Debates

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Legislative Assembly for the ACT

SIXTH ASSEMBLY

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Wednesday, 29 March 2006

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

Petition

The following petition was lodged for presentation, by **Mr Pratt**, *from 139 residents:*

Policing—shopping centres

> To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory.
>
> This petition of certain residents of the Australian Capital Territory draws the attention of the Assembly to the escalating problem of crime, violence and harassment at local shopping centres. In the interest of community safety and small business, this petition calls on the Assembly to provide frequent, ongoing police patrols in and around local shopping centres to better prevent crime.
>
> Your petitioners therefore request that the Assembly significantly increase police patrols in and around shopping centre precincts to enhance community safety and increase crime prevention.

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

Terrorism (Preventative Detention) Bill 2006

Mr Stefaniak, by leave, presented the bill.

Title read by Clerk.

MR STEFANIAK (Ginninderra) (10.33): I move:

> That this bill be agreed to in principle.

Mr Speaker, I have pleasure in introducing the Terrorism (Preventative Detention) Bill 2006. This bill basically uplifts the New South Wales antiterrorism legislation. My bill is virtually identical in all material aspects to the New South Wales bill, although it does differ in language in parts to make it compatible with the ACT Criminal Code and also to make it compatible with relevant ACT institutions that are named in the bill where there are no similar institutions in New South Wales. Similarly, New South Wales institutions that are named in the New South Wales legislation and not replicated in the ACT have been deleted from the ACT bill. An example of that is in the scope of oversight. In the New South Wales bill, for example, there is reference to the Ombudsman, the Police Integrity Commission and the Independent Commission Against Corruption, but only the Ombudsman has been put into my ACT bill.

Might I say at the outset that I certainly would have no problem with considering any reasonable amendments to this bill so that the Assembly can accept the bill in preference to what the government is going to introduce tomorrow. For example, in terms of oversight, I certainly would not have a problem if the human rights commissioner and a public interest monitor were also included, if people felt strongly enough about that.

The fundamental reason for my introducing the bill is the need for consistency in antiterrorism measures in Australia. We are venturing into a relatively new area of law when we are looking at preventative detention legislation. Whilst about eight ACT acts do have some form of preventative detention in them, as referred to by the legal affairs committee in its report on the government draft's bill, it is a relatively novel aspect and concept in terms of the Australian criminal law system. Nevertheless, COAG, the Prime Minister and all the state and territory ministers decided to go down the path of introducing legislation of this type.

The problem with the government's draft bill is that it differs in a number of very substantive aspects from the legislation in other states. The beauty of the New South Wales bill is that it was one of the first bills passed and it was used as a type of template legislation for other jurisdictions in terms of the passing of antiterrorism legislation. If one looks at the antiterrorism legislation comparison provisions which can be found at appendix 3 to the legal affairs committee's report, which I will table to make it easier for people to do so, one will see exactly how the draft ACT bill compares with both the commonwealth and the New South Wales legislation. In fact, at this stage I seek leave to table appendix 3 to the legal affairs committee's report, which has a comparison between the ACT, commonwealth and New South Wales legislation.

Leave granted.

MR STEFANIAK: I present the following paper:

> Anti-Terrorism Legislation Comparative Provisions—Appendix 3 to Report 3 of the Standing Committee on Legal Affairs.

I should also note that, apart from its being used as a type of template legislation by some other jurisdictions, the committee took evidence from the ACT human rights commissioner, Dr Helen Watchirs, who indicated that from her perspective and from a human rights perspective the New South Wales bill was the second best bill. She preferred the ACT draft because of the ACT having its Human Rights Act. I think that that was an interesting observation and one well worth mentioning for members who might be concerned about—

Mr Stanhope: Do you like being second best, Bill?

MR STEFANIAK: Jon, I like to protect the community, that's for sure. The New South Wales legislation is very similar in most material aspects to the commonwealth legislation. On the most important aspects of the bill, it ensures a number of things. The New South Wales bill ensures that the Supreme Court may make a preventative detention order on the grounds that it is reasonably necessary and would substantially assist in preventing a terrorist act and/or is reasonably necessary to preserve

evidence; in other words, exactly the same test as an issuing authority has to be satisfied of at the commonwealth level and, indeed, at other state levels as well.

This test is significantly different from that of the draft ACT legislation, whereby the Supreme Court may make a periodic detention order on the basis that it is reasonable and necessary and also is the least restrictive means to prevent a terrorist act or the only effective way to preserve evidence. That, Mr Speaker, is a much harder test for the authorities to satisfy. I envisage that, unless the government is going to introduce legislation tomorrow that is much more in line with interstate legislation, it may well be virtually impossible for the authorities to have a person issued with a periodic detention order by the ACT Supreme Court. I think that it would be an absolute travesty of the intention of COAG if that were to come to pass. Sadly, I think that there is every possibility of this happening if the government is not going to make substantive changes to its draft legislation.

In many other aspects, as one can see from the comparative table that I have tabled, the New South Wales legislation is consistent with other pieces of legislation and gives the authorities fundamentally much greater scope than the ACT bill does. The New South Wales bill is actually tighter and does a number of significant things that the ACT bill does not. For example, periodic detention orders are applicable to children between 16 and 18 years of age, as they are in the rest of the country, but not in relation to the government's draft bill. It is also different in relation to the sunset clause. Whilst every other state and territory and the commonwealth have a 10-year sunset clause, the draft bill for the ACT has a five-year sunset clause. My bill would bring us into line with the rest of the nation there.

If we are to have such legislation, it is important that it should be as standard as possible across Australia. Terrorism, like any other major crime, knows no boundaries and it is particularly important for the ACT to have legislation that is identical in all material aspects to that of the states and the commonwealth. There is a real need for the tests to be applied to satisfy a court to be consistent across all jurisdictions.

There has been much comment in the media already by persons such as the federal Attorney-General, Mr Ruddock, by the federal Attorney-General's Department, and by the AFP commissioner, Mick Keelty. I would hope everyone here would recognise that Mick Keelty is a world-renowned expert on terrorism and on policing. He is indeed more knowledgeable and knows more than any of us here, and I believe that his view should be given full weight. He has indicated that the ACT is of particular importance to the AFP because it not only houses the seat of government, 90 different missions and some 1,000 staff attached to those missions across the ACT, but also is policed by the AFP in a community policing role, complementing the role that the AFP plays nationally and internationally. He stated on 31 January 2006 in evidence at the committee inquiry:

> In responding to terrorism we are focusing on minimising the risk to the community that comes from the gap between the behaviour criminalised by existing offences and our authority to collect evidence to charge individuals and the methods employed by terrorist groups to plan and execute their attacks. In stark terms, we are trying to narrow the space between when we can intervene to prevent an attack occurring and the opportunity for terrorists to launch such an attack. These are the powers that we will use judiciously and cautiously to protect the community.

As indicated, he and his colleagues have fears about whether the ACT's legislation is sufficient. He has expressed fears that the police have concerns about provisions in the government's draft bill about the interoperability of the ACT Policing element of the AFP with the rest of the AFP and other jurisdictions in conducting counterterrorism operations. He stated at the inquiry on 31 January:

> The proposed extended powers are necessary to increase the AFP's capacity to prevent terrorist attacks and to respond effectively to attacks in a way that is consistent with police in all jurisdictions in Australia. The AFP believes that this bill—

the government's draft bill—

> does not enable us to do that.

The commissioner and his colleagues have expressed concerns in relation to the different tests and standard of proof being required by the AFP to establish a case for preventative detention orders before the ACT Supreme Court. The AFP feels that the standards required are much higher in the ACT than elsewhere in Australia. The commissioner was asked:

> Would it be simpler if, say, the ACT simply adopted the New South Wales legislation to do that?

He replied:

> It would be. It would be a way forward … I think in this bill we do need to have consistency. If ever I have seen people with the intent and motivation and capability to do something catastrophic, it is the terrorists.

The commissioner went on to say that the ACT had already been the target of a person who wished to bomb the Israeli embassy and who is now serving time in Perth. He also gave the following evidence to the committee on 31 January:

> The reasons for terrorist attacks are many and varied and there is nothing that will make us immune from them. This is a really important point about why we need consistency in the legislation across Australian jurisdictions, particularly for the ACT; that we don't by default cause ourselves to be the subject of a terrorist attack because the police don't have the right powers.

The commissioner was concerned that terrorists, like international criminals and like organised crime in Australia, do take note of jurisdictional impediments to their activities. If our bill were to be weaker than those of other jurisdictions, then that could well be a factor. I remind the Assembly that the commissioner is an expert in this area and we should give due regard to his fears.

Apart from that, there is the commonsense argument that in instances like this there should be consistency between legislation throughout the country. The ACT should not be the odd man out. If the legislation in the ACT is going to be defective, then we are being unnecessarily put at great risk. That is something that no responsible government

should ignore. The simplest thing that you can do, members, is to bring us into line with other jurisdictions.

My legislation uplifting the New South Wales legislation does just that. If minor amendments are needed, as I have already alluded to, I have got no dramas about that. However, on the substantive aspects that this bill shares with other pieces of legislation, specifically the commonwealth legislation, we cannot compromise. We need to have, and the ACT people have an expectation that we will have, strong legislation in place that will protect them as best as any legislation can from the risk of terrorist attack. There are significant, realistic and justifiable concerns that the government's draft bill does not do that. My bill does. I commend it to the Assembly.

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

Legislative Assembly Precincts Amendment Bill 2006

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

Title read by Clerk.

MR BERRY (Ginninderra) (10.45): I move:

> That this bill be agreed to in principle.

This bill, the Legislative Assembly Precincts Amendment Bill, makes some minor changes to the Legislative Assembly Precincts Act 2001. After seeking legal advice earlier in the year, it was found that the ability of the Assembly to issue licences to outside individuals or organisations was in doubt. The use by private individuals of our facility is not a great part of the role of the Assembly and members who were waiting for a piece of landmark legislation that was going to change the direction of the world may well be disappointed with this bill, but it is an important thing with our community and I was keen to resolve the problem.

The options were to send all requests to use our facilities to the head of the ACT Planning and Land Authority for approval or to amend the Precincts Act 2001 to restore the power to the Assembly. I chose the latter option and the result is the bill that I have presented today. This bill authorises the Speaker to grant a licence to use the Assembly precincts and sets out what information must be provided by the user, including the name of the user, which part of the Assembly they are to use and the purpose for which they are seeking to use the Assembly.

The bill also allows the Speaker to set fees for the use of any part of the Assembly by determination, which is a disallowable instrument. Previously the Minister for Planning set these fees. The Speaker will also be able to approve forms to be used. Any such form would be a notifiable instrument. These are simple changes to facilitate the operation of the Assembly. I commend the bill to members.

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

Sport and recreation

MR STEFANIAK (Ginninderra) (10.48): I move:

> That this Assembly:
>
> (1) notes:
>
> (a) the considerable benefit of sport and recreation to the Canberra community;
>
> (b) the fact that sport and recreation services are a limited part of the ACT budget, approximately 0.4% of the total ACT budget; and
>
> (c) the concerns of the sport and recreation community about the impact of the Functional Review of Government Services; and
>
> (2) calls on the Government to give a guarantee that the Office of Sport and Recreation ACT will remain in one department and not be spread across a number of departments.

We have all taken pride in the achievements in sport and recreation of the ACT. At the elite level, fantastic results were achieved most recently by athletes from ACTAS, the ACT Academy of Sport, in Melbourne. The table in the *Canberra Times* for individual athletes, not team athletes, indicates that we beat New Zealand, as the Chief Minister said yesterday, with nine gold medals and sundry other medals. If you include team sports such as basketball—remember our own Lauren Jackson—and hockey and several team sports in the swimming area, there were actually 13 gold medals, which was a fantastic result.

At the general level, the ACT has the highest participation rates consistently. They might be a bit down now, but I think the rest of the country is too. I recall that at one stage, six or seven years ago, 74 per cent of territorians over the age of five were physically active. That has dropped a bit, but so have other states as well and we are still in front of other states.

It is a record to be proud of and it is done, basically, on pretty well a shoestring budget. The total ACT budget is some $2.7 billion. Of that, about 0.4 per cent, about $12 million, is actually spent on sport and recreation. If you look at budget paper No 4 for the current year, you will see that $9.499 million is being spent by the government on sport, recreation and racing sector development. I am not concentrating on the racing sector development here, so it would be a little less than that, but when you bung in facilities and so on you are probably looking at around the $12 million mark.

In a budget of $2.7 million, it is not particularly huge, yet we certainly get an excellent bang for our buck in terms of health benefits, community wellbeing, community pride in their elite athletes, and the fact that kids can simply play a game of footy, play some of the plethora of sports we have in Canberra, be active, learn great life skills and not be bored and idle, which often leads to trouble and ultimately might lead to some of them getting into trouble with the criminal justice system. Indeed, sport and recreation is a wonderful way of helping people who are in trouble with the law, especially younger

people. It is something worth preserving and there are some real concerns in the sports industry in relation to the functional review.

I thought that probably the simplest way I could speak to my motion and show the need for a commitment by the government to what I am asking for—that is, a guarantee that the office of Sport and Recreation ACT will remain in one department—would be to read out a couple of letters. The first one, addressed to Mr Stanhope, was from the touch football association. I think that it encapsulates the argument very well. The person who sent the letter, Mark Spear, acknowledged his concern about the functional review and the effect it might have on the industry and then he stated:

> Sport and recreation is a significant industry sector in the ACT which provides numerous economic, social and health benefits to the ACT.
>
> In March 2004 the industry representative group ACTSPORT, in conjunction with the ACT Government, released the *Impact of Sport and Recreation on the ACT* study conducted by ACIL Tasman detailing the contribution of the industry to the ACT economy and the community.
>
> - In 2000/01 the ACT sport and recreation industry had a total output of $340 million.
> - The Gross State Product (GSP) in 2000/01 was estimated at $113.5 million. ABS statistics indicate that the GSP had grown by 40 per cent between 1994/95 and 2000/01.
> - The export revenue generated by the sport and recreation industry for the hosting of events is $15.1 million and represents $7.6 million of GSP.
> - More than 3,400 people are employed by the industry.
> - The industry involves 30,400 volunteers providing an estimated 2.3 million man hours to the value of $44.3 million annually or 0.36 per cent of GSP in 2000/01.
> - Increased physical activity in the workforce leads to a reduction in absenteeism ranging from 14 to 50 per cent. (Tasman Asia Pacific 1998)
> - The impact of workplace physical activity programs can reduce short-term sick leave 6-32 per cent and increase productivity by 2-20 per cent. (WHO 2003)

He went on to state:

> I am aware that participation in sport and recreation leads to improved health benefits and reduces the burden of costs associated with disease and injury. Increased levels of physical activity is associated with
> - preventing cardiovascular disease
> - prevention and control of diabetes
> - the primary prevention of some cancers
> - the promotion of mental health
> - reducing the incidence and prevalence of overweight and obesity.
> - If all Canberrans were sufficiently active to gain health benefits, the ACT's health expenditure in 2000/01 could have been reduced by $18.4 million.
>
> The industry also wants and needs one point of contact within Government which understands and responds to all facets of their business.
>
> Specifically related to Touch Football in the ACT, I am concerned about the rumoured outcome of this review will involve the dissolution of Sport and Rec ACT and its functions will then be spread across four other governmental departments.

> This is an outcome that would prove devastating for all sports in the ACT, including us in the Touch Football sphere. Our Sport and Rec funding is potentially under threat, as would be all the courses, seminars, and industry support that we receive from Sport and Rec and its member organisations, for example ACTSport and ACTAS.
>
> The rumoured dissolution of Sport and Rec ACT may affect our ability to offer a service to our members. If any dissolution affected the ability of Touch Football ACT to receive funding:
>
> - There could be a reduction in the number of staff able to offer services to the clubs and members of Touch Football ACT
> - Competition fees could increase to play Touch—which could lead to a reduction in the number of people participating in Touch
> - Ground Hire costs could increase—which again could lead to a reduction in the number of people participating in Touch
> - It could affect the quality of the staff and volunteers being able to provide a safe and secure sport in the ACT. Currently Touch Officials gain accreditation through Coaching, Refereeing and Selecting courses as well as Sports Administration—which could be affected if funding were to decrease
> - It could lead to a decrease in pathways for people to participate in sport from either the recreation level or through to the elite.
>
> The consequences of possible reduced participation rates will affect economic, social and health benefits listed above.

He goes on to express concern about the review having a detrimental effect. There is no doubt that the government has received a number of letters from other organisations as well.

ACTSPORT, the peak body for sport in the ACT, also put in a paper in relation to this issue. They say in their paper that sport and recreation has been moved between various government agencies in the past, although most of its functions were in one area between, I think, 1994 and 2001. Still, it has moved around. In a plea not only for it not to be split across four government departments but also perhaps to make it more efficient by putting those areas in other government departments into the one area, ACTSPORT made a number of comments. It stated:

> In 2001 the functions of SRACT—

Sport and Recreation ACT—

> were split with policy and programs going with the Department of Economic Development and the facility functions of sports grounds and swimming pools going to the Department of Urban Services. To complicate matters further, major facility management responsibility remained with SRACT. In addition to this functional split, Business ACT also established a sport sector unit to look at industry development and export potential in the "for profit" sector of sport, and Australian Capital Tourism has an active role in attracting and supporting sport events to the ACT. To complete the picture Healthpact in the Department of Health also has a significant sport function in providing grants to sport and recreation to derive health benefits and reduce social inequities in health outcomes. The impact that has had on the industry has been significant

It went on to say:

> It is unlikely that Government has dealt with any other recognised industry sector in the ACT in such a fragmented way. To assist the sport and recreation industry to grow, build cohesion and look for greater synergies it needs to be recognised by Government as a significant industry sector and deal with it as a whole rather than in disparate parts.
>
> The industry wants and needs one point of contact within Government which understands and responds to all facets of their business.

ACTSPORT went on to say:

> Sport and recreation is primarily managed by state sport and recreation organisations that have responsibility for all facets of their activities that require them to:
>
> - run community competitions,
> - deliver social inclusion programs,
> - convey health messages,
> - select and develop state teams,
> - host national and international events,
> - compete in national leagues,
> - develop commercial and business opportunities, and
> - own, lease, manage or use facilities.
>
> These organisations, in managing this complexity of functions, want to engage with one Government agency and not the four or five they currently have to negotiate with. They should be able to work with one single agency.

The document goes on to state how, for example, the ACT Rugby Union Association, which manages the Brumbies, deals with the Stadiums Authority, SRACT for performance fees and triennial grants, tourism, Healthpact, and Urban Services for the hiring of grounds. That is under the current system. There is real concern through the ACTSPORT paper, and indeed with the other sporting organisations, that the small Sport and Recreation ACT bureau, which, I think, includes probably 20 staff or thereabouts, is possibly going to be split amongst four or so government departments, which would needlessly further complicate the problems. They have already highlighted a number of problems.

On a positive note, rather than looking at splitting up the area further following this functional review, the Chief Minister and the government might like to look at ensuring that there is one single point of call and perhaps some of the disparate agencies already could be put under one banner. I do not think, having talked to people in the sport and recreation industry, it is particularly relevant which government department it is in, as long as it is in one government department and the component parts are there.

The ACTSPORT paper goes on to make a number of other points in relation to just how difficult it will be for national bodies such as the Australian Sports Commission to make agreements with the ACT government on various sports if they have to ask, "To which government department do we go here?" They will only make an agreement with one

and it will just make it even harder for a body like that, let alone the average punter or the average sporting group which has volunteers if they have to wade through a plethora of bureaucratic red tape and have difficulty knowing exactly what department they should go to. They might end up having to go to four different departments before they actually get the assistance they need. The ACTSPORT paper on this area concludes:

> Any suggestion by the Functional Review that continued fragmentation of the sport and recreation industry is a viable option would further disenfranchise the sport and recreation industry's links with Government, at both the state and national level. Creating disparate functions across the many government portfolio areas that may gain a benefit from sport and recreation is counterproductive to a cohesive sport and recreation industry and effective delivery of programs and services to the community.

The paper says a bit more about that and then it talks about a number of other areas. One area of concern is grants. The ACTSPORT paper says that it would be far more effective if all sport and recreation grants were available from, and determined by, one single sport and recreation agency with strong industry knowledge and relationships. They say that they have been concerned about suggestions that one single government grant unit could manage all government grants and that that approach is not supported by the sport and recreation industry. Might I say that it never has been.

Might I say in terms of the centralisation of grants that there have been suggestions and moves by the bureaucracy to do so under governments of all political persuasions. Over probably the last 15 years, certainly since self-government, I do not think we have ever had a centralised grants program. Certainly, governments of all persuasions have decided that that is not an efficient way to go. The sport and recreation program is a particularly efficient, cost-effective program which costs very little to administer as a result of finetuning over many years. I think that it was started by David Lamont. It was certainly continued by me, and Ted Quinlan most probably continued it as well. It is efficient, it does the job and there are rarely any whinges about how it is run. It is a moderate program. It was cut in the last budget by about $60,000, I am told, and it currently stands at about $2.4 million.

It helps the 120 or 130 sports agencies and other groups. There are usually about 200 grants, most of them small, which are of great benefit to and gratefully received by the industry. It is one of the reasons, I think, that we have such a huge participation rate in the territory. The amount of money is miniscule. I suspect that if the grants program were to be centralised with everyone else, not only would sport and recreation bodies probably miss out, but also administratively it probably would not save any money. It might not be a lot more cost-effective. Indeed, I would caution the government not to interfere with the miniscule budget for sport and recreation. It is a very small amount of money in terms of the territory budget, but the bang you get for your buck is huge. There are health benefits and social benefits and there is assistance to disadvantaged people to enable them to enjoy playing sport and the opportunities that gives.

I would hate to see this government go down the path of conducting a functional review and, at the whim of bureaucrats who might not really appreciate what they are doing, save perhaps a couple of hundred thousand dollars out of a budget of $12 million or so if, in the end, that led to a lot fewer people being active, a lot more problems in terms of antisocial behaviour, a lot more problems in terms of the community not having a feeling

of wellbeing, and a lot more health problems which down the track might lead to maybe $10 million, $20 million, $30 million or $40 million more having to be spent in that area. It does not make good financial sense either. I think this motion is worthy of support. I think that it would not hurt the government to say that it will keep sport and recreation in one department and not spread it across a number of departments.

MR MULCAHY (Molonglo) (11.03): I am pleased to speak in support of Mr Stefaniak's motion. I want to relate this matter particularly to our health budget and health issues. I have in mind the matter of the statistics related to overweight and obesity levels in Australia. Published data presented in the Australian government report entitled *Building a healthy, active lifestyle* notes that around nine million Australians over the age of 18 were estimated to be overweight or obese in 2001 and that a further 1.5 million people under the age of 18 are considered overweight or obese. These figures are astonishing and alarming. Obesity leads to a variety of health problems which in turn place a burden on our already strained health system.

Being overweight or obese makes health problems like heart disease, cancer, diabetes, dementia, arthritis and even kidney disease much more common and much more serious. This, of course, leads to a significant cost to our health system. The latest estimates in the report entitled *Healthy weight 2008: Australia's future* suggest that the true cost of obesity may now be as high as $1.3 billion per year and rising fast. Whether or not one wants to debate figures and say that they are higher or more conservative, I do not think any reasonable person would doubt the fact that the cost of poor health is substantial in Australia. I think most people would recognise that a vibrant sports and activity program must be of general benefit to our community as we face the increased difficulty of meeting health costs.

There are other statistics that take the figure even higher. The indirect costs caused by people being overweight and obese, which include things like lost work productivity, absenteeism and unemployment, have been estimated to reach as high as $9 billion dollars a year. Clearly action is required to combat the problem of overweight and obesity in Australia. I would suggest that, based on medical research and probably an element of commonsense, a lack of physical activity is a significant contributing factor to people becoming overweight or obese. Being overweight or obese is generally caused by an energy imbalance where intake exceeds expenditure over a consistent period of time.

Good nutrition habits and sustained physical activity therefore play an important role in the prevention of weight gain. It is for that reason that the opposition is focusing attention on the matter of sport and recreation in the ACT community, as addressed in Mr Stefaniak's motion. He makes the very valid point that the cost to the territory's budget is relatively small in the big scheme of things, but it is an important adjunct to the territory's attempts to ensure that we have a healthier community and that we have programs and activities in place that reduce the prospect of people needing to receive medical treatment. Nothing is ever absolute but clearly these programs are important for a host of reasons, especially if we can influence the habits of young people. There are social considerations that make participation in sport valuable, but the focus of my remarks today is primarily the health benefits of these programs.

Those of us who have children probably try to encourage participation in sports. Fortunately, each of our four children have been active in sport and I think it has served

them well. Although they have the same fascination with computers and games as many other children—Dr Foskey alluded to that yesterday—they have still managed to maintain good health profiles through intense sports programs. We encourage them to participate irrespective of the outcome. I know many other parents do the same.

The World Health Organisation has recognised that physical activity is a fundamental means of improving both the physical and mental health of individuals. We have researched numerous reports that deal with the issue of childhood obesity, the role of physical activity and the importance of sports programs. My comments today in the time I have available are confined to just a few of the highlights. The New South Wales health department identifies the fact that physical inactivity is now recognised as second only to tobacco use as a key risk factor for ill health. I do not think there would be too many who would dispute that belief.

Interesting material we have sourced from the National Heart Foundation—and I thank them for that—also states that increasing levels of physical activity and reducing time spent in sedentary activity are important strategies for facilitating weight loss and preventing people from becoming overweight and obese. This is in their publication addressing Australia's weight problem. Looking further afield to the United States, the US Surgeon-General's report, published in 1996, dealt with physical activity and health. The Surgeon-General made the point that substantial health gains were possible if the community adopted more regular physical activity. Given the strain that overweight and obesity places on an already stretched health system in the ACT, it stands to reason that encouraging physical activity and healthy living is a way to help avoid problems such as cardiovascular disease, cancer, diabetes and arthritis.

Yesterday the Chief Minister said he had not even thought about this issue until a week ago and he is now going to pore over every cent in sport. I would say, with great respect to the Chief Minister, that this is probably an area which warrants less scrutiny than some other areas of government where there is more discretionary spending. I do not begrudge the support the territory gives to sporting organisations. The fact that sport plays a vital role and is important for our kids and important for the community at large is one area where there is probably widespread cross-party support. I do not think this will be well received by those who give up their time, many of whom are volunteers.

I spoke of a competition a few weeks ago in the Woden area. I mentioned one woman there who had given 35 years of her life volunteering to help kids who are involved in softball activities. I think it sends the wrong message if we say, "You are under the microscope; we are concerned that yours may be one of the areas of government waste." Governments have to be responsible. I am one who advocates that nobody can be exempt from the process but I would counsel that, if we start putting the red pen through many of the activities in the sports area, then I think Mr Corbell or his successor will be saddled with escalating costs in the health area down the track.

The ACT has a good track record of participation in sports. I was looking at some of the figures, going back to 2001, that came out of the exercise, recreation and sports survey—a joint initiative of the Australian Sports Commission and the state and territory departments of sport and recreation. When you look at overall participation in the period 2001 to 2003 you see that the ACT reached a figure of 88.7 per cent participation,

eclipsing all other states and territories, the next nearest figure being Western Australia, where it is 88.4 per cent.

I am not critical. I am not saying we have done a poor job but I am certainly supporting the sentiment contained in Mr Stefaniak's motion that we should be very careful about making ill-considered changes in this area because the flow-on cost to our community could be considerable. It is important that governments of all persuasions send the message that individuals should engage in regular exercise throughout their lives, a requirement that is assisted, particularly in the case of younger people, by organised sport and recreation in the Canberra community.

Comments have been made about the social impacts of sport as part of the overall program in hoping to discourage the use of illicit substances—or indeed any drugs, legal or otherwise. Whilst it is not a miracle cure, I think there is certainly a fair degree of anecdotal evidence and possibly published research saying that sport can play an important role in encouraging our young people to be focused on those activities, rather than less desirable activities that might arise when they have a lot of spare time on their hands.

