



Debates

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Wednesday, 9 April 2008

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Wednesday, 9 April 2008

The Assembly met at 10.30 am.

(Quorum formed.)

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

Electricity Feed-in (Renewable Energy Premium) Bill 2008

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

Title read by Clerk.

MR GENTLEMAN (Brindabella) (10.32): I move:

That this bill be agreed to in principle.

Members would be aware that in November last year I released an exposure draft on the ACT renewable energy electricity generation scheme, or what is commonly known as a feed-in law. I have researched this proposal extensively to ensure that the legislation I am tabling today contains the essential elements of an effective feed-in law. Those key elements provided to me by the father of the feed-in law, Hermann Scheer, are that the grid operator must connect providers, that the grid operator must purchase the electricity produced, and that the rate must provide a reasonable incentive. This bill includes those key principles.

During the last few months, I have sought feedback from interest groups, experts and the community about this proposal. Throughout the community consultation I was overwhelmed by the high level of public support and enthusiasm for this bill. Over 300 people attended the public forums and my office received 26 formal submissions, none of which were opposed to the idea of a feed-in law. Adding to this feedback, over 40 submissions were presented to the Chief Minister's discussion process.

It is important to acknowledge that, among others, supportive submissions were received from Greenpeace, the Conservation Council, ACTCOSS, the Alternative Technology Association, Bill Gresham and Ben Elliston from the Australia New Zealand Solar Energy Society, and Wieslaw Lichacz from the United Nations Framework Convention on Climate Change. This list clearly displays a diverse range of interest groups, again highlighting the community support for this bill.

In my consultation with ACTCOSS and the Conservation Council, several suggestions were made to ensure that members of the community eligible for concession discounts would not be disadvantaged over other consumers by this bill. I believe we have addressed this issue within the bill in its final form. One element of the legislation asks that all electricity users in the ACT should contribute to the

scheme. So while other jurisdictions have a tariff that is applied as a flat rate across all jurisdictions, in discussion with parliamentary counsel we have inserted a clause that requires the cost of the tariff to be passed on to electricity consumers in proportion to the electricity that they consume.

To put it simply, if those in the ACTEW building across the way are using 100 times the power in comparison to a family in a three-bedroom home in the suburbs, they will contribute 100 times more to the scheme. This will reduce the burden on low-income families or pensioners, for example. I have also written to Minister Gallagher in relation to the concessional rebate review and asked her to take this tariff into account when redesigning a rate for those concessions.

It is important to remind members that one main purpose of this bill is to raise awareness of electricity consumption, with the aim of reducing it. It is designed to enact a social change in the way that we use electricity and for that change to bring about further action on reducing our carbon footprint. I have said numerous times before, and it is proven, that a well-designed, effective feed-in tariff containing several essential elements is the most effective step any government can take in ensuring an increased uptake of renewable energy electricity generation.

It is this government, the Stanhope Labor government, that is taking the initiative and showing leadership on climate change. While we see South Australia introducing a net scheme feed-in law, and that is due to take effect on 1 July, caucus has approved my bill with the rate set at 3.88 as the multiplier for the gross amount of electricity generated.

I want to inform members of some changes to the initial draft that I tabled last year. Several submissions alluded to the fact that the original draft lacked some surety on the time line for the tariff and, of course, there was no cap in relation to the premium rate time line. A clause inserted in the bill provides that once a person has signed up to the scheme they are guaranteed a fixed premium rate for a 20-year period. When that contract runs out, generators can sign up to the scheme again at the rate determined by the minister, for example, in 2028. In addition to that, the minister responsible for determining the rate will only be allowed to determine the premium rate for new connections.

The ACT government has shown the leadership required to ensure that an effective, well-designed feed-in law is enacted within the ACT. I trust that Senator Penny Wong will look closely at the model contained within my bill when advocating for a nationalised approach to feed-in tariffs through the COAG program.

I take this opportunity to thank my caucus colleagues and the many people that have assisted my office in the process of bringing this bill to the Assembly. There are far too many to name personally today, but I will take the time to do so when the bill comes back to the chamber for the detailed debate.

This bill shows leadership. It shows that the Stanhope government is delivering on its promise to take the necessary measures to reduce our ecological footprint. More importantly, it shows that the ACT government is willing and able to provide a

framework that will enact a social change within our community needed to combat climate change. Mr Speaker, I urge all members to support this bill.

Debate (on motion by **Dr Foskey**) adjourned to the next sitting.

Road Transport (Alcohol and Drugs) (Random Drug Testing) Amendment Bill 2008

Mr Pratt, pursuant to notice, presented the bill.

Title read by Clerk.

MR PRATT (Brindabella) (10.39): I move:

That this bill be agreed to in principle.

I stand here today to again table legislation that I have introduced on a number of occasions. Certainly, it was tabled in 2005 for debate in 2006. The legislation that I am again tabling today has been somewhat updated because the opposition and I believe that this legislation is badly needed in the ACT.

The Road Transport (Alcohol and Drugs) (Random Drug Testing) Amendment Bill 2008 allows for random drug testing—RDT—to be conducted alongside or independent of random breath testing. In December 2005, as I said earlier, I tabled such a bill, but it was rejected by the government for no apparent good reason. The bill was rejected by the government and the Greens at that time for a number of stated reasons, including, allegedly, scepticism about the efficacy of the instruments used for testing, despite a number of pilot studies that had been conducted indicating that the testing process was reliable, accurate and non-invasive.

I can also recall the disdain with which this bill was met by the Chief Minister and minister at the time. I remember, for example, the Chief Minister in particular interjecting—and the *Hansard* reflects his comments—that, in his opinion, this was, indeed, a red-neck bill. Do not mind that seven other jurisdictions in this country, all headed by Labor administrations, have tabled, debated and implemented exactly the same sort of bill. So it looks like this country is run by a bunch of red-neck Labor administrations. In fact, this bill is being introduced, in the opposition's opinion, in response to a growing trend and in the interests of community safety.

Yesterday's jumping of the gun by the minister was churlish, to say the least. It was clearly only an attempt by the minister to cover up his and the government's inaction on this fundamentally important issue. It was also an act of comedy; there is no question about that. The way that the minister yesterday changed the order of business for the day to try and deviate from what is really an important exercise here today was somewhat laughable, ineffective and unfortunate. All it did was to waste precious time in this place yesterday when there were other very important matters of business to be discussed. The fact that it also compromised other protocols in this place is a matter that can be discussed at another time.

All of the evidence that was presented to the government in 2005 about the growing trend of drug-affected driving was ignored by them then and, in fact, has been ignored since. The government apparently undertook to conduct a working study on the subject of drug-affected driving some two years ago. Despite what Mr Hargreaves said in this place yesterday in an interjection, that working study was announced two years ago. I have searched *Hansard* since yesterday afternoon and *Hansard* proves that that is what he said.

Whether or not a working study group did effectively mobilise two years ago remains a moot point, but that is what the minister stated then. He said that that was the government's intention—to study the issue of drug-affected driving. They said they would undertake this working study into the issues surrounding random drug testing. However, no recommendations have been made and meanwhile the body of knowledge surrounding the issue continues to grow in favour of introducing such testing. So whilst Minister Hargreaves has not, either in this place or publicly, talked about the progress of such a working study, and has continued to ignore the issue, the evidence about the need to introduce random drug testing has grown and grown over those two years. And what is alarming is that the evidence has indicated that the trend of drug-affected driving has increased over the last two years. I will come back to that point in a little while.

