on Boxing Day, and the more recent earthquake in Indonesia, highlight the multifaceted role that can be played by the men and women of Australia's defence forces.

I support the condolence motion and extend my personal sympathies to the families and friends of those killed, with special regard for those whose home was Canberra and those whom they have left behind.

MR PRATT (Brindabella): Mr Speaker, I stand to commemorate and remember the nine Australian defence force personnel who recently died on the island of Nias. This terrible tragedy reminds this Assembly of the dangers that our servicemen and women face in wartime, in difficult peacekeeping operations and in dangerous humanitarian operations.

Let us also remember the Black Hawk tragedy in North Queensland which killed 18 3rd Brigade and SAS soldiers. Let us remember the Iroquois helicopter collisions in South Australia in the 1980s—a tragedy that killed a dozen parachute battalion soldiers at one fell swoop. Let us remember the deaths of the four seamen on HMAS *Westralia* in recent times and let us remember the many other individuals who have died in training accidents, and in day-to-day operations of the ADF as it goes about its job protecting this country's interests and preparing to protect this country's interests.

Mr Speaker, it is very important that this Assembly fully understands the dangers that our men and women face and that we must unequivocally support them regardless of where they are deployed, including in areas which some of us may disagree with—for example, Iraq. It is very important that, as MLAs, we demonstrate leadership to the

community in wholeheartedly supporting our forces. It is sad that too often we see uninformed and ignorant political lobbyists questioning the actions of our ADF personnel, in Iraq now, and recently with the unacceptable allegations levelled at ADF personnel, AFP personnel and customs officers, including those who live in Canberra and those who have families residing in Canberra, over the SIEV X affair. Those personnel were basically accused of being directly involved in the very sad loss of 353 souls at sea. The community leadership should understand we have no truck with that sort of lobbying and that the protection and upholding of respect for our personnel is extremely important.

Lieutenant Kimlin, Dr Davey, and the crew and passengers of the Sea King—call sign Shark 02—were doing what they loved doing, such is the spirit of our young ADF personnel in 2005. Perhaps it is important to reflect that that spirit does not seem to have changed in the weeks leading up to Anzac as we commemorate the youthful spirit and the strength of Australian personnel in past conflicts. HMAS *Kanimbla* was one of the few quickly deployable assets capable of reaching the island of Nias in its hour of terrible need. Our nine service personnel were helping a very important neighbour and were flying the flag of this country. Lieutenant Kimlin and his team died in the service of our country, and they died in the service of humanity. The community must, and I think does, completely understand this.

I express my condolences to Laura Ryan, partner of pilot Lieutenant Paul Kimlin RAN Canberra, and to his parents Ray and Carroll and his two siblings. Lieutenant Matthew Davey RAN, a reserve Navy doctor, from the ACT was a well-known and well-regarded doctor. We just heard the minister go through and detail his accomplishments. Today, on radio 2CN, we heard genuinely respectful and warm regards from hospital colleagues about him and about his work. The other servicemen and women included Leading Seaman Scott Bennet, RAN, observer on Shark 02, Lieutenant Matthew Goodall, helicopter observer, and Sergeant Wendy Jones, RAAF, from NSW. Petty Officer Stephen Slattery, medic, from Western Australia. Squadron Leader Paul McCarthy, ADF doctor and Lieutenant Jonathon King, pilot, from Queensland, and, from Tasmania, Flight Lieutenant Lynne Rowbottom, RAAF.

Our sincere condolences go to their friends and families, and to the ship's company of HMAS *Kanimbla* who at this moment must be doing it pretty tough. But we know they are remaining on station and doing their job regardless. I think that is an amazing demonstration of the spirit and strength of our ADF and its personnel.

Mr Speaker, may the souls of these nine people rest in peace.

Question resolved in the affirmative, members standing in their places.

Public Accounts—Standing Committee Report 2

MR MULCAHY (Molonglo) (12.14): I present the following report:

Public Accounts—Standing Committee—Report 2—*Appropriation Bill 2004-2005 (No 2)*, dated 30 March 2005, including additional comments (*Mr Mulcahy*), together with a copy of the extracts of the relevant minutes of proceedings—

I move:

That the report be noted.

MR MULCAHY: I would like to thank the members of the committee and the secretary and secretariat staff for the preparation of this report. I would also like to thank ministers and other members of the Assembly who attended hearings and those officials who attended as witnesses and observers. I understand it is something of a slight departure from custom in referring this bill to the public accounts committee, as opposed to a specially determined estimates committee. I understand this has not been the past practice, certainly in recent memory, but I think this process seemed to work quite well. If there were to be any comments or criticisms of this process, I suppose paucity of recommendations might be one that could be levelled in that we elected to simply settle with one recommendation of a yes or no. It could be suggested that based on the past estimates committee this is less than ideal. However, this was a prevailing view and it is the one before the Assembly today.

The bulk of attention in our deliberations focused on wage negotiations that contributed to somewhere around \$50 million and therefore comprised a large proportion of the appropriations. But as the record and the report will show a number of other issues were canvassed including the matter of the coronial inquest and related costs associated there, matters dealing with the ACT health system and the issue of stress claims and other such issues. There was also a measure of interest in the future plans for Manuka Oval and the ongoing discussions about the level of activity supported at Manuka Oval. Lastly, and of great importance, there were discussions on the important function of child protection and measures in this regard.

They were the main elements that were canvassed by the committee and comprise our report. On a personal level, I was a little dismayed to hear from the Minister for Industrial Relations that she had failed to secure productivity trade offs, as a result of generous increases awarded in the public sector, and even more dismayed to discover that she had not even sought that. The minister made reference to the pressure being brought to bear on the ACT public sector by commonwealth public service wage increases. In terms of the committee, the view was acknowledged by all that there was pressure from the commonwealth public sector. From a personal perspective, I think little or no regard was given to the similar impacts of those rather generous decisions on the ACT private sector. As a consequence of those concerns, I have added additional comments to the report—they are attributed to me and are not those of the broader committee—strongly recommending that in future the ACT government should seek productivity improvements when providing improvements in employment conditions for the ACT public sector.

The clear message is that pay improvements in the public sector should be accompanied by productivity improvements if we are to overcome some of the service issues facing the territory. Mr Speaker, I would suggest that the solution to every problem is not always simply related to dollars spent. The remainder of the community seeks to see improvements, especially in productivity when increases are awarded. I think the ACT government should feel neither embarrassed nor intimidated by the union movement on this issue and should demonstrate a measure of courage on behalf of the taxpayer.

Taking this matter a little further, the Minister for Industrial Relations appears to look in just one direction, towards the commonwealth, when making decisions in relation to pay increases. She failed to look towards the private sector and to take into account the consequences of her generous decisions in dispensing taxpayer funds. As a result of that, I have elected to submit a further personal recommendation in the context of my additional remarks to the ACT government that in future wage negotiations with its employees, it take formal account of the impact of such decisions on the private sector and the ACT economy as a whole and publish a territory-wide impact statement.

Mr Speaker, I could comment on many other aspects of this inquiry, but I am conscious that this is primarily the work of the committee and I have tried to confine my remarks to the essential and central expenditure areas and the additional comments and formal recommendations I have made. It is worthy of noting that, in terms of the recommendation, I think all of us are of the view that supporting an appropriation bill or not supporting an appropriation bill is a position that is certainly the negative under rather extraordinary circumstances. I am not of the view that those circumstances exist and, as a consequence, we have a unanimous decision in recommending to the Assembly that the bill be passed.

I shall expand on my comments in the general debate on this bill at a later time.

MS MacDONALD (Brindabella) (12.19): I will be brief. I just place on the record my thanks to the secretariat for their very hard work in getting this report to the Assembly by 31 March, last Thursday. We deliberated on this report on the Wednesday night and finished up just after 6 o'clock. We had hearings on annual reports the next day so the turnaround time on behalf of the secretariat was excellent, especially given that the secretary of the committee was dealing with annual reports hearings. Many thanks to Ms Mikac, the secretary, and, indeed, all of the committee secretariat for having done that.

Because of difficulties with timing, and trying to get this done in time for it to be back in the Assembly, we needed to get the Treasurer to appear before us, and we had to do it during the scrutiny of bills conference which, as members would know, was occurring in this chamber. There were a lot of extra desks from committee rooms in the chamber and they had to be moved back into committee room 1 for the hearing, and then moved back in here for the next day's conference proceedings. My thanks to the Hansard staff and all of the staff who helped move the furniture around. I commend the report.

Question resolved in the affirmative.

Legal Affairs—Standing Committee Scrutiny report 6

MR STEFANIAK (Ginninderra): I present the following report:

Scrutiny Report 6 of the Standing Committee on Legal Affairs performing the duty of a Scrutiny of Bills committee, together with the relevant minutes of proceedings.

MR STEFANIAK: I seek leave to make a brief statement.

Leave granted.

MR STEFANIAK: Scrutiny Report 6 contains the committee's comments on 11 bills, 15 pieces of subordinate legislation and nine government responses. The report was circulated to members when the Assembly was not sitting. I commend the report to the Assembly.

Public Accounts—Standing Committee Report 1

MR MULCAHY (Molonglo) (12.23): I present the following report:

Report 1 of the Standing Committee on Public Accounts entitled The 8th Biennial Conference of the Australasian Council of Public Accounts

MR MULCAHY: I seek leave to move a motion authorising the report for publication.

Leave granted.

MR MULCAHY: I move:

That the report be authorised for publication.

Question resolved in the affirmative.

MR MULCAHY: I move:

That the report be noted.

MR MULCAHY: Mr Speaker, I will be brief in my remarks on this matter. I have pleasure in presenting the report of the public accounts committee on the 8th Biennial Conference of the Australasian Council of Public Accounts Committees.

This conference was held at Parliament House in Brisbane from 6 to 8 February 2005. It was attended by 109 delegates and observers including representatives from Fiji, Namibia, New Zealand, Papua New Guinea, Singapore, South Africa and the United Kingdom, as well as all Australian states and territories and the Commonwealth. The three members of the public accounts committee and our committee secretary attended the conference on behalf of the ACT Legislative Assembly. There was a cost to the taxpayer, or a budgetary provision, of about \$8,000. It is for that reason, Mr Speaker, and I am conscious of your close scrutiny of travel expenditures in the territory, that I thought it beneficial to prepare a report on our conference. I am pleased to provide this report, albeit an unusual measure.

Fourteen papers were presented, and reference and details of those are contained in the report. I would draw your attention particularly to the paper presented on behalf of the ACT on outputs-based management and budgeting, and the potential to achieve greater value for taxpayer funds. This is a serious contribution to that discussion. I know the matter of outputs-based budgeting and management is something that have both the

government and the opposition in earlier times has addressed and, at times, struggled with. I think there is a universal view that there may be better ways to proceed from here.

This is a contribution to those discussions and hopefully an element of this will continue in further discussion in the Assembly to improve the method of reporting. I commend the report to the Assembly.

Question resolved in the affirmative.

Public Accounts—Standing Committee Statement by chair

MR MULCAHY (Molonglo): Pursuant to Standing Order 246A, I wish to make a statement on behalf of the Standing Committee on Public Accounts relating to inquiries about certain Auditor-General's reports currently before the committee.

Leave granted.

MR MULCAHY: The reports that are under examination by the committee include the Review of Auditor-General's report No 8 of 2004: waiting lists for elective surgery and medical treatment, Review of Auditor-General's report No 9 of 2004: administration and monitoring of youth service contracts, and a Review of Auditor-General's report No 10 of 2004: 2003-04 financial audits.

On 7 December 2004, Auditor-General's reports Nos 8, 9 and 10 of 2004, were referred to the Standing Committee on Public Accounts for inquiry. Consequently, the committee received a briefing from the Auditor-General in relation to the Auditor-General's report No 8 of 2004: waiting lists for elective surgery and medical treatment and Auditor-General's report No 10 of 2004: 2003-04 financial audits.

The committee considered inquiring into Auditor-General's report No 9 of 2004: administration and monitoring of youth service contracts and resolved that the report does not warrant further inquiry.

In relation to Auditor-General's report No 8 of 2004, the committee has invited submissions from the government and specific community and professional organisations and will hold public hearings in mid-May. The committee is expecting to report to the Legislative Assembly on both Auditor-General reports, as soon as practical.

Workers Compensation Amendment Bill 2005

Ms Gallagher, by leave, presented the bill and its explanatory statement.

Title read by Clerk.

MS GALLAGHER (Molonglo—Minister for Education and Training, Minister for Children, Youth and Family Support, Minister for Women and Minister for Industrial Relations) (12.27): I move:

That this bill be agreed to in principal.

Many of us here today, together with a substantial group of our partners in the community, have demonstrated their commitment to the operation of the ACT workers compensation scheme over a long period of time. This bill makes a minor but important amendment to the Workers Compensation Act 1951. The government would like to enact the bill's minor but critical amendments during these sittings. The bill will extend the operation of the temporary provisions for acts of terrorism that currently appear in the territory's workers compensation scheme.

In June of 2002 the act was amended to include temporary reinsurance provisions for acts of terrorism. The bill would extend the operation of the temporary reinsurance provisions in chapter 15 of the Workers Compensation Act that come into effect if territory workers are injured or killed in a terrorist attack. These provisions were passed following the withdrawal of private sector reinsurance coverage for acts of terrorism in early 2002, in the wake of the World Trade Centre attacks. The provisions ensure that workers' compensation insurers can meet their obligations to fully insure for all work related risks by establishing a temporary emergency reinsurance fund that will come into operation only in the event of a terrorist attack.

The provisions were initially given a temporary life span covering attacks up to 1 April 2004 in order to encourage private sector reinsurers back into the market at the earliest opportunity. This Assembly agreed in 2003 to extend the provisions to 1 April 2006. However, recent world political events mean that only a couple of overseas companies are offering terrorism insurance as an individual product but with limited coverage and prohibitive premiums. Without temporary terrorism provisions, ACT employers and business would be obliged to pay excessively high workers compensation premiums. The attached bill would extend the application of the temporary provisions for acts of terrorism for a further three years. The amendment provisions would apply to terrorist events that occur before 1 April 2009. Such an extension will retain confidence in the ACT workers compensation scheme.

The temporary terrorism provisions include a sunset provision. This bill will move the expiry date of the provisions from 1 October 2006 to 1 October 2009. The government has retained the sunset provisions to continue pressure on the market to develop reinsurance products in the future. These provisions need to be passed during these sittings because the insurance industry informs me that insurers are already writing workers compensation policies covering periods after 1 April 2006, when the current provisions cease to apply.

Mr Speaker, I ask the Assembly to note the Workers Compensation Amendment Bill 2005 and the explanatory notes to the bill.

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

Sitting suspended from 12.32 to 2.30 pm.

Questions without notice

Health—insurance claims

MR SMYTH: Mr Speaker, my question is to the Minister for Health. In the public hearings of the Public Accounts Committee inquiry into the annual reports on 30 March this year, the head of the insurance authority told the committee in relation to insurance claims against the government:

... on about 25 June last year, we were advised of another 165 claims. Our claims to date for that year had been 103.

The head of the insurance authority went on to say that these claims went back as far as three years, including what he called a bad birth and, because they had not been notified within a year of the incident coming to the attention of the territory, the territory had been put at risk.

Minister, why did ACT Health put the territory at risk by not informing the insurance authority earlier of these 165 claims?

MR CORBELL: I was not aware of the comments of the officer—

MR SPEAKER: Order! This is a matter that has yet to be reported to the Assembly. Standing order 117 (e) states:

Questions shall not refer to ... proceedings in committee not reported to the Assembly.

I think I will rule your question out of order, Mr Smyth.

Mr Smyth: This is a matter that was publicly broadcast. This is information that has been put out further afield. This is information that has been actually broadcast and televised into the community. It is a community matter.

MR SPEAKER: The Clerk just raised the issue about what if the committee wants to make a recommendation in relation to this matter that you have raised. It is a proceeding in committee not yet reported. The general principle is that we do not try to jump the gun on committee recommendations.

Mr Smyth: Mr Speaker, it does raise a difficulty. That would mean that, for instance, when the budget is dropped in this place—and the tradition has always been that questions can be asked on the budget—

MR SPEAKER: Indeed, Mr Smyth, but your question was specifically in relation to proceedings in a committee.

Mr Smyth: Budgets are then sent to committee and questions still continue to be asked.

Mr Stanhope: On a point of order, Mr Speaker: the question went directly to evidence given before a committee. The circumstance that the Leader of the Opposition adverts to

is completely different. The question was specific and went to evidence given before a committee and was based on that evidence.

Mr Smyth: And evidence in this place that has been heard before committees has been the subject of questions. Is this a public matter? It is out there on the record. It was broadcast by the Assembly. I understand the transcript is now available on the Assembly website. It is a matter that can be discussed everywhere but not in the Assembly. It seems illogical that you cannot ask this question.

MR SPEAKER: Your question referred to proceedings in the committee. It, therefore, falls foul of the standing orders. You referred to the proceedings in the committee, and you cannot do that.

Mr Smyth: I appreciate what you say, Mr Speaker. I could quote back examples on, for instance, the Williamsdale quarry in the last Assembly where evidence was given—

MR SPEAKER: You can rephrase your question if you wish, but I think, in the form that you have put it, it just does not stand scrutiny in the context of the standing orders.

MR SMYTH: My question to the minister is: were there any claims from the ACT department of health that were not notified to the ACT Insurance Authority in time for that claim to be covered by our insurance policies?

MR CORBELL: I will take the substantive part of the question on notice. I will need to find out what the numbers are. The issue that, I think, members need to be aware of is that there is a difference between claims and notification of potential claims.

Mr Quinlan has just passed me a copy of the relevant *Hansard*. Without alluding to the proceedings of the committee, it would appear that the discussion was around notification of incidents that may lead to claim. That does not mean a claim has been made and received by the territory. It does mean that the hospital is obligated to advise the insurance authority of the potential for claim. That, I think, is the matter Mr Smyth is asking about. I will find out the circumstances to which he has alluded to see whether they are accurate and provide that information to the Assembly.

MR SMYTH: Mr Speaker, the supplementary is—and I assume the minister will take this on notice as well: can you find out what number of potential claims were not notified to the insurance authority, what years they came from and what potential liability this puts the ACT Treasury under?

MR CORBELL: Yes, I will need to take that question on notice. Again, I want to stress that the issue of the notification of incidents that may lead to claim is, I understand, a requirement of our re-insurance policy. The insurance authority is required to be made aware of any potential incidents of claim within a particular period of time. I will take the substantive part of Mr Smyth's question on notice and provide that information to him at a later date.

Treasurers conference

MS MacDONALD: My question is directed to the Treasurer. Can he report to the Assembly on the outcome of the Treasurers conference recently held in Canberra?

MR QUINLAN: This is an important question to raise in the house. A couple of weeks ago I attended the Treasurers council. It went according to form—it is usually a bit of a set piece—other than an item called “review of state taxes”. It boiled down to the fact that the federal Treasurer has demanded that taxes that it was agreed in the intergovernmental agreement that supports the GST would be reviewed would now be abolished.

In fact, I think Mr Costello is effectively rewriting the intergovernmental agreement. The intergovernmental agreement was signed in June 1999 by John Winston Howard, Robert John Carr, Jeffrey Gibb Kennett, Peter Douglas Beattie, Richard Fairfax Court, John Wayne Olsen, James Alexander Bacon, Kate Carnell and Denis Gabriel Burke. The point of listing those names is to advise the house that, of the eight states and territories that signed that agreement, three were Labor and five were Liberal.

The Treasurer—having been part of this—claims all the credit for the introduction of the GST. He has claimed that these taxes put forward in the intergovernmental agreement to be abolished and taxes to be reviewed were those put forward by the states. It is important to recognise that the states and the people of the states have since changed many of the governments that signed this agreement. I would think that all states and territories would be bound by the agreement. There is no argument that we are bound by what is the letter of the agreement.