We need to also note that obesity in childhood is associated with increased adult cardiovascular morbidity and mortality regardless of adult weight. The report I cited earlier, entitled *Healthy weight 2008: Australia's future*, says that overweight young people have a 50 per cent chance of being overweight adults. Clearly the message there is that, if we can influence people's behaviour when they are young and try and get them into organised sport and other such activity, then we are making an investment in the long-term health of our community. It is logical that this is a problem that needs to be addressed right from the start of childhood.

During much of my career I have worked in the health area studying the impact of food, and I am aware of twin studies and so on. People say that some people have a predisposition to obesity for genetic reasons. That is true, but there are clearly interventions we can support which assist in the overall heath profiles of our children, lending weight to the importance of sporting activity among our young people.

The fact that there is data suggesting that 20 to 25 per cent of Australian children are overweight or obese is extremely worrying—and this figure appears to be increasing. I suggest that, despite all the medical and scientific evidence of the dangers presented by being overweight or obese, a large proportion of Australia's youth are still engaging in sedentary, inactive lifestyles. According to the Australian government's Department of Health and Ageing, in the 10-year period between 1985 and 1995 the combined level of overweight and obesity in children more than doubled. In 2003, 62 per cent of children aged between five and 14 participated in organised sport. Unfortunately, that means that about 40 per cent of children were not participating in extracurricular physical activity.

I know government is only part of it. When I was young we had various sporting activities, and there was a lot less sophistication to the organisation of those activities. There was probably no money available anywhere in that era, but that was a sign of the times. I think there is now an expectation that we do all we can to provide adequate facilities and adequate support. At the end of the day there is a huge saving to government because of the volunteer hours that are put into sport.

We often hear Ms Porter talk about the role of volunteers in community work. I would love to see a study done on the value of those who volunteer in organised sporting activities. My own family and the families of most members here have benefited enormously from the fact that there are people willing to organise rosters, referee games and turn up on Saturdays when, in this day and age, more and more parents seem to be wanting to handball that assignment to somebody else.

Sport and recreation are vital to the Canberra community, not only as a source of entertainment but also as a way to encourage physical activity and a healthy lifestyle. Accordingly to the 2003 ABS data, which is the latest we have, 218,600 Canberra residents participated in sport or physical activities. Whilst it is recognised that this is comparatively high when compared to the rest of Australia, I believe the government should never ease up on the task of seeking to improve on those figures. Certainly one way to do this is to encourage participation in either existing or new sport and recreation activities of an organised nature.

The benefits of a comparatively small investment in sport and recreation programs are clear. By encouraging physical activity, particularly among our children, the rate of overweight or obese people will decrease, as will the rate of health problems like cardiovascular disease, cancer, diabetes and arthritis. I know there are those, especially the Greens, who say that one of the solutions to all our obesity problems is to ban the advertising of fast food on TV.

I am not one who believes that arbitrary things such as that are going to make an iota of difference. It is a bit like a lot of the ills that afflicted the people of the former Soviet Union, notably in matters such as alcoholism, but there was no advertising of alcohol whatsoever. Those who advocated bans on alcohol could never quite work out the next answer. The fact of the matter is that people who advocate those sorts of policies do not recognise the fact that these advertisements are not likely to get people to suddenly abandon their ways and take up healthy pursuits; they will impact significantly on people's choice of product—that is not denied.

We have to try and get positive messages to our young people. There are programs in schools, some of which are not based on good science, and that worries me at times. We have to look at impacts on lifestyle. As I mentioned in estimates last year, an issue of concern is that the DMFT rate—decayed, missing and filled teeth—is escalating among our children. It is not a problem I blame on governments but rather a fact of changing parental behaviour. We have to watch areas where we can have setbacks in health if we are not careful. I suggest that, if we start tightening the belt unduly in the area of sport and organised sporting activity for our young people, we will quite rapidly start to see deterioration in health issues relating to our kids and then, as the territory advances in years to come, we will see those people being admitted to hospital through illnesses that may be related very much to their inactive lifestyles.

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs, and Acting Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for Racing and Gaming) (11.18): I understand the sentiments Mr Stefaniak seeks to express through this motion. At any

stage in any budget process there are always those within the community who, quite understandably, begin to feel some concern at the prospect of changes the government might make in relation to government structures, service delivery models and budget allocations. That is part and parcel of the annual cycle of government and policy delivery and development so it is quite understandable that there are constituent and representative groups within the community who, as budgets approach, make representations. Of course, as part of the open and transparent processes around government and budget making, we welcome submissions and actively consult with the community on their expectations, hopes and aspirations in relation to a budget.

In this instance Mr Stefaniak is responding to some concerns expressed in writing—obviously to himself and to the government—and aired publicly around the implications of the upcoming budget for sport and recreation. The budget will be informed by a functional strategic review I have commissioned to give advice to the government on the arrangements best suited to meet the priorities of government and the community across the board, including those in relation to sport. That is the current environment. This is the time of year when we are approaching a budget, and cabinet has begun detailed consideration around the budget. I am awaiting, as part of the cabinet process, a detailed report which will have the title "functional and strategic review".

Although no decisions have yet been made on sport and recreation funding, for the purposes of this debate it is to be noted that in the last Liberal budget in 2001 appropriations for sport and recreation totalled $5,206,000 and the 2005-06 budget appropriations for sport and recreation totalled $9,717,000. In the context of the present debate, those figures must be borne in mind. The budget appropriation for sport and recreation, excluding sportsgrounds, in 2001-02 was $5,206,000, and in 2005-06 that budget appropriation was $9,717,000. Just bear those figures in mind in any discussion on this issue.

From those budget figures and allocations I am sure the organisations and those making representations on this matter to each of us would also have in mind the significant increase in funding to sport and recreation over the past five years. That move is appropriate and something the government is quite proud of. I will go into the detail of some of the initiatives that have been pursued in recent years and some of the significant budget funding provided annually through grants schemes. There are enormous lists of the support this government willingly gives to enhance sport and recreation activities within the community. Specific grants have been made for the upgrade and management of Manuka Oval. Payments of over $1 million are made annually to the Brumbies through performance agreements. Performance payments of over $8 million a year are made to the Raiders as a result of performance agreements with them. There are payments of $250,000 a year to the AFL Kangaroos under the performance agreement entered into with this government.

Kids at play, launched by this government in 2004 at a cost of $285,000 a year, is an incredibly successful program designed to encourage children to participate in physical activity. We have allocated funds of $382,000 over four years to the actively ageing program initiated by this government. The Good Sports Territory, launched in July 2004 by this government, provides $95,000 to address inappropriate behaviours in sport. Women's sports grants of over $100,000 a year were initiated by this government. Then

there is the thanks program, which spends $30,000 a year. On the sports loan interest subsidy scheme significant funds have been expended and this goes up to 2015.

Over and above that, significant capital works have been achieved by the government, such as the hockey centre which has just opened and is already host to a major international tournament. Significant major construction works are currently being undertaken at Mount Stromlo. There is a brand new world-class criterium and cross-country course. The downhill cycle course has already attracted the national championships for the years 2006, 2007 and 2008. We attract the 24-hour downhill cycling event to the ACT every year. There are also the Pacific School Games recently announced by the minister for sport which, through ACT government facilitation and funding, will be held in the ACT in 2007.

This government has a deep and abiding commitment to the place and importance of sport and recreational activity within this community. Mr Speaker, you lead by example, with constant jogging, as I do. In a private capacity, over the years I have worked assiduously year in and year out to ensure that the benefits and fruits of public participation in physical activity are available to all. I initiated and managed for 20 years the Belconnen community fun run. I initiated the women's fun run which, coincidently, will be run again next year for the 20th year. I initiated and was the initial manager for the Brindabella classic—the major road distance race in the ACT.

I know all about mass participation in physical activity and the organisation of it through my most time-consuming physical activity of choice—namely, running. Members of this government have a deep, personal and abiding long-term community interest and involvement in this. I have had over 20 years of direct involvement in event management in running within the ACT. This is indeed an area which this government have enhanced and continued funding. We have embraced across a whole spectrum the importance of sport and recreation.

In the context of the budget these are issues that will be pursued. I support and endorse almost everything Mr Stefaniak and Mr Mulcahy have said around the importance of sport and recreation—that it should be embraced, facilitated, supported and pursued in government—for the very reasons that have been articulated. I do not disagree with a single thing in Mr Mulcahy's analysis of the linkages between physical activity and sport and the major issues we face as a society in relation to obesity and unhealthy lifestyles but, in the context of the role and responsibility of the cabinet budget process, the report on the development or commissioning of a major functional strategic review has not yet been finalised and delivered to government.

It is difficult to accept—and I know no government would accept it—the sort of commitment the opposition, through this motion, seeks to achieve or excite from the government. Yet here and now, in advance of advice through the functional strategic review on an optimal structure and method of service delivery to meet government and community priorities—before the report has even been written and delivered, before we know even what it recommends or says, before we even see the detail of the discussion it contains—the opposition presents motions to the Assembly calling on the government to ignore whatever the report says. Their attitude is: "Do not even bother to read it. You have commissioned a major review, the first ever major functional strategic review since self-government; you have indicated that it will play a significant role in your cabinet

budget deliberations." When it gets to the page headed "sports and recreation" just turn the page and say, "We will not bother to read that page; we will just move on."

MR SPEAKER: The minister's time has expired.

MR STANHOPE: I seek leave to move the amendments circulated in my name together.

Leave granted.

MR STANHOPE: I move:

(1) paragraph (1), omit all words after "community", substitute:

"(b) the strong and ongoing commitment to sport and recreation, at all levels in the community, by the ACT Government; and"; and

(2) paragraph (2), omit the paragraph, substitute:

"(2) notes that the ACT Government will continue to provide its outstanding support for sport and recreation, from community-based teams and organisations to the elite teams that proudly represent the Territory in national and international competitions.".

DR FOSKEY (Molonglo) (11.29): I will not be supporting the amendments the government has just moved on the ground that we have here something that has become a practice of the government, which is to not take on the nub of a motion. I will explain that a little bit later. Whilst I do not support the whole of the opposition's motion, I support the substantive part of it. For that reason I will be supporting the motion. What we have here, as usual, is a lack of maturity to take on criticisms and thoughts when they come from elsewhere and respond to those as such. In his speech I did not hear Mr Stanhope once address the second part of Mr Stefaniak's motion. To me that is the substantive part of the motion and indeed one of the major concerns of ACT sport.

Sport and recreation is a very broad category. At the outset I point out that not every activity under that umbrella is good for physical health. For instance, I would question, as I am sure members would expect me to, the benefits of a new dragway which its proponents might put under the category of sport and recreation for physical health. Let us not be too sweeping in our claims for the benefits of spending in this area. I give that proviso because a lot of generalisations have been spread around today.

I am not like everyone else. I have been lobbied by sporting organisations. ACT Sport representatives visited me and I found many of their concerns reasonable. Indeed, many of their concerns are similar to those raised by other community organisations. Nor do I believe that the major part of their submission requires an excessive dollar allocation. Their concern is that we need one point of contact for organisations when talking to the government about these issues.

The ACT has been very lucky in that Canberra inherited a legacy of excellent sporting facilities when self-government was declared. We had a very good start. I have no doubt that, in developing Canberra, the commonwealth recognised that in the

community-building exercise of creating a new city there is a requirement for good sporting facilities. I am sure people complained that Canberra was boring then, as they do now. Sporting facilities were seen as one way of overcoming that. I have no doubt that all ACT schoolchildren—and even recreational walkers who do not participate in organised sport but use our excellent walking trails and nature parks—and cyclists who use the cycle tracks reap the benefits of this small infrastructure. I have read somewhere that the ACT measures up very well in terms of general physical health. The role of sport and recreation in that is undeniable.

I am not going to talk about the health benefits of sport today because I spoke about them yesterday. I acknowledge pretty well everything Mr Mulcahy said on that matter; I think that is understood in our community—it is a given. I also believe that the ACT government's commitment to sport and recreation has been quite solid. Even though Mr Stefaniak's motion uses the words "limited part of the ACT budget, approximately 0.4 per cent", I have not heard too many sporting organisations complaining about the dollar allocation, although no doubt they would like more. We would all like more.

To assist the individual's participation in society we know that sport and recreation has a social aspect as well. It helps people link with their community and can contribute to a decrease in antisocial behaviour, primarily through its role as a diversionary activity. Some organisations have recognised that. It is well known that involving young indigenous children, for instance, in football and other team sports is a good strategy—and we benefit because we end up getting good footballers. Out of involvement in sport and recreation come the personal benefits of increased self-esteem, self-awareness and improved quality of life. Indeed the sport and recreation industry contributes to community development, capacity building and self-reliance.

As Mr Stefaniak pointed out, the small number of dollars spent on sport in the ACT budget has an enormous roll-on effect and along the way gathers an army of volunteers who get there early in the morning to help. Just watch what happens when a triathlon is organised on the shores of the lake at Yarralumla. Planning starts days before; the plastic ring fencing appears and tents go up. There is a whole bunch of people who, although not paid to do that, do it because they love the sport. Many of them do not even participate. Some of them are not even related to the participants but they enjoy being there. The small number of dollars spent on sport have an enormous impact and we get a lot of value for those bucks.

There is no doubt—and Mr Stanhope referred to this—that the sporting group is an active lobby group and probably a very successful one. We only have to look at our excellent sporting facilities to see that. But it fears it will be subject to similar cuts to those in other areas of community activity. I want to make it quite clear that, whilst I do not think sport should be given preference over other community services like health, education, disability and aged care in our budget, we need to recognise the role sport can play for all those sectors—that it is part of everything else we do. Education would be nothing without sport and physical education. We might be educating a bunch of unhealthy couch potatoes.

Primary health care involves exercise, and people with a disability benefit hugely from being involved in sporting activities. Let us make sure we do not put recreation above those other needs. I do not think it is a dollar matter; the issue is about coordination.

Mr Stanhope did not address that. We have been specifically asked to make sure that sport stays within the one department—Sport and Recreation ACT. Further, I believe we have been asked to make sure that the coordination improves—that people go to one point so they are not necessarily shunted off to other areas.

Maybe one way this could be done is by asking Sport and Recreation ACT to produce an annual report that brings together all the spending in those other areas so that we have a clearer picture. It might be that more than 0.4 per cent is spent on sport and recreation but, while our spending is fragmented across these other departments, it is hard for us to know. That is a job Sport and Recreation ACT could do to justify its position, show the government's goodwill towards sporting organisations and ensure that a great deal more is not involved in the budget spend. In fact it may be an efficiency measure. I hope the functional review addresses this issue; I hope it is going to be innovative; and I hope it will look not just at the dollars but also the way government can best work to service groups like the many sporting and recreation consumers in our community.

MRS BURKE (Molonglo) (11.39): I will be speaking both to the amendments and to the motion as a whole. It is interesting to note that Mr Stefaniak's motion calls on the government to give a guarantee that the office of Sport and Recreation ACT will remain in one department and will not be spread across a number of departments. We now see that the whole tenure and spirit of the motion have been watered down to nothing more than a motherhood statement, which is a bit of a shame.

I note that the substitution in paragraph (2) that Mr Stanhope has tabled seems to allude to some veiled message. That is a concern. However, it is likely that the industry is rising up and having its say. I was listening to Mr Stanhope carefully. He said, "Constituents are making representations. We welcome submissions. We consult the community. I know all about physical activity." It is good to hear that. Accordingly, I feel more confident that, now the community has spoken so loudly in the way that they have, the government may, just may, stop and really assess what they are going to do.

The fear of the sporting and recreation community was that the government would go ahead carte blanche with its agenda of perhaps decreasing the effectiveness of sport and recreation as a unit. The concern I have is that the department will be split so that it dissipates effort and really devalues the organisation as a whole. I know that we have heard in this place many arguments about health and fitness and so on.

As I said, I rise in support of Mr Stefaniak's motion today and will not be agreeing with what the government has tried to water this down to. I agree with his comments that, if the government attempts to split the portfolio across several departments and move to a centralised grants scheme, it will destroy sport and recreation in Canberra. There are no two ways about it: it needs one centralised body—and they were Dr Foskey's words—where coordination can happen effectively, money can be focused and targeted, and organisations can work to one body.

This motion ensures that the community are supported in their efforts to make their case clearly known before any major decisions are made. As I have just said, it is very good to have on the record that the community has risen up so strongly. I have had representations—Mr Stanhope said he had not—and I understand that many of the

letters, correspondence and emails I have had have gone to all 17 members. So I am not sure what has happened there.

My large concern is in the area of health and fitness. The health of Canberra as a city is in part dependent on the government's ongoing commitment to funding in the sport and recreation industry. I hear Mr Stanhope talking about increases to the sport and recreation budget. I was talking to Mr Stefaniak and wondered what the devil in that detail would be. Does it mean delivery of more enhanced and better frontline services or is this an administrative overhead cost that has just gone with CPI? Mr Stefaniak is going to talk about that later and say that the Chief Minister has got his figures a little wrong, which is a little concerning. He stands as de facto Treasurer of the ACT at the moment.

There is a real chance that the territory's health bill will continue to grow. If the Stanhope government reduces the capacity of Sport and Recreation ACT to promote physical activity and healthier lifestyles and reduces the ability of sport and recreation organisations to deliver to the participants—and that is what I was alluding to: that, if this organisation is fragmented and spread across four wings, the central coordination will fall down; there will not be any—we will see a decreased level of input, not an increased level.

I talked about one particular example yesterday. I was astounded to hear that the kids at play program has been halved and will almost likely cease by year's end. Kids at play was promoted with much fanfare, we might say, by this government. And rightly so. It seems ludicrous that the program is now going to end after only two years in operation. Late last year the then sports minister, Ted Quinlan, issued a press statement claiming the program was a roaring success and had reached more than 17,000 children from five to 12 years of age. That is a magnificent effort. Why would we be thinking possibly of canning this particular program? It is well on the way.

Mr Stanhope says that no decisions have been made. We all know in this place—and the community is not stupid either—that things have to be done in terms of getting ready and gearing for the budget. So that is why I was pleased to hear Mr Stanhope say the things he said this morning. I am confident that now that the community has spoken up we will see things like kids at play reinstated. The program was initiated by the government, as Labor apparently recognised the growing obesity epidemic in our community. A fantastic effort. Now we go and axe it. In its policy statement, the government said:

> Labor believes that the best way to tackle the issue of childhood obesity is getting our kids out to play.

The obesity epidemic remains but kids at play has been axed. It just does not make sense. Slashing this program is another example of the government's lack of commitment, I would say, to promoting a healthier lifestyle and thereby reducing the territory's health bill. My concern, and the Liberal opposition's concern, now is for many of the other health-promoting programs currently operated and funded by Sport and Recreation ACT.

One such program is actively ageing. Mr Speaker, I will not look at you when I say this, but we are all moving that way. You would know, being a jogger, a runner and someone that fights to keep fit, it is vitally important that we ensure that all citizens, but particularly ageing citizens, are well educated about the benefits of physical activity and

that there are adequate opportunities for participation. It is an area that we really need to be looking at.

Physical activity is important for the 50-plus age bracket, to help prevent heart disease. I know my colleague Mr Mulcahy alluded to this, too. Along with that come associated medical conditions. We need to ensure our ageing population remains fit and well. If we do not engage in these programs, our elderly, whether they are in nursing homes or in private homes, will need to make more frequent use of our health system, which again does not make sense. Surely there would be no argument that in this case prevention or early intervention is better than cure.

Sport, recreation and physical activity are key ingredients to a healthier lifestyle and a smaller health bill. Given the current state of the health system in the ACT, now is not the time to be cutting sport and recreation programs that help to promote a fitter and healthier lifestyle. If the government is deeply concerned and sincerely concerned about the health of Canberrans, it will do the right thing and ensure sport and recreation does not experience massive funding cuts which will inevitably impact on the territory's health bill.

I will possibly leave it there—there is much we can talk about on this issue—to give other members a chance. I am concerned that if we do not speak up and if the community does not speak up it will not be heard; this matter will get put to the bottom of the pile. What more do we want than to not have burgeoning health problems, for a start; and, secondly, more levels of expenditure at the other end, when it becomes more and more expensive to deal with the cause, rather than inputting money and targeting it while children are young? I raise the example of kids at play again. Surely that is better.

I hope that the government takes heed today. It is disappointing, as I say, that the motion, as Dr Foskey alluded to, will get watered down. It is disappointing somewhat that the government does not seem to be able to stand any criticism or suggestion that things can be done better. It seems challenged by having any real and genuine debates on motions moved by the crossbencher and the opposition.

Again, I will be supporting Mr Stefaniak's motion. Good on him for putting it on the paper. Good on all those community organisations for speaking up and being heard. We know that the squeaky wheel gets the oil. This is true in this case. If we do not do something now and speak out loudly, clearly and quite obviously, it may be one of those areas that are overlooked and we will see diminishing engagement of people in physical activity in our community. I support the motion today.

MR STEFANIAK (Ginninderra) (11.47): I speak to the amendments first. I will close the debate later if no-one else wants to talk. Initially, I speak to the amendments. Dr Foskey put it very well: these amendments would completely truncate the effect of this motion. In a minute I will come back to the government's amendments.

My motion is a very simple motion. There are three points that I have asked the Assembly to note. Secondly, my motion calls on the government to do something, and that is to give a guarantee that the office of Sport and Recreation ACT will remain in one department and not be spread across a number of departments. That is not a major thing

at all. It is something that does not, I submit, compromise the government whatsoever in its functional review.

As I indicated earlier, the office of Sport and Recreation ACT includes about 20 people. The government has ample evidence for it to make up its mind on that preliminary point, putting all the others to one side at this stage.

Mr Stanhope's self-congratulatory amendments, and that is exactly what they are, obviously will be successful. We have a pair in operation. So there you go! All the first paragraph would say is:

> … notes:
>
> (a) the considerable benefit of sport and recreation to the Canberra community;
>
> (b) the strong and ongoing commitment to sport and recreation, at all levels in the community, by the ACT Government;

Then the self-congratulatory part:

> notes that the ACT Government will continue to provide its outstanding support for sport and recreation, from community-based teams and organisations to the elite teams that proudly represent the Territory in national and international competitions.

That completely turns around the motion, which is obviously the government's intent. It does not do the one basic thing which the government can do, even having regard totally to its functional review, and that is not split up the very tiny office of sport, recreation and racing. It can do other things which might assist that organisation. The ACTSPORT submission, for example, indicates that maybe other areas relevant to sport could go into that. It is a very simple motion. It deliberately does not even try to tie the government's hand on things like funding. Quite clearly, the government needs to have very strong regard to what is being said in this debate.

One point which the Chief Minister makes—his motion probably seeks to support this—but which is painfully wrong is the government's outstanding support. There has been bipartisan support for sport and recreation, but I correct him at this stage on one of his figures. He mentioned that in the last budget of the previous government there was $5.6 million or something spent on sport and rec. I have got out the budget papers. When one looks at them, it is close to $14 million. It is $13.946 million.

Active lifestyle services, which is supporting the sport and recreation activities in the ACT through various initiatives, has $9.922 million. Then we have the ACT Academy of Sport, $1.7 million. Then we have the administration of grants, including the grants program, $2.323 million. That comes very close to $14 million, on my calculation. At present, it seems the budget is about $12 million or $13 million. We have heard in previous budget debates in this Assembly, and you will note, that the figure for the Academy of Sport was $1.7 million in the last year of the previous government. That was cut, as were the number of athletes, several years ago to $1.2 million. I remember making that point.

I made the point earlier that the grants budget, which is now about $2.5 million—although ACTSPORT said it was $2.4 million; let us give the government credit and say it is $2.5 million—in 2001-02 was $2.357 million. So that has not grown by CPI, which is normal there. There have been allegations of a cut of $60,000 in the last financial year.

It would seem the government already has made a couple of cuts to the sports budget. In congratulating itself on its outstanding support, it needs to have regard to the fact that the money it spends has not increased. It has gone backwards for some of the grants. Certainly at the Academy of Sport we have gone from 275 athletes down to about 220 or 230. The national teams funding, which might not have been in this budget but might still have been in Business ACT, was $600,000. That is down to $570,000.

Those figures are relevant not only to correct the record but also to indicate that, whilst the government certainly has continued a number of initiatives which previous governments have done and has instituted a few itself—and I commend it on that—it should not congratulate itself on its outstanding support. The community are rightly concerned.

The Chief Minister mentions the kids at play program, a particular pet program of the former minister for sport. The Labor Party's sport and recreation policy was launched with that background. The government trumpeted, in November last year, that some 17,000 kids had been made active, which is fantastic. Full marks to you for that. That is a good program. Yet a couple of weeks ago we heard it has been halved; it has been cut; it was too successful. There was talk—it might have been confirmed even—that it was not to continue past the end of this year. Those are the very programs that would be the last thing you would want to cut if you want to have a fit and active community and want to save on health costs.

This habit of the government to move amendments congratulating themselves is rather pathetic. If you do not like it—and you have already stated reasons why you cannot support my motion—say so and then vote it down. I suppose we could have, given it is eight-all in this Assembly, refused to give you leave to move your amendments together. That might have been a bit churlish. It is important to have the debate and important for me to put some of these facts and figures on the record.

I agree with Dr Foskey—and I thank her for her comments disagreeing with the government for substituting part of my motion—that that certainly does cut completely the one substantive part of my motion, which is a very simple part, and that is simply to keep the office of Sport Recreation ACT intact, for very, very good reasons. That does not compromise your functional review one iota.

Question put:

> That **Mr Stanhope's** amendments be agreed to.

The Assembly voted—

Ayes 8		Noes 7	
Mr Berry	Mr Hargreaves	Mrs Burke	Mr Pratt
Mr Corbell	Ms MacDonald	Mrs Dunne	Mr Seselja
Ms Gallagher	Ms Porter	Dr Foskey	Mr Stefaniak
Mr Gentleman	Mr Stanhope	Mr Mulcahy	

Question so resolved in the affirmative.

Amendments agreed to.

MR STEFANIAK (Ginninderra) (11.58): I thank those members who contributed to this debate for contributing to the debate. This is an important debate. I appreciate the fact that even the Chief Minister certainly understands the sentiment of the motion.

Most of us have been involved in various sporting activities over the years in the territory. Those of us who have lived here for any period of time know how terribly important it is, not only for physical fitness but for social cohesion, to have a sense of pride. Tomorrow the Raiders will celebrate their 25th anniversary. Just think of the benefit they have brought to the territory as a team in a national competition. They were preceded by the Cannons. Think of the joy teams like the Capitals bring to the territory. Think of the sheer joy people get from seeing their kids running around playing various sports on the weekend.

It is not a big part of the budget. The demands and representations of the sports industry are more than reasonable. As much as anything else, apart from the fact that this motion will now go through as amended—and you tend to congratulate yourselves, as usual—bear in mind the points that have been made in this debate and the various letters of representation you are getting from this industry. They do not tend to complain much. They do not come to government, cap in hand, all the time. They do not tend to bleat a lot. When the industry comes to government, it usually has a very positive view on what it wants done, some positive suggestions, which governments of all persuasions have usually listened to.

You have made some significant improvements, for example, to the hockey centre at Lyneham as a result of representations made, as did previous governments of all political persuasions. There are some good programs that have emanated as a result of representations from the industry and various practitioners. They emanated as a result of actions taken by people in the sport and rec area and were actioned by various governments of all political persuasions. I certainly hope people in the government, especially ministers, have regard to the points that have been made here before and made here today about the significant health costs we would suffer if, for some reason, you went down the path of needlessly cutting into this miniscule area of the government's budget that does so much for the people of the ACT.

One of the other things I stress is that you, having knocked back that part of my motion which asks you effectively to not disband the office of Sport and Recreation ACT, a very small office, have regard to what groups like ACTSPORT will say and have regard to

what other groups in the industry are saying. Maybe there will be some significant benefits you can get, rather than going down the path of further breaking up that little office, by putting some additional agencies into this one. Have regard to the views of ACTSPORT and the various players in the industry that it is a lot more efficient if perhaps all the various aspects of sport and rec in the ACT are dealt with under one banner in one department.