All that the bill we are tabling here today really does is to enforce a law that, in many respects, already exists. I will say that again, Mr Speaker: this is not some stage-right or stage-left attempt to introduce some radical piece of law; we are simply introducing legislation which takes existing law and flexes it to allow for a more random approach to drug testing of drivers who may or may not have been taking drugs. We are simply seeking to give police the powers to enforce the existing law properly and then to flex that law in order to empower the police to try and interdict and therefore deter the habit of drug-affected driving.

It is irresponsible for the minister to say that he needs to consult or to further consult on this matter. More to the point, it is irresponsible for the minister to say that the opposition has no right to be tabling this legislation here today because, as he would say, the opposition needs to be consulting further before we dare to come back to this place and table this legislation. It is responsible for the opposition, with the resources that it has available to it, to come into this place and recommend good law, and we do that in the best way we possibly can. I can assure you, Mr Speaker, that the opposition have, in the last 3½ years, consulted widely. To the best of our capacity, we have researched this need to test for drug-affected driving and we have consulted with important bodies in the ACT community.

Minister Hargreaves stood up yesterday and carried out a stunt. He panicked and got frightened when he saw on the notice paper that the opposition intended to table this legislation today. It was absolutely irresponsible for him to say yesterday that we have no right to table legislation without having two or three years of consultation—the same sort of time frame that he might have been thinking about.

We have spoken to the NRMA in the last three years many more times than I care to count. The NRMA are a very resourceful body. They represent a very large

constituency in the ACT, and they know what they are talking about. They are alarmed by the growing trend of drug-affected driving. I have spoken to police, formally and informally, in my capacity two years ago as the shadow police minister and also unofficially since, and police strongly believe that there is a need for random roadside drug testing. They are the people that we entrust with the policing of our laws. The police are the people that we entrust with determining and analysing the risk to our community. We pay them to do that, we trust them to do that and we have every confidence that they are qualified and trained to do that.

If I am getting good, logical, calm advice from ACT Policing that there is a need for testing for drug-affected driving, that is pretty damn good for me. That is in addition, as I say, to the regular feedback that we have had from the NRMA and from the community itself. When we are out there talking to the community, we note that the community is talking increasingly about the habit of drug-affected driving. In many cases, it is by parents who are worried about their kids. The parents know what is going on; the kids talk about this. Increasingly, people are expressing that there is a need for random roadside drug testing.

If the opposition, with our meagre resources—about 15 to 20 per cent, if we are lucky, of those that the government has available to them—have come to this determination then why haven't the Stanhope government come to that determination? They have; logically, they must have. Why have they not come to this determination? Because they are being blindsided by ideology. They are being blindsided by lobbyists who talk about the human rights aspects involved in random roadside drug testing. They are being blindsided by their fear that they might compromise the principle that they like to exercise—what is known as harm minimisation. Harm minimisation is a very important strategy in our community for combating the problem with the scourge of drugs in society. But it is not an instrument that should be allowed to impede the enactment of sensible law to protect our broader community from drug-affected driving.

What we are seeing here is simply inaction on the part of this government. Let us just go back again and have a look at the mounting evidence—evidence, I say again, which this government has had available to it since 2005. If it did not believe the evidence that the opposition tabled in 2005 then it has been getting that evidence from many other sources regardless.

In 2005, research conducted by insurance company AAMI showed that 10 per cent of ACT motorists believed using recreational drugs did not affect their driving ability and that 12 per cent of Canberra drivers had admitted taking to the roads after using drugs such as marijuana, cocaine or ecstasy. If I recall, the sample involved in that study was somewhere in the region of 2,000. I will stand corrected on that and, if I am wrong on that point, I will rectify it in my closing statement. So 12 per cent in 2005 admitted they had driven after using marijuana, cocaine or ecstasy.

We know that people who are deeply drug affected by methamphetamines or ecstasy tend to react in very extreme and often violent ways. Can you imagine how they react when they are behind the wheel of a car and doped to the eyeballs? And what is a car? A car, potentially, is a lethal weapon. We trust people, we license them, we train them

and we educate them to drive a car carefully in our community. Can you imagine a driver who is driving drug affected and what that potentially means? Indeed, there is compelling evidence from around the country involving fatal crashes on this very argument about what has happened to drivers who have been driving drug affected.

AAMI also found widespread support for random drug testing of drivers through research conducted as part of its annual crash index. Nationally, AAMI found that 90 per cent of people agreed there should be random drug testing of drivers. An investigation was also undertaken in New South Wales, Western Australia and Victoria of a significant caseload of people killed in road accidents prior to these states introducing this legislation. I alluded to this point a moment ago. Twenty-five per cent had been found to have drugs other than alcohol in their systems, with mainly cannabis and stimulants—for example, methamphetamines—identified in their systems. So Western Australia, Victoria and New South Wales studies of fatal crashes found that 25 per cent of those dead drivers analysed had been drug affected.

On the dubious point raised by the government regarding human rights and harm minimisation, it is just a smokescreen; it is a distraction by this government to get away from their responsibility to behave in a proper and responsible way. The minister says he will not be involved in punishing drug addicts for their addiction, and the *Hansard* reinforces the fact that he actually said this yesterday. This legislation does not punish drug-affected drivers for their addiction; it punishes them for driving while under the influence and placing other drivers at risk. If this is the government's view then the ACT already punishes alcoholics for their addiction without due respect to harm minimisation by conducting random breath testing.

What about the human rights of the innocent driver who may be killed or injured as a result of the impaired driving of a drug-affected driver? Where is their harm minimisation? With respect to the 93 per cent of Canberrans who do not drive while drug affected, what about their right to be safe from drug-affected drivers? If the government's pre-occupation and priority is with the human rights of drug-affected drivers, what about the rights of innocent drivers?

It is such a bunkum argument, and it shows that this government just drag the chain. They are inactive, they are indecisive, they faff around with ideology, they worry about the sorts of things that really are not fundamental when we talk about the safety of our community. The government's first duty of care is to protect all Canberrans and, after they have protected them, to make sure they at least have a chance to be financially secure and comfortable, and can grow in this community. But their first duty of care is to protect them—to protect the ACT community. They are not making a good fist of that, having regard to the attitude expressed in this place yesterday by this hapless minister for municipal services.

This bill brings us into line with every other state in Australia that has already introduced and has been using similar legislation to target drug driving with high levels of success. Tasmania is the latest, with the legislation passed only last week. We are behind the eight-ball in this place. Last year, Western Australia and Queensland joined Victoria and introduced legislation after studies revealed that one in 10 drivers thought it was safer to drive under the influence of drugs rather than alcohol.

State administrations have determined that, because there was no random drug testing, young drivers—and, unfortunately, this shows up in the surveys—were saying: “Well, I’m going to get pinged at an RBT if I drive alcohol affected but I’ll be okay on drugs. There is no deterrence. I run no risk of being caught driving drug affected.” And that is why they have quite responsibly introduced legislation. This government have the same information. They must have made the same logical determinations. If they are into risk analysis, they must have identified these sorts of risks. But, again, they are blindsided by the human rights and harm minimisation agenda.