The states and territories have in fact abided by the letter of the agreement. However, it is being re-interpreted. One would assume that, if it were to be re-interpreted in some way or other, it would be re-interpreted by the governments of today. And those governments of today, of course, are of a different balance. It is unlikely that the balance of states would focus, as the previous group did, on business taxes, particularly business taxes alone.

What we have from the federal Treasurer is a rewrite of the agreement—his own reinterpretation. And we have some fairly thinly disguised, if disguised at all, threats—ill defined, but nevertheless definite threats—in relation to the continuation of the intergovernmental agreement and the GST arrangements now in existence.

All state representatives, no matter what side of politics they represent, should be very concerned about this matter. A number of taxes were to be subject to this review: they number seven all up; three of them are not applied in the ACT these days anyway, and four are. From those four, next year we expect to gain about \$50 million. If we abolish them all immediately, that is \$50 million off our revenue.

The push from the federal Treasurer is more for phased abolition of those taxes. But \$50 million! To put that into context, we are about \$50 million ahead on GST, until you take into account the elimination of productivity payments; until you take into account the fact that the ACT has been singled out and corporate regulatory fees have no longer

been repatriated to the ACT. If we did all this, the territory would be about \$20 million behind. That is of great concern to all of us here, and all the states and territories.

MS MacDONALD: Mr Speaker, I have a supplementary question. What consequences are there for the ACT that flow on from the council?

MR QUINLAN: Of immediate concern to us here is the pressure that is being applied by the federal Treasurer, backed up by the Prime Minister and backed up by threat. We rather suspect that Howard and Costello might in fact want to effectively renege on the intergovernmental agreement that governs the GST because they now have the prospect of unfettered power, having an absolute majority in both houses of parliament. So they can undo the GST.

In recent days, we have seen a propensity on the part of the commonwealth to try to place more and more conditions on various funding provided to the states and territories. We have seen those productivity payments disappear. We have seen that money then used to fund a Liberal promise in the 2001 election to do something about salinity in water, but to tie the states to matched funding and tie the states to applying for that money—and it must be used in water reform and it must be matched. Effectively, it is being taken away. We have seen a greater propensity on the part of the commonwealth to tie those funds.

What is of more immediate concern locally is the reaction of our opposition here, who have come out and supported Mr Costello. You are supporting Mr Costello in his efforts to reduce revenues that come to the states and territories.

Mr Mulcahy: To give the people a tax break; you won't give them a tax break—the people of Canberra.

MR SPEAKER: Order! Mr Mulcahy.

MR QUINLAN: Not the people; these are business taxes. These are not people taxes; these are taxes applied to business. Are we going to have this naive bloody interpretation of economics that says, “What’s good for business is good for everybody. If we have business welfare in the territory—if we have conditions that are inequitable and favour business over private citizens—then automatically the good will flow to the private citizen.” I have to say that I am a little bit sceptical about that.

We have an opposition that wants to support the federal government. Every state and territory government may well find itself in a position of being in government at the same time as their party is in federal government. That causes certain strains. But I expect everybody in this place to have, as their first allegiance, the people of the ACT, even though it may place them in conflict with their federal members, to whom I can now sense a desire to pander—to agree with them at every corner.

It is very important to the people of the ACT that their government represent them. Inevitably, there will be tensions between the states and territories and the federal government, particularly in the area of funding and taxation. You have to make up your mind whether you are here to be an apologist for Peter Costello or whether you represent the people of the ACT.

You cannot just slavishly follow all the lines of Peter Costello—a man who is not given to logic and reason in his dealings. He has been described, quite aptly, as a bully. If you want to back him in his bullying tactics—those tactics that could cost the citizens of the ACT funding available to them up to \$50 million a year—you really have to take a good look at who put you here in the first place and whom you are elected to represent. I think it is the people of the ACT. If not, be honest and say so.

Civic Square—redevelopment

DR FOSKEY: My question is directed to the minister responsible for the construction of the new library and relates to ACT government plans for Civic Square. The Chief Minister in a 24 January media release commented:

The project will enliven the Civic Square cultural precinct, significantly increase community usage of the square ...

The architectural model of the new civic library and link building design on display in the foyer of the Canberra Museum and Gallery does not show any change to the layout of the square, apart from the entrance to the library. Civic Square is an important space that has the ability not only to draw traffic but also to be a place for community resting, reflection, celebration, protest and demonstration.

How does the redevelopment of Civic Square figure in plans for the new \$14 million Civic library and link building and is it being considered within the Griffin legacy plan for Civic?

MR STANHOPE: I am aware, of course, as all members would be, of some commentary of recent times about the architectural appropriateness and consistency with some of the initial planning ideals of those who planned the city, particularly in relation to the major axis of Ainslie Avenue and the impact of constructions within Civic Square—indeed, views about the extent to which the construction of the library in Civic Square might impinge on its identity as a major community space. All of these issues were taken into account in the very long gestation of the civic library. This is a project that has now been in planning for well over four years. It is a project initiated by the previous government and inherited by my government. It has been consulted on exhaustively over that period by successive ACT governments. Much of that consultation involved the NCA, because of the national capital implications.

In relation to the issue at the heart of the question around its consistency with planning principles, and particularly those that relate to the role of Ainslie Avenue as a major axis within the plan, the ultimate design of the library was approved. In fact, it was modified and then approved by the NCA to ensure that it did not impact or impinge on those values. It needs to be remembered that, in the context of issues that are now being raised around the potential impact of the library on those national capital aspects, the design was changed, amended, to reflect the views of the NCA on that specific issue. The design that was finally approved and that the ACT government committed to was, essentially, an NCA approved plan.

There is a real issue with the attractiveness of Civic Square as a place of, as you say, visitation or reflection or of utility by the people of Canberra. I personally believe it to be perhaps the most under-utilised space in Civic. I have always felt that one of the great attractions—almost the attraction for the placement of the library in Civic Square—is the capacity to draw into this major public space that very significant public library clientele. I understand that there are in the order of 110,000 visits to the Canberra library annually. It seems to me that the location of the library in Civic Square and its ability to draw into Civic Square those 110,000 people as they visit the library is the most powerful argument for supporting the location of the library in that space. Civic Square will become a focus; it will become a genuine public space and not the desert that it generally is throughout the year.

In fact, Civic Square—particularly through winter—is one of the loneliest and bleakest places in the heart of the city. I think it desperately needs some attempt at enlivening it, giving it some life and allowing it to be what we would hope for it—namely, a genuine heart for the city. It is a bleak, barren and most unfriendly place—rendered unfriendly, I think, by the absence of people. It is a place that essentially is ignored, constantly, regularly, repeatedly by the people of Canberra. That is why I support, along with the previous government, the location of the library in Civic Square.

DR FOSKEY: Given then that perhaps we both agree on the need for the redesign of Civic Square, I do not necessarily feel that you addressed that part of my question—

MR SPEAKER: Dr Foskey, come to the question. There is not to be any preamble in supplementary questions.

DR FOSKEY: Thank you. Over what time period and with whom is the government consulting on the possible redevelopment of Civic Square?

MR STANHOPE: This government and the previous government, over a four-year time frame, consulted extensively with the community, through public consultative processes, to locate the civic library in Civic Square. There will be the development of a library in Civic Square. Construction has commenced. There will be no further development, over and above that, in Civic Square. I do not anticipate any more consultation on the development of a library in Civic Square. Consultation is complete and construction has commenced. There will be, as far as I am aware, no further development of Civic Square, over and above that of the library, which is currently under construction.

Disability services—insurance claims

MR MULCAHY: My question is to the Minister for Disability, Housing and Community Services. Is it the case that Disability ACT has refused to provide adequate detail about potential claims for compensation against the department to the Insurance Authority? If it is the case, why is your department refusing to provide adequate detail about these claims to the Insurance Authority?

MR HARGREAVES: No.

Crisis accommodation services

MR GENTLEMAN: My question, too, is to the Minister for Disability, Housing and Community Services. Can the minister please advise the Assembly of recent improvements to crisis accommodation services for families in Tuggeranong?

MR HARGREAVES: Yes. I had the great pleasure last week of opening the new YWCA offices in Tuggeranong and of launching their new family crisis accommodation program for families in the region. The funding of a crisis supported accommodation program for families in Tuggeranong was a key objective of *Breaking the cycle: the ACT homelessness strategy* and the government is keenly aware of the need to support disadvantaged families in the Tuggeranong region, and indeed across all of Canberra.

The new service, Families Experiencing Accommodation Transition in Tuggeranong, FEATT, provides an opportunity for homeless families to be accommodated in six houses across the Tuggeranong region. Incidentally, when we think about homeless people, very few of us think about families being homeless; we usually think of a homeless man. That seems to be the image conjured up and we often forget that there are whole families that are homeless. I was pleased that the YWCA, with its reputation for delivering high-quality services to homeless families and its established youth services in the region, was the successful tenderer for this program.

FEATT is the only family crisis accommodation service in the Tuggeranong region. Its regional focus allows families to maintain a link to their community. This is particularly important for families with school-age children. It gives kids a chance to stay connected to their schools and other support at a time of great upheaval in their lives.

The staff at FEATT are working hard with families to lessen the impact homelessness has on children. With a specialist children's worker, the needs of children are at the forefront. Last year, one in 54 children aged zero to four in Australia attended a homelessness service with their family. In the ACT, 750 kids were supported by services such as FEATT.

Developing the connection families have with their community is an essential component of the crisis support provided to families at FEATT. It is also important to note that each family is allocated a housing support worker to assist the family to obtain long-term accommodation and to offer support to link the family to the Tuggeranong community, and to continue and maintain those links.

The ACT government has committed almost \$3.1 million to new homelessness services this year, over and above the \$4.8 million it already provides to the supported accommodation assistance program.

FEATT has been funded through the 2003-04 budget initiative "Responding to homelessness". The new service receives more than \$450,000 through the ACT Department of Disability, Housing and Community Services.

MR GENTLEMAN: I have a supplementary question, Mr Speaker. Can the minister advise of similar services operating in other parts of the ACT?

MR HARGREAVES: Sure. I thank Mr Gentleman for allowing me the opportunity to advise the Assembly that, through the development of *Breaking the cycle: the ACT homelessness strategy*, the Stanhope government has increased funding to address homelessness by 86 per cent. The ACT government now funds 53 crisis medium and long-term supported accommodation and associated support services.

New supported accommodation services similar to the YWCA service at Tuggeranong include services for single men, families and couples, and associated support and outreach services for men, women and young people. Funding for the establishment of family and outreach services for Aboriginals and Torres Strait Islanders has also been provided.

Other new supported accommodation services funded by the ACT government as part of the homelessness strategy include supported accommodation for 20 single men, six families in west Belconnen, six families in Gungahlin, six families in Tuggeranong, six sole-father families and six couples. These include:

- the new Canberra Fathers and Children's Service supporting single fathers with their children. This service receives \$450,000 per annum from the ACT government and supports four families at any one time in refuge style accommodation, and six families in individual properties in the north of Canberra.
- the Beryl Women's Refuge supporting women escaping domestic violence. This service receives over \$600,000 in funding from the ACT government and supports four families in central Canberra.
- the St Vincent de Paul Caroline Chisholm service supporting families with at least one child under 18. This service receives over \$400,000 in funding from the ACT government and it supports four families at any one time in the south of Canberra.

Time does not permit me to list all the 53 services that this government is funding, but this gives the Assembly some examples of the help we are giving Canberrans as a result of our homelessness strategy.

This government is committed to finding solutions to the homelessness challenge that is facing the ACT as well as the whole of Australia. Over the next five years, the Stanhope government will increase its funding to the supported accommodation assistance program by \$21.7 million. From 2005-06 to 2009-10, the Stanhope government will be providing over \$47 million towards SAAP services. In comparison, the funding provided by the previous Liberal government in their final full year in office of 2000-01 was \$4.3 million.

I also contrast that with the approach of the federal Liberal government towards the supported accommodation assistance program, where they are holding out and not recognising the initiatives that the ACT government has employed since 2002-03. It is appalling. I hear the murmurings of "What?" across the channel. It is the bleating across the channel. If the federal Liberal government does not recognise the leap forwards—the significant increases that the Stanhope government has put into supported accommodation assistance—the people of the ACT will be considerably worse off, as

will indeed be people throughout the country. Then the continuation of homelessness, and the despair and the despondency that go with that, will rest at the doorstep of Senator Kay Patterson.

Schools—ovals

MRS DUNNE: My question is to the minister for education. Recently, minister, Chisholm primary school had to cancel its athletics carnival because its oval was not fit for use due to lack of watering over the past year or so. We now have 57 hectares of category three ovals not being used, and most of these ovals are school ovals. Given that the government requires students to undertake a certain amount of compulsory sport and that children face a range of health risks from lack of physical activity and sport, this situation seems to be unsustainable in the long term. Minister, how many schools have had to cancel athletics carnivals or other sports events since the beginning of the year?

MS GALLAGHER: I am not aware of any other schools that have had to cancel sporting events or athletics carnivals this year. There is an issue for schools that have led the way in reducing consumption of water, schools being large users of water. From memory, the department of education set a target to reduce water usage by 40 per cent. The schools exceeded this target, but it has led to school ovals suffering significantly and a reduced level of activity being allowed on those school ovals.

There has been strategic planning done to ensure that schools that have no other options, that is, no other ovals near the schools for them to use, have had their school ovals maintained. But for those schools that have other options—ovals nearby that are being watered—their watering program has been reduced. It is an issue for us. Once the drought eases, we will have to do significant remediation work. It is one of those things. We have reduced water consumption in schools and that has led to a detrimental effect on school ovals.

I should say, though, that schools have been extremely good in ensuring that the level of physical activity, as required, as mandated, is organised in other areas of the school. Schools do not do their physical exercise only on school ovals. There are a number of places where these activities happen—gymnasiums, halls, in quadrangles, inside the school and in other grassed areas outside the ovals. I can assure you that the physical activity requirements in schools are being met and that the health and wellbeing of children is not being disadvantaged by the reduction in water consumption in schools.

Sport and recreation—ovals

MR STEFANIAK: Mr Speaker, my question is to the Minister for Urban Services. Minister, you recently stated publicly that, “The Government needs to be satisfied that some communities still need their ovals.” That was in relation to our deteriorating ovals. What will communities need to do to convince you that their local area still actually needs an oval?

MR HARGREAVES: We know the result of the effects of drought on our ovals—and the choice of types of grasses in the past. I am not going to lay it at the feet of any particular former government, but this has led to the demise of many of our sporting fields and ovals. It would have been decidedly inappropriate for this government to have

kept the ovals nice and green and lush and ask the people of the ACT to tighten their belts in respect of the usage of water on their own gardens. A decision was taken, in some cases, to scale down the water applied to these ovals—and, in some cases, taps were completely turned off.

Once the drought is broken we will start to look at each of the ovals. We have already started looking at each one to see whether or not they can be rejuvenated rather quickly. If they can, we will go down that track, but that will not be able to happen to some of them without some significant injection of funding and innovations. Those innovations mean the types of reseeded that have to go on. Of course we will put soil back onto the ovals. Remember that most of these ovals are compacted pretty badly—you could lose a truck in the holes in them! That will need to be remedied.

It is also true to say that there has been a lot of work done by CSIRO and within our own horticultural services to come up with strains of grass which are considerably more drought resistant than the ones we have now. So we will need to be looking at those reseeded programs to see just how the ovals can be replenished.

Let me say quite directly, in answer to Mr Stefaniak's question, that it would be quite inappropriate of this government to merely go and put something back which is entirely dead if the community demographic does not call for it. If the community demographic has gone from predominantly school-aged children to considerably older ones, it may very well be that people want to maintain the urban open space, but not necessarily in the nature of a school-type oval. Just to put the little rumour mongers in their places, Mr Corbell in fact, prior to the 2001 election, committed an incoming Stanhope government to the maintenance of urban open space.

Let me reiterate the undertaking from my colleague Mr Corbell. He said, if I remember correctly, that there shall be no reduction in urban open space unless the community has called for it—unless the community is saying it really wants it. Of course I reiterate that commitment but, if we have a suburb which is predominantly occupied by people who do not need a school-type oval—they may want it returned to some other form of urban open space—it would be a deaf Liberal-style government that would not listen to them.

This government actually moves forward in the company of the community, not in spite of them. We do not herd the community; we go with them and we respond to them. We put ideas before them and those ideas are embraced or picked up by the community; they are not rammed down their throats.

Further, our activities in rejuvenating the grass will be through horticultural expertise, not through a bucket of green paint. I will undertake to the Canberra community right now that we will not paint one blade of grass green. We will in fact rejuvenate the urban open space towards the relevant recreation of the people who live around it.

MR STEFANIAK: Mr Speaker, I have a supplementary question. Minister, what will you do with the land if you are not satisfied that a community needs its oval—apart from not painting it green?

MR HARGREAVES: I say this once again because I understand that, with advancing years, Mr Stefaniak is getting a touch hard of hearing. We will maintain the levels of

urban open space. That is what Mr Corbell said and that is what I have said. I cannot wait for Mr Stefaniak to get up and say, “Minister, did you say that you were going to maintain all the urban open space?”—to which I will reply, “Yes, of course.”

The nature of the urban open space, the nature of the green space, is in response to what the community wants. If you want to have a look at what other uses may be applied to urban open space in terms of our policy, you can revisit the speeches from Mr Corbell. You can read each of them—indeed I challenge you to do so. I put it to you that there has been no change of plan. You have not stumbled across a cunning plan.

Mr Mulcahy: No. We just keep tripping over barren ovals!

MR HARGREAVES: I am sorry, but Blackadder’s offsider has not been at play. There is no cunning plan to change the urban open space in this town.

Sport and recreation—ovals

MR SESELJA: Mr Speaker, my question is to the Minister for Planning. I refer to recent statements in the media, reported last week, regarding the potential sale of ovals in Canberra suburbs for development. Minister, will you rule out the sale of ovals for development during the term of this government?

MR CORBELL: Yes, I will. Further to that, it is probably worth highlighting the irony of the question. I can recall Mr Stefaniak’s department, when he was Minister for Education, having a lot of interest in the sale of all sorts of government assets, including ovals. I think Manuka swimming pool was in there for a while. It was only when that was highlighted—

Mr Stefaniak: Guess what, Simon? I ruled it out, too.

MR SPEAKER: Order, Mr Stefaniak!

MR CORBELL: They asked for it, Mr Speaker; they really did. They walked into that one.

Those issues were highlighted by the then Labor opposition, and followed very significant public opposition to your audit of urban open space. Remember some of the comments that came with that audit of urban open space—“a great block”, “well-elevated”, “360-degree views”. I remember that one distinctly. “360-degree views” was the way one public park in Fisher was described by the previous government. You do not talk about parks having wonderful views unless you want to realise on the asset. That is exactly what that government was on about. Mr Smyth, as planning minister; Mr Stefaniak, as education minister; Mr Humphries, as Treasurer—they were all on about identifying those areas for sale.

In contrast, this government has moved to give better protection to Canberra’s urban open spaces. What we have done—and it is out right now for public comment—is develop a variation to the territory plan that provides additional protections for urban open space in the ACT. That variation also involves, for the first time, identifying that

school grounds help contribute to the urban open space network in the ACT and that proper regard has to be had for them in any future use of those school grounds.

That is the government's record on urban open space. That is the government's commitment to maintaining our open space network. In contrast, the history and record of the Liberal Party is a dismal one indeed.

MR SESELJA: Minister, when will the promised referendum to preserve urban open space occur?

MR CORBELL: The government is progressing our commitment through the variation to the territory plan that is currently in the public discussion phase. That draft variation outlines additional protections. It includes the protection of areas that contribute informally to the urban open space network in the ACT as well as properly recognising those areas of formal urban open space.

That has been the government's approach. It is one that we think is delivering our commitment, and we will be continuing with that. I look forward to the Liberal Party's support for moves to give greater protection to and recognition of the contribution urban open space makes to the amenity of Canberra's suburbs and public places.