It is not going to be a department in its own right—no way! No-one is asking for that. But one way perhaps of getting significant efficiency in operation and effectively saving hours for people in the public service is having a one-stop shop, having it all under the one banner. That, obviously, is something that makes it so much easier for the tens of thousands of volunteers in the sport and recreation area in the ACT.

We have a positive here, for a change. There are probably some improvements you can make to the current structure. The fact is that in 2001 facilities were hived off from sport and rec. There were a number of other areas that people had to go through to get an answer from government, as indicated in the ACTSPORT submission. That can certainly be improved. I give you credit for putting the Canberra teams in national competitions in the sport and rec area. That was a good move. I believe that was under the business area of the former government. Even though I had significant input into exactly who got what, it was not in the sport and rec area. You put it in the correct area of government administrative structure.

In your functional review, you can probably improve the delivery of government services in a much more efficient way. I strongly counsel you against centralising your grants program, however. That has never proved to be efficient. Groups that should be getting money often miss out. What you need there, I suggest, is a much more efficient way of doing it. Some government departments might not be as efficient as they could be. To centralise it causes so many problems. You have a lot of opportunities here as well as the potential to really go off on an awful tangent and stuff things up monumentally. In an area like this, that would be absolutely crazy.

For a very small investment by government, the bang for your buck that you get back is huge. The health benefits, which have been mentioned by a number of speakers here today, are huge in our community. I have seen figures that show that, for every 10 per cent of our population that is more active, the health budget drops by 10 per cent. In New Zealand, doctors are prescribing various exercise regimes for patients as a way of getting them back to health. It is not rocket science; it is absolutely basic. It indicates that governments, if they are tempted to save a few hundred thousand dollars in areas like this, can often do so to their great detriment and it will cost them another 10 or 25 per cent down the track, if not more.

There are other areas of government, quite clearly, where you can save much more money—areas perhaps of your own creation. We have made a number of suggestions in the past. For example, as much as I like the idea of a prison that locks up in the ACT people who should be locked up, which can then rehabilitate them much better than has ever happened interstate, is that a can-have rather than a must-have? Is that something that, in hard economic times, should be deferred? A deferral of that would save us about $20 million recurrent a year.

There are a number of other areas that spring to mind which are much more significant in terms of the functional review, to get you out of the economic mess you seem to have got yourselves into. I certainly plead with the government and strongly advise you to have regard to what has been said here today by the four members—it has made quite a lot of sense—and certainly by the various members of the ACT community who are making their representations to you now.

Motion, as amended, agreed to.

Road safety

Debate resumed from 14 December 2005, on motion by **Ms MacDonald**:

> That this Assembly:
>
> (1) recognises that driver inattention and speed are major contributors to road accidents;
>
> (2) expresses concern that some drivers continue to drive under the influence of drugs and alcohol in spite of the overwhelming evidence that these substances reduce drivers' abilities to judge, concentrate and react to road situations;
>
> (3) acknowledges that keeping ACT roads safe is a shared responsibility;
>
> (4) urges drivers, riders, cyclists, pedestrians and anyone else who uses our roads to remain vigilant regarding road safety, particularly during holiday periods;
>
> (5) notes that the 2005-2006 ACT Road Safety Action Plan identifies key actions that aim to reduce deaths and injuries on ACT roads; and
>
> (6) recognises the important role educational road safety programs and initiatives play in increasing road users' skills and raising awareness about road safety practices in the ACT.

MR HARGREAVES (Brindabella—Minister for Disability, Housing and Community Services, Minister for Urban Services and Minister for Police and Emergency Services) (12.05): I thank Ms MacDonald for raising this very important issue. The government is acutely aware of road safety issues confronting the ACT. Canberra has traditionally had relatively low crash rates compared with other jurisdictions, and this is due in part to our good road system, our urbanised environment and our relatively modern vehicle fleet.

However, we must not become complacent. As we are all aware, the ACT tragically saw a significant increase in the number of road fatalities in 2005, with 26 deaths. I remind everyone that this is more than a number or a statistic. Twenty-six individuals lost their lives, and 25 families lost their loved ones.

To date in 2006, we have experienced two fatal crashes in the ACT. However, ACT residents have also been represented in fatal crashes interstate. Preliminary data available on the 2005 road crash statistics indicates that 92 people were admitted to hospital and a further 452 sought medical treatment. This represents a 26 per cent decrease in hospital admissions and a 22 per cent increase in minor casualties.

Figures I have received from the Department of Urban Services indicate that the total number of on-road crashes in 2005 was 7,100, compared to 7,275 in 2004 and 8,288 in 2003. The continued decline in the overall number of on-road crashes indicates to me that the work undertaken by government and police has not been in vain and that the careful driving of the majority of the community is resulting in a continuing trend of fewer crashes in the ACT.

What we are seeing as a common contributing factor in road crashes is a lack of concentration and attention from road users caused by distractions from both inside and outside the vehicle. Driver inattention is largely preventable. Recent studies indicate that sources of distraction vary between age groups. For example, adjusting the radio or CD is common among 20-year-olds. Other occupants in a car—for example, children—are a frequent source of distraction for 20 to 29-year-olds. Finally, among those aged 65 and older, outside objects and events are commonly a cause of distraction.

I believe that all Assembly members would agree with me that keeping ACT roads safe is a shared community responsibility. Each individual in charge of a vehicle, be it a car, truck, motorcycle or bicycle, needs to maintain peak alertness whilst on the road, as indeed do pedestrians. The range of road safety measures required to achieve lower crash injury and death rates needs to include the community. Through road safety partnerships, we need to work to change attitudes and make unsafe behaviours on our roads socially unacceptable if not unthinkable.

Over recent years the government has introduced several measure to provide a safer environment on the road. These include the introduction of the 50 kilometres an hour default speed limit, additional fixed red-light and speed cameras at known dangerous intersections, an expansion of the mobile speed-camera fleet and the declaration of further locations on arterial and major roads from which the mobile cameras will check motorists speeds. Most critical of all is the introduction of school-based driver education through the learner licence road ready program and road ready plus course for provisional drivers. It is education, not punishment alone, that leads to attitude change and safer road users.

The tragic loss of five pedestrians on ACT roads last year also highlights the need for people crossing roads to return to basics and follow some simple and straightforward principles such as looking both ways, always using designated crossings, obeying traffic signals and wearing light colours or reflective clothing when walking at dusk or in the evening.

The Australasian Centre of Policing Research undertook an environmental scan, published in 2004, to identify areas that represent particular road safety problems. The problem areas that emerged from the ACT data are that people aged between 20 and 24 were the single most vulnerable age group, accounting for nearly 14 per cent of all casualties in the ACT. The most frequent accident type in the ACT is the rear-end collision. Around nine per cent of vehicle occupants report that they do not wear a seatbelt. About 68 per cent of ACT drivers report that they regularly exceed the speed limit by 10 kilometres an hour or more. Around nine per cent of drivers indicate that they have driven when possibly over the 0.05 blood alcohol limit.

I provide an example of the deadly consequences of speeding. Few of us realise that the difference between a car travelling at 60 kilometres an hour and 70 kilometres an hour can be the difference between a near miss and a potentially fatal impact. A driver travelling at 70 kilometres an hour, seeing a child 45 metres ahead, would still be travelling at 46 kilometres an hour at the point of impact. For an unprotected pedestrian like a child, this impact would almost certainly be fatal. A driver travelling at 60 kilometres an hour would be able to stop in time to avoid this collision. Studies have indicated that a uniform speed reduction of just five kilometres an hour would cut casualty crashes by about 28 per cent. I challenge all road users in the ACT to try to achieve this reduction in speed. It would see around 110 fewer casualty crashes on our roads per year.

The ACT road safety action plan for 2005-06 identifies the contribution that the government is making to reduce the number of road crashes in the ACT. The government will continue to work with the commonwealth, through the black spot program, to address problems at particular locations. As well, there is the ongoing work undertaken by the Department of Urban Services in reviewing and upgrading safety-related road improvements.

In recognition of the increase in motorcycle crashes which resulted in eight fatalities last year, I met with the Motorcycle Riders Association to seek their views and advice on a way forward. Officers of my department will work with training agencies and motorcycle organisations to examine the potential to enhance rider training at the provisional licence holder level.

Another key area to be addressed will be the examination of issues arising from the NRMA-ACT Road Safety Trust report into crashes involving ACT vehicles and drivers travelling in New South Wales. The report findings indicate that the number of fatal crashes in New South Wales involving ACT vehicles was similar to the number of fatal crashes within the ACT during the period 1999 to 2003.

In 2006, the Department of Urban Services will be employing a road safety officer to work with ACT Policing and other public authorities to develop a strategic and cohesive approach to the promotion of education and enforcement campaigns.

I acknowledge the significant benefit to the ACT community arising from the work of the NRMA-ACT Road Safety Trust. The trust provides funding each year for road safety-related research and hands-on projects. The continuing work of ACT Policing and other emergency services is also a vital ingredient in the ACT road safety action plan, along with the upgrade of and maintenance programs for the ACT road network.

ACT Policing traffic operations is continually examining different methods of traffic enforcement to reduce collisions. Some examples of recent initiatives by ACT Policing include

- the suburban ownership program, in which traffic officers are allocated to a group of suburbs for which they are responsible for targeting traffic hotspots;

- operation Globin, which targeted offences such as burnouts and street racing—the police seized 52 vehicles in 2005 under this operation; and

- the road toll reduction traffic enforcement campaign, targeting unsafe driving practices, including the current campaign, conducted in conjunction with television advertising, enforcing the offence of using a mobile phone when driving.

During 2005 and continuing in 2006, traffic enforcement has been and will be a priority for ACT Policing resources. Dedicated resources from both traffic operations and districts have undertaken high-visibility patrols in the ACT, incorporating all areas of traffic enforcement, utilising speed measuring devises, such as laser and radar, along with high-volume random breath-testing. This has been undertaken in conjunction with a community awareness campaign through the local media.

The government and the police make use of media campaigns to raise the community's awareness of the key actions which each of us, as road users, can take to limit the number of road crashes in the ACT. These are all critical contributing factors towards reducing the number of tragedies affecting ACT families through the loss of a loved one or the consequences of serious injury. While the government and the police continue to bring to the community's attention the importance of road safety, we all need to accept the massive responsibility that comes with using our roads. I have said in this place before, and I say it again: it is about inattention and it is about personal responsibility and accepting personal responsibility.

When we are driving in a motorcar and have passengers, we are responsible for the lives of those passengers. Parents are responsible for the lives of the children in the back of the car. They are responsible to make sure that the kids are properly harnessed, that they are buckled in, and that the speed and the attention that the driver employs are a defensive approach to protecting the lives of those people in whose charge they rest themselves. Drivers have to accept the responsibility for those people who place their lives in their charge.

Further, all people on the road have a responsibility to other road users. Whether they are coming at them on the highway, whether they are pedestrians about to move off the pavement or whether they are cyclists in the cycle lane, there is a responsibility. It takes two cars to hit head-on.

People need to understand that, when they get the responsibility of a licence and they have got a massive piece of machinery under their control, they have to accept the responsibility for everybody around them—every single person around them. They need to make sure that their skills are up, they need to make sure that their attention is on the job, and they need to understand that they have a responsibility. Whether it is speed, alcohol, inattention, eating a hamburger, shouting at the kids, switching the radio off—whatever the contributing factor is—if somebody dies, it is somebody's fault. People ought to have that concept rammed home to them. We need to accept this responsibility ourselves.

No bigger responsibility can we be given than accepting responsibility for the life of somebody else. We take parenting particularly seriously. We worry to death when our

children get ill. We worry about their education. We take that responsibility particularly seriously. Yet people still travel down the street with kids aged six not buckled up in the back of a car. They are not taking their responsibilities particularly seriously.

I thank Ms MacDonald for raising the issue today. If we can raise the level of responsibility in this town through this conversation that we are having, maybe we will go some way to reducing that horrendous figure of 26 last year. This year so far we have got two. We are a quarter of the way into the year. So far the year is looking good. But let us hope that everybody accepts their responsibilities and we do not have anything approaching 26 for 2006.

DR FOSKEY (Molonglo) (12.20): I will be supporting Ms MacDonald's motion today. Of course it would be almost impossible not to support a motion like this. There is no doubt that this is an issue that is never, ever going to be solved and go away while people move around our roads in any form of vehicle whatsoever.

How much effect will our talking here have on accident statistics this year? Sadly, I do not believe it will have a great deal. We might have talked about it last year, too. And 26 people died. A much larger number of people, no doubt, suffer permanent impact either from the loss of somebody from their family or their friendship group, or through injury. It is a great scourge on our lives. It is the price we pay for a lifestyle that requires us to move quite quickly around the city.

There are all kinds of reasons why accidents happen. Some of those have been addressed today. I addressed a few of them yesterday when much of my speech was deemed irrelevant. So I do not want to go over that same ground.

I mention a number of things that I do not believe have been mentioned today. The ACT road safety action plan is, indeed, a worthwhile document, and it is really important that we have one of those. The proof of the pudding is in how well an action plan is implemented. We know that some of the biggest causes of road accidents are people driving too fast or people driving unsafely. Often that is exacerbated by their being under the influence of excessive amounts of alcohol or using drugs that impair people's reaction times and perception.

Mr Mulcahy: So you support laws on that? Do you support testing on that?

DR FOSKEY: We have already been through that debate. These things can only be reduced by people being concerned. Mr Mulcahy mentioned testing. That is something that—and I referred to it yesterday and referred to it the last time we talked about it—we agree on. But it has to be testing that works. While that is true of alcohol at the moment, we are not there yet on other drugs.

One of the things that Mr Hargreaves mentioned was the death of five pedestrians last year. That is something that indicates the priority that we in this city give to cars. Pedestrians have to be careful, but we must also recognise that there are pedestrians on our roads. We have some suburbs where we do not have footpaths and where people have no choice but to walk on roads. Often the roads in the suburbs are quite narrow as well. There is also a tendency sometimes for people not to stop at pedestrian crossings.

In a city that I had anything to do with designing, I would definitely attend to making streets safer for pedestrians because I understand that we ask people to walk. We are increasingly talking about designing cities where people can walk to their schools, to their shopping centres and their workplaces. Let us make sure they feel safe when walking.

The other predominant feature in our casualties last year was motorcyclists. That continues to be so. I always listen to those reports. So often I hear that one of the casualties was a person on a motorbike. Again, riding a motorbike is something that young people often tend to do. I do not want to generalise there, because we know that lots of people ride motorcycles throughout their whole lives. But again, what is it? What is going on there? One would assume that motorcyclists were very wary and rode their bikes carefully because they are very aware of their vulnerability. There is a huge role for the education of car drivers who do not look, who do not see, who think they have a greater right to a lane.

Another issue that I do not know has really been tackled is the use of mobile phones while driving. It would be a very rare trip that I would take when I would not see somebody using a mobile phone. Often, can you believe it, I have seen people, because they are a right-handed mobile phone user or a left-handed mobile phone user, crossing their arm across their chest to hold the phone to their right ear, to free up their hand to do whatever. I have seen some great contortions by drivers so that they can talk on the phone while turning corners, with one hand on the steering wheel and changing gears. That is really quite scary.

Even those of us in this Assembly who are lucky enough to have a stationary post for our mobile phone in the car know that we can get absorbed in the conversation, and that can take our attention from the road. There are some people who say that you should stop driving even when you are using the phone like that. How easy is it to pull over on ACT roads? On some roads it is not easy. We have parkways and so on that do not seem to allow that.

Mr Hargreaves: It is very easy.

DR FOSKEY: The minister argues that it is not the case. There are some known spots where you cannot move over when the phone rings. That person has to have the self-control to not answer the phone. People clearly feel quite safe using their mobile phone dangerously in the ACT and elsewhere. Perhaps this is something on which there needs to be a bit of a crackdown in the education campaign as well.

The minister challenged drivers to reduce their speed. I challenge them to as well. I do not think they are going to. People did not slow down in front of schools until we had the 40 kilometres an hour speed restrictions there. We perhaps need to be much more conscious and look at childcare centres and other facilities where children and the elderly cross the road. I have watched with agony as elderly people try to cross the road in the walk time that the green man gives them. They are still struggling across the road after the light has turned red. Again, this is about driver education and not saying, "The car must come first. I am in a car, so off I go, even though you are only halfway across the road."

The ACT government has an excellent road safety action plan. I mentioned a few flaws in it. I say that we need to be really committed. We cannot just say, "We have only had two casualties this year." I am sure that those two casualties are already too many. We need to be aware that constant vigilance is needed and that even the most vigilant drivers can be in an accident through none of their own causing—a mere slip, a mistake, by them or someone else. The whole business of driving around is a dangerous thing. Cautious driving, walking and cycling are obviously important. Thus, how can I vote against this motion?

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

Sitting suspended from 12.30 to 2.30 pm.

Questions without notice

Policing—use of CCTV

MR STEFANIAK: My question is to the minister for police. ACT Policing, in September 2005, identified for the Chief Minister's Department review into CCTV systems that no funding was provided for monitoring or usage of the CCTV system. ACT Policing also identified that CCTV system use steadily declined due to competing priorities within ACT Policing. Minister, why have you failed to resource ACT Policing sufficiently so that they can use the CCTV systems as required and ensure that community safety can be maintained?

MR HARGREAVES: Firstly, I reject the absurd notion from those opposite that we have not resourced the police in the ACT properly because, had we not resourced the police in the ACT properly, we would not have seen double-digit crime reduction in all the major crime activities; we would not have seen a greater police presence; we would not have seen statistics in major crime areas go down by double digits; we would not have seen police officers on the streets—

Mr Pratt: Vandalism, graffiti.

Mrs Dunne: Burglaries are worse.

MR SPEAKER: This serial passing of the ball to somebody else to interject will cease.

MR HARGREAVES: Thank you very much, Mr Speaker. We would not have been able to see crime figures go downwards by double digits; we would not have seen more police in uniforms in our town centres, in Manuka and Kingston and in the suburbs; we would not have been able to see more police in motor vehicles out on the streets in Manuka; we would not have been able to see more marked police cars out on the streets; and we would not have been able to see, because of the activities of unmarked police cars, a considerable—

MR SPEAKER: Mr Hargreaves.

MR HARGREAVES: Thanks very much, Mr Speaker. We would not have been able to see more marked police cars out on the streets and more uniforms—

MR SPEAKER: I think you are being a bit sensitive, Mr Hargreaves.

MR HARGREAVES: Yes. I am also getting very—

Opposition members interjecting—

MR HARGREAVES: I am having a lot of trouble trying to answer a question put to me seriously by Mr Stefaniak, due to the noise coming from that side of the chamber.

Opposition members interjecting—

MR SPEAKER: Order, everybody!

Mr Pratt: You can't answer it; that's why.

MR SPEAKER: Mr Pratt, last time. Mr Hargreaves has the call. Members of the opposition will cease interjecting. That does not mean that you have to stop breathing.

MR HARGREAVES: Thanks very much, Mr Speaker. I beg your indulgence to ask them to stop reading quite so loudly, because it is distracting, particularly when they breathe and talk as I am trying to answer the second part of Mr Stefaniak's question, which is that ACT Policing has failed to be resourced by this government. I absolutely reject that.

With respect to the sensible question that he asked, which is about CCTV, members of this place would be only too well aware, because of announcements and pronouncements in this place, the Chief Minister considers the whole issue of CCTV, particularly in the city area, to be a particularly serious issue and has, in fact, commissioned a review of all of them. There are a thousand CCTV units around town. All of them have the potential to be used as an antisocial behaviour mechanism. We take this matter particularly seriously.

I have to say that, with respect to the policing question, this is a good example of how they have cherry picked a piece of a report. They have not indicated to the Assembly that the reason why the CCTV at the police station was down was that a power spike was not picked up. They have cherry picked it. Their cherry picking can be treated with the contempt that it is due.

MR STEFANIAK: What action have you taken to restore this important CCTV system? Can you reassure the community that their safety has not been compromised?

MR HARGREAVES: I fail to see how the community's safety has been compromised by one particular CCTV unit being out of action because of a power spike. The answer to Mr Stefaniak's standard question is that the power spike issue has been addressed and that camera is now functioning.

Policing—use of CCTV

MR PRATT: My question is directed to the minister for police. According to the report released publicly on Monday into the hit-and-run incident in Civic, ACT police have revealed that since the deployment of the CCTV system there have been numerous maintenance issues and that two of the cameras in the Civic area have been removed. Minister, what action have you taken to resolve the maintenance issues relating to CCTV cameras? What action have you taken to reinstall the two CCTV cameras that have been removed from the Civic area?

MR HARGREAVES: As crazy as it may seem, I sometimes have difficulty accepting that because Mr Pratt makes an assertion it has to be the truth. With that, I will use the usual suspicion that I was born with: try to determine the level of detail that Mr Pratt wants and take his question on notice.

MR PRATT: Mr Speaker, I have a supplementary question. Following on from a number of these issues, minister, why have you allowed the CCTV system to deteriorate to such an extent that the police have been forced to reveal shortcomings about the availability and maintenance of CCTV cameras?

MR HARGREAVES: It is a little unreasonable for those opposite to hold me accountable for the efficacy of each and every CCTV camera in Civic, or anywhere else for that matter. I do not say to the police, to Urban Services, to the banks, to Woolworths or to the Canberra Centre, "Oh dear, I don't think you should have that particular one maintained."

Mr Pratt: We're talking about your cameras, minister.

MR SPEAKER: Mr Pratt, I warn you.

MR HARGREAVES: I reject Mr Pratt's notion that we have let the CCTV cameras go down. He has picked out a statement by a police officer—one statement—and he is now making a complete case around that. We understand that the issue of closed-circuit television surveillance around the Civic area is more than just trying to pick up footage on cars speeding through intersections. It is about social misbehaviour; it is a terrorism-prevention method or whatever. At the moment we have a review on foot to see how we can stitch together all of those. Of course, when we try to stitch together all of the CCTV camera opportunities, there will be the issues of their monitoring and ongoing maintenance, and what can be done with the footage to make sure that the privacy of individuals inadvertently captured on those films is protected. I think I have answered Mr Pratt's question.

Industrial relations

MR GENTLEMAN: Mr Speaker, my question is to the Minister for Industrial Relations. Minister, the federal workplace relations minister, Kevin Andrews, suggested yesterday that the commencement of the federal work choices changes would have little impact. Can the minister tell the Assembly if there has been any impact in the ACT?

MS GALLAGHER: I thank Mr Gentleman for his question. As an active member of and activist for the TWU for many years, Mr Gentleman is right to be concerned about the impact of this legislation in the ACT.

Yesterday the Chief Minister and I spoke of the impact the work choices legislation was already having in other parts of Australia. Mining companies like Rio Tinto are worried about how they will deal with their employees under the changes, whilst a Melbourne construction firm has utilised the changes to lay off three workers and offer them jobs at reduced rates. I also spoke of the Salvation Army's difficulty in negotiating a new agreement with their aged care workers under the changes. Mr Gentleman is therefore right to question whether the comments of the federal minister were accurate.

Mr Andrews suggested that the sky would not fall in. Well, Mr Speaker, we heard on ABC radio this morning that yesterday the sky did indeed fall in for one ACT worker. Boral employee Tim Bollard phoned in to say that his employer had acted immediately upon the commencement of work choices to lay him off on medical grounds. Mr Bollard works hard to support his extended family. He is married with five children, the eldest of whom is married and supporting a small child. Tim lives in a small house with his wife and all five children plus his married son's wife and child.

Mr Bollard is heavily mortgaged and regularly fears bankruptcy. Only yesterday he purchased $4,000 worth of gyprock from Boral as he is building a home for his eldest son so that he can move out with his family. Yesterday he received a letter from his employer informing him he was being laid off, supposedly on medical grounds. Although Mr Bollard was injured while working for Boral some 12 months ago, he did not miss a single day of work. He had his operation on a Saturday morning and returned to work on the Monday. Since then he has not missed a day's work due to his injury. It seems a suspicious coincidence that after working with his injuries for 12 months his employer chose the day work choices commenced to lay him off.

After receiving the letter from Boral, Mr Bollard could not sleep. He got to work early to find his fellow workers had rallied around him and were fighting for him to keep his job. The timely intervention of the Transport Workers Union appeared to be a victory for Mr Bollard, with an announcement that he would be reinstated subject to a "meeting with management at 3 pm tomorrow". However, discussions with Mr Bollard today have revealed that his job has changed. The employer will not disclose what change that will be until the meeting tomorrow. I am conscious that under work choices an employer can change a worker's mode of employment or position virtually unchallenged, so we will just have to wait and see what type of job Mr Bollard gets and whether he will be demoted by stealth under work choices.

This is an example of the future that ACT workers face under work choices. No matter how many years of service, no matter how many sacrifices workers make, employers can sack them on a whim. Some employers will recognise the moral obligation they owe to workers but those who pay attention only to legal considerations will use this opportunity to save money to cut costs to improve profits at the expense of their work force. I know that Mr Gentleman and the TWU are keeping a close watch on this case, and I thank them for the information that they have provided to my office. We will join them in the fight to ensure that workers like Mr Bollard are not disadvantaged by work choices.

Unfortunately, this will not be the last case of employers dealing with employees in such a way because of these laws—laws which the local Liberals here have not only welcomed but also actively lobbied for. These are the laws that they sought to have imposed here. Mr Mulcahy has been grinning from ear to ear since the bill was tabled and he saw the full extent of how horrible these laws are. These are the laws that are being applied to workers not only in Mr Mulcahy's electorate but also in every single electorate that we represent in this place. He should be more mindful of the fact that we are here to represent ordinary Canberrans. The federal Liberal government do not have a care in the world about working families in the ACT and it seems that neither do the local Liberal Party.

Policing—report on hit-and-run incident

MRS DUNNE: My question is to the minister for police. Minister, according to an article in the *Canberra Times* of Saturday, 25 March regarding the release of the ACT Policing report into the hit-and-run accident last year, you stated:

> Let me assure the people of the ACT, I have had a look at this report … It is the independent Ombudsman's view that the procedures were satisfactory, that the matter can now rest …

However, minister, in the same article it was stated that the Ombudsman had not signed off on the report and that, in fact, the Ombudsman himself stated:

> I did not adopt the report at all.

Minister, on what basis do you claim to present a report which has satisfied the Ombudsman when the Ombudsman himself has not adopted that report?

MR HARGREAVES: Mr Speaker, just before I answer that question, can I advise you that there is always a reason to be suspicious whenever the opposition throw facts at you across the table. My colleagues and I would do well to regard whatever they say with some suspicion. For example, Mr Pratt said or implied in his question a moment ago that it was our fault that two CCTV cameras were down.

Mrs Burke: Mr Speaker, I raise a point of order concerning relevance to the question.

MR HARGREAVES: There is relevance.

MR SPEAKER: The point is that Mr Hargreaves is dealing with the subject matter of the question. He is providing information additional to an earlier question and I do not see anything wrong with that.

MR HARGREAVES: Indeed. They are all linked. The common link is the report on the hit-and-run, Mr Speaker. In fact, Mr Pratt suggests that we were responsible because two cameras were down in Civic. Mr Speaker, those two cameras are in section 84, where a very large development is going on and the power source for that development means that those CCTV cameras could be, and are at the moment, inoperative. That has been

the case for months and Mr Pratt knew that because I had told him so in this chamber. With that, Mr Speaker, I regard—

Mr Stefaniak: I take a point of order, Mr Speaker. I think that the minister is now straying. The question was about the Ombudsman.

MR SPEAKER: The question was also about CCTV.

Mr Seselja: No, it was not. There was nothing about CCTV in the question.

Mrs Dunne: There was no mention of CCTV.

MR HARGREAVES: On the point of order, Mr Speaker: I have dealt with that and I am happy to move on.

MR SPEAKER: I take your point. Come back to the Ombudsman as well.

MR HARGREAVES: Indeed, Mr Speaker. Mrs Dunne quotes the *Canberra Times* as though it is the gospel according to St Jack Waterford. I am sorry, Mr Speaker: I need to crosscheck anything I hear coming from those people.

Mr Seselja: Clear it up, then.