In Victoria, the rollout of the dual purpose drugs and booze buses in 2006 marked the beginning of increased drug driving enforcement in Victoria. The drugs tested for there are the same drugs we are recommending should be tested for here. So the model that we are introducing here today is based very firmly on the Victorian model. It is the same model that has inspired the legislation in the other three states. So we are not introducing anything here today which has flaws in it. We are introducing a sound model, a model that has been well tested in Victoria and that is well inspired in terms of the take-up in other states.

With respect to ACT data, studies conducted by the University of Canberra in the last few months also indicate that there is overwhelming evidence that many ACT drivers, in fact seven per cent, are driving while under the influence of cannabis, methamphetamines, and ecstasy. Mr Speaker, I commend the bill to the Assembly. *(Time expired.)*

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

Protection of Public Participation Bill 2008

Dr Foskey, pursuant to notice, presented the bill.

Title read by Clerk.

DR FOSKEY (Molonglo) (11.00): I move:

That this bill be agreed to in principle.

I am very pleased to introduce the Protection of Public Participation Bill 2008. I refer to this bill as an example of anti-SLAPP legislation and I will be tabling an explanatory statement at the next sitting. “SLAPP” is shorthand for “strategic law suits against public participation”. These law suits are on the rise in Australia and are intended to silence and intimidate activists, activist organisations, investigative journalists, concerned citizens or any outspoken individual or group on matters of public interest.

As residents will remember, in 2005 I introduced my Court Procedures (Protection of Public Participation) Amendment Bill. The bill was generally welcomed by the government at the time; it offered support for its objectives, but without agreeing to the actual wording or the form of the bill. When my bill was sent off to the legal

affairs committee, I thought it might receive bipartisan support or lead to an understanding of a form of legislation that achieved the same purpose.

Knowing, as I do, that the government do not want to be seen to pass any bills submitted by another party—so they can say that opposition crossbench members achieve nothing—I hoped that we could nonetheless achieve our aim of having the legislation pass, even with the government taking the credit for coming up with its own version of my original bill. At least in this way the rights to freedom of speech or expression contained in the ACT bill of rights would have become more of a reality than the mere shadow of a right that they are at present. The notion of a right that is not enforceable is, as Jeremy Bentham remarked, nonsense upon stilts.

The committee process ran its course. A wealth of evidence was received from numerous experts and a brilliant report was compiled by the committee secretary, Robina Jaffray, with the assistance of Karin MacDonald and me under the guidance of the chair of the legal affairs committee, first Bill Stefaniak and then Zed Seselja. I was very impressed by the Liberal chairs' willingness to be open to the evidence presented and by their ability to get their heads around the nature of the problem and the appropriateness of this particular solution. I hope that they can convince their colleagues that this serves to protect the important freedom of political expression and the integrity of the legal system.

Mr Seselja: We will take a very close look at it.

DR FOSKEY: There is no reason to be afraid. This bill does not protect illegal, violent or intimidatory behaviour and it cannot be used as a defence against any offence.

That is why I was surprised that the government is backtracking on supporting this bill or some other version of the bill that achieves the same aims. I received a letter from the Attorney-General which suggested to me that someone in his department had convinced him not to pursue it. Some of the paragraphs in his letter are identical to the words recorded in *Hansard* as having been used by his departmental officers when giving evidence before the committee. I find it curious that departmental officers appear to be calling the shots and drafting ministerial letters on such important topics. It is important that the electorate can see that the minister has a mind of his own.

As I said, the committee report was finalised in May of last year. It is only now that I have given up waiting for the government to introduce its own bill before the election. The bill I am introducing today is in all material respects a bill that was endorsed by the committee. I believe that it answers all of the concerns raised by the Attorney-General over the course of the hearings and inter-office negotiations that I have had with the Attorney-General and his departmental officers. I believe we have a better bill as a result of the committee process. I cannot see any good reason why it should not be endorsed by everybody in the Assembly who takes the time to read and understand it.

In his letter the Attorney-General referred to the same rights he raised before the committee: “the rights of individuals to protest and the rights of commercial interests

to do their business without improper hindrance”. Commercial interests have a plethora of legal weapons at their disposal, including various torts and trade practices actions. They also have greater access to sympathetic media coverage and tax deductibility for their legal expenses.

The public does not have any legally protected right to protest. People take their chances when they choose to participate in acts of political expression. Since the High Court case of *Theophanous*, the scope of the public’s implied rights of freedom of speech have been steadily curtailed by Howard appointees to the bench. As the scope of freedom of expression shrinks, the power of the gatekeepers of information—the government and the private media—increases proportionally. If the government thinks that the scales are well balanced at the moment, it is deluded.

The Attorney-General’s other stated reason for the government refusing to enact its own anti-SLAPP legislation was that he wanted to wait for COAG to act and see what happened with one particular legal action—the *Gunns* case in Victoria. I am not alone in considering that the *Gunns* case is not really relevant to this debate except to serve as a warning of what might happen here without this legislation. In evidence before the committee, the JACS representatives said:

Given the firm stand taken by the Victorian Supreme Court in the *Gunns* case, it may be appropriate to observe the developments in that action before finalising legislation aimed at discouraging similar actions.

Firm action? Are they serious? This action has dragged on for over three years and not one word of substantive argument has yet been heard. The court has indulged the plaintiffs by allowing them to submit three spurious and patently inadequate statements of claim, and they have not been required to pay the defendants full compensatory costs or damages.

Mr Corbell: Point of order, Mr Speaker: Dr Foskey is referring to a matter that is currently before the courts—and in fact is reflecting on decisions made by the courts in a case that is still active. Whilst I may have some sympathy for her commentary, it is quite improper for her to criticise the courts, particularly in a matter which is still before the court and is yet to be resolved.

MR SPEAKER: Please stop the clock while I consider the matter. I thank members for their forbearance. I am always keen to ensure that there is reasonable debate about matters in this place. However, you will recall that I am also quite cautious about allowing members to comment on matters which are before the courts. I do not have an intricate knowledge of the matter which the Attorney-General refers to, except that I do know that they are civil proceedings. The resolution agreed to by the Assembly on 6 March 2008 draws attention to civil proceedings that are active. I therefore caution against reference to cases which are active before the courts, Dr Foskey.

Mr Corbell: On the point of order, if I may, Mr Speaker—and I thank you for your ruling—Dr Foskey’s specific language was that the court had “indulged” the plaintiffs in “spurious” applications. That is a fairly serious assertion to be made.

MR SPEAKER: I have taken your point, Mr Corbell.

Mr Corbell: I think she should be asked to withdraw those comments.

MR SPEAKER: I think that is a fair call. Would you withdraw those comments?

DR FOSKEY: Mr Speaker, I withdraw the comment that I made before I was stopped.

MR SPEAKER: Proceed.

DR FOSKEY: Of course, I would like to finish talking about it because it is such an interesting example of exactly the kind of action that we are trying to prevent. I do urge members to have a look for themselves and see what is going on down there in the Victorian Supreme Court.