I trust that Mr Seselja will be able to convince his colleagues of that, those who wanted to sell off the parks, the ovals and the swimming pools. You have got a big job in front of you, Mr Seselja, to convince Mr Smyth and Mr Stefaniak because, when they were ministers, they were the sponsors of projects designed to sell off urban open space for residential development.

I still have the freedom of information material in my office, if Mr Smyth wants to see it. It is a very large wad of paper. It talks about all sorts of things, including identifying parks as "having 360-degree views" or "nice, level site"—all these sorts of things. Mr Smyth, I know, does not like this, but the fact is that this work occurred during the term of the previous government. It was exposed by the Labor opposition and it is one of the reasons now that you sit on that side of this place.

Crime—drink spiking

MR PRATT: My question is to the Minister for Police and Emergency Services. Mr Hargreaves, there were more than 80 incidents of drink spiking in the period between February 2004 and February 2005. This compares with eight incidents between August 2003 and February 2004. Despite this massive increase in incidents, no charges have been laid by police and no offenders have been identified. Why have the police failed to catch anybody in the past year and a half, given that the number of incidents has skyrocketed?

MR HARGREAVES: I thank Inspector Clouseau for the question. There is a simple fact. These are reported incidents. They are reports. They are not actual incidents.

MR SPEAKER: Mr Hargreaves, refer to members by their proper names, please.

MR HARGREAVES: I will take your advice, Mr Speaker. The fact is these are reports. They are not necessarily incidents. In fact, we would be surprised if there were not considerably more incidents than those that have been reported. Mr Pratt would like everybody in the ACT to have an AFP bodyguard. That would require 337,000 police officers in this town.

Let me outline some of the things that have actually occurred in the last year or so regarding drink spiking. Members would probably recall me mentioning this before. I hope they would. There has been the emergence of a partnership between the police, the operators of licensed premises and the communities themselves.

Mr Pratt: I see. So arrests are out?

MR HARGREAVES: Mr Pratt interjects repeatedly, Mr Speaker. I have only two alternatives. One is to ignore the ramblings of an idiot. The other is to respond. I am trying my desperate best to resist that temptation.

MR SPEAKER: It would be easier if you did not respond to interjections.

Opposition members interjecting—

MR HARGREAVES: I point to the clock, Mr Speaker.

MR SPEAKER: It would be much easier if the opposition did not intervene. I so order! No more interjections, please.

MR HARGREAVES: Thank you, Mr Speaker. The partnership between the police, the operators of licensed premises and the community has in fact been the prime motivation for these increased reports. People are now considerably more aware that drink spiking is a very dangerous issue indeed. Twenty years ago, drink spiking went on. Mr Pratt no doubt indulged in it himself. I wonder rhetorically—

Mr Smyth: Point of order, Mr Speaker! That is appalling and it should be withdrawn.

MR HARGREAVES: Look at that! That has got to be a record, Mr Speaker.

MR SPEAKER: Mr Hargreaves!

MR HARGREAVES: Like hitting a cash register.

Mrs Dunne: Mr Speaker, I ask you to direct Mr Hargreaves to withdraw the imputation that Mr Pratt is a drink spiker.

MR SPEAKER: Please withdraw that remark Mr Hargreaves.

MR HARGREAVES: I withdraw that, Mr Speaker. In times past, an increased amount of alcohol in a mixed drink was given to people for nefarious reasons. Let me put this to you. That is drink spiking. It goes on today. It is also true that chemicals are put into

drinks. That is drink spiking. But these things are done in the dark. They are done by people who are sneaky, cowardly individuals.

It is true that undercover agents—not as many as Mr Pratt would like; at the minute we are about 220,000 undercover people short—actually do frequent premises. Because of the increased reporting, they are now building up a body of evidence where they can visit specific nightspots. That is happening, as we have seen.

As every member here will know, there is a difficulty in finding the actual perpetrator after an event. When a person's symptoms are revealed, it is often well and truly after the offence has been committed. It is particularly different on a lot of occasions to find out whether there was a chemical introduced or just an increased amount of alcohol. When a chemical has been introduced, often by the time the person has recovered sufficiently there is no memory. It is very difficult to find any residual chemical within the system.

Without sufficient evidence—as Mr Stefaniak might like to enlighten Mr Pratt—able to be tested in court, prosecution is difficult, if not impossible. The solution to this has to be a community partnership. People have to take responsibility and go along with it. The licensed premises operators nowadays are doing that. They are keeping an eye out. They do not want this stuff going on in their premises either. The next time Mr Pratt visits one of our lovely nightspots, he might find a coaster on top of the drink. That means that he has walked off and left it for somebody to spike.

Asbestos

MRS BURKE: Mr Speaker, my question is to the minister for housing. Minister, given the publicity and advertising campaigns warning people of the dangers of asbestos, what processes are currently in train to identify and advise tenants who are living in public housing properties that may contain asbestos? What contingency planning has the government done, in the event of any claims against it for damages by tenants, in relation to exposure to asbestos?

MR HARGREAVES: We have examined all of the housing premises and have determined the level of asbestos that is in there. It is on the public record.

Mrs Burke: Could the minister repeat that? I am sorry; I did not hear you.

MR HARGREAVES: It is on the public record. We have done it; it has been done.

MRS BURKE: Mr Speaker, I have a supplementary question. Minister, have there been any claims for compensation from ACT Housing tenants claiming to have been exposed to asbestos in their properties? If so, how many have there been?

MR HARGREAVES: Not to my knowledge, Mr Speaker.

Seniors week

MS PORTER: Mr Speaker, my question is to the Chief Minister. Chief Minister, we again celebrate seniors week in the ACT. Can you please inform the chamber of the

program for the week, and of the ACT government's support for programs to promote active ageing and support older citizens in our community?

MR STANHOPE: I thank Ms Porter for the question. Indeed today is seniors week and, during this week, we aim to celebrate the contribution of older Canberrans to shaping and building our community. The program for this week includes the traditional Chief Minister's breakfast, now, I think, in its seventh year, that I had the pleasure of attending yesterday; a major concert—"A month of Sundays"—a play about older people in a nursing home, which opens tomorrow night; and the announcement of lifetime achievement awards on Thursday; as well as a full range of other programs.

It is a very broad program which features seminars, a photographic competition and exhibition, computing classes, a debate, a day at the races, a tai chi demonstration and the seniors Olympics, which the minister for sport attended today as minister and potentially as a senior. During the week seniors can enjoy free bus travel, free hearing screening and discounted cinema tickets.

The government is very proud to support seniors week and we welcome the opportunity to again thank older Canberrans for their hard work and commitment. This year the government has significantly boosted funding for seniors week. We have made a direct contribution of \$30,000 for the running or support of seniors week, support that we will continue in future years. The Public Trustee's office has provided a further \$10,000 in cash to support the "Life's reflections" photographic competition being run at COTA headquarters in Hughes. I encourage all members to visit that very significant photographic exhibition.

We support seniors week because we believe in valuing older residents of our community. We believe that they are a tremendous asset to our community. They have a fundamentally important role to play; and, of course, they are most important in providing so much of the cement that binds our community and makes it the wonderful place it is.

It is important that we stop some of the practices that have impacted on attitudes towards seniors—the view that they are a drain on the public purse; that they are an ever-growing group of people who, in some way, are a burden, which is far from the truth. We need to stop thinking of our ageing population in bleak terms. We need to understand that this is one of the major issues facing our community.

I think that, as of now, there are something in the order of 37,000 people of 60 years and over within the ACT community. Our demographers have calculated that, within the next five years—perhaps by 2010—that could have increased by another 23,000 people to around 60,000 people of 60 years of age or over. That provides a stark example of the issues that face us as a rapidly ageing community.

The government is doing as much as it can and giving real priority to ensuring that we support our seniors and acknowledge their major contribution, in the past and into the future, in establishing and maintaining this city. That is why we have developed a whole new approach to the development and support of aged care accommodation through our strategic plan, *Preparing for an ageing community*.

We also have the Canberra gold awards, which I was pleased to inaugurate last year and which were first presented on Canberra's 92nd birthday just last month. I had the enormous pleasure of presenting certificates—along with colleagues—to just on 1,000 men and women, each of whom have given more than five decades of life, service and support to the Canberra community in a whole range of ways. Those awards are a small but I think very meaningful and important symbol of the great regard in which we hold longstanding residents of our city. They are an acknowledgment of the important role each of them has played in building our community from the ground up.

Our commitment to older Canberrans is not evident just on Canberra Day or during seniors week; it continues all year. I think, nevertheless, that there is in this seniors week, with the full range of events being conducted by and for seniors, an event that would enable each of us to show our genuine appreciation to Canberra's older residents.

MS PORTER: Can the minister inform the chamber of the outcomes of the inaugural seniors grants program?

MR STANHOPE: I am pleased to be able to do that. This is a new grants scheme. It was initiated by my government. I think it is a terrific new initiative. It is to help people to age actively and to stay connected to the community. It is very, very consistent with our aims, through the social plan, to ensure that everybody in our community of Canberra has the opportunity to continue to participate as they wish within society. It is very important that we do more and more to ensure that that degree of capacity for connectedness is there.

This year, the inaugural year of the seniors grants program, 38 groups have shared a total of \$76,000 in grants. The grants will provide invaluable opportunities for seniors to get out and share their knowledge and experience with the community, encourage exercise, get people singing, help them with the internet, et cetera. The projects and activities that have been granted funds are incredibly diverse. I think there is something there that would allow us to support a whole range of activities for seniors within the community.

Some of the programs that will be supported through this year's grants scheme include: the Canberra Mothercraft Society will run a course to support grandparents caring for children; the ACT Jewish community has received funding to develop an oral history project; Tuggeranong Valley FM will run a program to recruit seniors to present community radio programs; the Canberra Seniors Centre will offer beginners computer classes; Goodwin Aged Care Services has received funding for a weekly exercise program for their residents; and new theatre awards will recognise the tremendous contribution of seniors to arts and culture within the ACT.

It is very pleasing that we were able to fund 38 of the groups that applied for funding. Very many missed out. It was very popular. It is a program that has been funded by the government into the outyears. I look forward, over the years, to seeing other groups caring for and concerned about the life and connectedness of our seniors joining in and receiving funding under this very, very significant program.

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

Supplementary answers to questions without notice

Disability services

MR HARGREAVES: Mr Speaker, I would like to clarify a statement I made in question time on Wednesday, 16 March 2005 in relation to individual support packages by providing some additional information. I know that the issue is very complicated and sometimes people either misunderstand or misinterpret what is said. We talked about our connection with people who did not get an ISP. I sent a letter notifying those people of their lack of success. Whilst the letter to applicants did not contain a specific invitation to contact the department, the application pack did have full contact details. If applicants contacted the department, they were provided with information in relation to the ISP funding process and, if required, were directed to officers involved in the support funding process. The applicants were also welcome to meet with the executive director, if requested.

Mr Speaker, the 15 people who were short-listed and who did not receive a support package have had a comprehensive assessment and, where possible, were linked into an alternative support. A large number of unsuccessful applicants are already linked to support and alternative service providers. However, this may be inadequate and we will continue to work towards improving their outcomes over the long term. The department has an open door policy and meets with individuals and families on request.

I do, however, appreciate that there remain many instances of people with legitimate needs in our community. In fact, on 22 March this year I attended a public forum facilitated by the Client Guardian Forum and TAS Housing where both individual and general issues of support to the disability community were raised directly with me. Additionally, I met with representatives of the sector and the Disability Advisory Council who raised similar issues with me. The government remains committed to working closely with the community in addressing the needs of those with a disability.

Indeed, since assuming the ministry, I have met with an enormous number of people involved in the disability and housing sectors and I have met with a lot of these organisations on more than one occasion. In fact, the feedback has been that the Stanhope government has connected more with the disability and housing sectors than any government before it.

Asbestos

MR HARGREAVES: Mr Speaker, I would like to provide some additional information to Mrs Burke with respect to the asbestos program within public housing. In fact, there was action only yesterday which impacts on the question that she asked. The Dangerous Substances (Asbestos) Amendment Act 2004 requires owners and occupiers of homes or other premises to advise in writing what they know about materials containing asbestos in their premises to tenants and prospective tenants, prospective buyers and persons doing relevant work at the premises, for example, construction and renovation—that is, to tell people what we know already; not what we are going to find out, future stuff.

The Department of Disability, Housing and Community Services owns 11,500 public rental properties, about 80 per cent of which were built prior to 1988 and therefore are

likely to have materials containing asbestos, such as lagging of piping and that sort of stuff. The department has not undertaken specific asbestos audits of its properties. Condition audits were done on many Housing ACT properties during 2004 and some information about materials that could contain asbestos was obtained from that. This is the sort of information that one hands over to the asbestos task force; tell them what types of things may be present, remembering that one of the big messages coming out of the task force is that asbestos is at its most dangerous when disturbed. So we do not go about disturbing it if we can help it.

Mr Speaker, in terms of actions taken to comply with the legislation, the department has prepared letters and a form complying with section 47J of the act entitled "Managing Asbestos: Advisory Forms" for all of its properties. The advisory forms contain information based mainly on the 2004 condition audits. That is the bit I wish to clarify for Mrs Burke: the information we got out of the condition audits in 2004 has been conveyed to her tenants. It does not necessarily apply specifically to particular premises, but from a global perspective.

The letters were sent to all tenants, head tenants and lessees of community facilities and childcare centres owned by the department on 4 April this year. That was yesterday; so it is not impossible, Mr Speaker, that the tenant of a government house somewhere in the ACT has not yet received a letter. That is not impossible; it was only 24 hours ago. I would expect that, given Australia Post's speed, most of them would have received that letter or will receive it today, because it was in fact sent out yesterday, 4 April 2005.

Six different versions of the letters to tenants and three versions of the advisory form were sent out. The first was in relation to properties constructed since 1988, the second was about single properties where Housing ACT had specific knowledge about the likelihood of asbestos, and the third was about single properties where ACT Housing had no specific knowledge about the likelihood of asbestos.

Also, we sent letters to properties in a complex where Housing ACT had specific knowledge about the likelihood of asbestos and, of course, a different one to properties in a complex where we did not have any specific knowledge about the likelihood of asbestos being there. Lastly, they went to properties in a complex where Housing ACT did not have information about the likelihood of asbestos in all units within that complex. A visual inspection will be arranged for units where there was no information available or where there were inconsistencies within a complex.

An asbestos audit is being done of all community facilities and childcare centres, which will be of interest to Mrs Burke because it goes to the question just asked. Hopefully, it will be completed by June or July this year. I reiterate that we have over 11,500 properties, so it is a bit difficult to do it that quickly in terms of its being completed before now. To have it completed by June/July of this year I think is still a pretty good effort.

Maintenance contractors who are undertaking repairs and maintenance on the department's properties are to be provided with the section 47J advisory forms from 4 April onwards. As new information is obtained about the possible presence of asbestos in properties, updated advisory forms will be sent to relevant persons. Lastly, Mr Speaker, a project team has been established to respond to phone calls through the

dedicated phone line and to develop procedural changes to support compliance with the legislation.

I am confident that the department has complied with the legislation and has been proactive in addressing this issue. Indeed, the department has been congratulated by other agencies with responsibility for the asbestos issue, WorkCover-type people, on the speed and comprehensive nature of, firstly, its contact with its tenants and, secondly, its compliance with the legislation. Mr Speaker, I do hope that that assists Mrs Burke.

Mrs Burke: Will you table the document you have read from?

MR HARGREAVES: I do not have the letter with me for tabling. I am quite happy to provide Mrs Burke with a copy as soon as I have one. I have asked for one to be delivered. As soon as it arrives, I will have it delivered to Mrs Burke. I have no difficulty with tabling it; I just do not have it.

Mrs Burke: No, just what you are reading from.

MR HARGREAVES: I do not intend to table something that I have just read into *Hansard*, Mr Speaker; that would be daft.

Executive contracts Papers and statement by minister

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs): For the information of members, I present the following papers:

Public Sector Management Act, pursuant to sections 31A and 79—Copies of executive contracts or instruments—

Long-term contracts:

Tony Gill, dated 7 March 2005.

Short-term contracts:

Frank Duggan, dated 1 March 2005.

Pam Davoren, dated 8 March 2005.

Sue Ash, dated 1 March 2005.

Schedule D variations:

Greg Ellis, dated 6 March 2005.

Susan Hall, dated 6 March 2005.

I ask for leave to make a statement.

Leave granted.

MR STANHOPE: Mr Speaker, I have presented another set of executive contracts. These documents have been tabled in accordance with sections 31A and 79 of the Public Sector Management Act 1994, which require the tabling of all executive contracts and contract variations. Contracts were previously tabled on 15 March 2005. Today, I have presented one long-term contract, three short-term contracts and two contract variations. The details of the contracts will be circulated to members.

Papers

Mr Hargreaves presented the following papers:

ACT Housing tenants and stakeholders—Copies of:

Letters (6) concerning amendments to the Dangerous Substances (Asbestos) Act 2004, dated 4 April 2005.

Managing Asbestos: Advisory Forms, pursuant to section 47J of the Dangerous Substances Act 2004 (3).

Mr Corbell presented the following papers:

Calvary Public Hospital—Information Bulletin—Patient Activity Data—External Distribution—February 2005.

The Canberra Hospital—Information Bulletin—Patient Activity Data—February 2005.

January 2005—Errata.

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Reports—2004—Canberra Institute of Technology, dated 11 March 2004.

Revised explanatory statement

Public Place Names Act—Public Place Names (Gungahlin) Determination 2004 (No 4)—Disallowable Instrument DI2004-269—Revised explanatory statement.

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Education Act—Education (Non Government Schools Education Council) Appointment 2005 (No 1)—Disallowable Instrument DI2005-37 (LR, 29 March 2005).

Health Regulation 2004—Health (Nurse Practitioner Criteria for Approval) Determination 2005 (No 1)—Disallowable Instrument DI2005-34 (without explanatory statement) (LR, 24 March 2005).

Race and Sports Bookmaking Act—Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2005 (No 1)—Disallowable Instrument DI2005-35 (LR, 24 March 2005).

Road Transport (General) Act—Road Transport (General) (Application of Road Transport Legislation) Declaration 2005 (No 5)—Disallowable Instrument DI2005-31 (LR, 15 March 2005).

Road Transport (Public Passenger Services) Act—Road Transport (Public Passenger Services) Maximum Fares Determination 2005 (No. 1)—Disallowable Instrument DI2005-32 (LR, 17 March 2005).

Waste Minimisation Act—Waste Minimisation (Fees) Amendment Determination 2005 (No 1)—Disallowable Instrument DI2005-21 (without explanatory statement) (LR, 17 March 2005).

Housing ACT—service delivery

Discussion of matter of public importance

MR SPEAKER: I have received letters from Mrs Burke, Dr Foskey, Ms MacDonald, Ms Porter, Mr Pratt, Mr Seselja, Mr Smyth and Mr Stefaniak proposing that matters of public importance be submitted to the Assembly for discussion. In accordance with standing order 79, I have determined that the matter proposed by Mr Smyth be submitted to the Assembly, namely:

The current level of service delivery to tenants of Housing ACT.

MR SMYTH (Brindabella—Leader of the Opposition) (3.45): Mr Speaker, the matter of public importance we are discussing today is the current level of service delivery to tenants of ACT Housing. The hallmark of any government is the way in which it serves its constituency in terms of policy formulation, program development and, ultimately, delivering services to that community.

Service delivery is the key outcome for many people, whether it be the collection of payments, the issuing of licences, the consideration of applications for building developments or, in the context of this matter today, the delivery of appropriate services to a particular group in our community, public housing tenants, and putting a roof over their head.

Mr Speaker, one aspect of a government's performance that is always on notice and that impacts on the quality of life for many of the government's constituents is its service delivery. We in the opposition have made many comments over the past three years or so about the declining levels of service across parts of the ACT government. A particular focus for these comments is health. I will return to that issue in conjunction with housing in a moment.