MR HARGREAVES: Mr Speaker, I can do just what the opposition wants. When I was talking about the procedures which had been cleared by the Ombudsman, I was talking about the procedures for the investigation of the activities of the two constables, the investigative procedures. We often hear coming across the chamber, "Oh, the police were investigating themselves!" I wanted to be absolutely sure that those procedures were transparent and were correct, and it was those procedures to which I was referring. The Ombudsman, from my reading of that illustrious journal, was talking about the procedures as to whether a pursuit is engaged in or not. They are two quite separate procedures and, yet again, the folks opposite have decided to cherry pick and act on semantics and pedantry to determine their position and on what basis they wish to criticise this government. They are only being shown up to be the fools that they are.

MRS DUNNE: I have a supplementary question. Minister, thank you for the clarification, but what steps have you, your office or the Australian Federal Police taken to ensure that the Ombudsman is satisfied with the report that was published? Have you sought to clarify with the Ombudsman what his concerns are about this report?

MR HARGREAVES: Without being able to tell you the exact wording, because I do not carry around the exact wording of all of the reports that are ever provided on activities of the ACT government and its instrumentalities, it is my understanding that the Ombudsman said in the context of the report that he was satisfied that there was nothing else for him to ask. I am happy to accept that.

Environment—climate strategy

DR FOSKEY: My question is to the Chief Minister and it concerns the proposed climate change strategy and its community engagement process. Minister, you released the

climate change strategy and energy policy discussion papers on 13 March, without a media release and with the only media coverage being a short precursor story in the *Canberra Times* the day before. I understand stakeholder organisations were sent copies of the discussion papers and offered meetings, while a number of other contacts were simply advised of their otherwise silent release. I note that solar hot water companies do not appear to have been included on either list, whereas coal-fired electricity businesses were. Also, while I was apparently one of the people to be advised of the release of the papers, I received no such advice and I have no idea who else missed out. Furthermore, no schedule of the public consultation meetings, which began last night, was included with the advice when it was sent out and, while those meetings were advertised in the newspaper last weekend, emails advising of those meetings were only received the day before.

Mr Mulcahy: Is there a question coming, Mr Speaker?

MR SPEAKER: Is there a question in this?

DR FOSKEY: My question is: is the government's failure to actively promote these discussion papers and the associated public meetings a deliberate strategy to limit community engagement with the issue?

MR STANHOPE: No.

Dr Foskey: Sorry, could you repeat the answer?

MR STANHOPE: No.

MR SPEAKER: I guess you want a supplementary question.

DR FOSKEY: Yes, one that cannot just have a yes or no answer. Does the ACT government's community engagement policy apply to the Office of Sustainability in the Chief Minister's Department and can the Chief Minister provide the Assembly with a copy of the strategy developed for this important process?

MR STANHOPE: Yes, it does, and I am more than happy to do that, although I would have thought that it would have been available to Dr Foskey, and she gave some indication in her preamble that that was her understanding. So the answer is yes and yes.

Canberra Hospital—patient treatment

MRS BURKE: My question is to the Minister for Health, Mr Corbell. Minister, on 19 February this year a woman was taken by ambulance from Braidwood to the Canberra Hospital with a badly broken arm. It took an astonishing 95 hours for a theatre to become available for her surgery, during which time she was occupying a bed and on a morphine drip. She was told that the reason for the delay was that orthopaedic surgeons can only use one particular theatre, which is also the theatre used for surgery for major trauma and emergencies. Minister, you should be aware of this particular case, as the person wrote to you on 20 March. Minister, is it the case that there is only one theatre available for orthopaedic surgery at the Canberra Hospital? If so, why?

MR CORBELL: I am happy to take Mrs Burke's question. In relation to the letter in the *Canberra Times* today that Mrs Burke refers to, I am pleased to be able to advise the Assembly of the following points.

The person involved, Ms Barbara Daniel, was transferred by ambulance from Braidwood on Sunday, 19 February this year with fractures of the arm. Ms Daniel was treated in the emergency department of the Canberra Hospital and booked for theatre at 8.30 the following morning, 20 February. Regrettably this period was an unusually busy period for the theatres, and for this reason Ms Daniel's operation was delayed by the treatment of 46 other patients whose clinical conditions indicated that they were a higher priority. They included a number of neonatal cases and a number of children.

Notwithstanding the delay, Ms Daniel received appropriate care and was admitted to the orthopaedic ward at the Canberra Hospital at 1.20 pm on 20 February, the day after her admission. She received appropriate pain relief and nursing care. On 22 February Ms Daniel was reprioritised by the orthopaedic surgeon and priority was given to other more urgent cases. I am advised that the operation was completed successfully at 12.10 pm on 23 February.

It is worth reminding members that access to the emergency operating theatre is based on clinical need, and a five-point urgency classification scale is used. Category 1 is, of course, immediate. Category 2 is within two hours. Category 3 is within six hours. Category 4 is within 24 hours. Category 5 is over 24 hours, or is regarded as subacute.

Funding is not the issue, as suggested in Ms Daniel's letter. One emergency and one orthopaedic non-elective theatre were available over the period that Ms Daniel was waiting and additional staff are called in on overtime whenever emergency cases require immediate surgery.

The emergency theatre is available 24 hours a day. However, after 9 pm its use is limited to patients in categories 1, 2 and 3. Unless a patient's condition is life threatening, cases are not booked after nine of an evening. This is not about funding. It is about patient safety. Management decisions around additional theatre sessions and after-hours arrangements take into consideration patient safety, staff availability and occupational health and safety issues, including safe working hours for staff and surgeons. Those are the facts of the matter.

MRS BURKE: I ask a supplementary question. Minister, is this situation leading to long delays in the provision of orthopaedic surgery? Why is it that patients such as this one are waiting four or five days for orthopaedic surgery?

MR CORBELL: No, and I have answered the other part of Mrs Burke's question.

Therapy ACT—northside service

MS PORTER: Mr Speaker, my question is to the Minister for Disability, Housing and Community Services. Minister, I notice that you opened a new Therapy ACT northside service last week. Can you inform the Assembly about the new service?

Opposition members interjecting—

MR HARGREAVES: I thank Mr Stefaniak for the advice, but not as much as I thank Ms Porter for the question.

Mrs Burke: You were there, weren't you?

MR HARGREAVES: Don't get too carried away, Acting Leader of the Opposition. Oh dear, another client for Therapy ACT. Mr Speaker, as many members are aware, Therapy ACT provides a range of services to members of our community who have developmental delays or disabilities. These services include physiotherapy, occupational therapy, speech pathology, social work and psychology services, to name a few. Therapy ACT provides services to a range of age groups from birth to 65. These services, which are free to Canberrans—you are right there, Mr Stefaniak; they are free to people like your good self—aim to enhance people's quality of life and change their lives for the better.

In 2004 a review of therapy services in the ACT recommended that Therapy ACT restructure into age-based teams and provide services from northside and southside hubs in the ACT. With this in mind, the Stanhope government has committed $1.5 million in capital works so far to achieve this objective. Last week we moved closer to this goal with the establishment of Therapy ACT's new northside hub in Swanson Plaza, Belconnen. The new hub is purpose built and will benefit clients, their families and carers—as well as our staff—through state-of-the-art, modern and appropriate surroundings. The convenience of the new location also allows our clients and their families to combine therapy services with other activities such as going to the library, the health centre, the Canberra Connect shopfront or other shops. It is also close to the bus interchange.

The opening was a great occasion, with about 80 people from various organisations, including Technical Aid to the Disabled (ACT) and the Spastic Centre, attending, as well as many clients who were excited to be receiving services in their new surroundings. Therapy ACT staff tell me they have received many positive comments from clients about the new premises. The event enabled everyone to tour the new facilities and look at some of the equipment on display from the new equipment assessment and trial service which the Stanhope government funded in last year's budget.

The move to Swanson Plaza has also allowed an opportunity to change the way the services are delivered. Therapy services now cater for various age groups through age-based teams. There are two early childhood teams, two school-age teams and an adult team. This is the fulfilment of another goal set through the 2004 review.

The establishment of the northside hub is a significant step towards consolidating and improving the way we deliver our therapy services. I am happy to report to members that work has already commenced on improvements to our southside hub at Holder to consolidate therapy services for Canberrans on the south side of Canberra. I again thank Ms Porter for the question.

Industrial relations

MR MULCAHY: My question is directed to the Minister for Industrial Relations. I refer to the Chief Minister's announcement on 2 March of this year that the ACT government will intervene in the High Court challenge being brought by the states against the federal government's work choices legislation. If this action is still proceeding, how much has it cost so far? What is the total cost expected to be?

MS GALLAGHER: I do not have the exact detail of the cost, but I am happy to take that part of the question on notice and provide the answer to the Assembly. It is important for the ACT that we take this step and intervene in the High Court proceedings. We are challenging the laws and the use of the territory's power to override ACT legislation here. We will see how our case goes.

This legislation will have an impact on the community here in the ACT. The ACT government, along with every other state and territory, is opposed to these laws. We have not been consulted on the development of the bill. We were not given details of the bill until it was introduced into the parliament. We received the 400 pages of the regulations the same day that the media did, giving the detail of how these laws would operate. In fact, I had written to the federal minister seeking advice from him about when these laws would come into effect. It seemed very odd that, after the introduction of, I guess, his greatest piece of work—work choices—he was not telling anyone when his laws would start.

We, here in the territory, were in the position of having the laws come into effect straight away. For some reason, the federal industrial relations minister was refusing to tell us when the laws would come into effect. We were going on rumour. We had a phone hook-up—officials in the ACT government with commonwealth officials—in which they said they were not in a position to tell us when the laws would come into effect. It seemed rather odd—after all the hype, the millions of dollars worth of advertising and our being told how wonderful these laws were—that the commonwealth government could not indicate to us when they would commence these laws. We now find out through the media that they came into effect on Monday.

The way that the work choices legislation has been handled is a real slap in the face to people here in the territory by the federal government—the drafting and the introduction of the bill, and the drafting and the tabling of the regulations. The fact that the federal government refused to talk to us on any single occasion about how this law would affect the ACT, or listen to how the ACT government, as a democratically elected government, felt about these laws—the fact that they would not do any of those and that they just steamrolled them through—is a real slap in the face.

Those opposite are still smiling that it is in place. I am sure they would be smiling if Mr Bollard came and saw them this afternoon and talked them through his particular situation! They might get an understanding of what these laws will do to ordinary working people here in the territory when our children get jobs and work under the new legislative framework. It might be very nice for Mr Mulcahy to think that this is the way the landscape should look, but we do not agree with that. We do not agree to the point that we, along with the other states and territories, have decided to take High Court

action to seek to minimise or reduce the effect of this legislation on people here in the ACT. Every cent we spend on it will be worth while.

MR MULCAHY: Mr Speaker, I have a supplementary question. What legal advice have you received on the constitutional validity of the ACT's challenge and the probability of it failing?

MS GALLAGHER: We will hardly sit here and go through the detail of the legal advice that the government may or may not have received on this matter.

Opposition members interjecting—

MR SPEAKER: You are not required to answer this. It is a request for a legal opinion.

Mr Seselja: No, it's not. It's asking what legal advice she's received—not for a legal opinion.

Mr Mulcahy: My words were: what legal advice have you received on the constitutional validity of the ACT's challenge and the probability of it failing?

MS GALLAGHER: You would know that.

Mr Seselja: She's happy not to answer it.

Mr Mulcahy: It is not asking for her to express an opinion.

Mr Seselja: One hundred per cent no chance. I'll give you some free advice—100 per cent. I could have saved you a lot of money.

MR SPEAKER: Mr Seselja, order!

Mr Seselja: Are you still ruling on this, Mr Speaker, or have you ruled?

MR SPEAKER: If you want to ask a question, now is the time to do it.

Education—outcomes for boys

MR SESELJA: My question is to the Minister for Education and Training. Minister, I refer you to comments made on ABC radio by Menslink CEO Richard Shanahan when he said in relation to the 2002 Martin report:

> A report was released in 2002 stating serious concerns around, that a significant minority of boys are not achieving well in the education system and that even across all subjects, boys overall are getting somewhat behind in most subjects in terms of achievement.
>
> That report is all about responding to those concerns in a productive way and that the Government hasn't actually responded to the Report and that to me shows a lack of commitment to boys education.

Minister, is this a valid criticism? What has been done to follow up on the Martin report to improve boys' educational outcomes?

MS GALLAGHER: I thank Mr Seselja for the question. In fact, in the previous Assembly we had quite a lot of discussions about the Martin report, which was a report from 2002. Of course, Mr Seselja was not here for those debates, but I am happy to go through exactly what the government has done in relation to boys' education. In doing so, I should preface this by saying that Mr Shanahan has a vested interest in boys' education—a legitimate vested interest; he runs a very good program at our schools for boys' education. But he has also put in a submission for additional funding for his program, and this is part of the hurly-burly of the budget process. I think Mr Seselja should declare that he is involved with Mr Shanahan's organisation. I believe you were a mentor or were involved in some way with this organisation, which you should declare when you are asking a question like this.

Mr Seselja: Does Mr Gentleman declare it every time he asks a question about unions?

MS GALLAGHER: I just think that when Mr Shanahan and you went on radio together it was a very cosy little arrangement. You had a strong alliance with Mr Shanahan's group Menslink and—lo and behold—Menslink is putting in a budget bid for some extra money and, oh, they appear on ABC radio saying there is a terrible situation occurring with boys' education in schools, just at the same time as they are asking for more money, and along with the help of one of their mentors and someone who has been involved in their program.

Mr Seselja: You are not telling the truth.

MS GALLAGHER: I am not saying there is anything wrong with that, Mr Seselja; I am just saying that you should declare it. We should be a little more open about our interests here.

Mr Seselja: We all declare our interests, Katy.

MS GALLAGHER: I am very open about mine. I do not hide behind my interests. But I do not think in that interview—or since—that you have declared the interest that you have in that organisation and I do not think in the interview it was very open that this is subject to a budget process where money has been sought for an extension to a program.

But, in relation to your question, I can sit here and talk quite extensively about what has happened to the education of boys. In fact, the key finding of that report was that the quality of the teaching has more impact on student outcomes than any other factor. The single factor is the quality of the teaching being offered in the schools, and that is regardless of gender. Apart from targeted programs that we have been doing, the emphasis needs to be placed on making sure that our teachers have access to the professional development that they require and the training programs they require in order to provide the good programs to all of our students, from which boys, of course, will benefit as well.

The department has implemented the findings and conclusions of the report in a number of ways. Professional learning has focused on building the capacity of teachers to deliver inclusive programs that incorporate a variety of teaching and learning strategies to address the individual learning needs of students. There is professional learning for principals to enhance their capacity as curriculum leaders in their schools, focusing on the individual learning needs of students. There is a focus on providing relevance and meaning in the curriculum, and different ways of learning, for example through the year 9 exhibitions program and the increasing inclusion of vocational education and training. We have highlighted the importance of good relationships in teaching and learning; for example, the department's study, teaching and learning in the middle years in the ACT, which was released late last year, identifies the significance of strong relationships between teachers and their students. Also, the department's discussion paper *The inclusivity challenge* supports schools and teachers to address inclusivity in their classroom and school practice.

In 2005, Dr Andrew Martin issued a further research report, *Motivating boys and motivating girls: does gender really make a difference?* based on 2003 survey data from New South Wales and ACT coeducational high schools. The report identifies again teacher quality as the key factor in lifting boys results and the importance of male role models in their education.

The following schools were also involved in the Australian government Boys' Education Lighthouse Schools project: Isabella Plains, North Ainslie and Palmerston primary schools and Stromlo high school. Also, a number of ACT government schools have been recognised and won awards for their initiatives in boys' education. These include the resilience and adolescent development program at Lyneham high school; the project orientated school mentoring project at Theodore primary school; the Stromlo cluster focusing on boys' wellbeing and improving engagement in learning, with funding from the stage 2 BELS project; and in 2006 12 schools, including eight government schools, have received a total of $70,000 in funding from the recently launched success for boys professional learning project.

Employment—outlook

MS MacDONALD: My question is to Mr Stanhope, the Chief Minister. Is the Chief Minister aware of the latest business survey undertaken by the *Hudson report*? What findings does the survey make about the employment outlook in the ACT?

MR STANHOPE: I thank Ms MacDonald for the question. I certainly am aware of the results of the employment expectations survey undertaken by Hudson for the period April last year to June this year. Not surprisingly, consistent with other surveys that have been undertaken, notably by the chamber of commerce and others, the employment outlook is excellent, as is business confidence within the ACT, and that is a fantastic thing.

The employment outlook is incredibly strong and, in the opinion of businesses throughout the ACT, is expected to improve. More than half of the 350 employers surveyed say that they will increase staffing levels during the next quarter from June 2006. That is slightly lower than the business expectations survey of the

ACT Chamber of Commerce and Industry. Interestingly, of those surveyed by Hudson, only 10 per cent believe that they will reduce staffing in this next quarter. They are fantastic numbers. They are incredibly high numbers and reflect the highest levels of business confidence and employment expectations or intentions anywhere in Australia.

The net positive effect of the expectations is that staffing levels will continue to increase. There is a rub in that, of course. As I have often said, the ACT is a victim of its success in the context of skills and labour shortages. The economy is growing so strongly that, in a period of unemployment that really is at record levels, we are now at 3.3 per cent trend unemployment. Essentially, that is comparable to the full employment of the Menzies years during the fifties, when we regarded two per cent as representing full employment within the Australian economy. In the Australia of 2006, it is probably reasonably fair to suggest that, with trend unemployment around 3.3 per cent, the ACT at the moment is experiencing full employment. That is a reflection of the strength of the economy.

In the context of this particular survey, which backs up other surveys about levels of business confidence, business expectation and the future that have been undertaken in the ACT, this is a situation that will persist for some little time yet. It is very hard to get workers. There is an enormously strong demand for labour by ACT employers. We need to continue to work to address skills shortages, most particularly in the context of what might be regarded as nearly full employment, simply to find more workers to work in the ACT.

The trend labour force participation rate is currently just on 72 per cent. That is the highest level in Australia, a near record high, and it is continuing to increase. As a response to these pressures, which is a reflection of the strength of the economy, the government is actively pursuing migration to the ACT. It is seeking vigorously to address the skills shortage, particularly through vocational education and training, apprenticeships and traineeships, as well as through the skills migration program. Departmental officials are in the UK at the moment, and potentially moving into Europe, to attend migration seminars and to seek to attract to the ACT skilled workers from around the world.

Most importantly, next week, along with 21 representatives of business and other sector partners from the ACT, I will be launching the "Live in Canberra" campaign. They have joined with the government to launch a major campaign in south-west Sydney to seek to attract to the ACT some of those people who live in Sydney. There perhaps will be some sensitivities from our cousins across the border in relation to this first attempt to poach Sydneysiders to the ACT, but there is so much now in terms of quality of life in the capital, which is reflected in the strength of the economy, average levels of income and the quality of services, to impress and attract people to the ACT. I am hopeful, as, of course, are our 21 business sector partners, that this will be a successful program. I look forward to the continuing support of all members in ensuring that it is successful.

MS MacDONALD: I have a supplementary question. What do those results say about the state of the ACT economy?

MR STANHOPE: I did touch on that in my earlier answer, but I think that it is important to go to some of the other indicators of the strength of the ACT economy at the moment and the fact that there is something of a bounce from a period of downturn that

we did experience, particularly over the last year or so. As I said, the Hudson report shows that businesses in the ACT are particularly confident about their prospects, and that result is consistent with the very strong investment and construction activity that is happening in the ACT.

It is relevant that I inform or advise members of some of those very strong indicators of how well the economy of the ACT is doing. Confidence, of course, is very important. We know that businesses will invest and build only when they are confident about their prospects, when they are confident about the economy and, of course, when they are confident about the government that has its hands on the levers in a particular jurisdiction. That is very much the position now within the ACT. I think that, if we were to concede that there is some relevance as a measure of economic strength in the building and construction activity and the level of investment in the ACT, we would all concede just how well the ACT is performing at the moment.

It is not a matter of simply counting the cranes on the skyline, although that is, I think, a great and very public and positive measure of how the city is performing. There are indeed some far more sophisticated ways of measuring how an economy is performing and it is relevant, and I am sure members would be interested to know, that, since this Labor government came to office in the ACT, investment in the ACT has grown by 59 per cent in real terms. The real value of construction work undertaken in the ACT has recorded an average annual growth of 6.2 per cent since Labor came to government just over four years ago.

Over the same period, investment in New South Wales grew by 32 per cent, against the 59 per cent growth in investment in the ACT, and the real value of construction work in New South Wales recorded an average annual growth of 2.5 per cent against the ACT's 6.2 per cent. That gives a very real indication of the level of activity in the ACT and the strength of the economy here.

The good news is set to continue. We have this unprecedented level of construction being undertaken in the city at the moment and, as at the December quarter of 2005 the value of building work in the pipeline was estimated to be just over $1 billion, $820 million. So, despite this unprecedented level of construction and building activity in the territory, as of December there was estimated to be $820 million worth of further work in the pipeline.

There is a range of other indicators of the strength of the economy. Retail activity in the ACT is running at well above the national figure. The tourism sector is also experiencing some relatively strong times and growth. The occupancy rate in the ACT at the moment is 70.9 per cent, five per cent higher than the national occupancy figure, and is showing an annual increase of double the national rate of increase in bed occupancy. Significant and important for the ACT are the housing start or dwelling commencement statistics released just a week or so ago. At the rate of 6.6 per cent of dwelling commencements, the ACT had the single biggest bounce in dwelling approvals in Australia, and trend dwelling approvals now are at the highest level for almost two years, which is some indication and some sign of some bounce out of the doldrums of a year or so ago.

These are all absolutely excellent figures pointing to the underlying strength of the ACT economy, reinforced by those outside surveys of organisations such as Hudson and

Sensis, and are a great vote of confidence in the ACT economy and indeed, as much as our opponents, the Liberals, hate it, a significant vote of confidence in the government that is producing these figures and is marshalling this economic growth and this incredible boom in the life and vibrancy of the ACT. Canberra is now a city of an order that it has never been before and this government, despite your protestations, claims credit for that and will continue to do so.

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

Paper

Mr Corbell presented the following paper:

> Legislation Act, pursuant to section 64—Road Transport Legislation (Taxi Licences) Amendment Regulation 2006 (No 1)—
> Disallowable Instrument DI2006-5 (LR, 6 March 2006).
> Explanatory statement.

Statements by members

Industrial relations

MR MULCAHY (Molonglo) (3.22): Mr Speaker, I seek leave to make a statement.

Leave granted.

MR MULCAHY: I just want to read a statement that has come to my attention from Mr Tony Charnock, Boral's Regional General Manager, Construction Materials, New South Wales/ACT, issued to ABC and WIN television today. Mr Charnock says:

> In good faith, we have decided to put Mr Bollard back onto Boral's payroll while the matter is reviewed, the key question being whether Mr Bollard is fit to resume his pre-injury duties.
>
> Unfortunately, our concrete drivers in Canberra have decided to instigate unlawful strike action rather than to talk to us first which they're obliged to do under their Enterprise Agreement if they dispute something that we have done. The new IR laws have had no influence over our decision to terminate Mr Bollard's employment. If Mr Bollard does not agree with Boral's decision he is able to challenge it under the new IR laws just as he was able to challenge it prior to the new laws coming in on Monday.
>
> Tim Bollard has been an employee of Boral's for some three and a half years. Around two years ago he injured his shoulder on the job and ever since has been unable to perform his original duties. Since that time Boral has provided him with alternate duties and has been working with him to try and get him back to his original duties.
>
> Under ACT law—

Members interjecting—

MR SPEAKER: Order, members! The House gave Mr Mulcahy leave to make a statement. Please let him make it.

MR MULCAHY: Thank you, Mr Speaker. The statement continues:

> Under ACT law, Boral was legally obliged to keep Mr Bollard in employment for a minimum of three months following his injury. However we have kept Mr Bollard employed through alternate duties for around two years in the hope that he could return to his original full time duties. Unfortunately, during this time Mr Bollard has aggravated his original injury on a number of occasions. Medical evidence from both Boral's and Mr Bollard's doctors has confirmed that Mr Bollard will never be able to return to his original duties on a full time basis and he is seeking compensation because of this. It comes as some surprise to hear today that Mr Bollard is now saying he is fully fit to resume his pre-injury duties.

It is a pity the facts were not checked out by the minister before she made her comments.

Industrial relations

MR GENTLEMAN (Brindabella) (3.24): Mr Speaker, I seek leave to make a statement too.

Leave granted.

MR GENTLEMAN: I just want to clear up some confusion that may have occurred during question time when Mr Seselja asked about my affiliation to a union here in the ACT. I want to let him know that I am a member of the Transport Workers Union and I have been so for quite a while. In the ACT we still have freedom of association. I think we have it in Australia—at the moment, anyway. For a time I did work for that union.

Prior to my membership with the Transport Workers Union, I was a member of the CPSU. Prior to that, I was a member of the APTU. I began union membership in 1973 with the Australian Clerical Officers Association. My delegate at the time in the workplace of foreign affairs was a former member, Mr David Lamont. Thank you, Mr Speaker.

Road safety

Debate resumed.

MR PRATT (Brindabella) (3.25): I thank Ms MacDonald for this motion today about road safety as it is a serious and timely topic. However, it is unfortunate for Ms MacDonald that she has obviously been prompted by her own party to run this motion so she can spin their propaganda lines about how the Stanhope government are doing all they can to improve road safety, when it is blatantly obvious that they are not employing all measures possible to address this problem from all angles.

It is all the community's fault they seem to say: "Let us put the onus back on drivers to look at their own behaviour"—the minister says that, and he said it again today—"but let us at the same time brag about what a great job we are doing to help out with the

problem by putting in an extra speed camera, even though we are not really doing anything overall to attack the problem. Let us brag about how many extra police we have not put on the road, or how much notice we have not taken about the safety of road cycle lanes. Let us brag about how little we care about cracking down on hoon driving or road rage and why we have not increased police numbers to tackle these problems. Let's show how reluctant we are to adopt a random drug-driver testing regime in the ACT."

That is what the government portray—reluctance on all fronts and buck passing onto the community. This government have managed to put all the onus back onto road users without taking any added responsibility themselves for contributing to what has resulted in two and a half times the road death toll for the whole of 2004. In fact, we have all just read reports in the media recently that the ACT has now recorded the highest percentage increase in road deaths of any state or territory. This is also the highest ACT death toll in 15 years.

An additional speed camera, such as the minister introduced recently, will not be enough. It is a good start, but it will not be enough to reduce deaths on our roads. It is a combination of better road safety measures and messages, a stronger police presence on our streets, and improved legislation and enforcement that is desperately needed. The bulk of complaints I receive about speeding comes from residents who are sick of cars speeding along suburban streets. In order to address this problem at least there should be mobile speed cameras located more often in suburban streets, in particular around school zones and aged care facilities, and in those areas known to be hooning hotspots.

What is also desperately needed is a greater police presence on our streets to deter bad behaviour, whether that is on the roads or targeting vandalism and theft in the suburbs, trail bikes and minibikes on pathways, or car burnouts. I suspect, firstly, that there are not enough officers to go out on the beat to respond to complaints such as these, and, secondly, that police do not have the resources to pursue offenders like trail bike riders when they flee.

To highlight this Labor government's lack of serious commitment to addressing the road safety problem even further, we see that the annual number of random breath tests, RBTs, conducted by ACT Policing dropped, with data showing the number of tests has plummeted to the lowest number in five years. The ACT Policing report revealed that 43,033 random breath tests were conducted in 2004-05, and that is fewer than 40 per cent of those conducted in the 2000-01 financial year when there were 107,959 tests conducted.

The police minister, Mr Hargreaves, argues that the number of tests dropped because RBT was being conducted in a more targeted fashion and therefore they do not need to conduct as many tests. He is right, I grant him that: they are being targeted; they are being deployed in a more targeted fashion. But what these statistics clearly show is that random breath testing has revealed an increase in over-the-limit drivers in comparison to the number of drivers tested. So there is a juxtaposition of performance versus stats. There is clearly an increase in drink-driving in the ACT as more and more people think they can get away with it as there are fewer police on the roads and they do not think they will get caught. There is no significant deterrence factor.