I urge government members to at least insist on a proper briefing as to why they should not be supporting this bill, which seems to fit squarely into Labor policy and principles. Government members should reject out of hand any attempt to use the *Gunns* case as a reason for delaying dealing with the issue. For the benefit of other Labor members I would like to quote from the letter I wrote in response to this proposition:

As you would presumably be aware, there may not be resolution to the *Gunns* case within this decade, let alone this term of Government. You may or may not be aware ... that the substance of the *Gunns* case—

and I take your advice on this—

has changed significantly over the course of the action, with three causes ... being struck out and criticised heavily by the court.

We know that the *Gunns* writs were issued two days before their pulp mill proposal was announced. That was in 2004—clearly not coincidental. It is now 2008 and, as yet, as I said—

MR SPEAKER: Dr Foskey, I have cautioned you about reference to that case—

DR FOSKEY: This is a historical mention. I am not commenting on the case; I am merely giving the historical facts.

MR SPEAKER: and being critical of one side or the other in the case. I would ask you to discontinue that approach.

DR FOSKEY: Right. The *Gunns* case has sounded a warning to other community groups and individuals who might have considered speaking up against proposals similar to the ones that are, I expect, being defended in the courts. That is the nature of SLAPP suits, Mr Speaker: they are about silencing people who would criticise a proposal—who would make the details of a proposal public, as one would assume is their right—and cautioning other people who might have been going to speak out.

In a sense, once a writ has been issued the outcome has been achieved. And in a sense what happens in the courts is not so very material. In such cases, the fact that a small

number of respondents might eventually be found to be liable for tortious wrongs probably will not be remarked upon by the media, because it will have been a long time since the issue made the news and they will have been silenced for that whole period.

I understand that there is nothing in the ACT's legislation which would prevent similar action being launched. I am therefore surprised by the Attorney-General's lack of interest in rectifying what appears to be a glaring deficiency in our legal process. This is based on a letter that I wrote to the Attorney-General some time ago. I would appreciate—I was wanting to know—what the Attorney-General hoped for by waiting for a formal resolution to the more strictly legal component of the Gunns case. However, this morning I received a reply to that request. The speech written for today was going to say that there was no reply as yet, but this morning I received a reply. I am afraid that it just confirms my belief that the bill is not being received in its actuality—perhaps by departmental officers—and that this is the view that is driving the government's response.

Another argument put forward by the Attorney-General as a reason not to support the anti-SLAPP laws was the need to discourage forum shopping. I fail to see how passing laws to discourage the abuse of the ACT's legal system is going to encourage forum shopping. This is an argument that was used against our particular version of the anti-terrorist laws by AFP Commissioner Keelty. It is obvious that closing off one forum will in fact limit the scope for forum shopping. And as, one by one, each jurisdiction brings in its own laws—introduced by the Greens, in all cases—the capacity for forum shopping will become that much less until the remaining forums hurry to prevent their courts being clogged up with unmeritorious legal actions.

Yes, a uniform, nationally based regulatory system would discourage forum shopping. But so would unilateral action. I would have thought that the Labor Party would be keen to enact legislation like this, which also protects trade union activity—particularly legislation that seeks to protect legitimate activities aimed at influencing corporate behaviour, like legal strike action, picketing et cetera, where such actions are not covered by commonwealth industrial relations laws. I understand that this category includes community unionism action such as the FairWear campaign, targeted at abolishing sweatshops; union participation in peace or environmental protests; and unions moving motions at corporate AGMs—perfectly legitimate forms of lobbying, you would think.

In 2005, the Financial Sector Union proposed motions at the Commonwealth Bank's AGM asking for a better deal for its workers. It was promptly sued by the bank. Churlish you might have thought, considering that, according to the FSU's website, their motions received over 40 million affirmative votes. The action was dismissed, but only because the FSU stood firm in opposing it. It was clearly intended to scare them off, divert and waste their resources and send a signal to other unions and community organisations that they would suffer similar treatment if they dared to pursue their agendas using legitimate shareholder voting rights.

In dismissing the action, Justice Madgwick concluded that the shareholder campaign was entirely lawful—nothing more than a species of advocacy using lawful processes.

With all due respect, I would have thought that His Honour was merely stating the obvious. The real questions are these: why was the action not struck out at the first hearing and what is wrong with the legal system that allows such abuses of the legal process to take place?

If laws like the one I am introducing today had been in place, the action would never have been brought. The bank would have known that its action would be summarily dismissed and that it would face punitive damages. It would have confined its statement of claim to grievances that could realistically be characterised as tortious wrongs.

If enacted, the laws that I am proposing today will make SLAPP suits less attractive because, by virtue of the availability of exemplary and punitive damages, a plaintiff bringing an unmeritorious claim for an improper purpose may have their action backfire on them and suffer real financial loss and loss of corporate image. This has been the experience in the US, where, at the end of last year, some 26 states had existing anti-SLAPP laws and another 10 had anti-SLAPP bills on foot.

I cannot understand why the ACT government considers that it is all too hard. If it is beyond the capacity or against the inclinations of the government and the departmental legal policy and drafting experts, we have available a number of bills from one of those other jurisdictions—for instance, California. California has long experience with these kinds of actions and has had robust anti-SLAPP legislation in place for over 15 years. Why doesn't the ACT Labor Party want to protect the rights of unions and other community groups to pursue their causes using legal mechanisms free from the threat of crippling legal actions?

I am sure that the ACTU and all its affiliates will be very unimpressed that the ACT Labor Party opposes and rejects this legislation. The list of legal and civil rights luminaries who have signed a statement supporting this kind of legislation reads like a who's who of Australian human rights advocates. The list is four pages long, so I will not read it out, but I seek leave to table the document?

Leave granted.

DR FOSKEY: I table the following paper:

Public participation law reform—Public interest lawyers' statement in support, dated 10 April 2006.

The list is also contained in the back of the committee report. I urge members to look at it before deciding whether to support or reject the legislation. The statement reads:

As senior lawyers practising, advising and writing in the area of the law of public interest debate, we call on all Australian governments to implement law reform to protect the community's right and ability to participate in public debate and political activity without fear of litigation.

The increasing phenomenon of litigation against community participation in public issues by comment or action has the serious effect of intimidating the community, chilling public debate and silencing voices which should be heard in

a democratic society. In addition these lawsuits against public participation create enormous stress and financial burden for the people and groups who are sued and clog our court systems with arguments which belong in political rather than legal arenas.

Free speech and robust public debate, together with the ability to participate in community and political activity without fear of litigation, are fundamental rights in a democratic society. The increasing and widespread use of defamation law, trade practices laws and economic torts laws against public participation must be wound back. It is no coincidence that societies where these rights of public participation are curtailed have historically been burdened with corruption, inefficiency and often disastrous decision making.

Legislation specifically to protect the community's right to public debate and participation has been introduced in 25 jurisdictions in the United States. We call on Australian governments to introduce similar laws and work together to achieve national or uniform legislation in Australia.

They are not saying, "Don't do anything until COAG comes up with the lowest common denominator model." We do not believe, for instance, that the Tasmanian Labor government is likely to support a model law that will curtail the ability of the forest industry to use the court system—or misuse the court system—to attack its opponents.