Right at the outset, however, it is essential that we acknowledge the dedicated and untiring efforts of the many committed staff in the Department of Disability, Housing and Community Services who are continuing to deliver the best levels of service possible to their client group, given the situation in which they operate. I especially want to acknowledge those staff holding less senior positions who provide the services on the ground and who seek to provide an appropriate level of service in an environment in which sometimes their high level of commitment may not be supported by more senior members of the department or the government.

Mr Speaker, despite the commitment of the staff in the department, it appears that there has been an inexorable decline in the overall level of service being provided through Housing ACT. What have we seen over recent times? What has been the experience of our community as clients of Housing ACT? We have seen an ever increasing number of applicants on the housing waiting list and the transfer list. We have seen an exponential increase in the number of complaints reported about disruptions to the quiet residential enjoyment sought by all people.

We have seen public housing tenants being treated like second-class citizens. We have seen the disgraceful record concerning response to maintenance issues with Housing ACT properties and we have seen a constant flow of contact, either by phone or letter, by people living in public housing who are frustrated that the minister is not responding to their requirements and demands and the requirements and demands of his portfolio.

This government has responsibility for around 11,000 public housing tenancies. As landlord for all these people, the government has an obligation, as well as presumably having some sense of what is reasonable in any community in Australia, to ensure that reasonable standards of behaviour are observed by these tenants. The tenants of public

housing have as much right to a good quality of life as do people living in homes that they own.

As a consequence, it is incumbent upon the ACT government, as landlord, to manage matters such as social behaviour, debt management processes, asset management and adherence to tenancy agreements. It is important that these matters are properly managed and effectively managed to ensure an appropriate quality of life for all public housing tenants.

Our public housing tenants deserve the best possible residential environment, as indeed do all members of our community. We all deserve a quality of life that is free from crime and violence, including illegal activities that are associated with drugs, in and around our homes. These people deserve the opportunity to enjoy a residential neighbourhood that is peaceful, quiet and refreshing, as do people who live in homes that they own.

Mr Speaker, the overall objective behind raising this matter today is to emphasise the importance of providing the tenants of Housing ACT with the best possible support involving the provision of assistance, the provision of advice and the provision of necessary services. We are also intent on highlighting where there are failures across each of these important areas of activity.

As a specific example, I would like to spend a few moments talking about how we deal with people with mental health issues who are tenants of ACT Housing. People with mental health issues are of concern to the broader community, but increasingly they are of more concern within the public housing context. The types of issues that we face increasingly in this regard are the provision of adequate health and social services as well as support to these people when they are tenants of Housing ACT.

A particular aspect that I wish to highlight today is the location of people with mental health issues in inappropriate accommodation. It is essential that every possible consideration be given when seeking to accommodate such people so that the environment in which they are located is best suited to their situation. Clearly, these people have a much higher level of need than do many other citizens. It is also important that the best response is provided to these needs as we seek to deal with the particular mental health issues that are being experienced while we integrate these people into the community, all the time ensuring that they do not have a negative impact on their neighbours and, indeed, that their neighbours do not have a negative impact on them.

Mr Speaker, it appears reasonable to suggest that Housing ACT should have a policy for dealing with people who have a higher level of need; yet, as far as we are aware, there is no specific expertise or unit within the department that considers individual instances where effective communication is required with the appropriate units within mental health and other areas of government. We can envisage situations where a person with mental health issues who has not been housed in appropriate accommodation will experience greater difficulty in making a positive contribution to their community. Likewise, in such awkward situations, there would be heightened anxiety and concern among neighbours about how to respond to such people, especially if they are not aware of what is involved in dealing with people who require a higher level of care.

It is easy to see how such situations can result in increasing frustration, friction and even disputes within communities, ultimately requiring a substantial commitment of effort to resolve these situations. There are a number of responses that can be considered to these types of issues. For instance, the Liberal Party has developed a policy concerning a step down facility in the ACT. It is disappointing that this policy has not been supported by the government, because we believe that it is an essential component of a comprehensive approach for responding to the needs of people with a mental health issue.

We see a step down facility as being critical in helping people with their rehabilitation from a range of mental health issues, such that they can ultimately return to the community where they belong. There is no doubt that investing in a step down facility would be a significant investment, but we are convinced that it is a commitment that is required by our community if we are to have the capacity to respond effectively to a range of issues that are present with people who have mental health issues and who cannot find the assistance elsewhere.

Mr Speaker, another policy response that we believe is required to enhance the delivery of service to public housing tenants is the placing of appropriately qualified managers within such public housing facilities as the multiunit housing complexes. These managers would have to have the necessary training and skills that would enable them to deal with the more complex issues that may be displayed by a minority of tenants.

It is not satisfactory for a small number of public housing tenants to behave in ways that are incompatible with standards that are required when there are large numbers of people living in proximity to each other. These managers would need to have the expertise to deal with the small number of tenants so that these people behave appropriately in such residential environments, and are able to interact with other tenants to the extent that this is necessary and desired and ultimately are valued as tenants in such environments.

Mr Speaker, my colleagues will provide more instances where there are opportunities for initiatives to enhance the quality of life for all public housing tenants. We would like to see a capacity for tenants to have some control over how they are housed to enhance the ways in which they receive services from government agencies and ultimately to enable public housing tenants to feel as safe and secure in their homes as it is possible to achieve.

One factor for people who are part of a public housing community—indeed, for people everywhere in their community—is to seek to resolve issues or problems before they escalate into matters that require even more effort and resources to resolve. As I have outlined, there is a need for policies to enhance the sense of responsibility of people living in their communities; there is a need for policies that respond to people who have particular mental health issues, for example; and there is a need for policies that ensure that the community is managing public housing facilities to the best extent possible.

Implicit in the approach we are setting out is an enhanced integration of the delivery of services to public housing tenants, especially those who have high needs for whatever reason this may be. Ideally, the outcome of better integration of service delivery would be a more efficient use of scarce community resources. We will hear much more about the scarcity of resources from the government in the budget that will be brought down

next month, I am quite sure. So we have to make sure that what we have is being used as well as it can be.

One potential outcome for staff in the department from this approach could be an increase in job satisfaction as people become familiar with a range of services and programs that are required to respond to people in public housing, which, of course, would lead to greater efficiency and, we would hope, an increase in the level of satisfaction among Housing ACT tenants. At the same time, it is essential that the rotation of people through different jobs does not result in an unnecessary loss either of corporate memory or of a capacity to deal with the range of issues that arise in public housing.

We are aware of what we would describe as the “churn” of housing managers, which is of great concern to us, to the tenants and, indeed, to the managers themselves. These managers are the key people in the lives of many public housing tenants. It is not reasonable to expect tenants to have to establish relationships with different managers too frequently. That impacts adversely on the quality of life of the tenants and it means that a new manager has to learn about all the issues associated with those tenants.

There are better ways to use our resources than by changing managers too frequently. We believe that it is important that the management of these managers themselves enhances their important roles with public housing tenants, not make it more difficult. Indeed, there may be a sound case to consider expanding the role of these managers so that they are able to provide tenants with timely and appropriate management, assistance and advice.

It is evident that there have been significant problems experienced by tenants in public housing in the ACT. There will always be some problems; that is self-evident—we are dealing with people, after all. Our purpose in raising this matter today, however, is to highlight the decline in service delivery for public housing tenants and to suggest some ways in which this decline can be turned around. To achieve a turnaround may require existing resources to be used differently, for staff to do things differently and for different public agencies to work together in perhaps more cooperative and better ways.

Housing ACT has a challenge before it: to balance the needs of public housing tenants in terms of satisfying maintenance requirements, minimising disturbance of the social environment and amenity, and resolving neighbourhood disputes. It also has the challenge of seeking to reduce the number of people who are on the waiting list as well as the transfer list while, at the same time, seeking to offer the optimal mix of public housing dwellings across the ACT in terms of such parameters as design, size and location of dwellings and of the nature of multiple dwelling sites.

I have outlined a number of issues relating to the decline in the delivery of services to public housing tenants in the ACT. My colleagues will add further instances of this decline and will suggest some responses during debate on the matter. I wish to conclude by emphasising that the decline in service delivery for public housing tenants is not satisfactory. It must be appreciated that whatever experiences public housing tenants currently enjoy—whether it is crime, including drug-related crime, issues relating to the inappropriate location of a person with a mental health issue, or physical and verbal

abuse affecting personal as well as family safety and security—inevitably, there will be a flow-on detrimental impact on the whole community.

A change in approach is required and it is required now. The achievement of any change will require high-level leadership from the minister and from his senior departmental staff. When we achieve an improvement in the quality of life for public housing tenants, we will also generate benefits for the whole community. To this end, Mr Speaker, we welcome the inquiry that is being conducted by the health and disability standing committee into housing for people with mental illness. It promises to be a most valuable inquiry and we anticipate that considerable benefits for people who have mental health issues and who seek public housing accommodation will come from this inquiry, as well as for the larger public that will be involved. Mr Speaker, I commend this matter of public importance to the Assembly.

MRS BURKE (Molonglo) (4.00): I rise to support this matter of public importance relating to the evident decline in service provision to Housing ACT tenants. One would have to ask why this has occurred, when we hear that the government is spending somewhere in the realm of \$100 million—and we applaud them for that—to service 11,500 properties, in property and tenancy management.

According to calls to my office from tenants and housing staff alike, which I know the minister does not like hearing about, there is a clear lack of support shown by the minister for lower to middle management staff in the department. I fully support the work of the excellent staff in the department who are on the front line. These staff are simply not receiving enough support from senior management it would appear. They appear not to be adequately resourced from the logistical perspective and not to be equipped with the training to cope with difficult situations, which clearly require more involved support from senior staff or specialists capable of dealing with such issues as mental health.

It appears that the problem is now entrenched and is beginning to surface in the department. Evidence from numerous tenants—whom the minister's office are well aware of too—suggests that if a complicated case is becoming too difficult to be handled by a housing manager or indeed a housing specialist manager, there are not enough support mechanisms being put in place by senior management to assist in garnering support from other specialist areas of the ACT public service tasked to deal with complex matters such as mental health, substance abuse and difficult behavioural patterns. Morale amongst housing department staff is extremely low.

I must continue to highlight the plight of the good tenants, who make up the vast majority, whom our public servants serve well under the conditions that they are now working in, and, I might add, who are now approaching the minister as well as the opposition. In the past, they were afraid to speak up about their experiences and difficulties in obtaining correct advice and affirmative action from departmental staff who, as I said at a recent meeting of a dozen concerned tenants, represent many more people too afraid to speak up for fear and threat of intimidation and retribution.

This is a real issue in itself. It is one that I have raised in this place before and that I broached with the previous minister. I am now at the point of calling upon the current minister to take action and listen to the calls for change in this area. He can and should

lead his department in delivering better outcomes for housing tenants by empowering his staff who are designated to the most important role in the department: frontline service delivery to clients. It is evident that they are simply not coping under the pressure. We have many people off on stress leave—people in key jobs—which has meant a greater load being passed on to housing managers. This simply is not good enough and it is not helping people out there to get the service that they need.

I have recently seen evidence of the negative way, sadly, that the minister is responding to tenants and non-tenants in relation to their concerns. Many have indicated to me that the minister, in response to representations made to him, has advised them that any approach to the media will have little or no impact on their case. This would seem a sad indictment of and reflection on all members of this Assembly. It sends the wrong message to the community about the role of its local government and one that I and my Liberal colleagues are not prepared to wear. It is at the minister's own peril that he continues to treat his constituents in such a dismissive manner.

It is important not only to deal with an individual constituent's concerns with compassion and empathy but also to look at the wider implications of matters being brought to light. I know Mr Hargreaves has openly said that he does not speak about individual cases or speak to individual people, but I suggest he needs to start doing that. He should give himself 12 cases, like I have done, to see the broad range of things that are brought to light. This is why we do it. If we do not look at single cases, we can often miss the wider implications of matters being brought to light. Often, individual cases can expose broader discrepancies in service delivery and can provide real solutions to problems faced by departmental staff. It is the direct feedback that is of most value to management, and it should be taken seriously and put to greater use to assist staff tasked with service delivery to improve working practices.

I have held meetings with Housing ACT tenants who are reaching the point where they have exhausted just about all avenues available to them to resolve issues relating to the level of service they are or are not receiving from Housing ACT. Sadly, they now feel that this is exactly what the government wants: that they get so downhearted, so dejected and run out of energy, that they will simply go away without their concerns ever being addressed. Isn't it awful that people would say this to me? Worse still is that we allow to continue a system that is going to let down society's most vulnerable people. Is that what we at the ACT Assembly want? I do not think so. I do not want to be remembered and known for that.

The feeling emanating from many consultations is that tenants are expecting to receive real value for money. We have talked about the millions of dollars going into housing. I am perplexed, and I am sure the minister must be, at why, then, we are still getting this feedback about the number of problems, and things not being dealt with for months on end. I am confused, and I need the minister to explain why, when we put money in, the service delivery is still not meeting the target. We are paying more and we are getting less.

Housing tenants deserve to be treated with the same level of respect when dealing with Housing ACT as they would receive in the private rental market. I know this minister and the minister before him have said that the public housing system should parallel the private market and that they should be giving the same service. But clearly they are not.

Tenants are simply asking to be treated on a human level. They feel lost in the bureaucratic system and feel they are now just a number. The implementation of a better document management system may even help the department. Too much paperwork goes missing and tenants have to resubmit far too much information, over and over again. The minister needs to ensure that, when he compares public housing to the private rental market, he and the government are providing comparative services. Currently, as I have said, it appears not to be the case.

There are several ideas and suggestions that I will give the minister and hopefully he will think about implementing some of them. One is a more robust and fairer system to deal with urgent transfers and the transfer/waiting list. In general we have talked about a one-size-fits-all approach and I know that people within the department have talked about the frustration of that. We need to not let them keep on saying that. We need to solve that for them—give them the assistance and help they need.

We need urgent consideration of the establishment of a dedicated special needs unit to deal with high-priority or urgent housing cases. The appropriateness of housing allocation must be reviewed. The department can maintain that people are adequately housed, but this does not mean appropriately housed. For example, a single girl, with a young baby, housed in a complex full of men could be said to be adequately housed, but that is not appropriate in my book. If it were my daughter, your daughter, Mr Speaker, or the minister's daughter, would we feel that was appropriate? I do not think so.

The government must get a move on and rebuild or refurbish sites where multiunit complexes exist or existed. If capital works plans as outlined in the 2003-08 public housing asset management strategy are not fast-tracked, there will continue to be far too many potential properties offline, therefore again hampering the department's ability to reduce the number of people on the waiting list. I do not want the minister to go rambling on back to the Liberal government. It is on your watch now, minister. For example, for four years the Burnie Court site has lain empty. We need action, people need roofs over their heads and your department's staff need your help, minister.

The overriding question I get from all tenants is: "Mrs Burke, why are the majority, good, law-abiding public housing tenants, made to suffer at the hands of an unruly, difficult and disruptive minority?" It is a very good question. Housing ACT needs to do more to reassure these good tenants that they are not responsible for causing a problem but, rather, have highlighted a discrepancy in service delivery and that it should be rectified. They should not be made to feel like the victim, but they are. The minister looks across at me and pulls a face. He needs to listen to these people. Listening to 12 people might open your eyes, minister.

People's rights are being ignored. The government would say that at least the ACT has a human rights act. But the government should uphold the major tenets of that act. Instead, they are seriously violating people's basic human rights here. Many of these people are trying to get their lives back on track and are going backwards. On a number of levels, the government is charged to protect the rights and responsibilities of these people's lives and have a duty of care, given their responsibility as a landlord, to deliver a level of service that matches not only the expectations of their clients, the tenants, but

also the very significant financial investment that has been afforded by the department, and which I have spoken about.

The government in the 2004-05 budget papers highlighted many strategic and operational issues it would be pursuing. I will not go through those now, but we have seen some good things coming out of that. But, sadly, I have to say that we are a long way from achieving a lot of those goals, and I am sure the minister and his department's senior staff are aware of that. Change seems to take forever with this government. Change has to occur now—decisions made now would better service the community—rather than waiting for a crisis to be fully realised. The challenge for many people is the very fact of change. This requires high-level leadership and a robust transition plan, driven by the minister.

Some changes required could cover such issues as the implementation of a sound and responsive drugs strategy and a longer-term commitment to adjusting the relevant legislation to reflect the perceived needs of the community. The government has done some good things with the legislation recently, and I applaud them for that. An example would be amendments to take the issue of eviction to another level whereby the Residential Tenancies Tribunal will have increased responsibility. We need to ensure that tenants who breach their tenancy agreements are held responsible and made accountable for their actions. This process should not be solely a mechanism for managing tenancies but, rather, an approach that protects tenants, ensuring they are fully aware of their rights and responsibilities.

It must be appreciated that, whatever public housing tenants currently endure—whether it is drugs, crime, physical and/or verbal abuse affecting personal safety and security—inevitably this has a detrimental impact upon the broader community. Our public housing tenants deserve better. Indeed, all members of the community deserve better. All members of the community deserve a quality of life free from crime, violence and drugs in and around their own home.

ACT Housing also has to face up to the challenge of balancing the needs of its tenants—be they maintenance, social disturbances or neighbourhood disputes—with working towards reducing the number of applicants on waiting and transfer lists and must aim to offer the optimal number of the right kinds of dwellings, that is in size, construction and flexibility of properties, that can be sustained within the realms of realistic budgetary limitations imposed on Housing ACT by the ACT government.

I further call on this government to instigate a committee inquiry into the state of public housing, and more so the operational side of the department that delivers services to ACT public housing tenants. Via the committee process we must look at such options as facilitating and supporting Housing ACT facility-based tenant committees, who do great work, and corporate bodies or similar alternatives, in the provision and management of remedial programs that prevent antisocial behaviour. We need to do more along those lines. Again, some things are being done, but we can always do more and better.

Another option is further allocation of funding for the provision of high-level, ongoing support to housing managers that will provide them with the professional training and management support they deserve while expanding their roles to provide tenants with timely and accurate frontline case management assistance and advice. There are many

more things, and I say to the minister, as I always do when I stand to speak, that I am happy to talk to him about more ideas that I have.

I was recently astonished to learn, in an answer to a question I placed on the notice paper, that the government does not seem to have any relationship with the Conflict Resolution Service. I am asking: why not? Why doesn't Housing ACT formally refer tenants to the CRS? The minister's answer implies that tenants are therefore "informally" referred.

Mr Hargreaves: We do.

MRS BURKE: Not in your answer, minister; you said no and that that is as far as the department goes with the problem. Is that as far as you go? That seems very odd to me, but the minister is making some grumbling so he might have a logical response for that and he might share that with us.

Further issues to be investigated would include undertaking a comprehensive evaluation of the current total facilities management process to determine what changes are required to improve the effectiveness and viability of this maintenance service. Minister, I realise that this service has been and is going through a tender process and I hope that we will know the outcome of that soon. I would suggest that far too much of taxpayers' money has been and still is being wasted under the current system.

Finally, it is time that the government, starting with the minister, began to realise that all is certainly not rosy within Housing ACT, and the quicker he gets to the root cause of the problem the better it will be for both tenants and staff alike.

MR HARGREAVES (Brindabella—Minister for Disability, Housing and Community Services, Minister for Urban Services and Minister for Police and Emergency Services) (4.14): I welcome the opportunity to respond to the matter of public importance raised by Mr Smyth about the level of service delivery to tenants of Housing ACT. I congratulate the Leader of the Opposition for reading Mrs Burke's opening speech, which she should have read herself. I want to make a couple of observations before I launch into a response.

Firstly, Mrs Burke said in her speech that we should be providing comparable service to that of the private sector. I would like to know the last time that Mrs Burke took apart Raine and Horne, Leader Real Estate or Paradime, or any number of the bodies corporate, about dysfunctional people in those multiunit complexes around our electorate, for example. I suspect, in fact, that that has not happened. What is happening is that Mrs Burke puts a burden of responsibility on Housing ACT that she does not share with the private sector. So I think we need to have a little bit of consistency here and start acknowledging the extra responsibility that Housing ACT accepts for its clients.