Surely, minister, the number of offenders caught would be dramatically increased if the government restored the traditional 107,000 per annum testing regime rather than 43,000. Yes, more targeted operations are being conducted now, but with 107,000, as per the original performance budgeting limitation, you would be more successful. You have cut the number of RBTs, not because you can score the same number with more targeted tests but because you are suffering severe budgeting restrictions. It must be a budget decision that you have taken.

Now we have the added problem of drug-driving. As I explained last September, and recently when I tabled and debated my random roadside drug testing bill, if this government were serious about tackling the growing road death and accident toll, they would support the introduction of a random drug-testing regime in the ACT as outlined in my bill—and they should do it expeditiously; they should not wait another year to perhaps rebadge our tabled legislation and then bring something else forward.

Mr Hargreaves: I raise a point of order, Mr Speaker. This is a reflection on a vote on a previous matter before the Assembly, that being the drug-testing bill.

MR PRATT: On the point of order, Mr Speaker: I cannot accept that proposal. We are simply talking about current performances and measures that can be taken to improve road safety in the ACT. Surely that is relevant to this debate.

MR SPEAKER: Well, make sure that you do not reflect on a vote of the Assembly in the past.

MR PRATT: Thank you, Mr Speaker. Statistics clearly show that drug-driving is a significant problem in the ACT and Ms MacDonald has expressed in her motion concern about people driving under the influence of drugs and alcohol. But never mind expressing concern; do not express concern, Ms MacDonald. Let us tackle this problem by being tougher on people who do drive under the influence of alcohol or drugs, rather than simply asking the community not to do it. History has shown that not everyone does the right thing. There have to be mechanisms in place to catch or deter those who do not act responsibly. So let us put some legislation in place that allows our police to get tougher, that gives our police the instruments on this problem of drug-driving to do something practical to curb the rising death toll.

The one to two per cent of people in our community who habitually behave dangerously and break laws will not be educated. That is the point: you cannot solve all these problems with damn education. It is an integral part of a broader strategy, but it is not the full answer. Of course, Ms MacDonald's motion also seeks recognition of the contributing factors of lack of driver attention and of speed to our road toll. Again, these are things the ACT government can do much more about than simply ask people to be more careful.

The NRMA Road Safety Trust have supported the opposition's calls for more police presence on the roads as they say that research clearly shows that a police presence does significantly deter reckless driving and speeding. In fact, a driver's attention is soon refreshed when they see, or know they are likely to see at some point, a police car on the road. A police car has a much more powerful presence than simply an urban services

camera car. Yet this government fails to take into account what the NRMA's research clearly shows—

Mr Mulcahy: It doesn't make as much money, though.

MR PRATT: Correct, Mr Mulcahy. The government refuses to put more police on the roads. So, just as this government has ignored the NRMA Road Safety Trust's concerns about a greater police presence on the roads, so too it ignored the NRMA when it came to consultations about on-road cycle lanes. In addition to concerns about the overall design of the on-road cycle lane system, particular concerns have been raised about the narrowing of roads such as Northbourne Avenue and Hindmarsh Drive to accommodate the cycle lane system. The NRMA feels that the system is fairly unsafe and this confirms the broad feedback that I have received that the system is impeding traffic flows and is highly dangerous. The opposition do not oppose the concept of an on-road cycle lane system per se but severely question the scope and the cost of the government's current plan.

Ms MacDonald: I raise a point of order, Mr Speaker. Mr Pratt is referring to the on-road cycle system. It has absolutely nothing to do with this motion whatsoever. It has absolutely nothing to do with road safety in terms of the wording of the motion, which is about driver inattention and driving under the influence of drugs and alcohol.

MR PRATT: Get to your point of order, Ms MacDonald. We are running out of time.

Ms MacDonald: It has nothing to do with the motion, Mr Speaker.

Mrs Dunne: I raise a point of order, Mr Speaker. Paragraph 4 refers specifically to drivers, riders, cyclists and pedestrians, so I think that—

MR SPEAKER: Well, just get on with the question.

MR PRATT: As a consequence, we do not support this motion, Mr Speaker. Thanks for the filibustering, Ms MacDonald!

MR MULCAHY (Molonglo) (3.36): I welcome the opportunity to speak today on Ms MacDonald's motion. Although I do not have opposition responsibilities for road safety, it is an issue about which I am deeply concerned. Indeed, I have spoken in the Assembly only recently about the need for random drug testing to improve safety.

The motion does raise a couple of topical issues: first, the practice of driving under the influence of drugs and alcohol. It is clear that the use of illicit drugs affects driving ability. Laboratory studies have shown that cannabis compromises reaction time, affects an individual's attention span, time and distance perception, short-term memory—a problem that many people seem to be afflicted with at times in this area—hand-eye coordination and the ability to concentrate.

The detrimental effect of drugs on driving is borne out by an examination of statistics. Of 3,398 driver fatalities investigated in Victoria, New South Wales and Western Australia for the period between 1990 and 1999, impairment drugs were present in 23.5 per cent of cases. A total of 12.6 per cent had cannabis or stimulants in their system.

Interestingly, when you look at the issue of road safety and this proposal, a South Australian study of drivers injured in accidents found that over 11 per cent were under the influence of cannabis or stimulants like ecstasy. A major Sydney hospital found that over 15 per cent of seriously injured crash victims had high levels of cannabis in their system. These figures are unacceptably high and point to a real problem that is widespread and to the need for action.

I believe that, despite the alarming fatality and injury rate for drivers under the influence of drugs, there is a misconception in the community about the dangers. According to the 2001 national drug strategy, four per cent of all drivers admitted to driving under the influence of drugs in the previous 12 months. This figure is even higher for younger age groups, with some 12 per cent of 20 to 29-year-olds surveyed indicating that they had undertaken drug driving.

This is why I agree with my colleague Mr Pratt that, whilst it is important to express concerns about the continued practice of driving under the influence of drugs and alcohol, it is more important that positive action is taken. The introduction of random drug testing in Victoria, for example, and its subsequent adoption in other states, has demonstrated that it is a viable, relatively inexpensive way to begin to combat the problems caused by driving under the influence of drugs.

Mr Hargreaves: I raise a point of order, Mr Speaker. We have debated that particular subject here in the past. This is a reflection on a vote of the Assembly, by inference, and I ask you to get Mr Mulcahy to stick to the wording of the motion.

MR MULCAHY: On the point of order: I have not reflected on that vote and I have not questioned the accuracy or otherwise. It would be like arguing that we have talked about the economy so we cannot ever talk about it again. I have simply talked about the issue of random drug testing and its relevance to road safety.

MR SPEAKER: I think it is relevant to talk about drugs. I have been listening carefully for a reflection on a previous vote and I have not heard one yet. I know that Mr Mulcahy will be careful to make sure I do not hear one for the rest of his speech.

MR MULCAHY: Absolutely, Mr Speaker. Ms MacDonald's motion also raises the point that keeping ACT roads safe is a shared responsibility, and I believe that she is right: motorists have a responsibility to drive safely and the government has a responsibility to everyone to police the roads and have a system in place that seeks to provide protection to everyone.

The question must be posed, of course: why do drivers speed and drive dangerously? Obviously, there are several answers to that. One is that excessive drug consumption—or in fact probably any drug consumption, and, certainly in the case of alcohol, misuse or excessive use of alcohol—clearly impairs judgment. Of course, the second key factor is poor attitude to driver competence.

I do not believe the government, in being preoccupied with speed, is targeting the underlying causes of road crashes. Speed restrictions and a lot of speed cameras may be a highly visible response to community pressure to do something—and I am not saying

that that should end—but I am starting to wonder, and the statistics tend to underline this, whether these are becoming less effective because they focus on the symptoms of poor driving and not the causes.

I believe that the time has come for far-reaching changes in driver training and the issuing of licences, with most emphasis being placed on the importance of attitude to driving. A drivers licence must be seen as a privilege—a reward for pride in driving and the competence that reflects that pride. At the same time, I believe that people who demonstrate a careless and irresponsible attitude to driving should be required to consider their attitude and retrain until an instructor or examiner is satisfied that they are safe to drive on our public roads. Roads are a public resource and everyone who uses them is responsible for the wellbeing of other users as well as themselves.

I will just reflect on the issue of speed. In all of the discussions I have heard in this area—and I have had an involvement in my previous life with road safety over probably more than a decade—I have rarely ever heard any reference to the speed of vehicles. There seems to be no courage at governmental level to tackle the matter of the construction of motor vehicles that can go vastly in excess of the speed limits prevailing in virtually every part of Australia.

I was prompted about this when I rented a car about a year ago, a Ford Territory, of which the majority of members of this Assembly are owners; I am not one. I am looking at the driving guide and it states that it is recommended not to exceed 115 kilometres an hour in third gear, then that you not exceed 160 kilometres per hour in fourth gear—and then five and six; I do not know where you are meant to go there. Then it states: "Always observe the local speed limit and drive safely. Adjust your driving to suit the road and weather conditions."

I just find it staggering that here is one of Australia's largest motor vehicle manufacturers putting out a guide in every vehicle in Australia telling people that this vehicle should be driven or could be driven at speeds vastly in excess of the Australian speed limits—with the sole exception of the Northern Territory, with a minuscule number of people. It raises the question: why are they having to manufacture vehicles that can drive at these speeds? You look on car dashboards and they have got designated maximum speeds of up to 200 kilometres an hour; sometimes it is higher on the European cars. My suggestion to governments—and Ms MacDonald might want to take this on board with her next motion on this topic—is that they ought to start putting pressure on those who make these cars. The national—

Mr Hargreaves: It's a federal responsibility—your mates.

MR MULCAHY: Yes, I agree that it is a federal matter, but these matters have to be resolved through federal and state ministerial conferences. You are quite happy for Canberra to show the way and lead the charge on a host of other initiatives. Well, let the ACT government show the way in relation to the design of vehicles and start putting some responsibility onto the manufacturers. We have not seen a significant reduction in road deaths since the last major achievement, RBT, came in in various states. I suggest that the next step ought to be, if we are serious about road safety, to put pressure on the manufacturers to produce vehicles in which people are less able to cause damage and destruction.

The topic is an interesting one, but I think there is more that can be done than just rhetoric. I suggest that the comments on and the enthusiasm shown for this topic—and I am pleased that Ms MacDonald is such an enthusiast of the subject—ought to be translated into action. I would certainly implore her to use her enthusiasm for this subject to persuade her ministerial colleagues to take up some tangible, constructive measures that will have a real and determined effect in reducing the horrific damage that occurs on our roads and leads to the loss of so many young people.

Yes, there are other things we can do in the territory. We can put in tougher standards in terms of the issuing of licences. I know we are trying to always have uniformity in Australia, but somebody needs to lead the way and the opportunity exists for our territory government, in this vital area where there is widespread community support when reforms are introduced, to demonstrate that we are going to grasp the nettle and take some tough decisions to reduce our road toll.

MS MacDONALD (Brindabella) (3.45), in reply: I would like to thank members for their contributions to this debate and their support of the motion, where it is supported. I am a bit confused because Mr Pratt waited until the very end of his speech to say that the opposition would not be supporting this motion. I am curious to know why, because he did not really explain what he has against the motion. Let me just remind the house that the motion states that this Assembly:

> (1) recognises that driver inattention and speed are major contributors to road accidents;
>
> (2) expresses concern that some drivers continue to drive under the influence of drugs and alcohol in spite of the overwhelming evidence that these substances reduce drivers' abilities to judge, concentrate and react to road situations;

I am not sure exactly where Mr Pratt or the opposition have a problem with those two paragraphs. Then:

> (3) acknowledges that keeping ACT roads safe is a shared responsibility;

I think we would all agree that the government cannot be in everybody's car keeping them awake at all times. Then:

> (4) urges drivers, riders, cyclists, pedestrians and anyone else who uses our roads to remain vigilant regarding road safety, particularly during holiday periods;
>
> (5) notes that the 2005-2006 ACT Road Safety Action Plan identifies key actions that aim to reduce deaths and injuries on ACT roads; and
>
> (6) recognises the important role education or road safety programs and initiatives play in increasing road users' skills and raising awareness about road safety practices in the ACT.

On those last three paragraphs, you could always say, as Mr Pratt has done, that more can be done; of course there is always more that can be done in any area that we look at in this place. However, I do not see where the issues lie such that the opposition would

take the position to vote against this motion. So I am really in some confusion as to why Mr Pratt has an issue with this, except perhaps that we did not vote for his bill and now he is having a sulk. That could be it.

I will just go through some of the comments that were made. I should say that I first raised this issue before the Christmas holidays, and of course I did not bring it back on until this week. The reason for that is that between now and the next time we sit will be the Easter break, including the school holidays. So that is the reason that I have brought it back on now, because I think it is important that we urge everybody who uses the roads to exercise care in the upcoming holidays.

Lots of people travel and lots of people have young children at schools and take the time when they are off on an Easter break to travel down to the coast, to Sydney or elsewhere. All I am saying with this is: wake up, pay attention, take breaks, take responsibility for your own actions, do not get carried away, et cetera.

I thank the minister. He gave an elucidation of the tactics that we are employing here in the ACT in an attempt to reduce road deaths. Dr Foskey asked the question: how much effect will it have here? She was a bit sceptical that there might be any effect from this motion. We could say that about any of the motions that get discussed in this place. But it is about debating the issue here in this place and it then leading to the outside world. It does make an impact. It may only be small, but there is a small impact.

Dr Foskey also talked about mobile phones being used in a dangerous fashion. I certainly would not disagree with that and I am sure that there are issues there that could be taken up. I think it is important for us to remember that, if we have a mobile phone and we do not have a hands-free kit, we should not be using it, or doing our hair, while driving—doing any of those things—

Ms Porter: Shaving.

Mrs Dunne: Make-up.

MS MacDONALD: Thank you. We should not be doing any of those other things while we are driving. We do have a responsibility to pay full attention to this, because vehicles can and do end up being instruments of death, unfortunately. Mobile phones are one problem, and there are, of course, others. I know that the police and the government—in fact, I think we all—take it as a serious issue. If we see people out there who are misusing their mobile phones, or doing other things, maybe we should consider keeping in mind their number plates, if we can, and making a report. I am not saying that there should be any citizen's arrest; I would hate for people to start calling me Greg Cornwell.

I have already referred to some of the issues that Mr Pratt raised, but he started out by saying that this motion and the government were putting it all back on the drivers and saying it was all the drivers' fault. No, Mr Pratt, that is not what this motion says. What this motion says is that it is a shared responsibility. In fact, I think Mr Mulcahy, in his follow-up speech, did say something along the lines of that roads were a public resource and a shared responsibility. And that is exactly what this motion says, Mr Pratt. That is exactly what this motion is about, Mr Pratt.

Mr Speaker, I should address my comments through you; I apologise. But that is exactly what this motion is about: it is about shared responsibility on the roads. We do all need to take responsibility for our actions when we are driving. That does not mean being holier than thou or berating people or hitting people over the head. It is saying, "When you get behind the wheel of your car, be careful"—and that applies to me just as much as to anybody else in this place or outside of this place.

Mr Mulcahy also interjected at one point, "What is the TWU's position on drugs and alcohol in relation to driving and their membership?" Well, I am sure you, Mr Speaker, would be aware that the TWU have run a number of campaigns continuously saying that their members and everybody should not be taking alcohol or drugs and that they do have very serious implications in these people's jobs.

The other thing that I just want to mention is that I noted that Mr Mulcahy went on for about three minutes or more about Ford, reading from the Ford manual, and about how manufacturers have a responsibility. There is just one thing I would like to say about that: the last time I checked, no cars had ever been manufactured within the ACT. So the ACT government do not have any influence over car manufacturers. We have no car manufacturers in the ACT. I understand Mr Mulcahy may be a bit frustrated about that, but maybe he should write to his federal member and ask them to take a letter of representation to the minister about vehicle speeds and what speeds vehicles can get up to.

I will just finish by saying that I commend this motion. I am getting to the point where I am close to being tired of my talking about this, but it is about shared responsibility and it is raised today, before the Easter break, to say to people: "Please take care of yourselves and take care of the people around you. Go easy behind the wheel, take the breaks that you need. Don't drink and don't take drugs when you are going to drive."

Motion agreed to.

Bushfires–threat to urban edge

Debate resumed from 15 February 2006, on motion by **Mr Pratt**:

> That this Assembly, in light of the Yarralumla Brickworks grass fire of December 2005 and the state of the grass bushfire fuel threat that exists along the urban edge and in Canberra nature parks adjacent to the urban edge:
>
> (1) notes:
>
> (a) and congratulates the Emergency Services and Police in their quick response and good work to save further property from loss during the Yarralumla bushfire; and
>
> (b) the Government's preparations against bushfire threat but notes those preparations are still far from adequate leaving many suburbs at increased vulnerability to bushfire threat; and

(2) calls on the Government to take immediate action to:

(a) rectify the existing neglected areas and ensure the firebreak along the residential edge in all suburbs with vulnerable bushfire approaches is a minimum of 40 metres wide, including vulnerable inner suburbs;

(b) ensure that additional firebreaks are prepared in ACT Canberra nature parks in areas close to the urban edge on vulnerable bushfire approaches; and

(c) strengthen the Strategic Bushfire Management Plan and prepare bushfire operational plans for each vulnerable suburb, village and urban asset—

and on the amendments moved by **Mr Hargreaves** (Minister for Urban Services):

(1) paragraph 1(b), omit all words after "the Government's preparations against bushfire threat", substitute "have left us better prepared for bushfires than we have ever been; and";

(2) insert new paragraph 1(c):

"(c) that the Stanhope Government has invested an additional $130.775m over five years in emergency services since the January 2003 bushfires;"; and

(3) omit paragraph (2).

MR HARGREAVES (Brindabella—Minister for Disability, Housing and Community Services, Minister for Urban Services and Minister for Police and Emergency Services) (3.54): I will pick up from where I left my earlier remarks, Mr Speaker. The differing widths of these inner asset protection zones are based on sound science to reflect the appropriate measures to reduce bushfire threat. It is based on work undertaken by the CSIRO and experts in fire behaviour. They also reflect reality, not just a figure plucked out of the air. The location of zones and exposure classes were considered and determined by people with a long history and sound understanding of bushfire in the ACT.

The ACT is undertaking the most effective fire management possible, not just in relation to fuel management or fire trails, but also in ensuring the community is prepared and resilient and that emergency responders are ready to fight fire effectively, efficiently and safely. The strategic bushfire management plan brings together all of these elements in the one document. This is a situation that did not exist previously in the ACT where the cornerstones of prevention, preparedness and response were bound up in a range of separate documents across different agencies.

The strategic bushfire management plan provides strategies and guidance for bushfire management to the community and the government. The achievements of the territory in reducing the threat of bushfire over the last 18 months are testimony to the strength of the plan. To significantly change the strategic bushfire management plan at this stage will serve no purpose. It has been in place for just over 12 months and land managers and the community have become familiar with the strategies and what they mean. It is a sound document and it drives change. To completely overhaul the strategic bushfire

management plan at this stage will simply tie up those resources that are better aimed at achieving outcomes, not generating more paper.

The ACT does not have, and does not need, a bureaucracy of fire management that would result from Mr Pratt's simplistic proposal. What it needs and what it has are skilled practitioners and planners who can dedicate their time to achieving better fire management through works on the ground, not through generating more mountains of paper.

Let us be realistic, however. To think that this version of the strategic bushfire management plan or its successor addresses all of the issues would be dangerous. The same applies to bushfire operational plans. The current plans are very effective and are being applied. However, they are not static and there will always be room for improvement. This improvement will come from the findings of research, such as through the bushfire CRC or from changes to government policy and definitely not through the creation of "Mount BOP" or through the simple creation of 40 metre wide firebreaks. I commend my amendments to the Assembly.

MR SPEAKER: The minister's time has expired.

DR FOSKEY (Molonglo) (3.57): I presage that I will not be agreeing to the amendments. I will support the original motion if it remains intact, which we know it will not, with a few provisos.

A new report commissioned by the federal government says that the growing impact of climate change could cause up to 70 per cent more extreme fires by the middle of the century. In the light of the recent *Four Corners* report—it is not so recent now because we started this debate over a month ago—that looked into the extent of corruption in the setting of Australia's climate change energy policy, I assume that this was one report that the coal and oil industry did not get to rewrite.

I think it is now clear to everyone that we must manage for worst-case scenario fire events at the urban interface. But we must also recognise that different approaches are required for different areas and that regular burning, slashing and road building are unacceptable and impractical for areas such as national parks and other places with high biodiversity or other high ecological values. In that same *Four Corners* program CSIRO scientists reported being told not to even use the word "biodiversity". Perhaps the opposition could use its ready access to the Prime Minister to find out which ecological genius came up with that policy directive.

Under the heading; "Balanced fire management" the Strategic Bushfire Management Plan for the ACT states:

> No blueprint is available for managing bushfires and the risks to people and ecosystems they create. Each situation has its own ecological, social, economic and political circumstances that need to be evaluated.

It is interesting that they have put "political" in there. We must not forget the role of politics in the making of policy about fire. We must be careful not to lose sight of those ecological values in the understandable desire, perhaps political desire, to fireproof our

city. Of course, the fact is that we cannot entirely fireproof our city. Rather, we must learn to live with, plan for and effectively manage fire risk to our homes and the rest of the city.

I would like to know if the government is adhering to its own roadside management commitments and recommendations regarding native vegetation regrowth when it carries out its mowing and slashing operations. The ecological importance of these roadside areas is growing in importance as global warming changes habitats faster than many species are able to adapt to. As vegetation is lost or changed, many species become geographically isolated and their gene pools become fragmented and unsustainable. For many of these populations, if they cannot migrate, they will perish.

It is a disgrace that Australia leads the world in species extinction rates. The figures for mammals are the worst in the world and the figures for plants rate poorly when compared with countries where comparably detailed studies are available. The national figures for extinct, endangered and vulnerable species, serious though they are, do not indicate the extent to which local diversity has been lost in large areas of the country. Many species are clinging to existence in isolated areas but may not be classified as endangered or vulnerable nationally, even though their range may have been drastically reduced. I mention all this because it may not be readily apparent that some of our remnant native vegetation in the ACT is of even higher ecological value than previously recognised and its status and protection under any fire management regime must be given a suitably high priority.

We all know that grass grows fastest after a wet spring and dries out in summer. Of course there should be fire hazard reduction along the urban fringe. It is obvious that the Yarralumla Brickworks site is a neglected area. It represents an ongoing hazard to surrounding properties and it is time the government made a decision regarding its future. I must say that it looks like the government has just closed its eyes to the site. The fire at least has reminded people that this site exists and requires a kind of management. I want to report that I have received an answer to a question on notice that I asked the government about its management of that site. I am pleased to say that there are some proactive policies in place now that should reassure the citizens of Yarralumla.

We live in a bush capital. We are surrounded by bushland and rural farmland and we have many beautiful urban nature parks. Many people have a special love for this city precisely because of that fact. Of course, being so close to natural areas means that we have to plan and act accordingly. While I regret very much the tragic loss of property in the Yarralumla Brickworks grassfire, I point out that the homes that were lost both had brush fences. This fact reinforces my theme that we have to prepare for fire as individuals and as a city, and the strategic bushfire management plan provides a lot of valuable detail on how to achieve that. The plan recommends:

> Planning and building design and associated standards at the individual dwelling level to better protect communities exposed to potential fires; and
>
> Reducing bushfire fuel hazards around and nearby homes and assets.

It goes on to state:

> Research and investigation, since the January 2003 bushfires and before, has identified the key role that suburban fuels, including garden fuels, play in house losses.

An assessment of house loss after the 2003 Canberra fires led to the conclusion that it was likely that more than 50 per cent of the house losses were due to fire attack from suburban fuels. These findings point to measures that every householder can take to reduce the risk of fire damage. The plan states:

> The ACT Planning and Land Authority is currently investigating construction standards for bushfire protection in the ACT.

I urge the government to release findings, where appropriate, on construction standards as the information becomes available. After all, the plan includes the promise that information presently available will be communicated consistently.

The Emergencies Act 2004 creates inspectors and provides for notices and penalties to support effective bushfire preparedness. I am interested to know how these papers are being used and how many notices have been issued. Perhaps the time has come to actually prohibit some types of construction materials in properties on the urban fringe. After all, if a fire gets established in one property, it endangers not only that property, but also all surrounding properties. I do query whether the government is as committed as it should be to implementing the more politically sensitive components of the plan such as enforcing building codes regarding inappropriate materials.

These are measures that the government can take to reduce the risk of fire damage. Perhaps Mr Pratt's suggestion that bushfire operational plans should be prepared for each suburb is a good one. During the 2003 fires we saw that, once the fire hit, each suburb was basically on its own. Of course, the positive community-building aspect of preparing together for fire events is something to be encouraged for its own sake. On this point, I note that some community fire units have complained of a lack of resources. That is something that I believe the government has yet to address without just huffing and puffing and blowing the house down.

I know that Mr Pratt's motion will not get up; so I have not wasted my time drafting amendments. But I would support the motion with the following changes. I would delete the reference to "increased vulnerability" and replace it with "continuing vulnerability". I also have reservations about 40 metre firebreaks around vulnerable suburbs, but I do support a similar sized area that is closely managed in order to prevent fire. This means more effective and better-targeted slashing operations than are currently undertaken.

The government's proposed amendments to this motion continue the government's self-congratulatory theme. Maybe someone in Minister Hargreaves's office had a good little chuckle about the fact that they were going to turn Mr Pratt's motion into yet another hymn of praise for the Stanhope government. It would have been better for them just to reject the motion entirely. In its present form the amendments have no substance. Consequently I will not be supporting them.

MRS DUNNE (Ginninderra) (4.07): To take up the theme that Dr Foskey concluded with and speaking to the amendments again, the Stanhope government does what it does

in here simply because it can. It takes a motion that brings to the attention of this Assembly the concerns of the people of Canberra, deletes essentially all words after "that" and replaces them with self-congratulatory praise of the Stanhope government. I am particularly struck by proposed new paragraph 1 (c), which states:

> that the Stanhope Government has invested additional $130.775 million over five years in Emergency Services since the January 2003 bushfires.

But what do we get for it? No matter what the issue is, it is the constant claim of the Stanhope government that they have spent so much money on it. But so much money does not necessarily mean that you get the best results. The solution is to spend smarter, perform smarter and not necessarily always be saying, "We must be committed because we have spent an awful lot of money on it."

This is the constant reaction of the Stanhope government. We saw it this morning with the sports motion and we will see it again and again. When the crossbench and the opposition raise any concerns in here, the government uses its numbers to squash any dissension and comes up with this self-congratulatory appraisal. If we went through and looked at all the motions passed in this place, I am sure that we would think, "Why do we bother to debate motions that pat the Stanhope government on the back?"

We are in this situation simply because of the tyranny of the majority here. They will not brook any sort of criticism; nor do they have the sheer guts to say, "We disagree with that motion. We will vote it down." They do not have the courage to vote something down that they disagree with. They show their arrogance in yet another way—they spend their time creating gloss and glitz. Mr Stanhope and his ministers say, "You cannot complain about what we do because we have spent so much money."

I commend the minister for marking the fact that we are debating this motion today by having the land adjacent to my residence slashed this morning. I congratulate him for it. I will go out and inspect it and make sure that it was done properly and that all the acacia wildlings that have come up since it was last cleared in about May last year have been taken away. My neighbours and I diligently mow them, but they still keep coming up.

Mr Hargreaves: Zero.

MRS DUNNE: Do I have permission to use Zero on public lands? I think not. But I would like to see more work done across the territory to remove the vast mounts of acacia wildings and suckers that have come up in the wake of the fires. Clearing and slashing is a matter of concern because the regrowth is a considerable concern.

Regrowth and grass growth across the territory was in the forefront of Mr Pratt's mind when he bought forward this motion. We should be thanking him for bringing it forward because it brings to the attention of people in the territory the situation that they are in. They are placed in very vulnerable situations. Dr Foskey is correct that a lot of it is down to individual vigilance, but there is a vast amount of public land that backs on to residences in the ACT. At one stage, when I was the adviser to the Minister for the Environment, I did actually know the figure. It is some hundreds of kilometres of land backing on to public reserves.