It is not good enough for the ACT government to say that it is waiting for COAG to come up with something. At the moment I have the ability to speak here, but people outside this place do not have the same ability to speak. COAG might take decades; the Stanhope government was not too scared to implement its own Human Rights Act so it should not be too scared to give that act some more substance by ensuring that the right of free speech receives at least some meagre protection.

I am the first to admit that in this bill the right of public participation is a watered-down version of what I believe any functional and self-respecting democracy requires and deserves. But I accept that achieving small incremental changes is more affordable than trying to get where we should be overnight.

Another argument put forward in opposition is that courts already have strike-out powers so the bill is unnecessary. I am running out of time, so I will have to save this until the substantive debate.

I urge all members of the government and the opposition to have a really good look at this legislation. I understand that it has been through a very thorough analysis by the legal affairs committee and that it is groundbreaking legislation which complements our Human Rights Act.

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

Personal explanation

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services): I seek your leave to make a personal explanation under standing order 46.

MR SPEAKER: Mr Corbell.

MR CORBELL: Thank you, Mr Speaker. In her comments on introducing her bill this morning, Dr Foskey asserted that the government has decided not to support her legislation.

MR SPEAKER: Mr Corbell, if it is in relation to a personal matter, that is fine.

MR CORBELL: Indeed. I simply wish to place on the record, so that members can properly have regard to her comments, the letter that I sent Dr Foskey yesterday, which outlines that the government is yet to conclude its position on this legislation and that I am very willing to discuss the matter further with Dr Foskey once the government's response to the committee's report has been presented. I table the following correspondence:

Court Procedures (Protection of Public Participation) Amendment Bill 2005—
Government response to report of the Standing Committee on Legal Affairs—
Copy of letter to Dr Foskey from Mr Corbell, dated 8 April 2008.

Youth Week

MS PORTER (Ginninderra) (11.25): I move:

That this Assembly:

(1) notes:

- (a) that Youth Week is being celebrated in the ACT and nationally from 5 to 13 April 2008, with the theme "Shout, Share, Live, Unite";
- (b) that Youth Week was launched by the Youth InterACT Conference on 4 April, a conference organised by young people for young people;
- (c) the Youth Coalition has organised a suite of events for the week, utilising funding from the ACT and federal governments;
- (d) the ACT government is committed to engaging with young people in the ACT, through consultative mechanisms under the Youth InterACT participation initiative including Canberra Young Citizen of the Year, the Youth Advisory Council and a range of grants and scholarships; and
- (e) the ACT government has developed a range of new policy initiatives and services for young people, including:
 - (i) a youth mental health, step up step down facility;
 - (ii) a new Children and Young People Bill;
 - (iii) a new youth justice facility, Bimberi, with a focus on rehabilitation and human rights;

- (iv) expansion of Junction Youth Health Service;
- (v) producing a new version of the “When can I?” publication; and
- (vi) actioning recommendations from the 2007 Youth InterACT conference; and

(2) congratulates the federal government on establishing a Minister for Youth.

Mr Speaker, this government is committed to improving services and implementing initiatives for young people across the Canberra community. In the midst of Youth Week it is timely to reflect on the services and initiatives this government has implemented to benefit not just the young but all residents of the ACT. This government has sought to ensure there are a wide range of resources and programs allocated for young people throughout the ACT. The government has done this through a number of funded programs and through its own service delivery.

National Youth Week is funded by the ACT government in partnership with the commonwealth Department of Families, Housing and Community Services and Indigenous Affairs. Unique to the ACT, National Youth Week is coordinated in partnership between the Department of Disability, Housing and Community Services and the Youth Coalition of the ACT. Ms Simone Mooketsi is the ACT young member of the National Youth Week planning group, and she assisted in the planning and coordination of Youth Week here in the ACT.

National Youth Week provides young people with a week of events to highlight the contribution that they make in the community. More than 40 events are held across the ACT, offering a range of different opportunities to get involved. These are excellent events and a credit to all involved, particularly the Youth Coalition and the young people who put it together. It is a pity I do not have time to list them all now.

National Youth Week was launched by the minister at the Youth InterACT Conference, which was hosted by the ACT government’s Youth Advisory Council on the fourth of this month, and it runs from 5 to 13 April. However, Mr Speaker, obviously the ACT government’s commitment to young people does not stop here. In January 2007, the government, through the ACT Legal Aid Office, launched *When can I*, a legal guide for young people. *When can I* covers a wide range of topics, including school, employment, housing, Centrelink payments, health and mental health, sex and relationships, parenting, family separation, safety, the Children’s Court, alcohol and drugs, cars and driving, purchasing, money and debt, human rights and discrimination.

The *When can I* guide has an important role in informing young people how they can identify and deal with legal problems. The guide is written for young people aged between 12 and 25 and outlines their legal rights and responsibilities and where they can go for further legal information and assistance, and it is distributed free to youth centres, high schools and community organisations in the ACT.

In the 2007-08 budget the government committed \$1.9 million to enhance youth health services in Belconnen, Gungahlin and Tuggeranong. This will provide for a

program that seeks to further promote the integration of youth health services with mainstream services. This would enable service providers to proactively identify and better support marginalised young people in these regions and to facilitate their access to mainstream and specialist health services. The enhanced service will see the establishment of an innovative, effective and holistic youth health service underpinned by youth participation which supports them with their complex needs, such as mental health, alcohol and other drugs and co-morbidity issues.

Additionally, in the same budget, the government committed \$5.3 million to the youth services program, which funds organisations to provide services to at-risk young people aged between 12 and 25. Other services funded under this program include youth centres, guides, scouts and the PCYC, and they will receive ongoing funding until 2010.

In 2008 there has already been and will be significant achievements across the ACT community for young people. This includes the implementation of the new every chance to learn curriculum framework within the Department of Education that I mentioned last week. As I said, this framework provides government and non-government schools in the ACT with a strong foundation on which to develop comprehensive, balanced and forward-looking curriculums for all students from preschool to year 10.

There has also been a major reform in the area of mental health for young people with the opening of the new step-up, step-down mental health service, also known as the steps program. I am particularly pleased about this initiative because, as the deputy chair of the Standing Committee on Health and Disability, I initiated the inquiry into appropriate housing for people with a mental illness which resulted in many excellent recommendations, the step-up, step-down facility being one such recommendation.

It was also pleasing to see the 2006 Senate inquiry into mental health unanimously recommend that state and territory governments establish step-up, step-down facilities. The ACT is the first jurisdiction to introduce a type of facility such as this for young people. The step-up, step-down model provides an early alternative to acute admission and ensures young people with mental illness have access to early intervention and more options for support. The new service funded by the ACT government will ensure that mental health consumers will have improved mental health outcomes and opportunities to increase their knowledge, skills and confidence to manage future crises.

The ACT government has provided \$730,000 per annum as well as additional clinical support for Mental Health ACT. This will provide for up to five young people aged 14 to 18 at any time to be admitted to the step-up, step-down facility as an alternative to acute admission. Centacare operates the facility on a 24-hour, seven-day-a-week basis, and Mental Health ACT provides 40 hours a week clinical presence at the facility.