Mrs Burke: They weren't my words; they were your words.

MR HARGREAVES: Mrs Burke does not remember what she said. I suggest she reads her own speech in *Hansard*. She has to read her own speech in *Hansard* for her own education—that's a bit sad, isn't it?

Mrs Burke talks about “intimidation” and “retribution” by middle and lower level managers—her words exactly; I wrote them down exactly. Well, I challenge Mrs Burke to do two things: one, to read *Hansard*, because obviously a dose of Alzheimer’s disease has just hit, and, two, to put up or shut up. She can put up or shut up. I have complete faith in the senior management being supportive and showing great leadership within Housing ACT. Any sad reflection, such as Mrs Burke has made in denigrating those people, I will not put up with—or, as the great Winston Churchill said, is something “up with which I will not put”. So there!

Mrs Burke: Do you know that for sure?

MR HARGREAVES: You come up with facts, or you apologise publicly to those senior managers. You have got two choices here. You can give me the facts, put them in this place, come and table them. If you cannot table them, then stand up here and have the guts to apologise to those people. You can’t, because you know you are wrong.

At present, Housing ACT provides accommodation and direct tenancy support to over 10,600 tenant households. That does not include properties head tenanted to community organisations. This level of support is amongst the highest of any jurisdiction in the country. Many of the households have had experiences in their lives that most of us cannot easily comprehend: they have fled domestic violence, dealt with family crisis, health issues or tragedy, or escaped trauma and violence in their home countries.

The government recognises that people experience disadvantage. Poverty, discrimination and social isolation are an unfortunate part of all communities, including the Canberra community, and they are often particularly found amongst the tenant households of public housing. Notwithstanding this, my experience of public housing tenants has been inspirational—and I have visited a huge number of tenants in their own homes. In fact, I started my married life in public housing and I know how it feels to be proud of it—and 99 point something per cent of tenants are proud of their public housing home; they are not sitting there quivering. However, some of them find it difficult to live with the regular demonisation of public housing tenants—the sort of stuff that Mrs Burke does regularly. Not only does she demonise the staff; she demonises the tenants. She has not got the originality that God gave her. She talks about morale within the housing department and says, “I’ve received a report of a high number of staff on stress leave.” She talks about low morale while the number of staff is down. She used exactly the same words about this ability in a press release only a week earlier. All I can say is that her photocopier is working overtime.

Mrs Burke: We haven’t fixed it yet!

MR SPEAKER: Order, Mrs Burke!

MR HARGREAVES: The ACT government is committed to working with the tenants of Housing ACT and the broader community to continue to support Housing ACT as the provider of a major human service to the community. Some examples of the work include: the reinstatement of security of tenure, in December 2002—which was removed by the Liberal government; the removal of start-up rent; the establishment of a debt review committee and support for sustainable tenancies; working with the tenants to

make sure that they can cope before the spectre of eviction turns up; the removal of barriers to public housing for refugees holding temporary protection visas—and it was not the Labor government that introduced temporary protection visas either; reduction of minimum rebated rents; and the exemption of incomes for tenants and residents accessing residential rehabilitation facilities.

This government has continued to develop and grow the community linkages program. The program continues to be focused on assisting tenants to sustain their tenancies and to develop skills and confidence in community capacity building. With recurrent funding in excess of \$500,000 a year, community linkages has provided programs to support the development of computer skills, the preventing eviction program, community development and youth specific activities.

An important development was the introduction of a round of tenant initiatives in February this year. This exciting new approach to the establishment of community development activities further expresses this government's commitment to work in partnership with the ACT community. Housing ACT, as part of the Department of Disability, Housing and Community Services, has become a partner in the provision of services to people with disabilities, the homeless and to the broader social housing sector.

In the social plan, this government has committed to a consultative and inclusive process to review the Housing Assistance Act and its subsidiary programs. At present, the average property portfolio managed by a housing manager in Housing ACT is 260 properties. Compare that with other jurisdictions. It is reported by the Australian Housing and Urban Research Institute that Housing ACT is the most successful public housing authority in allocating properties to applicants in the highest need categories. Housing ACT has continued to provide the five housing manager specialists to provide case liaison and coordination services to tenants and applicants, including clients with mental health and other complex issues. Mrs Burke apparently has not heard of those.

Housing ACT has committed to working with tenants to assist them to sustain their tenancies. So far this year, Housing ACT has conducted client service visits on more than 75 per cent of its clients and is on track to complete visits to all tenanted households on a regular annual basis. Housing ACT has completed 598 ninety-day visits.

The Department of Disability, Housing and Community Services commissioned a report on the establishment of tenant participation models. The tenants union, in partnership with Shelter ACT and tenants of Housing ACT, undertook the work. It held a tenant summit on 27 November 2004. I had been minister for about a month. I got invited to go to this summit; so did a heap of other people. There were people with disabilities, there were homeless people and there were public housing tenants over years. Mrs Burke was not invited, because they did not want her there. I asked the question: "Where is my opposition, because I would like to know. This is a community participation event. Let us come together and fix the problems." They said, "Don't let that woman near us." So I said, "I cannot understand for the life of me why you would want to do that," but now I do. The summit elected 40 representatives on a tenant council that has elected an executive of nine tenants. I have advised of the government's continued support for this process.

Most of the things that Mrs Burke has said are without substance. She has not backed anything up. All she has done is put a whole stack of things on the notice paper—hundreds and hundreds of matters on the notice paper. She has not once written to me with a case of intimidation or retribution. She has written the odd case constituent thing to me—and I have responded to each and every one of them, well within the time frame. I respond to every one of them.

Mrs Burke: Indeed. Don't say I don't write to you.

MR HARGREAVES: To suggest that I do not respond to each and every representation is a falsehood—a bald-faced falsehood. The officers of my department operate with integrity, with empathy and with—

MR SPEAKER: Order! I think there is an imputation in the comment “a bald-faced falsehood”.

MR HARGREAVES: Well, I could not say “lie” then, Mr Speaker, could I?

MR SPEAKER: But the imputation is that Mrs Burke was lying. I think you should withdraw that.

Mrs Burke: They were your words, not mine.

MR HARGREAVES: I know. The suggestion, the imputation on me, was a falsehood, Mr Speaker, is what I suggest.

MR SPEAKER: I think “bald-faced” means “deliberate”, so a “deliberate falsehood” ought to be withdrawn.

MR HARGREAVES: Mr Speaker, I find it very difficult to withdraw an imputation against me. But, if it pleases you, Mr Speaker, I shall withdraw it.

MR STEFANIAK (Ginninderra) (4.25): I thank the minister for his entertaining speech. While I was upstairs I heard a number of points in the debate. Might I say, first and foremost, that the overarching thrust of this MPI is that ACT Housing needs to provide better service delivery so that tenants receive assistance, advice and timely service.

I commend the minister and the government on a couple of points in the Residential Tenancies Amendment Bill. There are some clauses in the bill that will assist ACT Housing and the vast number of housing tenants who are law abiding citizens, who take a pride in their homes, who pay their rent regularly and who make excellent neighbours for whomever they happen to be living next to. It is not just the public housing market that has problems with difficult tenants. That occurs in the private market as well.

In 2002, when I was shadow housing minister, I got a number of complaints—I still do—from people in the community who had incredibly difficult housing tenants next to them. One case in Florey was attended to a little bit better by housing, but there seemed to be a reluctance by the staff there, for whatever reason, to really address some of the bad

behaviour some tenants were inflicting on other law abiding public housing tenants. It was as if it was just all too hard. That concerned me greatly. In the case in Florey, I think the two officers from housing were there when the difficult tenants who were giving other people a hard time came and started threatening everyone. I think finally the police were called. But even then some problems continued.

I appreciate that the law needs to be changed, and I am pleased to see that it will be. But I am concerned that there is this “it’s all too hard” attitude creeping in and I think it is terribly important for the government, especially, as much as anything for its own public service staff, to ensure that procedures and laws are in place that not only protect law abiding tenants, but also assist staff of ACT Housing to go about their jobs in a much more timely way than perhaps they might be able to do at present.

There was another problem in Dunlop with a particularly dreadful neighbour who was making the lives of everyone in the cul-de-sac a misery. Again, it was as if it was all too hard. There has been a tendency, not just under this minister but also probably since the time we have had self-government, to move a difficult tenant to another neighbourhood, rather than address the problem. Yes, it is hard. We have all done it. I think I probably did it myself when I was minister. Sometimes it works; sometimes it does not. It can be very difficult. There has been a lot of progress by all governments, but still certain things are not working as well as they could.

I will deal with a couple of issues. As I understand it, there are still some problems in court directives being issued, for example, restraining orders, and difficulties in what Housing ACT is empowered to do in those situations to ensure that all the tenants are actually abiding by their agreements, indeed abiding by court orders. That might be something the minister needs to address to assist the better operation of the system.

I heard Mrs Burke say that she made a point of speaking to at least 12 tenants every week, or whatever period of time it was. She does a fantastic job for people who come to her for assistance with problems with ACT Housing. She is a tireless worker for the underprivileged in our community and people who really are facing all sorts of difficulties. I commend her for that.

I understand that the minister does not make a point of seeing tenants with individual problems. I think he should. Certainly there are some things he probably cannot do and some things he probably should not do. But certainly he should see them. If he does not do that, some injustices invariably will be done. I am not suggesting the minister should go overboard. A previous minister used to intervene just before tenants were about to be evicted for things like not paying rent, and that absolutely frustrated the housing staff. That was certainly something they could not accuse me of doing. I let the process run, and I am very glad I did because we actually dropped the housing debt significantly. Interestingly enough, the vast majority of housing tenants, who pay their rent and do not want other people sitting in there and not paying rent—because they are taking from the ones who do, the law abiding citizens—were very happy to see that tightened up.

To illustrate the benefit of seeing someone, Mr Hargreaves, there was a woman who came to see me at Meet the Minister. She had borrowed a friend’s car from Kambah. She paid \$10 for the petrol. She saw me out at Ngunnawal. She was in the process of court eviction. I do not think I had ever intervened before, but I did on this occasion because

she had paid \$550 out of the \$1,300 debt. She had a plan to pay the rest. She had organised a direct deduction from the bank her social security benefits were paid into. She actually said; "I used to think getting a house was a right. I realise now it isn't. It's a privilege and I want to make sure I pay this off." We made some inquiries of housing to make sure what she said was right. We instructed the government solicitor to request the court to adjourn the matter for three months just to see how it went. It went brilliantly and we were able to discontinue the proceedings. That came from talking to a tenant. I am rather horrified to hear that the minister does not actually talk to tenants on the regular basis suggested by Mrs Burke. I recommend that he do so.

On a positive note, minister—it is in the Auditor-General Act, but it relates very much to public housing—I am pleased to see an improvement there in terms of recognising breaches of clause 70 of the agreement, which ensures that neighbours have quiet occupation of their premises without being unduly hassled and having their lives made a misery by disruptive, unruly and antisocial tenants. It is an excellent step to put that into legislation to ensure that anyone affected under the Residential Tenancies Act can go to a tribunal and say; "My life is being made a misery. This person is breaching the section"—and if that person is a housing tenant, no doubt he or she is breaching clause 70 of the agreement with housing—"throw them out." Now there is a process by which people like that can be evicted.

It is always difficult. It is quite easy to evict people who do not pay rent. Housing has got that down to a fine art over the years. But it is a lot harder to deal with people who just make their neighbours' lives a misery. In the past you would need someone to come forward. In my experience I found that was very difficult to get. More recently quite a lot of people have been willing to come forward and give evidence, which probably indicates it is even more of a problem now than it ever was. But it is still very difficult. That clause will help immensely in rectifying that particular problem.

So congratulations to the government. That is something that I think is very worth while. It will relieve some of the problems. It is a nasty problem because a bad tenant, a person who is antisocial, will cause so much drama in the neighbourhood. I assume most of us have seen instances of that. They really do make people's lives a misery. People want to sell up, losing probably tens of thousands of dollars in the process. It is often difficult. If you simply move the tenant to another neighbourhood, that just transfers the problem. This is a good, equitable measure that will certainly assist to relieve that particular problem in our community. It is a good step. Congratulations on that.

Some of the problems the minister has, such as antisocial tenants and tenants selling drugs and breaking the law, go back to another of his portfolios, and that is policing. It is quite clear that, through no fault of their own, we simply do not have enough police in this territory to do all the things that are necessary. Again I urge on the minister and the government the need to do what the government and this minister promised before the 2001 election. That is to ensure that we are around the national average, because we are miles behind and below it at present. If the government takes action on that score, that will also assist in dealing with some of the problems that beset a number of people not only in our wider community, but also in our public housing community.

The inability of police to fully attend to the matters that they want to attend to and assist many people in our housing is regretted by the police, but certainly is a cause of

consternation for many law-abiding tenants in our public housing. I thank Mrs Burke for bringing on this matter of public importance. It is an excellent topic. It is one that we need to attend to. We can always, of course, do better.

MR DEPUTY SPEAKER: Order! The member's time has expired.

DR FOSKEY (Molonglo) (4.35): I am happy to have the opportunity to talk about the level of service delivery to Housing ACT tenants. I, too, have heard from constituents about issues related to delays in maintenance and repairs in public housing, particularly old and multiunit properties around Civic and town centres.

I am concerned, however, that Liberal members have presented issues of difficult neighbours as though they are peculiar to public housing. Private landlords, it is true, lack the duty of care that falls to the government, although I am sure that many in the community would like them to play a greater role in the provision of affordable accommodation. However, I do not think we can talk about this topic without addressing the issue of the viability of the sector. I would like to start by quoting from the Australian Housing in Urban Research Institute's research and policy bulletin of April 2004. It outlines that "housing authorities in Australasia are running operating deficits which are not financially sustainable". The research was conducted by Jon Hall and Mike Berry. The article states:

Sustainable financing for public housing authorities.

After six years of policy and program delivery change, six of nine state housing authorities in Australasia are running operating deficits which are not financially sustainable.

Key points

- The major, sources of income for State Housing Authorities ... government grants and rents from tenants, have been constrained, especially since 1996, as state and federal governments cut back real levels of capital funding through the Commonwealth State Housing Agreement ... and moved to target available public housing on low income households with multiple and complex needs.
- This has led to an increase in the proportion of public tenants receiving rent rebates and accessing public housing through priority allocation.
- Closer and more effective targeting associated with Australian Government requirements to continuously improve the quality of service to tenants, has generated rising operating costs for housing authorities.
- The overall consequence has been for SHA revenue to increase more slowly than total costs, moving the authorities from a position of moderate operating surpluses into rising structural deficits.
- SHAs have responded to a worsening financial position by asset sales, which have helped breach the growing deficit in the short term. But this is clearly not sustainable in the longer term, (i.e. eventually the authority will run out of saleable dwellings).

- If governments funded the implied community service obligation (the difference between market rent on public dwellings and the rebated rent paid by eligible and public tenants), as currently happens in New Zealand, then all housing authorities bar one—

That one is the Northern Territory

would be returned to operating surpluses.

- By continuing to fund the growing costs of community service obligations in this area, government could place the SHAs on a sound and sustainable financial basis. However, such a policy implies that governments would need to commit a rising level of funding to bridge this gap; the rate of rise would depend on a range of factors, including the rate of increase in tenant incomes and the rate of house price and rental inflation.

This paper makes it quite clear that all governments have failed to secure the ongoing viability of public housing.

The ACT Liberals had a role in this when they were in government, selling ACT Housing assets. The federal government has introduced taxes that are a disincentive for investment in low cost housing. The Greens are pleased to note that the ACT government has made a significant injection of funds into social housing over the last two years and promised, during the election campaign, to increase capital funds. But these investments alone do not guarantee an adequate supply of affordable housing for the ACT. I notice that the housing minister in the previous government suggested in his report on his visit to the United Kingdom that at least an additional \$30 million each year would be a suitable target for spending. The reality is that housing revenue is increasing more slowly than the total cost of housing and this needs to be recognised and addressed by the ACT government.

First and foremost, we need the sector to be viable, to put us in a better position to address the other needs and concerns of Housing ACT tenants. Second, processes like the tenants participation projects need to be encouraged and broadened. Third, community development initiatives in multiunit public housing developments need to be ongoing.

MS PORTER (Ginninderra) (4.41): I wish to add to the minister's response re the current level of service delivery to tenants of Housing ACT. Mr Hargreaves has outlined this government's commitment to providing appropriate housing services to tenants in some 11,000 dwellings across some 7,000 locations housing 30,000 people with the expenditure of \$30 million per annum on repairs, maintenance and upgrades, as well as improving amenity and safety. The average age of a dwelling is 27 years, the highest figure nationally. The age and structure of the housing stock obviously imposes challenges to the management and delivery of maintenance services.

Recent client satisfaction survey results show that provision of maintenance is a key area of client concern. Maintenance services are managed through two total facility management, TFM, contracts. TFMs manage a total range of repairs and maintenance to properties. This was an arrangement put in place while Mr Smyth was minister for

housing. Approximately 60,000 work orders are raised per year. The total expenditure on repairs and maintenance to June 2005 is expected to be \$37.6 million. Of this, \$16.5 million is allocated to planned and programmed works, including major work programs such as internal/external repainting, carpet replacement, fencing works, replacement of major appliances and property services, including common area cleaning and horticultural maintenance.

The department is currently retendering its total facility management contracts. In developing new contracts, HCS has built on its experience with the current contracts over the last four years. The newer TFMs will be required to demonstrate and maintain a high level of customer service to tenants. Importantly, it is proposed that customer satisfaction will be a key performance measure for the TFMs in the future. The contracts are focussed on obtaining better value for money on maintenance expenditure through a focus on planned maintenance. Residents of flats also indicated through the client satisfaction survey that they are concerned about security and safety. Residents of older persons' units are concerned about open access to communal areas.

The government is committed to improving tenants' sense of security. The government is working with the Australian Federal Police on crime prevention audits of multiunit sites. To the end of March 2005, nine audits have been completed. Tenants have had an opportunity to participate. The government will progress recommendations around improvements to assets and general tenancy management issues that reduce the opportunities for crime and improve the visual appeal of sites. Over \$8.6 million will be spent on fire safety measures and security screen doors in major multiunit complexes this year. Further expenditure is planned for the coming financial years.

In addition to these activities, the government has undertaken a number of initiatives to improve service delivery to tenants. Recognising the need to improve the level of amenity for tenants, major refurbishment works are being carried out on Northbourne Flats in Braddon. These works include major kitchen and bathroom upgrades, painting and floor coverings, as well as improved fire safety and security arrangements. Upgrading of Northbourne Flats is expected to be completed by 30 June this year. In total, 107 units will be ungraded with an investment of \$4 million over the last two years.

The government has commenced a process of development of land in Lyons, Braddon and Kingston. Through purchase and constructions, some 157 properties are expected to be—

MR DEPUTY SPEAKER: The time allotted for this debate has expired.

Appropriation Bill 2004-2005 (No 2)

Debate resumed from 17 February 2005, on motion by **Mr Quinlan**:

That this bill be agreed to in principle.

MR MULCAHY (Molonglo) (4.45): I had the opportunity to speak a little earlier today on the Standing Committee on Public Accounts report on this bill. I will now expand a little further on my observations on this bill. I recognise that, in the context of a \$2.6 billion budget, \$75 million is not a huge slice of that activity. But it is still

important that we look closely at these appropriations and the areas of expenditure contained therein.

Sadly, the bill continues in the pattern that we have become quite comfortable with—familiar with, not comfortable—with the litany of big spending. It is a continuation of that general direction. At the most recent election, the government promised more than it can afford, so it has come back to the Assembly for more money. Election commitments now have to be paid for. The bill also provides for what the Treasurer euphemistically described as “various cost pressures being experienced by agencies”. He said that on 17 February.