It is a considerable problem and it is a drain on our resources. We do encourage people to be vigilant themselves and it is really disappointing to see government agencies and instrumentalities undoing the good work in neighbourhoods. I draw the Assembly's attention to the residents of Fleetwood Smith Street and associated areas in Harcourt Hill, the upper part of Nicholls. There are a large number of houses and battleaxe blocks that back on to Harcourt Hill. The problems that arose there were first bought to my attention in about October last year when the residents were told that the areas beyond their fence, which they had essentially colonised and cultivated, were going to be cleared because they were considered to be a bushfire hazard.

At the request of a couple of concerned residents I went and looked at the area. They have well-manicured and well-maintained gardens. Without exception they are well-maintained gardens. The residents had maintained the area beyond their fences, essentially on public land, essentially as a buffer against Harcourt Hill. There was a space of probably 10 or 15 metres beyond their fence running up to a fire trail that a number of residents had maintained. They had planted evergreens. They had planted mainly vines, which were not woody vines, and deciduous trees that gave a green lush cover to a large area.

In a couple of places I said that perhaps there might be some concerns about a particular woody plant, and at one place there was a small pile of firewood. I thought that if that really is a fire risk it probably should be removed. But, overall, it was a lush green area, and beyond the fire trail was endless seas of grass. When I first saw it in October last year, it was waist high and green but starting to cure. It was also interspersed with Paterson's curse, which is another issue.

When I went back at various stages to visit other residents who raised issues with me I saw this land cure, month after month. In that time officials from the ACT government—and I am not quite sure which agency it was now; I think it may have been Environment ACT—came along and slashed and cleared every green blade of grass and every green leaf on the residents' side. They left it denuded in the mistaken belief that this was a way of reducing the fire hazard around the houses. In fact, what they were doing was increasing the fire hazard to these houses. I have been advised by people more expert than I in bushfire fighting that that green area was in fact a retardant to fires and that what the officials had done by taking out that green area was increase the risk of fire in those areas.

They spent all that time taking away areas that were watered and maintained by the residents. Not once was Harcourt Hill slashed, and over the course of the late spring and summer acres and acres of grass cured and cured again until it was tinder dry. There was no reduction of fire risk. The people of Nicholls in my electorate near Harcourt Hill face a considerably increased fire risk because of the actions of officials of the ACT government. They were probably well-intentioned actions, but they were absolutely misguided. They should have spent more time slashing the grass on Harcourt Hill and less time cutting down the trees that people tended, watered and maintained as a firebreak against their properties. This is what is wrong. Not enough thought has gone into it.

The bushfire fuel management plan is a very difficult document. Over time I have seen a number of previous plans developed, and it is an exceedingly difficult thing to do. But what we are seeing is really a very poor performance. We have some places of exceptional work and other places where there are considerable risks where things have not been done properly. We should be seeing better and more consistent cutting of grass, slashing and more appropriate plantings.

When people put in appropriate plantings that do retard fire, do not have officials come along and dig them up and slash them out and make the situation worse than it was in the first place. They should do their job properly and help to make Canberra a safer place in the future. We should support Mr Pratt's original motion. The self-congratulatory amendments that we see coming forward on a regular basis should, as always, be opposed.

MR PRATT (Brindabella) (4.17): I will speak to the amendments and then I will close. Firstly, as Mrs Dunne has quite rightly said—and I was pleased to see Dr Foskey raise this point—the opposition totally rejects the government's amendments because they just duck the issue. Dr Foskey is dead right. They just ignore the fact that there is a very important subject to be debated here.

The amendments are a propaganda stunt, an exercise in self-congratulatory praise. Unfortunately, the government's amendments are designed to prevent the minister from engaging in the real debate. I am sure the minister would rather engage in the real debate about how we can better prepare the ACT to meet the bushfire threat, because this is a city that has a very high bushfire threat. It is the nature of the environment in which this capital city exists.

I sympathise with the government over the size of the task that they have, and I would have thought that the minister and I could have debated perhaps how better we as a community—not just the government, but we as a community—could better target the restricted funding that is available to make a better fist of ensuring that the urban edge is better prepared.

The minister's amendment seeks to play the band that an additional $130.775 million has been spent over five years, but that is fairly useless if that money has not been properly targeted. Look at the Christmas period just gone. There were major concerns about the lack of preparation on the urban edge. We have to ask where that money was targeted. That is why we must reject the government's amendments to the motion.

I will wrap up. Firstly, I would like to thank Dr Foskey for her support for this motion. She is quite right that we need to look at improving and increasing the number of BOPs. There are perhaps two issues that I pick up in what Dr Foskey said. She said that burning and slashing could possibly be impractical—I think this is what she said—in biodiverse or ecological areas. I understand her concerns about management of ecological areas, but I would say that it is probably just as impractical, in fact, even more impractical, to leave very large metric tonnages of fuel loads in biodiverse and ecologically sensitive areas in forests and parks.

There will not be any ecological value if we see these sorts of areas burnt to the soil, which is what we saw in January 2003. If we do not reduce the fuel loads in biodiverse areas, in ecologically sensitive areas, in ACT forest areas and in ACT parkland areas, then the environment will be destroyed, and it takes a long time to recover. So preventative work in the first instance will be very, very important.

As to the point about brush fences at Yarralumla, I think you will find that really the fire at Yarralumla was carried by the neglect of grass areas on the urban edge, not by the brush fences. It was the fire burning through the grass, up across the urban services track into the treetops and then, from those treetops, on to the rooftops that really presented as the chain of fire to that property destruction.

I have a copy of a letter from the Chief Minister responding to concerns about long grass from a resident of Stops Place in Chifley. In that letter Mr Stanhope explains:

> The urban edge behind residents is a Mount Taylor Hill Nature Reserve is classed as an Inner Asset protection zone. The vegetation within this zone must be managed to produce fire intensity, ember load and likelihood of crown fires. In order to achieve the standards required, the Inner Asset protection zone must extend 10 to 30 metres from the residential boundary to reduce the probability of asset damage from a bushfire and provide a defensible and less hazardous space from which residents and emergency services personnel can defend property.

Mr Stanhope has made two very good points there. He mentioned that the protection zone must be 10 to 30 metres. I interpret that to mean that, because of the north-westerly and westerly approach to that urban edge, it needs to be 30 metres. If the 40 metres that I suggested this debate is too wide for Mr Hargreaves, it sure as hell is a lot better than the five metres that we currently have. Five metres goes nowhere near to meeting the Chief Minister's own standard of 30 metres which he talked about in his letter.

Of course, the Chief Minister makes the very good point that that sort of zone is required if you are going to allow neighbours, residents and then the authorities who turn up to be able to defend the property. They need that space to manoeuvre. That is interesting, is it not? Yet what we see all over Canberra is long grass up to your armpits right up against people's back fences, and that is along the western fringe, along our most vulnerable zones.

I also find it interesting that the Chief Minister is much more forthcoming with useful information in relation to bushfire hazard management when responding to my letters than the Minister for Urban Services and emergency services has been. At least the Chief Minister has basically admitted that a larger firebreak between homes and nature parks is needed than currently exists along many urban edges.

I remind members of the photos I have tabled previously that highlight this problem. I have many more photos taken over the summer period that give overwhelming evidence that this government has allowed long grass to grow out of control. Some of that may have been cut in the later January and February period, but my concern is that in early January and mid-January this poor standard of fire preparation existed well into the bushfire danger period. I am happy to organise those photos if you want to see them.

This government has all the legislation and procedures in place, but lacks the follow through to ensure that sufficient resources are dedicated to this community safety activity. Let us now go back to the government's bible of bushfire management, the strategic bushfire management plan. In response to many of my concerns and the community's about long grass, the government often responds to me by arguing that fuel hazards are being managed in accordance with the SBMP. However, it might be interesting to reflect on something that Emergency Services Authority commissioner Peter Dunn said on 25 October 2004. In an ABC *Online* news grab referring to the coronial inquest into the 2003 fires, Commissioner Dunn said:

> We are heading down a path, as you can see from the strategic bushfire management plan, that says we are moving on and you then have to say to yourself, "What if there are findings that would require us to significantly change direction?"

To me that is an admission the SBMP might not be all it is cracked up to be. The ESA commissioner was basically questioning whether or not a complete change of direction might be needed and that the SBMP may be wrong. In fact, we are still awaiting a long overdue formal version of the SBMP as it is actually still in draft form. That then poses the question: why have we not seen the final version yet? Is it because the coronial inquest has been delayed that the commissioner and the minister are not willing to sign off on the final SBMP or are they simply not getting around to it?

This then leads me to seriously question if the government really does know what they are doing to ensure that there is not a repeat of the 2003 bushfire disaster. How can we be confident that the hazard fuel reduction and bushfire threat management policies that we currently have in place are adequate when the minister has not been confident enough to make the SBMP final?

We need to finalise SBMP with very concrete benchmarks for bushfire prevention preparation. We need a SBMP with more concrete tasking and responsibilities for authorities, public land managers and private land managers. We need a SBMP that gives the commissioner of the ESA and the chief officer of the RFS and the fire brigade the authority to determine bushfire fuel load reductions. I reject the minister's claims that the somewhat useful but far from satisfactory SBMP meets the community's needs.

Question put:

> That **Mr Hargreaves's** amendments be agreed to.

The Assembly voted—

Ayes 8		Noes 7	
Mr Berry	Mr Hargreaves	Mrs Burke	Mr Pratt
Mr Corbell	Ms MacDonald	Mrs Dunne	Mr Seselja
Ms Gallagher	Ms Porter	Dr Foskey	Mr Stefaniak
Mr Gentleman	Mr Stanhope	Mr Mulcahy	

Question so resolved in the affirmative.

Amendments agreed to.

Original question put:

That **Mr Pratt's** motion, as amended, be agreed to.

The Assembly voted—

Ayes 8		Noes 7	
Mr Berry	Mr Hargreaves	Mrs Burke	Mr Pratt
Mr Corbell	Ms MacDonald	Mrs Dunne	Mr Seselja
Ms Gallagher	Ms Porter	Dr Foskey	Mr Stefaniak
Mr Gentleman	Mr Stanhope	Mr Mulcahy	

Question so resolved in the affirmative.

Safety in the construction industry

Debate resumed from 23 November, on motion by **Mr Gentleman**:

That this Assembly:

(1) recognises the importance of :

(a) safety in the construction industry as vital to our community; and

(b) industrial rights in the construction industry as an internationally recognised right and a means of workplace safety;

(2) condemns the Federal Government for its attempts to reduce safety and restrict the rights of workers in the construction industry through provisions of the Building and Construction Industry Improvement Act, namely the:

(a) exclusion of industrial action on the grounds of safety concerns;

(b) introduction of penalties of up to $22 000 for individuals who partake in industrially motivated actions;

(c) exclusion of Construction Project Agreements; and

(d) ability of Australian Building and Construction Commission inspectors to enforce a penalty of imprisonment for six months against any worker who does not attend for questioning, answer questions or who obstructs an investigation or fails to hand over documents; and

(3) calls on the Federal Government to revoke the Building and Construction Industry Improvement Act on the basis that it jeopardises the safety of the thousands of construction workers employed in the ACT.

MRS DUNNE (Ginninderra) (4.33): Members will recall that when Mr Gentleman introduced this motion last year he spoke very little about safety and instead gave the Assembly his predictable diatribe on the federal government's work choices legislation. And on the television on the weekend we had the ACTU's Greg Combet out enjoining Liberal governments and Liberal oppositions everywhere to go on the warpath about work choices. So it is quite predictable that, following the litany of dorothy dixers to Mr Stanhope, which were probably out of order, and to Ms Gallagher, we would have this motion as a reprise, as an opportunity to have yet another slam about work choices.

Safety in the construction industry is a very important issue and one with which I have close affiliations. I grew up in a household where my father was a carpenter, and my son is now apprenticed to be a carpenter. So the issues here are deeply important and personally important to me. I have on a number of occasions attended hospital when my father has had falls on building sites—and they are terrible things. The changes between the sixties and seventies and what we see today in terms of safety on building sites are things that should be welcomed, and they have been brought about by the cooperation of governments, employers, employees and unions. It is not just one of those organisations that has brought about the changes that we have seen.

For the record, the federal government brought in the Building and Construction Industry Improvement Act, which seems to Mr Gentleman to be the anathema of acts—

Mr Seselja: So you do not get beaten up on a work site any more.

MRS DUNNE: in response to the findings of the Cole Royal Commission into the Building and Construction Industry. As Mr Seselja rightly says, part of that was so that people do not get beaten up on building sites for daring to disagree with someone. Commissioner Cole noted that it was universally accepted by governments, by employers and by unions that OH&S is of fundamental importance to the building and construction industry. Statistics show that people working in this industry are more than twice as likely to be killed at work than the Australian all-industries average, and that the economic cost of workplace accidents to workers, employers and the community is estimated to be more than $30 billion a year—and that $30 billion is passed on in building costs to people who are building homes. Every time you build a road or you build a building, the insurance costs for industrial safety issues are built into that, and that builds into the cost to the community, as well as the personal cost and the loss of income for the people who suffer these injuries.

It was for this reason that the Building and Construction Industry Improvement Act was introduced. The act picks up key elements of the Cole royal commission's report. The main features include establishing an office of the Australian Building and Construction Commissioner who is authorised to deal with unlawful industrial action. But the Building and Construction Industry Improvement Act also establishes the Federal Safety Commissioner to oversee an accreditation scheme, which sets standards that contractors undertaking Australian government funded work are required to meet.

The federal government's approach reflects the fact that industrial safety is of paramount concern. But that does not stop Mr Gentleman or Dr Foskey rubbishing the measures that address, in practical terms, the very issues that they claim that they are concerned about.

I suspect that what the motion is really about is revealed in paragraph 2 (d) of M Gentleman's motion, where he talks about his horror at the Australian Building and Construction Commissioner being able to enforce a penalty against anyone who "does not attend for questioning, answer questions or who obstructs an investigation or fails to hand over documents"—and these are documents that would relate to an industrial action.

I ask Mr Gentleman and Dr Foskey: how can they get up here and say that they are against giving the commissioner the powers to demand that people cooperate with information to improve safety, and at the same time try to argue that the federal government's measures are all about making workplaces dangerous? This is a contradiction in terms.

Mr Gentleman and Dr Foskey would have us believe that the federal government are ignoring deaths in the workplace. Yet clearly the promotion of injury prevention and best OH&S practice is a major priority of the federal government. They have clearly declared that they are committed to improving workplace safety. They have developed a national occupational health and safety strategy and have encouraged its adoption by all Australian governments—state governments and territory governments—and peak employer bodies and employee bodies.

In contrast to Mr Gentleman, the federal government favours measures that prevent accidents rather than simply rely on punishment after the event. Mr Gentleman delights in bringing to this Assembly ghoulish stories of injury. He seems to get some perverted pleasure from trotting out people's misery. We are all sympathetic to genuine cases of misfortune, but, like I recall my colleague Mr Mulcahy saying, I cringe when I hear these isolated cases being wheeled out of tragic loss of life.

Mr Gentleman's attitude is redolent of Sharan Burrow's, who last year on ABC *Lateline* was filmed at an ACTU campaign meeting saying, "I need a mum or dad or someone who has been seriously injured or killed; that would be fantastic."

Mr Mulcahy: What a shameful performance that was.

MRS DUNNE: It was an absolutely shameful performance. It was an absolutely shameful performance for a senior official of an important organisation like the ACTU wanting to publicly dwell on the misery of people, rather than rolling up her sleeves and working with industry, working with governments, to make things better. They just want to have the old-fashioned confrontations: "Employers are bad, unions are good, and what we want to do is have the old communist approach, the old capital bad, Labor good approach." But this is the 21st century, and the BLF has, thankfully, gone.

That should not be the attitude that we take to industrial safety in any industry, and we should not take this attitude to industrial safety in the building industry. The sort of stuff that our friends in the trade union movement are doing is exploiting misery and tragedy so that they can run their campaigns, because they feel under threat by the reforms and the changes in the building industry. That attitude demonstrates a complete disregard for workers' wellbeing by taking advantage of family tragedy. What they are actually saying in the trade union movement is that concerns for workers and their families are nothing compared to the ambitions of senior union officials. These senior union officials are

really just looking for someone who may have suffered an injury so that they can wheel them out for television. It is a shameful reflection upon the values of Sharan Burrow, and I hope that it is not a continuing reflection on the values of the ACTU.

If people in this chamber believe that the only solution is to shift all the blame to one party, how are we ever going to seek to improve things? There are many people in this chamber who have first-hand knowledge of how the industrial movement operates and there are people here who understand what has gone on with building unions in the past. I do not want to see a return to the past and the thuggery of the BLF; they have gone. But there are still people who carry their logos and their allegiance and conduct themselves in the same way.

It is absurd for Mr Gentleman, with the help of Dr Foskey, to call on the federal government to revoke the Building and Construction Industry Improvement Act. He is just plain wrong to assert that it jeopardises the safety of thousands of construction workers employed in the ACT. Indeed, his motion is counterproductive. It would lead to more accidents and the return of the thuggery of the BLF. I suggest to Mr Gentleman that he cease trying to use this Assembly to promote the cause of his union masters and instead do something constructive—if you do not mind the pun—to promote the broader public interest. I remind him that he represents all people in his electorate and not the narrow agenda of the diminishing union movement.

MS MacDONALD (Brindabella) (4.42): I rise to speak in favour of this excellent motion from Mr Gentleman. The federal government's Building and Construction Industry Improvement Act is another plank in the Howard government's ideological attack on ACT workers. It is probably overdue that we as an Assembly condemn the federal government for their ideologically driven agenda to undermine the building industry in the ACT. Despite this legislation breaching countless international agreements, the government have been unable to demonstrate any evidence of why it is necessary.

Following on from Mrs Dunne's speech, I would just say that I think you always know that you are on a winner with a motion when your opposition resort to name calling, which I think there was quite a bit of going on in Mrs Dunne's speech just now.

Australia is a signatory to numerous international conventions that oblige the federal government to protect the right to strike. Article 8 of the International Covenant on Economic, Social and Cultural Rights enshrines that right. Further, Australia was a founding member of the tripartite International Labour Organisation, the peak international labour law body made up of employer, employee and government representatives. The ILO's conventions on the freedom of association and right to organise and on the right to organise and collectively bargain also protect this right.

In 1999 the ILO Committee of Experts on the Application of Conventions and Recommendations pointed out that Australia's existing law unacceptably limited the right of workers to strike in support of their economic and social interests. The Building and Construction Industry Improvement Act amends this law and further undermines the already limited ability to strike. The BCII act makes industrially motivated industrial action unlawful. The definition of "industrially motivated" is ridiculously broad and virtually captures any and all motives for industrial action. This includes taking any

action to support claims against an employer, to disrupt work or to advance the industrial interests of a trade union. In short, this legislation virtually removes the right to strike for workers in the construction industry.

The absurd nature of this legislation was demonstrated by the community day of national protest last week, which saw 500,000 Australians on the streets protesting against government legislation. Yet the Australian Building and Construction Commissioner, John Lloyd, suggested that in exercising their democratic rights those who worked in the building industry were in breach of the BCII act. These workers were not seeking a pay rise or reduced working hours; they were protesting against far-reaching federal government law, as is their right in a free society. Yet under these laws they face massive fines. As Mr Gentleman's motion points out, individuals face up to $22,000 fines for exercising a right that is enshrined in international law.

The federal government's empty rhetoric in this area, as in virtually all areas, is choice. Like their work choices legislation, these amendments are supposed to free the parties to negotiate, yet this legislation removes a reasonable and internationally protected bargaining chip in all employees' hands—the right to strike. Like work choices, it unreasonably tips the balance of power in the employer's favour. Through their work choices legislation, better bargaining bill and the BCII, the federal government continue to flout their international obligations. When you consider that Australia is also increasingly isolated in the OECD as a country without a human rights act or paid maternity leave, you are left to wonder if any other commonwealth government has ever ignored its international obligations to such a degree.

Not surprisingly, the governing body of the ILO recently announced that it had found that the BCII act breaches core international labour standards. The ILO has requested the Australian government to take the necessary steps to modify their laws, to keep the ILO informed about how they will improve the laws, especially how they will "eliminate excessive impediments, penalties or sanctions against industrial action" in the building and construction industry. In its finding, the committee said that the right to bargain collectively with employers is an essential element of freedom of association, and trade unions should have the right, through collective bargaining or other lawful means, to seek to improve the living and working conditions of those whom the trade unions represent, and the public authorities should refrain from any interference that would restrict this right. That is a damning indictment of the federal government.

Mr Gentleman's motion makes reference to the government's decision to threaten workers with six months jail for simply refusing to answer questions. I, as I know the minister is, am very concerned about this threat, and in the context of the building industry it cannot go unmentioned. Under intense criticism, largely sparked by the brave actions of the Chief Minister, the federal government has sought to justify its strict antiterror regime.

Less attention has been given to the government's legislation in this area, which gives wide-ranging interrogation powers to the Building Industry Taskforce. This task force is made up mainly of ex-policemen and has extensive investigative powers. These include threatening interviewees with six months jail if they refuse to answer questions. This is an extraordinary attack on the right to silence, described by the High Court as a human right that protects personal freedom, privacy and dignity from the power of the state.

Another area of Mr Gentleman's motion I would like to touch on is the impact this legislation will have on safety in the workplace. Occupational health and safety laws throughout Australia are founded on the premise that safety in the workplace is enhanced by the involvement of workers and their representative organisations. Consultation and participation are essential to achieve good health and safety outcomes. Improving the capacity of representatives of employees and industrial organisations to engage meaningfully with employers in relation to matters of health and safety in the workplace was an important motivation in the development of the territory's right-of-entry laws that were enacted through the ACT Occupational Health and Safety Act in 2004.

There is clear international evidence demonstrating a direct link between the involvement of workers and their representatives at a workplace and improved health and safety outcomes. This is particularly important on construction sites, where the nature of the work performed is inherently high risk. Mr Gentleman is right to be concerned about the effect of the Building and Construction Industry Improvement Act and the Workplace Relations Amendment (Work Choices) Bill 2005. Both of these pieces of legislation limit fundamental industrial rights to freedom of association, restrict the capacity of workers to take collective action to represent their concerns and will impact on work safety. Already in this place the minister has spoken of the threat that the work choices legislation poses to workplace safety.

As Mr Gentleman's motion points out, the BCII act likewise continues the federal government's stifling of workplace safety. Under section 4 (1) (g) of the current Workplace Relations Act, industrial action is lawful if it is based on a reasonable concern about an imminent risk to an employee's health or safety, provided the employee did not unreasonably fail to comply with a direction to perform other work that was safe for the employee to perform. However, the BCII act and the work choices legislation reverse the onus for this provision so that an employee must show that industrial action was for safety purposes.

Australia's international obligations include the ILO Convention 155, relating to OH&S, and articles which establish the right of workers and their representatives to inquire into all aspects of OH&S in their work and to take action when it is unsafe to work. While the federal government argues that such a caveat was introduced to prevent spurious action, there is no clear evidence that action based on unfounded OH&S concerns is a widespread problem.

In September 2003, the Victorian government commissioned Chris Maxwell QC to review and update its Victorian occupational health and safety legislation. In his report of 2004 Mr Maxwell recommended that the Victorian government enact right-of-entry provisions for union officials along the lines of the New South Wales government's OH&S act. In his report, Mr Maxwell investigated the New South Wales experience and found that unions have exercised the right of entry conservatively and effectively.

As time is running out, I might just finally mention the issue of the national building code of practice. The previous code was negotiated in partnership between states and territories so that a collaborative approach to building practice could be taken. Instead, the new BCII act gives the federal minister the power to impose a national code of practice without consultation with states and territories.

MR GENTLEMAN (Brindabella) (4.52), in reply: Mr Speaker, Joel Exner did not have to die. It has been some four months since I have spoken on this motion so I assume that those members of the opposition have forgotten about Joel and his family because, as Mr Mulcahy so eloquently put it, he cringes every time he hears these isolated cases being wheeled out. So does Mrs Dunne we hear today—a party cringe perhaps.

Mr Mulcahy claims he is not unsympathetic and that "one workplace death is too many". But in neglecting his responsibility to young workers in the ACT, as he does by opposing this motion, he is indeed unsympathetic—and, worse, insensitive—to the feelings many families of construction industry workers have in the ACT. It is those families who have to live with the consequences of workplace injury—and they will not forget; nor will Joel Exner's family. They will live with the fact that on this 16-year-old's third day at work Joel fell 15 metres to his death.

Joel Exner did not have to die. His family should never have had to deal with the loss of a son and a brother. Joel's story should be unique. Such tragedies should not be a shared experience. I would like for Mr Mulcahy to be correct in his assertion that Joel's was an isolated case. But, like Mrs Exner, Dean McGoldrick's family have had to suffer the greatest loss—the loss of a child.

Dean McGoldrick was killed on 1 February 2000, when he fell from the top of a 12-metre-high building at a building site in George Street in Sydney. Dean was on his 11th day of work as an apprentice roofer and he was 17 at the time of his death. His employer, Advanced Roofing, was fined. It was fined $2,000 less than would be a construction worker who took unlawful industrial action under the federal government's Building and Construction Industry Improvement Act—$20,000 for a life.

Dean's mother gave evidence at the Cole royal commission about how her son had not received any training before starting with Advanced Roofing. He was not supplied with a safety harness. On his 11th day at work he was working on a roof without protection. Commissioner Cole gave a commitment to Mrs McGoldrick that he would—and I quote from the *Sydney Morning Herald*—do what he could to improve the industry.

There is no amount of words or compensation that will take away the pain and suffering of the families who have lost a loved one due to a workplace injury. What is needed is action. These people need to know that their suffering has meant that someone else will not have to go through it. Commissioner Cole gave a commitment. He spoke about improving the safety of workers in the building and construction industries.

By contrast, the federal government, after the death of Dean McGoldrick, saw to renege on Commissioner Cole's commitment by introducing the then Building and Construction Industry Improvement Bill. And, contrary to Mrs Dunne's comments earlier on, instead of assisting young workers the federal government legislated against their interests. Their act places the onus of proof on workers in the event of a suspected risk to safety; fines workers exorbitant amounts of money for participating in industrial actions; allows for the imprisonment of workers for up to six months for refusing to answer the questions of the building police; and restricts the internationally recognised right of workers to collectively bargain across a work site.

Contrary to Mrs Dunne's statement that I enjoy ghoulish stories, I do not. I bring these stories here to make you aware of what actually goes on out there in the workplace. It was interesting today to hear Mrs Dunne's speech; it was almost identical to Mr Mulcahy's. It is nice to see that Mr Mulcahy is emailing his notes to Mrs Dunne instead of to Mrs Burke.

You would not kick a dog; you would not even kick the washing machine. But, if you work in the building and construction industry, the federal government will kick you—not once but repeatedly. This act has had four months to prove itself to be the protector and champion of building and construction workers, as Mr Mulcahy thinks. Well, what has it done? Where was the $100 million building and construction industry task force, formed by the BCII act, when 19-year-old Samuel Kautai was receiving blows to his face with a hammer—a hammer held by his employer? Where was this $100 million task force when Samuel, a roof tiler by trade, was beaten so badly by his employer that he is now blind in one eye and partially deaf? I will tell you: nowhere. This so-called policing of the building industry is actually just another attempt by the federal government to control the relationship between—

Mr Mulcahy: I raise a point of order, Mr Speaker. As far as I recall—I saw this on television the other night—it is a matter before the courts. The offender is being prosecuted, and I thought the practice is that we do not canvass matters in the courts.

MR GENTLEMAN: I am talking about the Building and Construction Industry Improvement Bill, Mr Speaker.

Mr Mulcahy: You have been talking about a matter before the courts. I am sympathetic to the person but we do not canvass matters before the courts.