Additionally, Narrabundah House provides culturally appropriate supported accommodation to young Aboriginal people who may have nowhere else to go and supports them in accessing local Aboriginal services. For example, Narrabundah House took residents on a school cultural camp to Dubbo in 2007. They attended an

Aboriginal knock-out carnival and visited cultural sites, connecting them with other Aboriginal young people from different communities. A young person residing at Narrabundah House was encouraged to enter his design in a competition to choose a logo for the ACT youth forums held last year. The design won, and he received recognition and a prize for his work, which was a very positive experience, I would imagine. These are just some of the examples of the many services the ACT government provides and funds to support young people in the community.

The government has also worked tirelessly on the Children and Young People Bill 2008, which will implement significant reforms to laws relating to young people. The new act will positively impact upon their daily lives through changes to employment, care and protection and criminal justice laws. Some key changes include enhanced mechanisms for participation of young people in decisions which affect their lives, improved support stability for young people in out-of-home-care, and the introduction of minimum standards for young people in detention.

Towards the end of 2008 the new youth detention centre, Bimberi, will open. Bimberi Youth Justice Centre is named after the highest peak in the ACT in recognition of the aspirational values informing its development. Bimberi is expected to be the first human-rights compliant facility of its type in Australia. The design of the centre integrates sustainable design and initiatives to provide enhanced amenities for young people whilst minimising environmental impacts and reducing energy consumption.

Central to the development of the youth justice centre are the following: encouraging children and young people to be accountable for offending behaviour whilst providing a supportive and understanding environment; providing supervision targeted at the needs of each child and young person; actively involving children and young people in innovative strength-based case management; and advocating for children and young people within the justice system.

The centre's aim is to reduce the likelihood of reoffending through the provision of a range of therapeutic interventions and by sourcing vocational and educational opportunities for the young people. Importantly, the centre will continue to promote consistent and culturally sensitive service delivery and at all times operate in an accountable and transparent manner.

The education and training of young people in detention is a critical issue in relation to their life chances, including whether or not the young person reoffends. Reoffending is less likely when a young person is engaged in education, training and employment during and after detention. Therefore, it is important to reconnect young people with mainstream education and training or employment immediately on discharge from detention. I will have more to say about the subject of youth justice when I table the report on the inquiry into restorative justice principles as the chair of the Standing Committee on Education, Training and Young People.

I would like to acknowledge the Australian government's commitment to young people by the appointment of the federal Minister for Youth, the Hon Kate Ellis MP. The Hon Kate Ellis has made a commitment to ensure that youth throughout Australia have a real voice in the policies and programs that affect them. The Australian

government is actively working towards establishing an Australian youth forum. The forum will serve as a formal communication channel between the Australian government and young people, youth policy specialists and the youth sector.

It will ensure that young people have a framework for putting forward their ideas and concerns directly to the Australian government. As the ACT government already has consultation mechanisms in place through Youth InterACT, including the Youth Advisory Council and the Youth InterACT consultation registrar, I understand that the federal government has written to the ACT government asking for input into the establishment of the youth forum.

Another new Australian government initiative is the 2020 Youth Summit to be held in Canberra this coming weekend. The 2020 Youth Summit will bring together 100 young people from around Australia to discuss the critical areas on the agenda for the Australian 2020 Summit as well as provide options for establishment of an ongoing Australian youth forum.

I would like to acknowledge the work of all members of the Assembly, relevant ACT government departments, the Australian government and many community agencies for their ongoing commitment to the young people of Canberra and Australia, and I would especially like to thank those that are involved in the presentation of Youth Week. I would encourage all members to try and get along to some of the events during Youth Week if they possibly can.

MR SESELJA (Molonglo—Leader of the Opposition) (11.38): I thank Ms Porter for bringing this motion forward. I think it is important that we talk about National Youth Week; I think it is important that we talk about services for our younger people in the ACT and how we can do them better and how we can encourage the various groups in our community that provide these services. I think events such as National Youth Week are important, and the work performed by various youth workers both in the government and non-government sector is crucially important.

If you look at the list the government has of supported accommodation services for young people and all the various youth groups, it is fair to say that many of the issues that are dealt with by youth organisations are often in response to a breakdown of some sorts, and most often in response to family difficulties. We know that young people are best served when they have a strong family structure to support them, but, alas, we know that for many this is not the case.

It is also true that governments cannot make families function. They cannot stand in the shoes—although there are often attempts to—of mothers and fathers in providing the family structure and the love and support that young people need as they are growing up. On the flip side, of course, it is true that all government policies do, in one way or another, affect families. Some will affect, either positively or negatively, the ability of families to function well.

I certainly hope that we do not see a repeat—and I have not heard any reports of a repeat—of what we saw last year, which was a blatant politicisation of the youth week event, which was disappointing. Youth week should be beyond partisan politics. I do

not think it should be an opportunity to promote a particular political ideology or a particular side of politics. Unfortunately, to the ACT government's great shame, it allowed that to happen last year in quite a blatant way during youth week with the youth week packs including blatant political propaganda. I am certainly hopeful that that was a once off and that the shame of that will be put behind this government. Perhaps they will wait until the next federal election year before they again start to ramp up the political propaganda as part of youth week.

I wanted to talk about a few important organisations that service youth and about some of the important services that they provide. Some of these I have had various levels of contact with over the past few years, and I just wanted to talk a little bit about some of the work that they do. Firstly, I refer to the Gungahlin youth centre. I have certainly had a lot of contact with that centre over the last few years, and I think a lot of the work that is performed there is outstanding. The range of activities and services that are provided to young people in Gungahlin at the centre are fantastic.

A while ago I attended the block party that was held at the centre, and it certainly was a great event that was very well attended. There would have been in excess of 100 people there, I am sure, at the time when I was there. There were all sorts of activities, including dance and face painting and all sorts of other activities which young people in Gungahlin clearly responded to very well. The staff at the Gungahlin youth centre deserve a plug for the ongoing work that they do for our young people, particularly for the young people in our biggest growth area of Gungahlin.

The Create Foundation is another one that I wanted to briefly talk about. It provides support to children and young people who have been removed from their parents and placed in out-of-home-care into foster care, residential care or kinship care as a result of abuse or neglect. These are some of the most vulnerable segments of our community, and the work that the foundation does in providing support to these young people is very important. I have had the opportunity to address a group of young people serviced by the Create Foundation, and it was quite an amazing experience to talk with them and to hear from them about their experiences. I am certainly hopeful that whatever small input I had into that group was useful, but they play a really important role.

The foundation has evolved from a small, volunteer-driven organisation to a national, professionally staffed organisation. I understand at the moment there is still just the one full-time employee here in the ACT, and that does provide resourcing constraints. Nonetheless, the Create Foundation provides an amazing service, and it focuses, in particular, on connecting children and young people to each other and empowering and resourcing children and young people in care, as well as changing the care system from the inside out through the participation of children and young people themselves. I would like to give a plug to them.

I will talk about a couple of other organisations, but I think when we talk about youth week and youth services, whilst government has a really important role to play in providing services, in funding certain services and supporting some of these groups, often the best work is done by the community organisations themselves—the volunteer organisations, the professional organisations—who are passionately

committed to providing services to young people. That should be remembered in any our discussions that we have.