I guess that is really code for: “The government is unable to control departmental spending, so it has given up and we will pay whatever the agencies want to spend.” As I have said previously, I sympathise with the Treasurer’s difficulty in restraining his colleagues. From the public comments he has made about commonwealth/territory relations, he knows he has got some major problems ahead. But he has got to resist this pressure from his colleagues to continue to spend money without a great deal of restraint. The big spend-up, of course, is on public sector wages, which are defended to the death. There is little evidence of restraint being exercised in moderating some of those expenditures and at least achieving some beneficial outcomes for the taxpayer.

This year the government will hand over \$61 million more than last year in wage increases to public servants. Is it any wonder that the government’s reputation for handling financial matters is questionable? The Treasurer, unfortunately, is the one left with the baby in terms of defending a lot of these decisions made by the prevailing number of his colleagues.

Under this government the pattern is well established. In 2001-02, there was an expenditure blowout of \$312 million. That is \$312 million more than planned expenditure. In 2002-03, the expenditure blew out by \$216 million. Obviously, they learnt nothing because in 2003-04, it blew out by \$410 million more than was originally budgeted. Over the three years Labor spent \$938 million more than it had budgeted for—almost a billion dollars more. Nobody can tell me that that is responsible conduct. It underscores the well-established principle in this country that when times are tough, you really just cannot trust Labor to manage your affairs. Until now the government has been let off the hook by fortuitous surges in revenue, the prosperity of the property sector in Canberra and the windfall gains from GST. That is all taken for granted and now that some of the revenues are expected to be delivered back to the people, they are crying foul and saying; “All bets are off.”

But these are not just the sentiments of the Liberal opposition in this Assembly. The concerns are being echoed loudly and clearly by the Auditor-General, who has warned that the breakeven budgets that have been part of the pattern for the past few years generate little capacity for capital expenditure and provide no real protection from negative fluctuations in revenue expenditure or unforeseen, adverse consequences of future events that may occur from time to time. That message from the Auditor-General ought to be a sobering message to this government. I suspect it is for the Treasurer but I think his colleagues have been slow to get the message.

Somewhat ominously, the Auditor-General also warns that the territory's long-term financial position is expected to decline rapidly over the next few years, with the expected shortfall increasing by \$658 million, from \$931 million in 2004 to \$1.589 million. The source of that information is the Auditor-General's 2003 financial audits, report No. 10, page 20. In 2003-04 there was 60 cents in financial assets to cover each dollar of liabilities. But the situation will deteriorate to the point where, by 2007, it is expected that there will be only 34 cents in financial assets to cover each dollar of liability.

It is very evident that the territory is starting to head downhill. Other economic indicators are becoming matters of concern and the performance of the territory government is going to be a significant factor in the outlook for the ACT economy in the next couple of years. The revenue bonanza is likely to start to subside. The amount that could, and should, have been returned to business and individuals as tax cuts or modifications in land tax or rates has already been spent or committed.

A lot of revenue has been wasted on political self-indulgence such as human rights implementation, the community inclusion board, the social plan evaluation and union liaison officers on OH&S. Now, of course, we have a Small Business Commissioner to try to smooth over the damage that the ACT government is doing to business in the territory. So when the Treasurer suggests that he cannot consider tax cuts because all the money is needed for schools and hospitals, how do the rest of us know that it will not continue to be put into areas like human rights implementation, union liaison roles and a host of these other bright ideas that are foisted on the ACT taxpayer?

In spending other people's money the government has also squandered the opportunity to use the windfall from the GST to cut taxes. There is a raft of taxes imposed by the territory government that were supposed to be either abolished or reviewed when the GST arrangements were settled. I suggest that the idea of a review saying, "We are not going to look at them or take any notice of them" is really unacceptable. I have agreed publicly that, in the letter of the law, we may have removed those taxes that we had a timetable to get rid of. But we certainly have not abided by the spirit of that agreement, and that is what is troubling in the recent debate that we have had in these past few weeks.

Many of the taxes in the stamp duty area are quite inefficient. They raise little revenue and they impose large compliance and collection costs. That is why they were listed for review. They were seen as impediments to the efficient running of business as this federal government, as did its predecessor in relation to competition matters, tried to make Australia a more competitive environment to encourage entrepreneurialism and business, which ultimately results in a healthy economy and strong employment.

It is for that reason—and it is not, as is constantly characterised by the Treasurer, some slavish right wing agreement or some such nonsense—that the federal Treasurer has been quite correct in asking the state and territory treasurers to meet their side of the bargain by reviewing and reducing state taxes in light of their windfall gains from GST. The Treasurer's approach, although I do not think he prevails too often, is generally sound on a number of issues, but he is really off the money when he advances this

view—and I have heard it now several times—that if you help business, there is no benefit to the rest of the community.

It is a fundamental failing in this government's understanding of economics to divorce the buoyancy of business in the territory from the wellbeing of the people. There is no question whatsoever that, if business prospers in the ACT, they will employ people. People in business do not hoard money and say; "Well, that's terrific. That's a windfall we won't spend." They employ people, they become more productive, they generate better profits, they pay more taxes and they spend. That is what business people are about. You do not go into business simply to do nothing. So it is incumbent on governments to create an environment that is positive for business and not to burn them with crazy taxes involving more paperwork than gain. I take strong exception to the point of view advanced earlier today and on a few other occasions that stimulating business is not supportive of the economy. It is not a view, frankly, that I have heard coming even from many on the Labor side.

The states and territories signed the intergovernmental agreement back in 1999. A raft of taxes went. Wholesale sales taxes on petroleum, liquor and tobacco were abolished. Bed taxes were abolished and, from July 2001, financial institutions duty and stamp duties on marketable securities were abolished. The ministers agreed to abolish debit taxes from 1 July 2005, although their friends in New South Wales managed to beat the other states out of the starting blocks by abolishing debit taxes on 1 January 2002. Other states were listed for review. There was no formal decision on a timetable to abolish those taxes, but they were to be reviewed at this time. These include taxes on hiring arrangements, leases, mortgages, life insurance and business acquisitions.

Through recent weeks we have seen the ACT's battle on this issue, this alliance that was blindly formed with New South Wales. I find it intriguing that when the Treasurer was away in the Middle East on his business mission, his colleague the New South Wales Treasurer made statements to the effect that they wanted to reduce what the ACT was getting out of the pie. They are not our friends and they are not the friends of the ACT community. But we are told that it is in the interests of the world that we get alongside New South Wales. New South Wales wants our cut of the action and I am staggered that the territory government is putting party allegiances ahead of the territory's interests by simply lining up with Dr Refshauge on these matters.

Mr Quinlan: Didn't you read the next day's paper?

MR MULCAHY: I did read your statement, Mr Treasurer. I find it extraordinary that party discipline is compelling you to line up with your colleagues interstate even if it means that the ACT gets a smaller cut of the pie, which will, of course, only add to your pressures in balancing the books.

There are other initiatives that the ACT should look at. We should look at making modifications on payroll tax. I remember that the Business Coalition for Tax Reform urged reform on the federal Treasurer. In fact, he resisted that. But, of course, with the windfall gains that the states and territories have had, they could have actually made changes. The states and territories have been big winners but, sadly, they have lost the opportunity, particularly in the ACT, to benefit from that. Now they are saying, "We need more money and we cannot afford to make any reductions in those tax levels."

In many ways it is perceived outside this Assembly as the Treasurer engaging in some sort of poker game with the commonwealth. It is a predictable cycle. We have seen it for years in this country. The state and territory governments scream that they have been duded. I have worked in another state government, a very prosperous state, and we were part of the same theatre. It is always worth having a go at the commonwealth because they are the richest player on the block. But the truth of the matter is that there comes a time when each state government has to manage its own affairs and be accountable to its own people. The message to the ACT government ought to be that they now have to look very critically at the decisions they are making.

We were told in the *Canberra Times* on 24 March that getting rid of these taxes or reviewing them would cripple the territory's economy, but one has to wonder whether it is not a case of crying wolf. I certainly hold the view that the ACT does not have the flexibility it had in the past, but it is of its own doing. They are now coming, cap in hand, saying, "Well, we have been on a three-year spending spree. We have thrown the cash around. Now times are going to be tough. Bad luck, people of Canberra and business houses of Canberra. You'll just have to wear the tax levels you've got."

On the figures that have been made public and that have been provided to the Treasurer and to me, last year the ACT received \$658 million in GST revenue. That was \$39 million more than the guaranteed minimum. In 2004-05 the ACT will be better off by \$53.5 million, in 2005-06 by \$54 million, in 2006-07 by \$66.7 million and in 2007-08 by \$84.9 million. If the ACT government were true to the spirit of the 1999 agreement, it would certainly be cutting territory taxes to the value of something approximating the windfall gains, rather than simply pocketing those taxes. There are many more benefits in removing taxes than the dollar value. Eliminating pernicious and unnecessary nuisance taxes makes the tax system more efficient and contributes markedly to economic growth. The cost to business of these taxes is considerably more than the revenue the government may receive because of the administration involved in those organisations.

It is interesting that Access Economics has estimated that the removal of the various taxes that have been listed could add more than \$3 billion to Australia's gross domestic product, from which we all benefit. But eliminating these taxes is unlikely to happen in the ACT because the government has not been able to control its spending. The scope for cutting taxes has been blown, and I am referring particularly to the wage increases that the government has so generously handed to its public sector. Of concern, as it emerged in the hearings on this bill, was how it was done. I said this morning, and it is worth stating again, that it was quite amazing to hear Minister Gallagher admit that no productivity gains were sought by the government in granting wage increases to the ACT Public Service amounting to some \$47.2 million.

The pay increases were therefore an additional cost for which no gain has been achieved in terms of more or better services to the community. What was evident in those hearings was that the minister really fails to understand that productivity gains are the means by which we are all made better off. It is about working smarter, not necessarily harder. It is about innovation. There is nothing new about this. This is what we have been arguing for years. I suspect the Treasurer knows that because he is saddled with the problem of trying to balance the books after these generous decisions are made. You would think

that the Labor Party in the ACT would understand all this because their colleagues over in the UK years ago went down this road of giving away the farm. They were consigned to the scrap heap for a long time and it was a reflection of this sort of economic management.

Ms Gallagher: You guys paid nothing in wages. You guys paid the public service nothing.

MR MULCAHY: Those who do not learn the lessons of history are clearly condemned to repeat them and I think that will eventually happen again.

Ms Gallagher: One point seven per cent. A wage cut, that is what you guys did, a big pat on the back about—

MR DEPUTY SPEAKER: Order! Ms Gallagher!

MR MULCAHY: It is very important to understand that productivity gains in return for pay increases do not necessarily mean a reduction in employment conditions. This is a wrong assertion by the minister, who sees it in such simplistic terms. Productivity gains usually arise from finding new ways to make work easier and more efficient. Those gains can be generally shared between everyone involved, so that employment conditions are improved and not reduced. I would respectfully suggest that possibly the Treasurer might want to invest some time in educating his colleague the Minister for Industrial Relations on the importance of productivity gains in lifting living standards and providing new opportunities for investment and jobs.

It is very interesting that the latest leader of the team up on the hill, Mr Beazley, whom we have seen in that role before, said only recently to the Melbourne Institute that productivity growth was our greatest economic need and urged smarter work practices. This is not the Liberal Party. This is Mr Kim Beazley, who has come back in to fix up all the mess that has been made in the hope that the people of Australia will forgive them and put them back into government. Mr Beazley went on to claim that he brought a certain hard-nosed pragmatism to leadership. He promised not to be cowed by ideological opponents in the ALP and pledged to work closely with business.

I reckon Mr Beazley could save himself an airfare by jumping in a car and popping down here, because there is plenty of work to be done with his Labor colleagues in the Assembly. He can explain to them that productivity improvements are not a bad thing, that they are actually good for the people, for the workplace and for business. In terms of the matter we are discussing here today, an appropriations bill, they are very good for the taxpayer.

I have included recommendations, which I suspect this government would not be keen to embrace, and suggested that they try in future negotiations to extract some productivity improvements. I have also suggested that there be some regard to the impact on private industry when the farm is given away, as it was in this round of negotiations. I am not advocating reductions in wages or employment conditions. What I am saying is that the people of Canberra, for this sort of outlay, are entitled to something better.

All we have got so far is confusion. On the one hand, we are being told that more has to be paid and the Assembly is being asked to approve of those decisions that were made. Then, in the midst of this, we hear that the public sector in Canberra has grown by 5.1 per cent, a record increase in numbers in recent years. Then, two minutes later, we pick up the paper and we see that the Treasurer is now saying that ACT public servants have been put on notice that job cuts are being considered by the government as it strives to keep the May budget in the black. What kind of message does that send to the public sector, about which the government purports to be so concerned? It sends a message of confused management, of division within the government and obviously an uncertainty about the prudence of their earlier decision to give away the farm.

Time is escaping and there is limited time to address other aspects of this appropriation bill. We did look at Manuka Oval as part of the hearings. All I would say in relation to that is that before we rush to spend monies at Phillip Oval, we need to understand the benefit that the local community is presently enjoying from Manuka Oval. Moving sporting activities to Phillip will not necessarily deliver the local benefit where there is an absence of retail businesses close by.

We looked at stress and injury of health workers and particularly issues within the hospital. I know that some have said, "Well, it is only 11 nurses who have got stress claims." That is 11 too many and it is something that we ought to be concerned about. Then, of course, we saw the \$7.7 million on the coronial inquest into the bushfires, a figure that is rising every day. The opposition supports the bill.

MR DEPUTY SPEAKER: The member's time has expired.

MR HARGREAVES (Brindabella—Minister for Disability, Housing and Community Services, Minister for Urban Services and Minister for Police and Emergency Services) (5.06): I would like to say one or two words while the Speaker is on his way to join us. I would like to say thanks very much for the Treasurer's management skills of the territory's finances.

The Department of Disability, Housing and Community Services was able to receive \$4.189 million in additional funding, including a quarter of a million dollars to provide transitional alternative accommodation and support arrangements for two at-risk clients; 200,000 bucks for housing and support services for temporary visa holders; \$100,000 to match commonwealth funding and provide additional respite services; a quarter of a million dollars to conduct a feasibility study; \$1.3 million for costs associated with the clerical enterprise bargaining agreements. This government, in fact, is providing pay rises for public servants, not denying them. It is providing \$2 million for the ACT concession program.

Mr Speaker, the supplementary appropriation addresses some urgent drought-related activities, increased water rates and also further, within the Department of Urban Services, nearly \$3 million for, again, wage negotiations. The Emergency Services Authority has received some money also for the enterprise bargaining agreement.

If it had not been for the prudent management of the territory's finances, none of these drought and bushfire response amounts would have been possible.

DR FOSKEY (Molonglo) (5.07): I am voting in support of Appropriation Bill 2004-2005 (No 2) because much of the expenditure is necessary and unavoidable. However, I would like to make some comments about specific items included in the bill.

My greatest concern and interest in this bill is the impact of public sector wage rises on community sector wage parity. I raised this issue with the Minister for Industrial Relations at the hearings and was pleased that it has been flagged as a matter of concern for this government to address during this term. I understand that work has commenced with the community sector task force that will work with community providers with regard to issues of wages, conditions and retention of staff. I also understand that the Treasurer and the Minister for Health have indicated that this is a matter for the upcoming budget. The Greens will be watching this with interest.

I sincerely hope that the government is genuine in addressing wage parity across the public and community sectors. Community organisations have a critical role in providing social support and delivering essential services. They should not continue to be undermined and devalued by wage increases in the public sector that are not matched by funding increases for the community sector. This is particularly salient in the ACT where there is strong competition for talented people across commonwealth and ACT public sectors, often resulting in the loss of some of the best people from the community sector.

I do support well-supported wage increases for government employees in sectors such as health and education, but I believe that these should be matched by increases in the community sector funding to ensure that wage increases are possible for people undertaking comparable work in the community sector. I wait with interest to see how the government proposes to address this issue.

In relation to the very large appropriation for the department of health: I believe this is further evidence that major and systemic problems in our health system are not being adequately addressed. In response to a question put to him in the public accounts committee hearing, the health minister stated that there had been no adverse situations resulting in risk to patients as a result of workload pressures on health workers.

Yet, in response to a question on notice, the same health minister reported that nursing staff at the Canberra Hospital are working an equivalent of 32 full-time equivalent positions every day and medical staff are working an equivalent of 38 full-time equivalent positions per day. This is an additional 1.25 hours per week for every nurse and an additional 5.8 hours per week for every medical officer. This indicates an unsustainable level of workload pressure, creating a situation in which people are much more likely to make mistakes and unlikely to be able to deliver the standard of service that they would like to provide.

I have had representations from constituents who recently had very poor experiences with the Canberra Hospital, and this is likely to be related to pressures on staff. In one instance, a family was quite distraught over the treatment of their elderly mother. This woman, too unwell to feed herself, was left food that she could not eat. It was subsequently removed without anyone realising that she had not eaten it. Furthermore, the family felt left out of care planning and observed on a number of occasions that good

staff communication with primary carers was limited by lack of sequential information about the patient.

It is understandable that stressed and overworked nurses can find visitors a nuisance, despite knowing that they are so important to patient recovery and wellbeing. I think that this is an example of patient wellbeing being jeopardised by staff being overworked and stressed. And I am sure that it is not the only instance.

I am also concerned about the appropriations related to the Office for Children, Youth and Family Support. As much as we all want to see the problems with child protection addressed and the recommendations of recent reviews such as those contained in the Vardon report acted on, this should not mean vast sums being spent on operational aspects such as office accommodation. Certainly it does make sense to consolidate the office in one location, and I understand that staffing has recently increased.

Nonetheless, I am not convinced that the service needs to be located in Civic or that there could not be some savings from the relinquishing of existing office accommodations to offset the costs of consolidation. I would have thought that \$1.48 million could be much better spent in other areas of child protection, with more direct benefit for children at risk.

Lastly, I remain concerned about the government's decision to locate gambling and racing within the Department of Economic Development. Gambling is much more than an economic industry. It is a highly complex activity that causes significant social harm to a proportion of our community. I believe that the government needs to maintain a very strong connection between the regulation of the gambling industry and the impact of gambling on the community, including the provision of effective support to people with gambling problems and their families.

I acknowledge that the code of practice for gambling providers is a positive step. But we need to do much more, and I believe that it is dangerous to see gambling as integral to our economic development. For many families it means quite the opposite.

MR PRATT (Brindabella) (5.13): Mr Speaker, of course we have no choice but to support the passing of this appropriation. There are fundamental activities enshrined here which have to be supported for the good of the community. However, necessary as this appropriation may be, this exercise highlights a range of fundamental flaws in this government's economic management. It is clear, after looking at Appropriation Bill 2004-05 (No 2), that this is a government that is barely fit to manage the ACT economy. This is a government that cannot budget adequately and therefore cannot properly manage the finances of the territory.

I fear that Canberrans are going to have to pay the price of the Stanhope government's failings to manage the territory's finances by way of increased fees, fines and taxes in 2005-06. I hope I am proven wrong by this government when it hands down its 2005-06 budget shortly. But this appropriation bill raises some serious concerns in that regard and may be a hint of some of the problems to come.

It is clear that this government has now blown out the 2004-05 budget. Last year, and certainly for the purpose of impressing the electorate in an election year, this government

forecast a surplus to this budget to be in the area of \$7.9 million. Indeed, Mr Quinlan proudly announced in 2004:

This government has cemented its credentials in financial and economic management. We have proven the doomsayers completely wrong.

It now appears the doomsayers may be right, as now we see that the government is going to appropriate an additional \$75.3 million to pay for activities that the territory surely cannot afford.

Mr Speaker, although the Treasurer talks about the impact of the appropriation on the operating result being only \$25.9 million, due to a large part of the \$75.3 million being for the uptake of enterprise bargaining agreements, this \$25.9 million still equates to more than three times—I say again “three times”—the original forecast surplus of \$7.9 million. Surely the Treasurer cannot say that much of this new appropriation was unforeseen at the time of the original 2004-05 budget as the amount is much too large to justify in terms of minor tweaking of the budget for the purposes of CPI increases, increased supply charges and the like. In fact, a large proportion of this additional funding is to support, on the government’s own admission, a raft of 2004 election commitments—commitments that this government clearly cannot afford, given that this appropriation will now potentially lead to a significant deficit for the 2004-2005 financial year.