MR SPEAKER: I think what you have got to be careful of is that you do not talk about any evidence that is likely to be in the courts. The comment Mr Gentleman made was by posing the anecdotal question of where was the organisation that was set up by the Howard government—

Mr Mulcahy: After the man was beaten by his employer; that is what he was saying.

MR SPEAKER: after a man was beaten. It was merely an anecdotal question.

Mrs Dunne: Come on! That's evidence; that reflects on evidence.

MR SPEAKER: I do not think so. It is all right for members to raise points of order here, but points of order in relation to matters that are before the courts cannot be used to stifle debate completely. I think members understand that.

MR GENTLEMAN: Thank you, Mr Speaker. This so-called policing of the building industry is actually just another attempt by the federal government to control the relationship between a body of organised workers—some may call this a union—and an employer. The BCII is just another bit of voodoo by Kevin Andrews placed on the CFMEU.

Well, the CFMEU were there for Joel Exner's family, they were there for Dean McGoldrick's family and they were there for Samuel Kautai. It is organised labour that has supported the families of the building and construction industry, and it will continue to do so despite this act. We have heard from my Assembly colleague Ms MacDonald this afternoon that support for workers from their union colleagues is not limited to the building and construction industry. Organised labour in the transport industry supported Tim Bollard in his dispute with Boral.

Union members working as clerks in banks and in childcare and union members working in hotels and clubs are united—not against their employers, but with each other to ensure a safe and fair workplace. And it is about ensuring safe workplaces that is at the heart of this motion. We here in the ACT recognise that workers in the building and construction industry are exposed to higher levels of risk than most other workers. We recognise the need for a specialised response to the needs of those workers, but our response is not to gag workers; it is not to fine workers for expressing their internationally recognised right to strike.

Whilst the Howard government's task force, the secret police in the building and construction industry, was ignoring the ongoing concerns of the safety of young workers on building sites, ACT WorkCover launched a campaign into safe demolition work and asbestos removal. ACT WorkCover commenced inspections in the safety focus campaign, targeting electrical safety at work. Equipment was seized or destroyed and $5,000 infringement notices have been issued. These are all measures to make ACT workplaces safe.

The ACT government has in place another means of pursuing safe workplaces here in Canberra in the form of industrial manslaughter legislation. The opposition say this has driven businesses over the border. I say it has protected the workers we are here to represent. For the benefit of the opposition, the point of industrial manslaughter legislation is that you hope a prosecution never surfaces. But, if you as an employer place your worker at risk, you should be punished. It is unfortunate that the Howard government has seen fit to punish workers instead, not unscrupulous employers. The Building and Construction Industry Improvement Act does not protect workers. It is neglectful at best. Its potential to place young workers in danger is of far greater concern, and for this reason I urge you to support this motion.

Motion agreed to.

Lowering the eligible voting age

DR FOSKEY (Molonglo) (5.02): I move:

> That this Assembly:
>
> (1) supports the establishment of a scheme which allows 16 and 17 year old ACT residents to vote in elections and referendums for the ACT Legislative Assembly; and

(2) calls on the ACT Government to:

(a) investigate how such a scheme could be implemented in time for the 2008 ACT election;

(b) release a public discussion document on the scheme within six months; and

(c) report back to the Assembly on the scheme and public consultation outcomes within 12 months.

One of the things that we all seem to agree on in this Assembly is that we must develop a more inclusive society. Yet, despite having the highest proportion of young people of any state or territory, our young people continue to feel alienated by the media, institutions and formal political processes. "Political apathy" is a common term used these days by politicians and the media to describe our young people. According to many commentators, those aged under 18 are individualistic with little regard for the community they live in. This message could not be further from the truth. The overwhelming majority of young people care and are engaged in the process but, because of the distrust that they have of politicians and formal political processes, they have found more informal methods of expressing and engaging in their feelings for their community.

In a survey conducted by the Australian Youth Electoral Survey, for example, 85 per cent of young people felt that state and territory government decisions impacted on their lives; yet only 20 per cent felt that they could influence the decisions that their state and territory governments were making. Even more alarming is that when asked to what extent young people agreed with the statement "Australia is a democratic country", fewer than 55 per cent of respondents in the general sample, and fewer than 44 per cent of the indigenous sample, agreed. The numbers supporting the statement "Australian society is fair" were even fewer.

These results point to young people feeling powerless when it comes to formal political decisions that affect their lives and that the decisions being made are often unfair and made in an unfair manner, in their perception. It also indicates that they are able to distinguish between substance and appearance, in that they recognise that voting for both of the two seemingly identical parties, at least at the federal level, of professional politicians every three years or so is not sufficient to justify calling a system democratic. In a country that has one of the most inequitable distributions of wealth and power in the developed world, it is not surprising that they have doubts about the fairness of our society.

An overwhelming number of young people, 89 per cent, stated that they wanted to participate in decisions about issues that affect their lives. But society in general, and governments in particular, are not responsive to the demands expressed by young people. Apart from the Northern Territory, the ACT currently has the worst rate of voter turnout for young people. But are we at all surprised that young people feel apathetic towards formal political processes? After 18 years of being told their opinion does not matter, of course people aged 18 to 25 are likely to be turned off by politics and politicians.

Educator and youth rights theorist John Holt points out that if youth "think their choices and decisions make a difference to them, in their own lives, they will have every reason to try to choose and decide more wisely. But if what they think makes no difference, why bother to think?" Many opponents to lowering the voting age assume that youth are apathetic and will act no differently when given the right to vote. This is wrong. Responsibility comes with rights, not the other way around. Granting youth the right to vote will have a direct effect on their character, intelligence and sense of responsibility.

I would like to consider the argument that young people aged 16 and 17 should not vote because they lack the ability to make informed and intelligent decisions. This is a valid argument only if we apply it to all citizens with the right to vote. There are many voters over 18 years who would not meet the unrealistic standard that opponents to youth voting propose. Do a survey in Civic and see how many people can name the ACT government ministry, the first Australian Prime Minister or the number of states and territories in Australia. You will be very disappointed.

Maturity arguments used against young people are the same as were used in the past to justify why women and indigenous people should not have the right to vote. But the fact is: intelligence or maturity is not the basis upon which the right to vote is granted. If that were the case, all voters would need to pass a test before voting. The right to vote is granted on the basis that the legitimate power of government comes from the consent of the governed. As it stands now, youth are governed but do not consent.

Let us assume for a minute that the maturity argument did matter. Young people today become physically mature at an earlier age. The average age of puberty has declined from about 15 in 1900 to about 12 today. Today's youth are smarter than their parents' generation. And they know it! Studies have shown that IQ scores improved by 17 points during the period from 1947 through to 2001. A child scoring in the top three per cent of an IQ test in 1932 would only rank in the top 25 per cent today. Do not tell the kids that! It is often the case that students know more about politics and government than some adults, as they study history, government, law and economics in school due to our very excellent curriculum.

Let us not forget that we live in Canberra, home to the national parliament. Many of our young people can expect to become public servants or work in industries that service government. If they do not have more awareness than young people in other states and territories, then we really do have problems.

Our young people are engaged in and are aware of political processes. Take, for example, a survey conducted by the Australian Electoral Commission in 2004. It found that 55 per cent of secondary school students signed petitions, 21 per cent collected signatures for a petition, 15 per cent took part in rallies or demonstrations, 12 per cent wrote to the media and eight per cent wrote to the Prime Minister. I wonder how this measures up against the rest of the population.

Some opponents to youth voting say young people do not really know whom they are voting for. But how can we judge whether a voter voted wrongly? Did voters choose poorly when they elected Howard in 1996? Labor would say so. Did voters choose poorly when they elected the Stanhope government in 2001? Liberals would say so. If

youth were able to vote for either of them or Greens, or Democrats, or Independents, would they be voting wrong? No. All voters have their own reasons for voting. We might disagree with their reasons, but we have to respect their right to make that decision. We must also respect our young people.

The key reason for allowing young people to vote is that politicians will have to start listening to them on key issues that concern them, whether it is poverty, employment, education, environment or the general generational divide. A high percentage of young people are living in poverty or working to survive. Around 45 per cent of homeless Australians are under the age of 25.

In 2005, the percentage of young people aged 15 to 19 participating in the national work force was 56 per cent; 32 per cent were working full time, with a mean pay of $395 per week; 15 per cent were unemployed; and 11 per cent were underemployed. The level of taxation they face can affect the amount of income left to live on. They have no say in where that taxation goes at the moment. When young people enter the work force, they will bear the brunt of the new IR laws. They usually lack economic power, experience and skills to negotiate with employers over terms and conditions and, without the vote, they lack political power as well. In many ways, our youth are expected to act like adults but are not given the same rights. If we want their money it is all fine, but give them the ability to have a say and the response is “cannot go there".

Young people have a unique view of the environment. Their commitment to the environment is based on the fact that they will live with it the longest. They understand its intricacies and interconnectedness better than previous generations because they are taught about it. They will also have to clean up—and this is the important point—the environmental damage of previous generations. A lower voting age will allow those environmental views to be better represented in our government. With the right to vote, young people will have the political power needed to help protect our planet’s future.

In opinion polls, voters consistently rate education policies and increased education expenditure as among their highest priorities. Despite this support, education proposals often face uncertain futures. While most adults support strong education funding, their support is weakened in part by the fact that only adult family members can vote. A single parent with three children has less voting power than a childless couple. Measures for increased education funding often fail by narrow margins. Youth, unlike most adults, must live daily with inadequate education funding.

Finally, there is the generational divide occurring with an ageing population. The elderly turn out in large numbers to protect their interests. We all know about grey power! The proportion of votes they have will increase in the coming years. In the meantime, taxes on younger generations are expected to increase to support that ageing population, despite some young people not being given a say. The Assembly will also have to start thinking about issues that affect young people not only now but also 50 years down the track. Maybe if young people were given some power to vote on decisions made about them, better laws would result. Some of you may say that it is young people’s own fault for not engaging in formal political processes but I believe we have set up a system that discourages young people’s engagement.

For example, we have legislated for young people to be given the vote only after they reach the age of 18. Paradoxically, this could be one of the worst times to grant such a right. At the age of 18, many young people leave the community where they have lived for most of their life. They either go away to uni, to get some space away from their parents who may still see them as the children they were a few years before, or in search of work. Many young people only get the right to vote when they are living in a community they know little about. We need only witness the students who come to universities here from other places and their lack of engagement with ACT politics as such. I know about that.

Lowering the voting age to 16 will give the vote to young people while they have roots in a community and an appreciation of local issues. It is ironic that a 17-year-old is old enough to join the armed forces but not to vote in this country. The 2004 youth electoral study found that students do not see voting as part of the transition to adulthood. Turning 18, attending schoolies, getting a drivers licence and leaving school are, in their opinions, far more important rights of passage.

It is common knowledge that the earlier in life a habit is formed the more likely that habit or interest will continue throughout life. If attempts are made to prevent young people from picking up bad habits, why do not we make more attempts to get them started with good habits like being interested in politics? If citizens begin voting earlier and get into the habit of doing so earlier, they are more likely to stick with it through life and to know more about what they are doing.

People aged 16 and 17 will vote. Take, for instance, the case in Germany where young people are allowed to vote in local elections. Between 30 and 50 per cent of young people aged 16 to 17 were voting. In the city of Graz in Austria, where voting is non-compulsory, 16 to 17-year-olds vote at a higher rate, 58 per cent, than the total voter turnout of 57 per cent. Last week I asked a group at Radford college year 9 students whether they would vote if they could. Almost every hand went up. Further than that, they all said that they would engage much more with politics, read the paper, so that they would know what they were voting for.

Politicians and members of the public too often consider young people to be problems that must be dealt with rather than potential problem solvers and social contributors. We fail to take young people and their opinions seriously. I found, when I was standing for election in the past, that young people's issues were overlooked constantly at the federal level—less so here but certainly at the federal level—amongst other candidates. Governments did not bother to put out policies that related to young people. Why is that? Probably because they do not vote.

Lowering the voting age is not a magic bullet to improve the lives of youth but, by giving them a real stake in their futures and their present lives, more will become involved. The ACT Greens strongly urge this Assembly to seriously consider lowering the voting age to give 16 to 18-year-olds the choice whether or not to vote.

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs, and Acting Treasurer, Minister for Economic Development and Business, Minister for Tourism,

Minister for Sport and Recreation, and Minister for Racing and Gaming) (5.17): This is indeed an interesting subject. The subject of the motion, the reduction of the voting age to 16, is one that the government does not have a formal position on. But certainly we are more than happy to support a conversation, an investigation, a fleshing out of the issues that would be involved and might be raised if the voting age were to be reduced to 16. To that extent, I will be moving an amendment to the motion.

MR SPEAKER: Has it been circulated?

MR STANHOPE: It has been circulated. I formally move:

> Omit paragraph (2), substitute:
>
> "(2) refers the proposal to the Standing Committee on Education, Training and Young People for inquiry and report back to the Assembly on or before 1 October 2007.".

Dr Foskey makes a case for why the voting age might be reduced. She raises some points of interest and makes some valid points about the need to ensure that we engage our young people in the life and decision making within the community. Each of us would accept absolutely that young people, from their particular perspective, have a very valid view to put on issues that affect them deeply and personally as young people. I do not think any of us would dispute that.

There are a range of issues that one might point to that require some deep thinking and detailed investigation on the reduction of the voting age and the implications for young people. I do not think it should necessarily be assumed that the imposition of a compulsory voting regime on young people is necessarily, in every respect, ideal or desirable. I might be convinced otherwise, but these are issues on which I would need some convincing and on which the government would need to be persuaded.

The issues that need to be fleshed out and investigated are: what are the implications of imposing a compulsory voting regime on children? Is it consistent with our obligations towards children that we expose them to criminal penalties for not voting? We have a compulsory voting regime. Those of us that fail to vote are potentially subject to criminal prosecution for not voting. Is the imposition of a compulsory voting regime, with criminal penalties, consistent with our obligations?

Dr Foskey: On a point of order, Mr Speaker: I want to clarify whether the Chief Minister—

MR SPEAKER: You get to close the debate, Dr Foskey.

Dr Foskey: I understand. We are not talking about compulsory voting for 16 and 17-year-olds.

MR SPEAKER: It is up to you to raise that in the closing of the debate, which you will be entitled to in due course. Members are entitled to raise that as an issue. It is part of the debate.

MR STANHOPE: Thank you, Mr Speaker. And it is very much part of the debate. It is interesting that Dr Foskey would not propose compulsory voting. If you are over 18, voting is compulsory; if you are under 18, voting is not compulsory. That is the position that the Greens put. That has implications. Why, for a cohort of voters—if these young people are mature, have the capacity to participate, are more willing to participate—would we change the nature of the voting system for under-18 voters and leave it as it is for over-18 voters? What are the implications of that?

What are the implications of chipping away at the notion of compulsory voting, something that has served Australia particularly well? Should we embrace or engage in a process that says, "There are cases where compulsory voting perhaps is less than ideal"? To the extent that the Greens reveal a particular agenda, we would propose that this is compulsory voting. I guess my anxiety is perhaps raised a level higher than it might have been on the suggestion that we reduce the voting age to 16.

I strongly support compulsory voting; we will always strongly support compulsory voting. It has served Australia particularly well. If there are suggestions that we should, for a particular cohort of voters, abandon our commitment to compulsory voting, then that is something that I have serious issue with. I have serious issue with that particular proposal, and it would certainly weaken my support for a proposal to introduce voting for 16-year-olds on the basis that it was not a compulsory scheme.

Even then there are issues. We have entrenched compulsory voting in the ACT. It is an entrenched requirement. It is not a requirement under the self-government act, but we have entrenched it as part of our Hare-Clarke arrangements. There are particular implications there.

There are other issues that would need to be investigated and fleshed out. We would have to create, if we were the only jurisdiction in Australia to lower the voting age to 16, a separate electoral roll. There are significant implications for us as a jurisdiction. Cost is an issue. That is the essential issue. When I say "significant implications", I mean cost implications as well as some of the practical aspects of creating a separate electoral roll.

The ACT relies on the commonwealth roll. I would not like to think that we should not pursue, discuss or inquire into the reduction of the voting age because we would have to create a second electoral roll. It is doable, but is it desirable? Is it a valid or legitimate cost for the benefits that might be achieved in reducing the age? I raise it as an issue—and it is a serious issue—as it would require the ACT to create a separate electoral roll. There are implications that cannot be dismissed by saying, "So what? The greater good!" I do not dismiss it. I say it is an issue.

There is also an issue that we need to dwell on—and I make no judgment on this; I raise it again as an issue—if one agrees to lower the voting age to 16. One of course, I would have thought logically, would need to lower to 16 the age at which one could present as a candidate. Without being judgmental at all, we, as legislators, would need to think of the consequences of accepting 16-year-olds as members of this Assembly. It might be cruel and unusual treatment in the eyes of some. There are, I would have thought, implications for us in relation to our responsibility for children in this territory.

Plus, there is the issue that, in these wonderful new super schools that the government is pursuing, you could just about get a quota in one school. Not that I would take into account such irrelevant considerations as that in looking at or pursuing the issue. There is that issue that we would have to think seriously about—and I remark jokingly and in jest—but I believe it is an issue.

As legislators or as a community, would we be comfortable, not in terms of their capacity as a 16-year-old to be Chief Minister, as to whether or not it is appropriate to suggest that we might have a 16-year-old Chief Minister and whether that would be appropriate in terms of our responsibilities to our children? Those are issues for debate and discussion. That is a real, live issue.

Mr Mulcahy: They would need a driver, too.

MR STANHOPE: Yes. We would have to change the Assembly rules. More cost! We would have to change the Assembly rules on the capacity of a 16-year-old Chief Minister to get off to functions at, say, Parliament House to meet the Prime Minister of Great Britain or to welcome the Chinese President to the ACT.

These are serious implications that would need to be worked through. That is all I am saying. These are the considerations that would need to be worked through and on which there would need to be a genuine community debate and some genuine engagement. The government is more than happy to participate in that and more than happy for others within the Assembly to facilitate a community conversation on whether to not this is a reasonable proposal or a reasonable reform to the electoral system within the ACT.

These are significant issues: inconsistency with the rest of Australia; the need for a different electoral roll; the implications of the compulsory versus non-compulsory voting for a particular cohort; the implications of whether or not some of us would ever accept any move away from compulsory voting; and, if we were not to accept that, the implications of imposing criminal penalties on children. The International Covenant on Civil and Political Rights or even our Human Rights Act might have something to say about the imposition of a criminal penalty on a child for a failure to participate in the democratic process. I am not sure about that, but I think there would be international rights-of-the-child implications if we were to impose criminal penalties on them for not voting. Those are issues that would need to be pursued.

There are the issues of the role that an elector or a voter might play. It is in that context that I have, on behalf of the government, moved the amendment that the proposal be investigated and that it be referred to the Standing Committee on Education, Training and Young People for inquiry and report back to the Assembly in October 2007. The government believes that it would be appropriate for the committee charged with the responsibility for young people to be the committee that inquires into this matter, and that is the substance of the amendment I moved.

One further point: I foreshadow that, having looked again at the motion—and I am a little concerned about paragraph (1)—I will quickly draft another amendment. The motion asks the Assembly to support the establishment of a scheme. It is inconsistent with my proposed paragraph (2). Paragraph (1) is not in a form that the government

could support and is inconsistent with my amendment. I am sorry about that. I just noticed it now. I proposed that the matter be referred to an Assembly committee for inquiry. I seek leave to move an amendment to paragraph (1).

Leave granted.

MR STANHOPE: I move:

> Paragraph (1), omit "supports the", substitute "notes some support for the".

If I move that paragraph (1) be deleted, the difficulty then is that paragraph (2) cannot stand alone. I will need to add words because it does not say what has been referred.

MR SPEAKER: It seems to me that there is some machinery work that has to be done on the drafting. We are now in a situation were we have got a whole mess of amendments before the place. Why do you not seek leave to withdraw the amendments? That clears the deck.

MR STANHOPE: I seek leave to withdraw the amendments moved by me to notice No 4.

Leave granted.

Amendments, by leave, withdrawn.

MR STANHOPE: I seek leave to move two amendments together.

Leave granted.

MR STANHOPE: I move:

> (1) paragraph (1), omit "supports the", substitute "notes some support for the"; and
>
> (2) omit paragraph (2), substitute:
>
> "(2) refers the proposal to the Standing Committee on Education, Training and Young People for inquiry and report back to the Assembly on or before 1 October 2007.".

MR STEFANIAK (Ginninderra) (5.33): Mr Speaker, we completely understand what the Chief Minister is doing. We support his amendments to the original amendment to the motion which will have the effect of noting some support for a scheme that would allow the 16 and 17-year-olds as citizens rather than residents to vote in elections—I understand that Dr Foskey wants it to be non-compulsory—and sending the proposal off the Standing Committee on Education, Training and Young People for inquiry and report back to the Assembly by a particular date. I think that is a sensible thing to do.

I suppose it is fair to say that in the past a number of people in my party have probably been somewhat supportive of what Dr Foskey is trying to achieve, and probably a more significant majority have concerns about it. I certainly do not agree with the Chief Minister all the time but on this occasion I think he made a lot of valid points,

which I will not go over, about some of the problems that we might find in relation to this motion of Dr Foskey's. As I said earlier, I think the word "citizens" should be used rather than "residents" because citizens actually vote in elections. That point can be taken up in any further deliberations.

Those of us in opposition certainly support compulsory voting, and there is a real problem in respect of the voluntary aspect here. I think the Chief Minister has made a number of points in relation to that which I certainly will not labour. There are a number of practical difficulties in relation to what Dr Foskey is proposing to undertake. Nevertheless, it is an idea that is worthy of being looked at by the Assembly. Certainly, there are many young people aged 16 and 17 who would probably not necessarily want be in this place—where they get driven around to meet Tony Blair or Chinese premiers or whatever—but certainly would be well and truly able and capable of exercising a very deliberate and intelligent vote in elections, perhaps much more so than people who might be 40, 50, or 60.

I do not know whether Dr Foskey is hoping that if this motion is passed the Green vote will go up. I do not think that is necessarily so. I think when one looks at the various voting ages, there are some differences sometimes but quite often that simply is not the case. People of whatever age can determine if a government is going well or otherwise and, even in our system, are certainly able to differentiate between candidates. And, of course, people's votes change, too.

It is interesting that we are having this debate. It is not all that long ago that the voting age was dropped to 18. I think when I first was interested in voting the age was around about 18 or 19. I missed out by about a year in being able to vote in the 1972 election when Gough Whitlam won.

Mrs Dunne: Did you vote for Gough?

MR STEFANIAK: No. It is interesting that you should mention that, Mrs Dunne. Talking about how people's tastes change, I was going to vote for a female Aboriginal activist and give Kep Enderby my second vote, with some reservations. By the time I got to vote in 1974 I think I voted for Dr Peter Hughes, who was a Liberal standing against Kep Enderby. In 1975 my father and I—I think this was the only time we voted the same way—voted for a Ukrainian citizen called Mr Kavalenko. I felt sorry for him, and my father was impressed because he was very anti-Soviet. We both voted for the same man, although my second preference went to the Liberal's John Haslem and my father's second preference, being a good Labor man, went to, I think, Kep Enderby. So it is interesting to see how people vote.

Mr Stanhope: What went wrong. When did it all go pear shaped?

MR STEFANIAK: He was a very conservative Labor man, Jon. He would certainly have been in the right faction if he had ever joined the party, but there you go.

The voting age is a fascinating subject but I exercise a word of caution. As the Chief Minister rightly says, a lot of our laws are based on certain things that happen when you are 18. You can vote, you can go to the pub and you can get married without your

parent's consent. Perhaps under Mr Stanhope's new law, you might be able to have a civil union.

Mr Stanhope: You will still need consent.

MR STEFANIAK: That is right. You will still need parental consent and perhaps there are a few issues around that. But you are deemed to be an adult. I am not sure if the Army and the armed forces still have this rule or not, Dr Foskey, but whilst you can join up at 17 there certainly used to be, if it is not still there, a rule that you would not be sent overseas to a combat area until you were 19. That certainly applied in Vietnam and elsewhere. I am not sure whether that still applies—I think it probably does. So whilst you certainly can join the services at 17, I think there may be restrictions on when you can go to a war zone.

There are any number of landmarks in a person's life when you can do certain things. At 18 you are legally deemed to be an adult. From 16 to 18 you have different sorts of rights. I think in that age group you are regarded as a young person—it is a child now, is it not?—and until recently there was some differentiation. Then there is differentiation in terms of people under 16. So there are some significant obstacles for Dr Foskey to overcome when this matter goes before the inquiry. Nevertheless, I think it is entirely appropriate that this be looked at. It might also be somewhat difficult for the ACT to go it alone were there to be a view that something like this should be advanced. There certainly would be big problems if voting were to be voluntary, as this is not how the rest of the country votes. I am unaware off the top of my head whether there would be any constitutional issues but I suppose there may be. There would certainly be a need for detailed discussion and investigation if this idea were advanced any further.

This matter could go either to the Legal Affairs Committee or the Standing Committee on Education, Training and Young People. I have no dramas about this. The Legal Affairs Committee has about five ongoing inquiries. I am not sure what the education committee has. It is six of one, half a dozen of the other. Whilst it comes within the purview of the Legal Affairs Committee, it also is very much a youth issue. Dr Foskey would probably have a lot more flexibility if this matter were to go to the education committee because she could appear as a witness and push whatever points she wants to make there, and I think that is probably entirely appropriate.

We would have grave difficulty in supporting the original motion to establish such a scheme. It needs a lot more work and, I too, like the Chief Minister, can see a large number of problems. We certainly have no problems with this matter going to a committee. We support the motion that has been very heavily amended. We now have the final version of the amendments put forward by the Chief Minister which seek to omit from the first paragraph the words "support the" and substitute "notes some support for the" and to send the matter off to the education committee. I am sure there will be very interesting and perhaps at times lively discussion before that committee.

MS PORTER (Ginninderra) (5.40): Mr Speaker, I rise to support Mr Stanhope's amendments. Last Friday I had the opportunity to meet with a group of year 10 students at a high school in my electorate who are studying politics. I began by telling them a little about why I got involved in politics and why I joined the Labor Party. The session was then opened to questions from the floor. I answered questions on matters ranging

from whether or not Australia should sell uranium to India and what I thought about the industrial relations changes, to the future of public transport in the ACT and, surprisingly enough, whether I thought young people aged 16 and 17 should be allowed to vote. I told the students that I am keen to see young people engaged in the political process; that I am eager to see young people take an interest in current, local and national affairs; and that I want to see young people make themselves aware of the process of voting and how governments work. I stated that this might involve young people being allowed to vote, although this raises many questions of which two are uppermost: whether it is advisable to give young people this responsibility and whether indeed it is possible.

However, two things were confirmed for me that morning when I met with this group of students. The first is that young people are interested in current affairs and in engaging in the political process. Before I go on to the second thing, I might just tell a brief story which is close to home for me, concerning the first recollection that my husband had of writing an essay at school. At the age of eight he was told he could write an essay about anything, so he chose to write his essay about the New South Wales elections at that time. So I can see that many people start being interested in politics at a very early age. Secondly, if young people are properly educated in the political process, then allowing them to vote might, all things being equal, be a reasonable thing to do.

I agree with Dr Foskey that not all 18-year-olds are informed in the way they vote or care particularly about politics until the process really affects them. However, as I and others have said, we will need to consider carefully the many implications that would arise from giving the vote to young people under the age of 18. As Mr Stanhope has already flagged, there may be issues if the ACT is out of step with every other jurisdiction. There may be issues related to whether or not we make voting for 16 and 17-year-olds compulsory and everything that flows from that. If it is not compulsory, as Dr Foskey seems to be suggesting, should we have a two-tier arrangement? I think not.

There are a number of logistical issues that would need to be tackled before we could implement change. We would need to engage in a significant education campaign. As has already been said, we would need to change the arrangements regarding the sharing of the electorate rolls between the ACT and the commonwealth. We would need to consider the fact that a significant number of extra voters in an election would obviously require additional funding. These issues will require careful and thorough investigation.