Galilee is another one that I wanted to highlight. That is a group of people committed to providing specialised care for young people in need. It is a non-denominational Christian organisation which has been operating in the ACT since 1986, and it emphasises the value and self-worth of every individual. It provides a range of services in education, skills development, training, transport and supervision in foster care. The Galilee day program is an alternative education program for young people aged 12 to 16 who are family services clients and are currently not attending school.

Galilee also runs a school with alternative education for disadvantaged young people aged 12 to 18 who are not family services clients, and there are a number of other projects: the lift project, and the living skills for teenagers project focuses on life skills, peer education, free vocational training and personal development for young homeless people aged 14 to 21 years. They also have in foster care the family placement scheme, which is devoted to achieving positive outcomes for children who are unable to continue living with their birth family. The FPS is constantly seeking new foster carers to meet the demand. FPS staff work closely with foster carers providing support, training, guidance and financial reimbursement.

Galilee is another of the organisations that really does do some fantastic work. It has been with us for a long time. We have seen some really positive outcomes out of Galilee, and it was pleasing to see that recently we saw the Australian government provide funding of \$475,000 for rebuilding through DEST and the ACT block grant authority, and I also understand that the CFMEU is contributing \$50,000 a year to sponsor a teaching position. The CFMEU began its sponsorship at the start of 2006 and aims to continue sponsorship for the next two school years. Galilee is another organisation that has a lot of community support. It is doing some great work in the community to assist young people.

Going back to my earlier points, these organisations are often picking up the pieces. They are picking up the pieces where this is family breakdown, where children and young people are not getting the kind of support that they need that is normally provided in the family structure. The work they do is crucial to helping some of these kids have the kind of life outcomes that we would hope for all of our kids. We know that the early years are so important to how people grow up and to what kind of adults we have in our community. Where families break down, it is so important that these organisations are able to come in and make a difference so we do not see some of the terrible outcomes that unfortunately do come as a result of some of these circumstances.

Another organisation that is dear to my heart is Menslink. It is an organisation that I have had some involvement with over a number of years. I have no formal involvement currently, but in the past I have acted as a mentor in Menslink. The idea in Menslink is the importance of mentoring, the importance of role models for younger men—for young teenage boys, in particular—who most often have some sort of family difficulties. What Menslink aims to provide through mentoring is that young men can actually see a different path; that they can actually be supported in who they

are in growing into responsible young adults. Mentoring has been a time-honoured way of helping young people to develop. I commend Menslink for the work that it does and continues to do.

The workers in Menslink are absolutely passionately committed to supporting young men, to mentoring young men and to improving the outcomes for young men. When we look at issues particular to young boys, we know that there are higher rates of youth suicide amongst young men and worse educational outcomes in some sectors. We also know about things like deaths on our roads where young men are over-represented. Menslink aims to really get behind some of these young men so that we do not see the kind of outcomes that unfortunately are a reality in our community.

The other organisation that supports young people that I want to pay tribute to is Karinya House, which performs a really important role in support accommodation and care for pregnant or parenting young people. It is a very practical response and support to young women who find themselves pregnant. Those of us who are parents know all the difficulties that are associated with having children, but, for most of us who have that family support, that is what we rely on so much. Karinya House provides the support where families are not able to provide that support. I pay tribute to work that they do in supporting young women and in giving them better outcomes for both them and their children.

Mr Speaker, I conclude and thank Ms Porter, again, for bringing forward this motion. It is an important discussion. When we talk about youth services and our young people, it is important that we broaden the discussion not just to what government does but also to what government can facilitate or support in various ways. There are countless organisations in our community that are committed to supporting young people in various ways. I have highlighted the work of just a few of them, and I pay tribute to the work that they do. I once again thank Ms Porter for the motion and encourage the government to continue to get behind these organisations so that we do see better outcomes for our young people into the future.

DR FOSKEY (Molonglo) (11.51): I too would like to thank Ms Porter for moving this motion. I really appreciate the opportunity to stand here today and talk about what young people are doing for themselves and what we can do to assist them to do things for themselves. There is absolutely no doubt that young people have got fantastic ideas. They know what they want to do. They also have the ability to organise things, but very frequently they need more resources in order to do it. That is what I celebrate about this motion: it indicates the government is behind young people and their activities and I want to see that carried through in everything it does—not just in Youth Week but in every service that impacts upon young people.

Before I consider the government initiatives and the work that is yet to be done, I, like Mr Seselja, want to pay tribute to all the community organisations who work with children and young people. Some of these groups do not have young people specifically in their title because, of course, young people are part of every group. I am thinking of organisations that are specifically for young people like the scouts and the guides, who do incredible work in maintaining a healthy lifestyle, taking kids outdoors for activities where they are safe. I always really enjoy going to events that

the scouts organise, because they are keeping alive a kind of youth culture that is harder and harder to find in an increasingly consumerised world where young people are seen more as consumers than as actors in their own fate.

I also want to pay tribute to all the foster parents and all the organisations who work with our kids who are at risk—kids who are in child protection or young people who are being supported while in their families—to the youth refuges, to the youth centres and, of course, to the youth coalition, which represents those interests as a peak body in the ACT. The work of these people is often unrelenting and unrewarded, so let us pay tribute to them in Youth Week—not to mention the teachers, the childcare workers and the church organisations that also play a major part in providing activities to young people. Youth Week has been national since 2000.

The main thing to realise is that most of these events have been organised by young people themselves. So congratulations to them on that. I just hope that the events are being as well attended as was the Youth InterACT Conference, which I went to briefly on Friday morning. I know Ms Porter and Ms Gallagher were there. There were such a large number of young people there. My daughter attended one of those conferences about eight years ago, and the numbers have certainly increased enormously. So that was a pretty good beginning, I thought, to Youth Week. I will be very interested to see the report that comes out of that conference and how much it informs what the government does with its policies, how it agrees with the issues that are raised and how it addresses them.

The Youth Advisory Council has been revamped and I would like to acknowledge the work that it did in organising the InterACT Conference. I am hoping, too, that Ms Gallagher feels that she has a more representative organisation there and that she can feel more confidence that the advice it gives does represent the gamut of young people, because I believe that was her concern before it was re-looked at, with new appointments made.

On Friday there will be the Canberra young citizen of the year awards. It will be interesting to see who is recognised in our community. I hope it will give an incentive for our young people to get out there and put their hands up. It is not always easy to do this when you are a young person and are more worried about what your peers think than anything else, so, when people do put their hands up and do things, that needs to be rewarded. I will be very interested to see what the grants and scholarships that Ms Porter mentioned in her motion might actually boil down to.

The ACT government has a pretty good consultative process with young people, but what we find is that the consultation on issues concerning children and young people differs depending on the issue and which area of government you are dealing with. The Minister for Children and Young People may have an excellent consultative process for young people but, because the work of every department impacts on young people, we would like to see that filtering through into every department. For instance, the way municipal services are delivered impacts on young people. The way the bus network is set up impacts on young people. We need to make sure that all those processes have a way of including young people—that there is consultation in the first place, because we have lost that in some instances, and second, that a particular feature is made of involving young people.