I am going to point out a number of activities where there are fundamental differences in terms of the revised targets which must be closely questioned by this Assembly and which justify explanation by this government. Interestingly, the additional amount of \$8.239 million which has just been made part of the second appropriation to Urban Services in 2004-05 equals more than the total original forecast budget surplus of \$7.9 million for the entire territory. Even taking into account that approximately \$2.9 million of the additional funding for Urban Services is to cover wage increases, that still leaves a whopping \$5.3 million in additionally appropriated funds, which is still a significant dent in the territory’s finances.

Looking more specifically at particular items that this \$5.3 million is meant to cover we see that \$2.3 million has been allocated to meet the increased cost of diesel fuel for ACTION buses. This is something that should have been foreseen more accurately as it is well known that all fuel costs have been on the increase for some time now and should have been appropriated accordingly in the original 2004-05 budget, not simply speculated upon in order to beef up the government’s desired forecast territory surplus.

I am also concerned about the additional funding of \$200,000 to meet the increased charges for watering the territory’s sports grounds and ovals. These increased water rates were effective from 1 July 2004 and, again, could have been foreseen and appropriated in the original 2004-05 budget. Not only that, how is this additional \$200,000 funding justified when the government clearly has let many sports grounds and ovals dry up? Exactly where is this water being used?

What about the projected cost savings that could have been made regardless of the increase in water rates if the Stanhope government had adopted the irrigation efficiency measures that the CSIRO recommended and that would have led to significant water

savings of 20 per cent on the current usage? Then there probably would have been no need for this additional \$200,000 appropriation if those measures had been identified and taken in the first place.

The government has also managed to sneak some additional increases into the funding in the second appropriation that are staggered throughout. Amazingly though, whether the government knows already that there are cost blowouts, they have failed to appropriate additional funds. For example, the Minister for Urban Services has already alluded to the fact that, due to ongoing delays and court challenges, the cost of the Gungahlin Drive extension has blown out against the original forecast costs for 2004-05. It appears, however, that there has been no additional funding appropriated to cover these costs—costs that the government knows it will have to cover in this financial year.

Looking also at revenue, we see that the second appropriation bill now forecasts for municipal services an end-of-year decrease in other revenue from \$69.4 million to \$37.3 million, a drop of approximately \$32.1 million. Wonderful! This is a significant reduction in forecast revenue for this department and I wonder how this loss of projected revenue for 2004-05 will affect the upcoming 2005-06 budget. Is this another hint at impending increased fees, fines and taxes in the next budget to cover revenue shortfalls in the current year?

In terms of expenditure, we see a raft of examples of apparent cost blowouts from the original 2004-05 appropriation that show some even more worrying trends. For example, the cost of library and information services is up a massive \$486,000 on the original forecast. The cost of online services is up \$157,000 on the original forecast. The cost of shopfront and call services is up \$233,000 on the original forecast. The cost of territorial roads maintenance is up \$260,000 on the original forecast. The cost of municipal roads maintenance is up \$71,000 on the original forecast. There is additional funding of \$1.15 million for urgent removal of fire damaged trees.

Yes, this was important work that needed to be done, but surely the Stanhope government could have foreseen that, as a result of the devastation of the 2003 fires, there would be ongoing need for funding of such safety measures and should have allowed for a funding safety net in the first appropriation to cover such work—not now, but in the first appropriation. But no, they did not want to detract from their nicely projected \$7.9 million surplus. Short-sighted!

The list of cost blowouts goes on. An extra \$622,000 is appropriated for horticulture, cleaning and asset maintenance. Another \$26,600 is for public place use. An additional \$126,000 is for sports grounds and asset maintenance. There is a \$127,000 increase towards commissioning, contract and asset management. The cost of domestic animal services is an extra \$18,000. The cost of transport advice for road transport regulation services is another \$162,000. For the cost of parking services, add \$133,000 if you feel like it.

Mrs Dunne: Do they get free parking?

MR PRATT: A good point, Mrs Dunne. The cost of vehicle safety is another \$86,000. The cost of customer service is up \$26,000. The cost of customer service is up another \$86,000 in another function. The cost of transport advice for public transport is an

additional \$48,000. For the cost of purchasing transport services, add \$97,000—a bargain basement price! The cost of managing ACT Forests is an extra \$73,000. Et cetera, et cetera! I could continue with listing the blowouts but I do not have time. However, I am sure my colleagues all have their own examples highlighting the government's inability to budget properly. So I will refrain from adding to the list at this stage.

What I have shown in listing the preceding examples is the Stanhope government's inability to budget for, and thus to manage, the ACT economy on a day-to-day basis. They are flying without any compass. It appears they are simply unable to appropriate or are unwilling to appropriate sufficient funds to cover these, which are, to a large extent, expected increases in cost for basic municipal and urban services.

However, what is even more disturbing is that the extra funding that has been appropriated has not entirely been targeted at the areas of the greatest need in the ACT. If the ACT economy is to suffer a budget deficit in the future, which it appears is where we are now heading big time, then additional appropriations, one would think, should really be targeted at the essential areas that have been significantly run down—areas that are crying out for additional funding and which have received little funding at all in the extra \$75.3 million appropriated. This is entirely scandalous.

For example, one of the greatest areas of concern of the ACT community, along with health and housing, is the failure of this government to ensure that police numbers meet the national average. There appears to be no additional funding—not \$1, from what I can see anyway—towards either boosting police numbers or ensuring that our police have sufficient resources to deal with day-to-day crime in this territory.

I will not hold my breath waiting for this government to allocate additional funding for this important area of need. Going on the government's track record on funding of policing in the past, I will not be surprised if the upcoming 2005-06 budget does not allocate significant additional funding for extra police either. If it does, then that will be an extremely pleasant surprise, one which the community would certainly welcome. I would encourage the government to rethink their budget strategy on that fundamental issue, policing.

To conclude, Mr Speaker: it is clear from this excessive appropriation of \$75.3 million, or \$25.9 million if you take only the impact of the operating result over and above the original 2004-05 budget forecast, that this government cannot manage the territory's finances. Not only that, but also this government cannot properly identify the fundamental needs and priorities of the ACT community and, indeed, lacks the courage to target the funding where priority needs exist, particularly if it is politically incorrect to do so.

I will be supporting Appropriation Bill 2004-05 (No 2) comforted only by the fact that my own and my colleagues' concerns about the ACT government's poor management of the ACT economy are now on the public record.

MRS DUNNE (Ginninderra) (5.27): Mr Speaker, as Mr Mulcahy has said, the opposition will be supporting the appropriation bill. But appropriation bills are important things and they cannot pass without some comment on some of the important measures

therein. This is part of keeping the executive accountable. In this appropriation bill, there are considerable sums of money for areas in my area of interest that are of concern.

I think that the experience over the past 12 months in relation to the Office for Children, Youth and Family Support has shown us that much more needed to be done in this community in relation to child protection. In fact, as a result of the Vardon report, a great deal has been done. I feel that I need to make this point, but it is a difficult one to make: over the last year the government has appropriated in excess of \$75 million for ongoing expenditure to boost staffing in the Office for Children, Youth and Family Support, particularly in relation to child protection.

I do not think that there is anyone in this community who would quibble at that amount of money, because of the importance of our children, but there is an increasing element of concern—and I would not put it any higher than that—that every time there is an appropriation bill there is yet another return for, in this case, \$4½ million for the Office for Children, Youth and Family Support to address juvenile justice issues and another \$2.139 million for care and protection staff as well.

One of the things that struck me in the answers to questions during the estimates inquiry was that no-one, the minister or the department, could definitively say whether they had actually got to the bottom of the cost pressures in the Office for Children, Youth and Family Support. There is a perception that the average man on the street would be forgiven for coming to, and that is that perhaps this office is becoming a bit of a bottomless pit. That might sound like I am speaking against motherhood, but I think that, as an executive, the government should be on top of the costings.

I would hope that by the time the budget for next financial year is concluded the minister and her staff in the office have got a better handle on what is actually needed, because this will have been going on for 18 months by then, and on what the actual costs of running the new and revamped Office for Children, Youth and Family Support are. I hope that by the time we get to the estimates on the 2005-2006 budget we have some definitive costs, because at the moment they are growing bit by bit with every appropriation bill.

The community also needs to be concerned to ensure that, with this fairly large injection of funds, child protection, which is such an important issue in the community, will improve, that there will be improved service, that there will be improved protections for the people and the children, in particular, of the ACT. I think that soon the community will start to tire of what I would characterise as the minister's Pantene defence: it will not happen overnight but it will happen. I am sure that the minister has actually used those very words in this place in defence of the changes in the Office for Children, Youth and Family Support.

As a cautionary note, I am concerned that every time we have an appropriation there is a request for more money on top of the \$75 million already appropriated. I would like to see a much more definitive assessment of how much money will be needed to properly run this important service by the time we get to the estimates.

Mr Speaker, there is \$3 million to meet increasing demand for traineeships and apprenticeships under VET, a matter which I think is of the utmost importance to the

ACT community, particularly to the young people and also, through them, to the business prospects and the prospects for prosperity in this community. Three point one million dollars to meet increased demand sounds like a very important thing; we must be doing something well. But we have to hedge that a bit with some concerns. While we are increasing money for training and apprenticeships, we have axed the Auslan signing course at the CIT. There is also the ongoing failure of all the Labor states to sign up to the commonwealth/state training agreement which, as a result, has cost this budget, the budget of the ACT, \$4 million over the life of the agreement. Here we are appropriating money that we could have found from another source.

There is a lot more to an appropriation bill than can be adequately covered in a short time. These are two important issues amongst the many that have been raised in the discussion on this bill.

MS GALLAGHER (Molonglo—Minister for Education and Training, Minister for Children, Youth and Family Support, Minister for Women and Minister for Industrial Relations) (5.33): I am here as minister responsible for a fairly large slice of the money coming through this appropriation bill. There is \$1.5 million for the asbestos task force, additional money, \$8.7 million, for child protection, around \$4 million for education and, of course, some of the money that was allocated for wage increases.

I have to respond to a couple of comments of Mr Mulcahy, because I do not think he has been entirely honest about the wage increases. When I did appear before the committee, we did have a discussion around productivity savings and smarter work strategies, and I did point out that we have reduced the number of agreements from 59 to 22 and we have reduced the amount of staff tied up in enterprise bargaining, which has already delivered a smarter way of working. Mr Mulcahy has to be a little honest about what he talks about here. Mr Mulcahy thinks public servants get too much money; that is the point he tries to make—

Mrs Dunne: I raise a point of order, Mr Speaker. On two occasions here, Ms Gallagher has said that—

MR SPEAKER: What is the point of order?

Mrs Dunne: I would seek your ruling, Mr Speaker, as to whether saying someone needs to be a little honest is, in fact, implying that they were a little dishonest—and, if that is the case, could the minister withdraw it?

MR SPEAKER: Yes, there is an imputation there. Just withdraw that.

MS GALLAGHER: I withdraw that, Mr Speaker. But the issue here is that Mr Mulcahy believes that public servants get paid too much. He believes that nurses earning around \$38,000 get paid too much, that teachers earning around \$50,000 get paid too much.

Mr Mulcahy: When did I say that?

MS GALLAGHER: That is the point that is being made by his continual allegations that we have been too generous in pay increases to public sector workers. That was the

entire theme of Mr Mulcahy's speech here today around wage increases: that they are too generous, giving too much to a vital part of Canberra's work force.

The issue that he does not touch on is the fact that the public sector workers received a real wage cut under the previous government, and essentially we have been playing catch-up. If he wants us to apologise for actually fixing up the deficiencies that we were left with when we came in, we can do that. We can apologise that we had to make our work force competitive with the commonwealth because we were not able to retain staff. We were not able to attract staff in key areas of work shortage because they were not paid competitive wages.

This absolute obsession by the opposition with public service pay rates was shown in the committee's request for my appearance. One and a half hours were allocated for industrial relations matters—that is, public servants getting paid too much. Half an hour was given to the very important area of children, youth and family support—and no time was allocated to education, at all. They were not interested. Is that keeping the government accountable? For a bit of transparency in two large service areas their view was, "We're not even interested in talking to you about those issues because we are absolutely obsessed with the fact that public servants get paid too much."

The final point I will make is on Mr Mulcahy's suggestion that I go and undertake a course in enterprise bargaining 101, with the Treasurer as my supervisor. I am not going to accept that advice, because Mr Mulcahy does not understand that we are always going to disagree on industrial relations matters. That is why I am in government and he is in opposition. I do not come from the industrial relations school of, "Let's try and screw the workers over." We actually come from a belief that we should give people a fair go, that they should be paid fair remuneration and have fair conditions for the work that we are asking them to do. That is the position that this government has taken in relation to industrial relations matters. We will fundamentally disagree with each other on this for the term of this Assembly, but it is not a position that this government is going to apologise for.

MR STEFANIAK (Ginninderra) (5.38): I will not repeat any points that my colleagues made, as I note the time, but I will make a few specific comments. Firstly, I do not see great drama in terms of what the minister is spending on Manuka Oval. I do note in the committee's report, however, that the government was more interested in investing in and further upgrading Phillip than Manuka, due to its location and surrounding amenities, and that it estimated the upgrade would cost \$1.5 million.

I think Phillip is a very nice facility and obviously, if it is to remain a facility, it does need upgrading. The government should, however, realise that the previous government did look at both of those facilities and initially was going to spend about \$9 million on Phillip, but it was because of AFL and cricket that ultimately that was done at Manuka as the preferred venue. I know there are lots of attractions in parking and such like around Phillip, but Manuka has its attractions too, so I await with interest the government's plans there now. I just hope that they will take into account the views of the users and the sporting community.

I will make a few comments in relation to the legal areas. The committee was interested, as we all are, in the costs associated with the Eastman case to date. In fact, they are quite

monumental. The report states at paragraph 2.25:

The Attorney-General responded that the Eastman case has been continuing for a number of years with its expected conclusion pending the report of Justice Miles by the end of June 2005. The cost of the trial would include costs of his trial, various appeals and conviction as appropriated by the Bill. The amount would be in the millions of dollars.

I would like to find out exactly how much. I think it is something like \$9 million. It could only happen in the ACT. Also, I do not know how, unless the attorney has a crystal ball, he could possibly say that this matter, which one would have expected to have been concluded years ago, is finally going to be concluded by the end of June 2005. That may well be wishful thinking. This thing may well have millions of dollars more to run. I certainly hope the attorney is right—that the conclusion will be some time this year and that this longstanding matter, which has caused great angst to Gwen Winchester and her family, will be resolved and finalised once and for all.

The other point is the coronial inquest for the bushfires, costing some \$7.761 million until February 2005 and going up monumentally. I think the government maintains that \$4.9 million may well be recoverable in terms of insurance, but we certainly have not seen the end of the spending of money—a lot of which did not need to be spent if the government had followed convention and had not taken the unprecedented step of appealing against its own coroner, which caused a lot of angst, as we know, in relation to issues such as the separation of power, conflict of interest and the very real concern in the community as to what the government has to hide.

It looks like a lot more money is going to be spent there, and indeed a lot of the money that has been spent already need not have been spent and should not have been spent by this government, by the attorney and Chief Minister, in terms of the government's unprecedented step of taking the matter to the Supreme Court. Again, I do not comment about the nine individuals, but the government has wasted and has spent a lot of money that it should not have spent and which legal precedent and a number of other things indicate it should simply not have done.

I make those points in relation to this appropriation bill. I make one further point: I think there may have been one or possibly two supplementary appropriation bills during the term of the previous government—the government that was in for nearly seven years—but this government seems to be making an absolute habit of coming back and wanting to spend additional money. Maybe, hopefully, we have seen the last of these bills for a while, given the Treasurer's and the Chief Minister's little hints to the public that there is going to be a much tougher budget. But to continually bring in appropriation bills outside of the normal budgetary process is the sign of a government that simply is not managing the books well.

MR SMYTH (Brindabella—Leader of the Opposition) (5.42): I think my colleagues have summarised pretty much the way the opposition feels about the bill. Governments are entitled to their budgets and we will support the appropriation bill, as we always have, but I think the list of concerns that my colleagues have raised are things that the public are concerned about.

There seems to be a lack of control. I know the Treasurer appreciates the importance of making sure that you live within your means and that you have a bit of spare for the future, but it does seem that the other ministers simply wish to spend at the limit without any regard to the ability of the taxpayers ultimately to foot the bill. There do not appear to be any savings, or any attempt at savings, from this government in the control of its finances, nor does there seem to be any attempt at all, for instance in the EBA negotiations, to get something more in terms of productivity from the public service for the benefit of the taxpayers.

We always need to look at better ways of doing things, more efficient ways of doing things and more appropriate ways of doing things. Instead, we have had something like 500 extra public servants coming into the public service in the last year. That tells me, given that there has been no appreciable increase in service delivered, that this government, through its ministers, lacks control over its departments and indicates that if we are not careful—and I know I will get a rise out of the Treasurer on this—it will repeat Labor's legacy of last time. The \$344 million operating loss is something that should be thought of as being well and truly on the horizon. We have a report from the Auditor-General that says that there are problems, and what we have here is again just unfettered spending—spending for the sake of spending—and no apparent attempt to find savings or moneys inside departmental budgets to fund these promises. Instead, the government will simply spend the excess cash we have had from previous years.

When you are finally confronted, as we appear to be now, by a situation where the cash is going to level off, you then have the problem that you have made commitments that you probably cannot keep. We will continue to scrutinise the government in the way that it spends. The points made by my colleagues were all valid and we look forward particularly to May and the coming budget and all its outcomes.

MR QUINLAN (Molonglo—Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for Racing and Gaming) (5.45), in reply: I thank the house for the support for the appropriation bill. This bill does, in fact, include some election commitments that were made post the previous budget, and it is very fortunate that we are not trying to fund the commitments that the opposition made in the lead-up to the election. I know that there are going to be some groans, but I have a copy of the shambles that was the Liberal Party's costings before the last election. It is a disgrace and I trust, Mr Mulcahy, that you have a better grip on things than Mr Smyth had, because the costings and the amount of commitment were entirely indigestible and would have resulted in absolute chaos.

I do note that Mr Mulcahy started his speech with the normal far-right-wing approach of "Let's indulge in business welfare and all will be good for everybody. If you look after the speculators and the investors, then everybody else will be okay"—somehow; I do not know how that actually works. This government does invest in business. This government has invested millions in business generation, but it has not invested money in business welfare and it does not intend to do so.

I do not quite get the point that Mr Stefaniak was making in relation to the Eastman case. I do not think there is much we can do about that. Even though it is very expensive and

we could all rail against it, everybody has rights. Speaking of rights, I do not often get an opportunity to make a comment about the coroner's inquest and the appeal against it, but I do not understand the mentality that says that people who feel they have been railroaded by a coroner—whether they are justified or not—cannot appeal. Nine people went and got an opinion from an eminent jurist and—

MR SPEAKER: Be careful, Mr Quinlan.

MR QUINLAN: Sure. These are facts. I read it in the paper.

MR SPEAKER: That you may well have done, but—

MR QUINLAN: That appeal was accepted. Just stop me when I go too far, Mr Speaker. They took it to the Supreme Court. The Supreme Court said there is a case.

MR SPEAKER: That is enough, I think.

MR QUINLAN: It is a pity; I will have a lot more to say on that if I ever get a chance. I have to say in the general sense that, from where I sit, what has been said in this place, going back two years, in trying to make political capital out of that very tragic event has been one of the most tawdry episodes, at least in my time in this place. It gradually built up. It took six months to get going and then, bit by bit by bit, it was Mr Stanhope's fault. What nonsense!