I understand that Dr Foskey is very keen to see her suggestions become reality as soon as possible. She clearly expressed her motivation to make this happen when she asserted that it was young people who had more passion about the environment. Excuse the pun, Mr Speaker, but is Dr Foskey looking for new greenfields of Green voters? We will need to carefully consult with young people about whether or not this is something they would seriously consider. We need to take the time to ask 16 and 17-year-olds whether or not they want the responsibility of voting. Do not get me wrong: I am sure there are quite a few young people who would value the opportunity to vote, but just how many of them are there? How many people would prefer not to have the responsibility of voting yet? Do 16 and 17-year-olds feel that voting should be compulsory? Do they believe that this is an unreasonable burden? Would they prefer to be given a voice and be part of the democratic process of our society in other ways?

Mr Speaker, as you have heard from Mr Stanhope and others, these are many questions that we need to carefully examine. I believe that my committee, the Standing Committee on Education, Training and Young People, is the ideal place for this examination to take place and therefore I support Mr Stanhope's amendments to the motion.

MR SESELJA (Molonglo) (5.45): Mr Speaker, it is a pleasure to be speaking on this motion today. I think Dr Foskey has raised a very interesting point and I think it is worth us having a serious debate about it. I think sending the proposal to a committee will be good but I just want to put a few things on the record.

Dr Foskey spoke earlier about the alienation that young people feel. She said that sometimes it is claimed that young people are apathetic about politics and she does not agree with that. I think that is probably right. I think there is a sense of alienation at times amongst some young people. But I guess the question is whether giving 16 and 17-year-olds the vote is the way to address that feeling of alienation. I am not sure and I remain to be convinced. I think possibly this is so but I think a fair amount of further investigation is needed.

Ms Porter talked about school visits. If the test were political knowledge then I am sure many 15 and 16-year-olds would be more than worthy of having a vote. In fact, I still think the best question I have had since being elected was from a year 10 student at St Clare's College, which I visited some time ago. There is no doubt that if the test Dr Foskey talks about were applied, plenty of 25, 35 and 45-year-olds would not have the maturity, and possibly many 16 and 17-year-olds would. But I guess it is a matter of us drawing a line somewhere as to the kinds of rights and responsibilities that go with certain age levels. Of course, that usually starts at the age of 18 for most things, although not all things. The question is: is there a strong enough case to lower that age?

I think the motion has a certain amount of prima facie intellectual appeal. The history of voting shows that the right to vote was initially confined to relatively few people—generally men who owned land. That was gradually expanded to include people who did not own land and to include women. To our shame, Australia did not expand the vote to Aborigines until the 1960s. Expanding the vote as much as possible has obviously been a positive development in human history. This has a certain amount of intellectual appeal but how far do you go? And I guess that is the question. If you go to 16, why not 14? If you go to 14, why not 12? There has to be a point at which we decide as a society that this is the age where you get all the rights and responsibilities that go with being an adult. Under our compulsory voting system many people see voting as more of a responsibility and a burden, perhaps, than a right. But, of course, it goes both ways with a system of compulsory voting.

As I was saying, there has been a history in this country of expanding the right to vote. I think at Federation the voting age was 21. Of course, at that time the legal drinking age was 21 and that has come down to 18, as has the voting age, and I think those sorts of things often stay in line. If we were going to expand compulsory voting we would need to look at whether it was appropriate to expand other things to 16 and 17-year-olds.

Dr Foskey put forward an odd argument in relation to the single mother who has three kids but gets only one vote. I do not know where we draw the line on that. Families with

eight kids would do very well under such a voting system and probably all sorts of demographic oddities would result from that. But I think it is reasonable that only those who qualify as what we consider to be adults have the vote. I do not expect that my kids will be getting the vote any time soon and nor would it be appropriate that they did. Nor would it be appropriate that I got extra votes as a result of having kids.

In preparing for this debate I looked at some of the figures. One interesting figure was that only 48 per cent of 18-year-olds are currently enrolled to vote. So I guess that goes to the question: are young people crying out for the right to vote? Well, 18-year-olds have the right to vote but less than half of them actually choose to exercise that right. So I guess the question is: do 16 and 17-year-olds want this? I think that is something that the committee will have to look at in this context.

I have to say I do not think it is without a measure of self-interest that the Greens have brought forward this proposal. I believe that in 2003 a Morgan poll showed that compared to the Greens' overall vote of about 7½ per cent at the time, the proportion of 18 to 24-year-olds who intended to vote for the Greens was 11.9 per cent. This was about 50 per cent higher than their overall vote. So I am sure that that must be part of this push by the Greens.

Mr Stanhope: You are a cynic.

MR SESELJA: I am a cynic but I think this must be part of the push by the Greens to lower the voting age. They see it as being in their electoral interests and I think that is a big part of why they are pushing it. There may be questions of principle but I think there is also a decent measure of self-interest. Of course, we have seen in recent years that the Greens have attracted a higher vote amongst groups of young people. I think there are various reasons for that. I think the Greens have probably done a fairly good marketing job. I think at times—

Mr Stefaniak: It's a con job.

MR SESELJA: Some would say that. But I think they have done a good marketing job in presenting themselves as the soft and cuddly Greens and perhaps not highlighting some of their more radical policies. I think those figures on the Greens' voting need to be taken into account in this debate. We need to consider whether this is just being pushed by the Greens so that they can increase their vote at the next election in the ACT.

I think this also comes down to responsibility. What are the qualifications for voting? Dr Foskey spoke about a certain level of maturity. She said that IQs are higher now and puberty starts earlier now. I think all of those considerations are valid. But it does come down to this: can undue influence be placed on people who are not ready to make serious decisions about who should be our elected representatives? I think it is also important to consider the implications that Mr Stanhope raised in relation to lowering the age of members.

We need to consider the issue of whether or not voting should be compulsory. I agree with Mr Stanhope that we should not have different classes of voters. Voting by 16 and 17-year-olds, if it were brought in, would have to be on a compulsory basis because the rest of the community is subject to compulsory voting. I am a supporter of compulsory

voting. I do not think it is perfect but it is probably still the best system that there is. There are some drawbacks. People say it is not democratic to force people to vote but I see voting as a civic duty. I do not think we would want to split this obligation. I do not think we would want to say to 16 and 17-year-olds, "You can vote but you do not have to vote. However, once you are 18 you have to vote." I do not think that would be a good way to go and I would not support that.

I notice that the motion talks about 16 and 17-year-old Canberra residents. I am not sure if that is a deliberate wording or an inadvertent oversight. I would have thought we would be limiting it to citizens rather than residents. I think the present wording would expand the voting pool in a way that is not intended and I am not sure if that is what the Greens want.

Issues around the cost of having a separate electoral role are important but should not be defining. If the committee and both sides of politics were to find that this is a good thing, that the positives far outweigh the negatives, I think that is a cost we could certainly bear as a community. But I remain to be convinced that the serious issues about lowering the voting age can be overcome. Many people in the community will be watching this closely. I am cautiously watching it and certainly I and I think the Liberal Party remain to be convinced. But we will take a very close interest in these proceedings and how they fare.

DR FOSKEY (Molonglo) (5.55): This has been a very interesting debate. It was worth putting up the motion just to hear what members had to say, and I am very encouraged. I will support the amendments. I am wondering how I can participate as fully as I would like to, and I would like to talk to the committee and the government about that.

I want to respond to some of the issues that have been raised today. There were some interesting questions and I have thought about some of them. If people are able to vote, will they be able to stand as candidates? It is up for the committee to explore this, but why not? A person will be elected only because the electors of the ACT have decided that that person should represent them. I do not think any of us believe that the people who voted for us were fools. And why not a 16-year-old Chief Minister? I will use the same argument: if the Assembly that is voted in by the electors of Canberra decides that a 16-year-old is wise enough, thoughtful enough and fair enough then that person should be Chief Minister. But these are questions to be pursued.

I felt that Mr Stanhope discussed these issues with a certain degree of flippancy. If it is in the Greens' self-interest to have 16 and 17-year-olds voting, is it then in the federal Liberal's self-interest to disenfranchise prisoners, for instance? I have to ask the ACT government how it is planning to ensure that prisoners in the ACT's new prison will be able to vote. We might have to consider separate lists or something for our own elections. If we can solve it for that group, we can solve it for the group we are now discussing.

Mr Stanhope: They are a finite group behind walls, Dr Foskey. It is easy. There will be 120 of them and we know where they are.

DR FOSKEY: Well, that is for the committee to explore. But if it can be done for one

group, it can be done for another. We all know that with political will an enormous amount can happen. Does this Assembly have the political will to do that?

The arguments that have been raised today must have been raised over and again when women fought for the right to vote and when indigenous people were given the right to vote. We need to remember that a group of people that feel disenfranchised have rarely got the power to push for something. So let us explore these matters by referring this proposal to a committee. I would like to support the amendments and see the whole Assembly get behind this enterprise of giving 16 and 17-year-olds the right to vote.

Amendments agreed to.

Motion, as amended, agreed to.

Adjournment

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

> That the Assembly do now adjourn.

Charny Carni
Canberra Raiders

MR STEFANIAK (Ginninderra) (5.58): I wish to make several points. Firstly, I attended, a bit later than I had hoped but I still got there, the Charnwood carnival—the Charny Carni—last weekend. I was delayed by playing in a veterans game at Canberra stadium. On the up side, I actually got a try. Thank God someone dragged me off the field to interview me as it gave me a breather in the second half. When I got to the Charny Carni I helped out with a sausage sizzle by St Thomas Aquinas, which my little girl Lucy goes to. It was just a brilliantly run carnival. I missed Ms Porter doing the mullet or whatever it was. That would have been quite a lot of fun.

I had the privilege of drawing the name of the winner of a $1,000 prize which was donated by Brian Frith, the chemist at Charnwood, who has done a mighty job on the committee to get medical facilities at Charnwood and who also does a fantastic job, as the community chemist, in assisting people with their medical needs because there are no doctors in Charnwood anymore. I thank Brian for that and it was a pleasure to draw the name of the winner of that raffle in his absence. Might I say that $2,000 was given as a prize by the real estate agency in Charnwood. I thought that was fantastic. My congratulations and thanks go as well to the donors of the $500 and $250 prizes.

Lots of people did a fantastic job in organising the Charnwood carnival and I pay tribute to them all. In terms of the group I was immediately helping, one of the main organisers of the carnival, certainly the St Thomas Aquinas end of it, was Carmel Stokes, who did a power of work in organising the St Thomas Aquinas contingent. Carmel is my next door neighbour as well and we both have children at the same school. She did a particularly good and efficient job.

I apologise to the two people to whom I sold sausages which probably were not as well cooked as they thought they should be. I was more worried about burning some than

others. If the volume of trade we had at that store was anything to go by, there were thousands and thousands of people there enjoying the carnival atmosphere and my thanks go to everyone involved there.

Tomorrow, a number of tributes will be going out on radio and elsewhere in commemoration of a wonderful event, 25 years in Canberra of one of the great sporting teams, that is, the Raiders. They were not the first Canberra team in a national competition. That went to the Arrows, a soccer team, and the Canberra Cannons. They are certainly the longest serving team in a national competition and I think that they have done a lot to enhance Canberra's reputation and show that it not just a bland public service city, but a city with a lot of spirit and a lot of soul. I think the Raiders have done a lot for that.

They have also in their short existence, 25 years—probably more so in their first 12 years— achieved very considerable success. In 1987 they made their first grand final appearance. I must say that I was in two minds there. I had some sympathy with Manly simply because I used to coach Michael O'Connor, an ex-Canberra boy who was playing with them at the time. It was fantastic to go to the grand finals in 1989 and 1990, especially the 1989 one against Balmain, when they won their first grand final in extra time. There was a very solid premiership win the next year, 1990. Who can forget the absolute flogging in 1994 of Canterbury. I will always remember Mal Meninga palming off, I think, Jarrod McCracken as if he were a piece of chaff really. That was a fantastic game. I think that it was Mal's last formal game for the Raiders, but then, of course, he ended up as coach.

The Raiders produced some fantastic players in the early days, such as Ricky Stuart and Bradley Clyde, both local products who have done exceptionally well both as players and as coaches. Of course, some of them have gone into media, such as Laurie Daley, another legend in the game. Some wonderful new players have been coming up in recent years. It is good to see so many locals in the ranks there. They branch out, too. They do a lot in the community. I was very pleased to have young Mark McLinden, a good Belconnen boy, on the youth advisory committee. He was an incredible asset for that committee when I was minister and it was great to see the contribution he made, not just to the Raiders, but also to his local community as a young man. He is now off playing in England.

The Raiders have achieved a pretty good record over 25 years. As an ex-Manly supporter, I know that it took them many years, longer than that, to win a premiership. The Raiders did it basically in seven years of operation and they continue to bring credit and glory to themselves and to Canberra. Happy birthday, Raiders. You have done yourselves proud. You have done Canberra proud. Long may you continue to be one of the flagship sporting teams in the ACT.

Mr Peter Field

MR GENTLEMAN (Brindabella) (6.03): Mr Speaker, last week I had the opportunity to attend the renaming of the bone marrow and transplant unit at the Canberra Hospital. The unit has been renamed the Peter Field Bone Marrow and Aphaeresis Unit. Peter Field was an outstanding Canberran, one of those people that work for the community and its needs. Although I did not have the privilege of meeting Peter Field,

from speaking to the people at the unit I got a good understanding of how much he was respected by the staff, who considered him to be a friend.

Peter Field was born in Adelaide and completed an economics degree before working for a time as a jackaroo in Victoria. Peter was recruited to the Department of Trade in Canberra in 1965 and it was not long before he was recognised for his intellect and hard work. Within two years, he was sent to Washington DC for a time. In 1972, Peter returned to Australia and was a head negotiator on uranium policy and nuclear safeguard agreements. Prior to his retirement from the public service, he had reached the position of deputy secretary in the Department of Foreign Affairs and Trade and was Australia's chief negotiator in the GATT rounds of the 1980s and 1990s. Under his leadership, Australian officials began to work on imaginative new approaches to multilateral trade negotiations.

In 1992, Peter Field's world as he knew it came to a sudden and abrupt end. Peter was diagnosed with non-Hodgkins lymphoma. All of a sudden, instead of being a man that was in complete control of major policy negotiations, he had to leave matters in the hands of others. After being diagnosed with non-Hodgkins lymphoma, Peter saw the need for the development of an autologous transplant service and he set about using his resources to finance the unit. His experience in the public service, energy and lobbying skills, and 10 years, made the unit a reality. Ten years on, the unit has provided approximately 25 autologous transplants and numerous therapeutic aphaeresis procedures annually. It is the only such unit between Sydney and Melbourne and services the whole of the south-east of New South Wales.

Peter Field was the type of person that makes a community strong. When something has to be done, they do it. Peter Field saw that the financing of this unit was going to take longer than anticipated, so he formed a support group to work towards the creation of the unit. Peter was also interested in seeing the clinical research efforts of the haematology unit develop and expand, so he and his family have been generous financial supporters of the research fund. The research, supported by the fund, is increasingly successful, with up to 20 trials being worked on at any one time. Peter Field was an incredible man, both in his professional work and in his community work. The haematology unit and the Canberra Hospital are better places because of him.

At the unveiling of the plaque, I had the chance to meet many of the staff that had helped look after Peter in the time he spent at the unit. These staff I too had a kinship with. I had the misfortune of spending far too many hours and days at the chemotherapy unit supporting my brother in his battle with cancer. It was those staff that helped me keep my brother's spirits high, as well as my own and those of my family.

Mr Speaker, I spoke briefly with Peter's wife, Anne De Salis, whom I had met many years before when we both worked in Prime Minister Keating's office. She too agreed with my sentiments on how the staff at these units, and for that matter in all wards of the Canberra Hospital, are true angels. Peter remained a patient of the unit until his death in 2004 at the age of 64. His legacy lives on now in survivors in Canberra living a better, longer and healthier life.

Canberra Institute of Technology—fashion parade

DR FOSKEY (Molonglo) (6.07): Mr Speaker, in the spirit of Youth Week, I want to talk about an event that I went to last Saturday. I also have a cuddly toy here because I was on the stairs talking to some members who are anticipating that, with the success of my motion, we will soon need to have lollies and toys in the Assembly. I just want to show that it is not only children who play with toys. That was given to me by a constituent who probably thought I would need it from time to time.

I went to an event on Saturday night that highlighted the creativity of young people in the ACT. It was called "Forecast: art and fashion" and it was a joint project of the National Gallery of Australia and students from the CIT fashion design course. There was a very large crowd of people there. It was a modern event, which means that you had to stand for hours, and there were quite long gaps between the young people coming on and showing the fashion.

The fashion was on the theme of weather, based on the Constable exhibition which is on at the gallery at the moment. This does show, first of all, what happens when some of our national institutes merge with, in this case, our local educational institutions and the resources of the gallery were available to everyone who went. We were all able to go and look at the Constable exhibition. It provided a theme and a very classy venue for those young people to display their design work. It just had to be a real morale booster for them to see their work shown in a space like that.

The fashion parade was interesting in that it was not on the traditional boardwalk, with people going on and then going off. Quantum Leap, the youth choreographic ensemble, modelled the clothes and did so in the form of dance. It was absolutely spectacular to see. I went with my 16-year-old daughter who, I am sure, would exercise the right to vote if it were made available to her, though I think it is quite possible that it will be too late by the time she gets there. She also gave a young person's approval of the event, and I think that is really important.

I just want to commend those kinds of collaborations. I hope that we will see a lot more of them. It is something that the ACT government will support and, indeed, coordinate and instigate in the future.

Italian immigration

MRS DUNNE (Ginninderra) (6.10): Mr Speaker, on 11 December 2001, in my maiden speech, I began like this:

> On the Pacific Highway, just south of Woodburn, there is a simple stone memorial flanked by the flags of Italy and Australia. This is the site where in 1881 a score of Italian families made a new life on land given them by Henry Parkes. They called it "New Italy".

On Sunday, 9 April the descendants of the New Italy settlers will celebrate the 125th anniversary of the arrival of those families on the Richmond River and 125 years of Italian migration to that region. As members would know, I am one of the ancestors of

the settlers of New Italy. It was with considerable pride that I took my younger children to New Italy the other day to visit the memorial, the museum and the extended museum. There are two museums there. One marks the settlement by the New Italy settlers, but several other waves of Italian settlers came to that area and enriched the whole community of northern New South Wales.

In the 1920s, there was a great wave of Italian immigrants who came to that area fleeing persecution by the fascist regime. My father, who was a young boy at the time, recalls one of those fellows, a fellow by the name of Angelo Galardi, saying to my father, who was always called "Cobber", "Cobber, I will go back to Italy when there is a bridge of sausage between Australia and Italy."

He was a fiercely proud Australian. I suppose it is a matter of some disgrace that people like Angelo Galardi and his compatriots were interned during the Second World War in appalling conditions in Pentridge jail, but they did not lose their enthusiasm for Australia.

After the Second World War, there was yet another wave of Italian immigrants to the area, coming often to join their families. Often they were, in fact, people who had been prisoners of war and who had been treated much better than Italian internees. They worked on farms in the area and, after they were repatriated back to Italy, they eventually decided to return to Australia because it was a better country. So I take the time today in the adjournment debate to make these points about Italian immigration in northern New South Wales.

It is a long history and it is a proud history. It is part of my history. I was particularly proud to take my children the other day to learn of their history and I hope that I will be able to find the time to make the journey back to New Italy on 9 April. I was there on 9 April 1961 when the memorial that I described was unveiled. I would like to be there, and will try to make the effort to be there and to take some of my children with me. I hope that the cooperation between Australia and Italy and the Australian and Italian communities in the area will continue for the further enrichment of the region and the country in general.

Community fire units—training

MS PORTER (Ginninderra) (6.14): I would like to use this time this evening to reflect on the training of community fire units and to report on my involvement with the ones in my electorate. They have been training recently in the application of fire retardant foam through compressed foam tankers. These tankers come in three sizes. The large double tankers hold 8,000 litres, the medium size ones hold 2,000 litres, and the quite small transportable tanks can be carried on the back of other vehicles.

The compressed foam increases the capacity of the tankers as the coverage is multiplied by the ratio of the retardant to the water. It is mostly applied in a 1:4 ratio, but can be pushed up to 1:7. One can understand from that that the tanker does not need to be refilled with water so frequently, but that can be achieved very quickly with these tankers. Also, the foam consistency can be varied to suit the different conditions of the threat at the time.

I have now joined with six of the community fire units in their training sessions in the application of the foam. This training has been achieved most efficiently by combining the Hawker and Dunlop teams and then two Aranda teams the following fortnight. The ones for the Cook and Aranda teams were the last ones that I attended. This Sunday, I will be joining with the Bruce and Hall units as they train at Bruce. So I have witnessed the fine teamwork and professionalism of all involved, including the volunteers and the staff of the ACT fire service.

Mr Speaker, this fire retardant can last up to 12 hours, can be applied beforehand in the path of a fire and can be used to protect the urban fringe and halt the fire by denying it both fuel and oxygen. I have witnessed firsthand how effective the foam is in its ability to achieve a thick covering of both undergrowth and large trees.

I would like to thank the following CFU team captains: Ian Falconer of Aranda 12, Peter Fogarty of Aranda 17, Barry Shaw of Aranda 2, Tony Ashton of Cook 11, Trevor Powell of Bruce 14, Nathan Dickson of Dunlop 24, Bob Richardson of Hall 13 and, lastly, the leader of my local team and the one with which I undertook the CFU training, Gary Buffin of Hawker unit 4.

Each of these teams is made up of 14 members and each of the captains tell me that there has been very little turnover since their formation. I believe this is due to the fine leadership and the fine support and resourcing that they receive from officers Dean Lambert and Peter Rayner of the ACT fire service, and the fine leadership of Steve Gibbs, who spearheaded the CFU's initial training and oversaw the first day of training with the compressed foam tankers at Hawker.

I take this opportunity to congratulate Peter Rayner, who has had 30 years of service and was recently awarded the community protection medal in recognition of his outstanding contribution. It is terrific to see how the regular crews from Gungahlin, where the tankers are housed, turn up Sunday after Sunday to support the training. Mostly, I would like to thank all involved for the generous way that they allowed me to attend and observe the training, so much so that last weekend the team leaders and Dean Lambert roundly supported the team members who called for me to be properly kitted out for my visits to the training.

I know that these units have had other real benefits from the membership of the people that are in them by bringing them together in their neighbourhoods and linking the more vulnerable members of their neighbourhoods with those who are able to assist them, particularly in times of emergency. The community fire units are just that; they are all about community. I congratulate all of those involved.

Greek culture and traditions

MS MacDONALD (Brindabella) (6.18): On Saturday night I was fortunate enough to represent the Chief Minister at the Greek national annual dinner dance. Held at the Hellenic Club, many in our community attended the dance to celebrate the anniversary of Greek independence in true style. Several prominent members of the Greek Orthodox community attended the night, including Mr Kyriakos Maniatis, who is the charge d'affaires of the Greek embassy, Mr Eleftherios Pilavakis, first secretary of the Cyprus

High Commission, Mr Andrew Satsias, president of the Hellenic Club, Mr Emilios Konodaris, president of the Greek Orthodox community, Ms Georgia Alexandrou, president of the Cyprus community, and the reverend fathers George and Constantinos. Mrs Burke attended on behalf of the Leader of the Opposition.

Mr Speaker, 25 March is the anniversary of the struggle of Greece for independence in 1821, after some 400 years of Ottoman occupation. This fight helped in the formation of the modern Greek state and brought about freedom and independence. This day was chosen as the official date to commemorate the revolution for its religious significance of the Day of Annunciation, which symbolises birth.

Greek National Day encapsulates two important principles: freedom and independence. Freedom is a principle which allows us as individuals and members of communities to practice our cultural, political and religious beliefs. Without ensuring that this principle is upheld in the community, our diversity will be eroded. This principle is one which we all uphold and it was fitting that the dance was celebrated at the Hellenic Club, as the word "Hellenism" echoes this principle. Hellenism is essentially freedom. The highest expression of freedom is democracy, the supreme and subliminal creation of the ancient Greeks, a freedom not only to elect governments but also to participate in the actual affairs of one's state.

The 1821 revolution also gave Greece independence from the Ottoman Empire. The creation of a Greek state has meant that Greek culture, politics and religious beliefs have been able to flourish. Australia has seen significant Greek migration and, with that, migrants and those with Greek heritage have brought their cultural beliefs, political opinions and religious beliefs to Canberra and all of Australia. I would suggest that all of us enjoy Greek culture and traditions, and it is pleasing that our Greek Orthodox community members have the independence and freedom to live both within their own culture and within Canberra's multicultural community.

A number of the events that the Greek community celebrate and host are testimony to their involvement in the wider community whilst also maintaining their culture. The Greek Glendi, which was held as a major event in this year's National Multicultural Festival, was a wonderful success and received much positive feedback from all who attended. This event allowed the Greek community to display its excellence in displaying the culinary delights of Greece and in dancing, as well as giving the wider Canberra community the opportunity to experience the rich Greek culture and traditions.

Mr Speaker, I do not think there is any doubt that, without the business acumen of many of the Greek business people past and present, Canberra would not be as prosperous as it is. Again, my thanks go to the Hellenic Club and all in the Greek Orthodox community for a wonderful night and I wish them all a very prosperous year. On a personal note, thanks for making me and my husband feel very welcome on Saturday night.

Multiculturalism

MR PRATT (Brindabella) (6.22): Mr Speaker, I stand today to speak of two events. Firstly, I congratulate the Migrant Resource Centre on running a very successful Harmony Day recently. I have also selected an activity which occurred on the March long weekend which I thought well illustrated harmony in its best sense. After seeing the

Migrant Resource Centre's demonstration and celebration of harmony, I attended an activity which really did demonstrate the essence of harmony in a very stark way. I am talking about what the Arabic community actually call a party, or a night-time party activity, which was organised to bring together the Iraqi community on or about the third anniversary of the war in Iraq.

The broader Arabic community conspired to bring Iraqis out of their homes to have a good night and the Australian Iraqi Arabs were seen out having a good time for the first time in a long time. I must congratulate the Arab and Australian Women's Friendship Association. I declare a small vested interest in that my wife Samira Baqastada was involved as one of the players in putting together this activity. Dr Nathem al-Naser, a Christian Jordanian, was the driving force behind the organisation of this Iraqi party night. A very active worker in the broader multicultural community, Diana Abdul-Rahman, worked with Dr al-Naser in the preparations for this activity.

They brought down from Sydney a very good Iraqi Arab singer and a band of about five, and a high-quality show was put on by these people. What was remarkable, though, was that gathered around the tables was a coalition of Shia, Sunni, Christian and Muslim Australian Iraqi Arabs who, after an hour or so of some reticence, finally took each other by the hand and joined in the dancing and the singing. I thought that it was a beautiful demonstration of how the great myth that runs round in the media that Iraqis of different ethnic and religious backgrounds are at each other's throats is so incorrect. I thought that was the value of the night.

Of course, being the third anniversary, there was some talk about the war. There was a very wide variation of opinion about the war and what started it—how it happened. There were, of course, wide degrees of like and dislike, respect and disrespect for the Americans and about where things were going, but to a man and a woman all agreed that it was a good thing that somebody had gone in to break the circuit and get rid of Saddam. All of these people were very hopeful for the future. Whilst they have varying likes and dislikes about the fledging democracy and whether al-Jaffari could get a government together to try to bring about some sort of peace, they are still hopeful that something is going to happen and they are hopeful for the future.

In discussions through that night and in discussions with these people since I found that they also thought that Iraq, after it goes through yet another rough period of disruption, will become a country of some moderating influence in the Middle East if the external neighbours allow them to go ahead and do that. So, there you go: it was a quite interesting and eye-opening experience. Apart from the fact that we were wonderfully entertained by some tremendous singing and dancing, it was great to see these people get together on the third anniversary of that war. More importantly, it was great to see the broader Arabic community of both Christian and Muslim background bring out Iraqi Arabs who had tended before not to come out and celebrate, look after them, encourage them and help them to settle in.

Question resolved in the affirmative.

The Assembly adjourned at 6.27 pm.