I thank members for their support for this bill, which appropriates \$25 million. To his credit, Mr Pratt recognised that in his speech. It is not \$75 million; that was already budgeted. There is \$25 million worth of new money. I do not think anybody has really raised any objection of any merit whatsoever to the individual expenditures. Of course we have had to appropriate for public service wage increases, but they were public service wage increases that were already factored into the budget. It is just that they were not appropriated until they were decided. There is extra money for public sector wages, but it is not in the order of \$75 million.

This bill includes expenditure for the asbestos task force—something that arose in the last weeks of the Assembly, and we know what role you guys played in that. We had this crazy bill that the minister had to virtually rewrite in a couple of days because you were going to support it by hook or by crook. It did not matter if it was rotten legislation; it did not matter that we had not thought it through—you were going to support it, and you did. It was a great job by that minister to tidy it up—but it costs money.

I am very concerned when I hear in this place Mrs Dunne trying to do some form of backflip on child protection, trying to build some other case. I do not know where you are going from there—I do not know what is the plan—but all of a sudden you are going to recant all of the statements that have been made across that side of the house about what the government ought to do, what ought to happen. All of a sudden you are going to try to qualify that. I have seen the twisting coming from the Liberal Party. I have seen the Humphries style that you were part of, and I await the next episode, as you change history and you change the basis because everything that we want to do is wrong.

Mr Smyth: Even Ted's blushing at that story.

MR QUINLAN: No, I have been there and I have seen it. I have seen it in this place—the re-creation—

Opposition members interjecting—

MR QUINLAN: I've been Gary-ed; I'll remember that. Anyway, I do thank the house for its support.

Opposition members interjecting—

MR QUINLAN: No, it is from my heart. I do thank you for your unqualified support and, based on today's debate, I really look forward to the budget debate in May and June.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Adjournment

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

That the Assembly do now adjourn.

Select Committee on Estimates—membership

MRS DUNNE (Ginninderra) (5.53): I refer to the decision of the Stanhope government, which is becoming apparent, to revamp the composition and purpose of the Select Committee on Estimates and ensure that there is a majority of government members on the committee and that a government member is chairman of the committee. This seems to have been done so as to better reflect the Chief Minister's understanding of parliamentary democracy.

On behalf of my colleagues, and indeed the entire ACT electorate, I would like to express my gratitude to the Chief Minister for clarifying his view of parliamentary democracy, because we now can put his thoughts into a proper historical and philosophical context. Just think of the lineage: John Locke, Thomas Jefferson, Winston Churchill—and now Jon Stanhope. But, before we consider the Chief Minister's overhaul of responsible government and the estimates committee in particular, we should think back to what the territory's leading democrat said in the aftermath of last year's election: the people of Canberra, he quavered, had nothing to fear from an ALP majority government—of course not, because Mr Stanhope would be a government for all people, of all people, all of the time; it would be open and accountable; it would be responsive. A simple-minded person might suppose that means that it would be a government that, amongst other things, respects parliamentary tradition and convention. They are fine

sentiments, fine hopes, in which a simple-minded person would have been foolish to trust.

Why? Just consider what our man of the people is now proposing with his revamp of the estimates committee. He is proposing a flouting of the standing orders, a disregard for convention and precedent, and a destruction of open government in the ACT. In plain language, the Stanhope administration intends to stack the estimates committee so that, in effect, the government reviews its own budget process. This is not putting Dracula in charge of the blood bank; it is just a handful of very small, very greedy mosquitoes.

I ask: what is the Chief Minister afraid of? Is it that a more balanced committee might raise questions that the Chief Minister and his colleagues would find inconvenient to answer? Is it that the deliberations which have to accommodate more than a single argument might be difficult for one or two of his ministers to understand? Or is it that members of the government are just so used to branch stacking that, now that they have majority government, they are not going to let standing orders or any other bourgeois parliamentary principle get in the way of turning this Assembly into another ALP sheltered workshop?

The psychologist Alfred Adler specialised in the study of inferiority. Initially, of course, his concern was organ inferiority and its various compensations. But Adler's most famous example is the Napoleon complex, which refers to the inferiority specific to men normally of short stature but not only of short stature—not only people who are vertically challenged but those who are morally challenged and those who have small minds.

Liberal democracy relies on open minds and open debate. More particularly, it relies on legislative scrutiny of the executive, particularly in the case of the budget process. Once any government—through arrogance, fear or, in this case, intellectual cowardice—seeks to remove that right of legislative scrutiny, we are well on the way to what might be termed, without exaggeration, elective dictatorship. Elective dictatorship is something that Labor governments are used to. Hawke did it, and Keating, Wran and Beattie. It goes with the ideology; it goes with the Labor tribe.

The Chief Minister will doubtless get his own way this time. The Chief Minister has the numbers, and for a bully that is what counts. Furthermore, he can be confident a future Liberal government will not follow this example—and I assure you we will go out of our way to make certain that this is the beginning of the Chief Minister's electoral end.

Napoleon, who started out being a so-called man of the people, could not resist crowning himself emperor. We have already had command performances, so I think that the emperorship is on the way. I imagine that the Chief Minister's exile will be spent somewhere more romantic than Elba—perhaps the Gold Coast—but I suspect he will not find it any less depressing. The people of the ACT will see to that.

Evatt primary school

MS GALLAGHER (Molonglo—Minister for Education and Training, Minister for Children, Youth and Family Support, Minister for Women and Minister for Industrial Relations) (5.58): I am pleased to have the opportunity in the adjournment debate to read

into *Hansard* a letter I received in my office a couple of weeks ago about one of our excellent public schools, Evatt primary school. I have sought permission from the author to read it in, although I am omitting the names for the sake of privacy. The letter says:

Dear Ms Gallagher,

I'm writing to you as a grandparent. My grandchildren attend Evatt Primary School. The younger of the two ... was subjected to bullying late last year. He did not want this reported to the school and in fact my daughter found it difficult to go against his wishes. When his mother asked him how he felt when they teased him, he said he was used to it—it didn't matter. She did however speak to the Deputy Principal ... She gave my daughter a very sympathetic ear and spoke to [our child] and asked him to make sure that he reported any incidents to her in the future. It was some time later that his sister ... noticed the same boys bullying [our child] and she went herself to [the deputy principal]. The boys would not allow him to play and were teasing and ganging up on him, pulling his shirt etc. He is a gentle child who would prefer to walk away and the bullies knew this. [The deputy] counselled the boys as well as speaking to [our child]. [The deputy] spoke to his teacher who was most surprised, as she saw [our child] as a popular member of the class. It was not until going into the playground that the bullying became obvious. She followed the incident through with [our child] and made sure that all was well. This type of bullying is not tolerated at Evatt. [The deputy] sees it as a personal challenge and is determined to nip any such behaviour in the bud.

I want to say that I believe the school dealt with this incident in a most professional, positive and satisfactory way. [Our child] was in tears on the first day of school this year however after roll call [our child's] tears turned to smiles. [Our child] has been separated from these boys in class this year and his self-esteem has grown beyond our expectations. The bullies have been disempowered because they have been separated and a level playing field has been created. [Our child] is achieving more in class as he doesn't feel threatened and is more willing to participate in class discussion. His mother has maintained a good relationship with the children, a most important part of parenting, and she has happy children.

All too often schools are condemned but I would like to say thank you to the school for what they have done for [our children]. Evatt is a very caring school and I hope you will give them some recognition for a job well done. The children at Evatt are also educationally challenged and health and fitness is fostered as well. How lucky are we to have such a wonderful public school for our children to attend. Surely encouragement from you will help give them the strength to continue the good work.

Thank you for reading this.

I would like to congratulate Evatt school for such a letter. I think it does put a positive slant on bullying and shows how our schools are dealing with these issues day by day. I would like to put on the record formally that Evatt school is doing a fantastic job in supporting all its students.

Seniors Week

MR MULCAHY (Molonglo) (6.01): On Sunday last, representing Senator Humphries, I had the pleasure of attending and speaking at the ecumenical church service in the Reid Uniting Church in celebration of and reflection on Seniors Week 2005 in the ACT.

Along with a number of members from both sides of the Assembly, I also attended the Chief Minister's breakfast on Monday morning at the Ainslie Football Club, where we heard from entertainers Gerry Scott and Leisa Kean, who performed so well. Amongst those present at both the ecumenical service and the breakfast was Reverend John Wakefield of the Uniting Church in Reid, who also has responsibility for his parish in Hackett.

Seniors Week celebrates the diversity of older people in the ACT and promotes positive ageing in the broader ACT community. It is important that we recognise this week, which began on 2 April and will actually continue through to 10 April, with numerous events happening all over Canberra. The rather exciting program has begun, with community activities such as the come and try technology sessions, interactive information sessions and competitions that actively encourage participation. There are cultural activities, such as playing music or teaching traditional crafts, and recreational activities, such as song and dance, storytelling and sporting activities, including a competition in Manuka involving younger and older generations. Activities will continue over the next five days involving participation by older people, and people of different generations are encouraged to participate as well.

Seniors Week aims to promote public awareness of the contributions, achievements and ambitions of seniors and to promote positive attitudes in ageing and other people through the involvement of people of all ages and backgrounds. This is achieved through celebratory and informative activities for older people and their families and friends to share and enjoy. Seniors Week is also a great way to challenge the stereotypical view of the older members of the community and presents an opportunity for everyone to think about and improve relationships with senior citizens. As was so well expressed by George Curtis, "Age ... is a matter of feeling and not of years."

The occasion of Seniors Week also raises another issue of importance within the senior community nationwide, that is, eligibility for and employment of the seniors card between the various states and territories in relation to receiving, amongst other things, concessional public transport when travelling interstate. This is an issue that has been raised with my office most recently and I know that it is an issue that has been bouncing for some time among the commonwealth, state and territory governments. It seems that the seniors card, which is available to Australians aged 60 and over who are not working full time, is an important benefit that we can extend to our communities and the time is overdue for the various governments to come together and work out a way of mutually recognising that card.

It has been the subject of inquiry and discussion for far too long. I have been told by members of the seniors community in Canberra that the ACT has had a better approach to this debate, but is being blocked particularly by the New South Wales and Queensland governments, which seem reluctant to extend this concession, which would be of great benefit to many of the retired people in the ACT as they seek to travel interstate.

I recall that the Australian government made some funds available to assist in this regard but, clearly, uniformity and mutual recognition are essential. Too often, Treasury officials look at these concessions purely from the viewpoint of the value of the concession being obtained and fail to appreciate that not only is it assisting with quality

of life by enabling retired people to move between the states and territories but also it could well generate additional expenditure in those communities.

I was looking earlier today at a report prepared by the House of Representatives inquiry some time ago into the concession available to low-income Australians. It reflected that the Queensland government, for instance, acknowledged that pensioners would bring money to the state as tourists but argued that because of the extent of Queensland's rail network covering popular tourist destinations the high usage of concessional travel would result in a loss to the state government.

That attitude, Mr Speaker, is disappointing. There is an opportunity now to reignite that discussion about the seniors card and I would urge the ACT government to become active in that matter. They seem to be able to meet with their colleagues in New South Wales on tax matters. Here is a great opportunity in Seniors Week for them to reopen discussions and try to get this concession for the benefit of our senior citizens.

Seniors Week

MS PORTER (Ginninderra) (6.06): Mr Speaker, I would like to congratulate the organisers of Seniors Week and acknowledge the fine contribution that seniors have made and continue to make to all facets of life in Canberra. Just recently, as we know, many hundreds of Canberrans who have been resident for 50 years and more have had their contributions recognised through receipt of the Chief Minister's Gold Award.

We are fortunate to have such a diverse and involved population of older Canberrans. However, the proportion of older people is increasing at a greater rate here than anywhere else in Australia and it is important that we continue to use the skills and experience of these people to the benefit of the whole community.

As the Chief Minister said at the breakfast yesterday, which was attended by me and a number of my Assembly colleagues, our society has become very youth oriented. However, by their sheer numbers, those of us who are older will be recognised and our contribution acknowledged. However, young people have much to offer to the older members of our community. Those amongst us who are grandparents can attest to that. We should do everything in our power to bring young people into contact with the aged in our community, particularly those who are cut off from their normal supports and the joys of extended families.

Older Canberrans have much to offer to the young—their experience, the wealth of their memories, their wisdom, their time and their patience—all of this in an era when we seem to have such little time at hand, little time to share with those who are both older and younger than ourselves. Indeed, Mr Speaker, this is something we should reflect on today as we have been reminded in this place this morning about the unpredictable nature of and the uncertainty surrounding our life and our death.

Whilst speaking this morning to the condolence motion for Pope John Paul II, Mr Mulcahy remarked that the pope was 58 years of age when he attained office and then spent almost the next three decades working tirelessly for a better world. In my 63rd year, when many of my peers are looking to retire from paid work and, indeed, many have already done so, I have begun a new phase of my life in this place and I believe that

the rich experiences that I have been fortunate to have had have given me a broader perspective that I may not have had had I sought to stand earlier. I trust that other older Canberrans will also continue to contribute to our community by utilising the expertise that they have developed during their lives.

Earlier, I mentioned yesterday morning's breakfast, at which we also celebrated organisations that were successful in seeking grants to seniors. As a consequence of these grants, 38 community organisations will undertake a variety of projects as diverse as our community itself. They include a project that will see primary age schoolchildren accompanying seniors to community events and another that will link younger people with older sufferers of arthritis to their mutual benefit. These are great examples of the way that both young and old can work together to enrich our lives.

Mr Speaker, again I congratulate the organisers of Seniors Week. I realise the amount of effort it takes to put on such a week. It takes a tremendous amount of effort and, no doubt, many voluntary hours. I congratulate them and I would encourage all members of the Assembly to attend as many of the events of Seniors Week as they are able to.

Environment—salinity treatment

DR FOSKEY (Molonglo) (6.10): Mr Speaker, two articles in today's *Canberra Times* underline the importance of catchment management. The first, titled "ACT has work to do in salinity fight: audit", reads:

The ACT is dragging its feet on efforts to wind back salinity damage, a key review has found.

The fight against the Murray-Darling basin is being hampered because of a lack of skills and staff, the review said ... The audit group found the ACT and Queensland were dragging their feet on major efforts to reduce salinity, while South Australia had performed best and Victoria and NSW also rated relatively well.

The audit group, which reviews progress by the commission—

the Murray-Darling Commission—

on its basin-wide salinity strategy, presented its second review report to commission ministers last week.

One of the specific points that it made about the ACT was as follows:

The ACT was marked down on almost all fronts, with the group finding that the territory had made little headway in monitoring and implementing its catchment plans.

My office will be investigating the work being done in the ACT to counter salinity, as this problem is extremely expensive to deal with once land areas are affected. We live in a region where salinity is already proving to be a problem. Last year I did a tour with the institute of engineers of some sites, including one very small area where repair work had cost over \$100,000. I think that these are costs that we should, as land managers, attempt to avoid.

The questions that we will be asking are: has an audit been conducted to identify vulnerable areas, since landform and soil types are fairly reliable indicators? Do we have public awareness programs in place to educate Canberra gardeners, park managers and farmers about watering methods that reduce salinity risk? What is the territory government doing to monitor and implement its catchment plans? Indeed, Mr Speaker, where are those plans?

The second article reinforces the need for management plans that maximise the ability of the Cotter catchment to produce good quantities of high-quality water. This article, headed "Pipe plan for water may delay dam need", reads:

A plan to top-up the depleted Googong Dam with water from the Cotter catchment could provide relief for Canberra from water restrictions and defer the need for a decision on a new dam, Actew chief executive Michael Costello said yesterday ... Transferring water to Googong Dam through existing infrastructure did not require government approval and was not included in the six options.

The options studied by Actew. The article continues:

Mr Costello said it had become clear the new Stromlo treatment plant was extremely robust, treating up to 300 megalitres a day, well above winter and spring needs. Without interfering with the environmental flow requirements for the Cotter River, water could be transferred to Googong Dam through the existing pipeline.

The Greens welcome the fact that this option is being considered by Actew, but I would just like to point out in this adjournment debate that this is yet another very good argument as to why we need to manage the Cotter catchment for its water production facility, to come up with a catchment plan that does exactly that and to make sure that uses within that catchment are regulated and enhance that particular function.

People with hearing impairment

MRS BURKE (Molonglo) (6.14): Mr Speaker, I rise tonight to thank a few people, you being one of them, Barbara Locke from the education unit and the Administration and Procedure Committee, for their support for and interest in the trial that we had today concerning the Auslan interpretation for people with a hearing disability. I think that there was a great spirit of cooperation amongst all involved. A lot of hard work went into it, from Barbara Locke's area in particular. I forgot to mention Max Kiermaier as well. I must not forget Max. Thank you to everybody. I think that it was quite heartening.

Members may or may not know that I wrote to the Speaker some weeks ago about whether we could have a trial and the Speaker kindly pursued the request. Indeed, today the Speaker had the pleasure of welcoming the people involved to the Assembly. I think that it would be right to say that there were about 20 people there. It was great to see some young students among them. We talk a lot in this place about inclusion and it really is important where we see and identify gaps that we fill those gaps. I hope that through your support, Mr Speaker, and that of the Assembly, we have been able to do that today. I am sure that the people who came here, not only the people who were able to understand the Assembly's proceedings but also the people watching the Auslan interpreters actually doing their work, found the proceedings quite fascinating.

Having this sort of service goes to the heart of accessibility for all. It certainly has and will allow those with a hearing impairment to know what is happening in the Legislative Assembly. I think that that is really important. It is also worthy of note, as many people may not be aware, that those people with a hearing aid fitted with what is called a T-switch can also connect to the hearing aid loop within the building. Of course, it is in this chamber, but not in the members' area, which is a little unfortunate. It certainly is in the gallery and in the committee rooms. It is my hope that today's education program will lead to the government and its departments looking at a range of improvements when it comes to accessibility of services for people with a disability.

World Transplant Games

MR GENTLEMAN (Brindabella) (6.16): I rise in this adjournment debate to bring to the Assembly's notice the World Transplant Games which will be happening later this year. In February this year we celebrated Organ Donor Awareness Week to recognise the importance of organ donation in saving lives across Australia and, importantly, to increase the awareness in our community of the important issues surrounding organ donation.

Organ Donor Awareness Week was the result of collaboration among the ACT government, all other state and territory governments and the commonwealth government. The cooperation has been important to strengthen arrangements for organ and tissue donation across Australia. But more still needs to be done. In 2003, the number of recipients of donated organs outnumbered the number of donors by six to one. Whilst these figures are not a clear indication, as one organ donor can save the life of more than one recipient and the chance of being suitable to become a donor is one in 100, it is important to take note of them.

That is the intention of the World Transplant Games to be held in London, Canada from 16 to 24 July this year. The games, organised by the World Transplant Games Federation, are intended to demonstrate publicly, visibly and positively the benefits of successful organ transplant and to increase public awareness of transplants and organ donation. Further, the games promote the full rehabilitation and wellbeing of organ recipients.

In countries where the World Transplant Games have been held, there has been a 30 per cent or better increase in organ donation. In Canada, there are currently 4,000 people waiting for organ transplants. It is hoped that holding the games this year in London will boost the number of people willing to volunteer for organ donation and help save a life.

Participation in the games is open to anyone between the ages of four and 80 who received a successful life support organ transplant more than one year before the games. This year, four ACT residents will be part of the Australian team at the World Transplant Games. All have been the recipients of an organ donation and the successful treatment of all has enabled them to fully rehabilitate and participate in this great event.

I would like to pass on my congratulations to those members of the Australia team for their selection and wish them the very best at the World Transplant Games in July.

I would also like to congratulate them for their commitment to promoting the cause of organ donation within our community. This, while a difficult discussion, is a discussion we need to promote in our community to encourage people to consider the issue and to discuss their positions with their families.

To register as a donor, you can visit your local Medicare office, log on to www.hic.gov.au or phone 1800 777 203. Registration on the organ donor register is a positive step for those willing to do so and is something that we in the Assembly should promote as an option for residents of the ACT to consider in consultation with their families.

Question resolved in the affirmative.

The Assembly adjourned at 6.20 pm.