I congratulate the government on the mental health step-up, step-down facility, on the new youth justice facility and on the expansion of the Junction Youth Health Service. We know that mental health and youth justice are key and complex issues and require careful and considered responses. I know that the step up, step down facility was subject to a lot of community concern, but it has been positively welcomed by pretty much most of the groups.

We were concerned after the 2006 budget about the impact it might have had on homelessness services. Homelessness for young people is again being raised as a big issue in the ACT, as elsewhere, and we know that, if housing is not affordable, young people will feel that most. Young students coming from elsewhere and trying to find accommodation in the ACT are having really huge problems that have not yet been overcome. There are certain areas that we do not really see as young people's issues, but young people are particularly impacted by them.

Another concern has been the inadequacy, at this point, of services to deal with dual diagnosis. We know that, despite the government's steps towards improving dual diagnosis in the ACT and even with extra funding, more is still required. It is a growing problem, along with the need for other drug and alcohol services. We need a more coordinated response. Again, we need to have various agencies involved—not just health—in these issues, because it impacts on housing and a lot of other issues.

Education, of course, is important. We need to understand that every change we make to the education system affects young people and especially affects those young people who belong to families that do not have a choice, that rely very much upon the public system to be excellent and to provide them with all that they need. Apart from education, we need more counselling in schools. We know that is an issue. I know the government has tried to put more resources into counselling but, in this increasingly complex society, the problems for young people increase too.

There is one group therapeutic program, run by Marymead, in some Canberra schools. It is commonwealth funded and works with children on the cusp of suspension. I would really like to see that program stretched across the system, because it is a six-week program that creates lasting improvement in the classroom behaviour of the participants. We know that suspension is a problem. Some organisations have asked me for in-school suspensions to be made first off, because what happens when you suspend a child or expel a child is that they are out on the streets—their homes do not offer havens in many cases—and we are doubling the risk that those children face.

There are a lot of issues around if we are going to really show that we are committed to young people, and it is a whole-of-government thing. We know that a city that is kind to young people and child friendly is also good for elderly people and other people as well. I really commend the UNICEF child friendly cities program, and I ask our planners, our educators, all our services providers, and municipal services, to put children at the heart of their policies.

MRS BURKE (Molonglo) (12.01): I too thank Ms Porter for putting this motion on the paper today. Mr Seselja mentioned at least one of the groups that I think we need

to give a hooray for the day to in this motion, and that is Galilee. Being a member of the Rotary Club of Canberra Sunrise, I remember many years ago being able to introduce Canberra Rotary Sunrise to Galilee and, through that, we have a longstanding involvement to give it support in various ways. It is a good organisation and it is certainly working for young people.

Another organisation I would like to mention is the Parkway Church, of which I am a member. There are two wonderful community programs that come out of that through the Parkway Arts. I congratulate the ACT government, and in particular the Chief Minister, on their assistance in the \$100,000 grant that the Kulture Break dance group was awarded. What is Kulture Break? It is a creative arts program with a community focus. I do not know if you are into hip-hop, Mr Speaker; I do not know a lot about it but I like to watch it. The program promotes a safe, positive and friendly environment and allows youth in our community to learn an enjoyable and popular skill in dance. That is a really worthwhile thing because it also promotes healthy living and positive values and is 100 per cent drug free. So I commend the government for their involvement in that. That service is provided to around 200 or more young people. I think that every year they have an event and that this year as well as last year there were over 1,000 young people. I know many members here attended that event.

It is something that is really good and positive for our young people, as is another program talked about, CircXtreme. This is also a recreation activity for children and teens, providing a fun way to develop good coordination, performance and social skills. It teaches things like juggling and circus skills through to fire spinning, acrobatics and aerial. This is another great program that is offered to the broader community and it is offered in a safe environment. It exists to challenge children with active minds and bodies to set and achieve their own goals, while guiding and encouraging their development in the areas of coordination, self-esteem—really, really important in this day and age—and spiritual and social awareness, in a physically and emotionally safe and caring Christian environment. So well done to those organisations.

One thing we could do for the youth of our city would be to highlight and make our community more aware of the horror and tragedies of eating disorders such as bulimia and anorexia nervosa and eating disorders not otherwise specified. I note that there has been quite a bit of media activity about this. I have certainly been involved, having watched my own daughter suffer with anorexia and bulimia for many years. It is something that is very close to my heart and, practically, she is trying to do her best to help people in the community. I have written to many people to try to help raise awareness.

There is no particular support group at the moment, although, having run a forum back in February, where we had between 30 and 40 people at any one time, obviously there is a need for that. We now have an eating disorders mailing list where we keep each other informed of what is going on and where we are taking it to. I have written to Minister Gallagher and I thank her very much for her letter and the fact that she has, with other correspondence she received, forwarded the letter to relevant officers within ACT Health for their information. I am really pleased with the government's response.

There is a government program, but I have to say that this disorder does not suit a one-size-fits-all approach. The disorder needs to be talked about this week during Youth Week, and today I will be honoured to be one of the guest speakers at the launch of an art exhibition by sufferers, promoting awareness of the experience of eating disorders and body image issues. I am concerned that we may not be doing enough. We are doing some good things but I do not know that it is actually enough. We know that the mortality rate for anorexia is five times that of the general population of the same age, with death from natural causes being four times greater and deaths from unnatural causes 11 times greater and that anorexia is the most fatal of all psychiatric illnesses. Mortality rates after 20 years of age range from 15 to 20 per cent. The mortality rate for bulimia nervosa is estimated to be 19 per cent. And it is worth noting that, after obesity and asthma, anorexia is the most common disease in females aged 15 to 24.

It really is important that we keep talking about it, that we keep hearing from people. Young sufferers have talked to me and it seems there is a lot of misunderstanding in the community. As one of these young ladies is reported as saying:

“Some people think it is a whole bunch of middle-class rich girls in high school who want to be thin and look like tabloid magazines and that is not true,” she said.

“It affects a lot of people. It affects girls, it affects young boys, it affects people after they are teenagers, and a lot of people do die from it, but a lot of people seem to flip it off and think they will get over it.

“I know I copped a lot of flak at school.

She mentions young males. The disorder predominantly affects young women, but in 2006-07 in the ACT 18 people, including two men, were admitted to the anorexia day program, with an average stay of 11.3 weeks. In the same period, 37 people were treated for bulimia, binge eating and unspecified eating disorders. So it is one of those quiet, unspoken things at the moment. There is shame associated with it; people feel ashamed to talk about it, which is very sad. Another young lady sufferer said:

“People have always told me they knew I was in trouble from the minute my eyes clouded over. They were like, ‘Noelle is not there any more.’ And it is true, at my treatment centre if you look at some of the really, really sick clients their eyes are clouded and they are not looking at you clearly, they are not in their head—it is probably because at the moment their head is too difficult a place to be.”

Words like this seem hard for some of us to comprehend. They talk a lot about head space. It is so difficult to imagine. When my daughter had the problem, back then we thought she was just rebelling, she was just trying to get attention, she was just being naughty or something. But it really is not that; it is something that we do not understand and that we need to understand a lot more about. Another lady said:

A lot of people when they found out I had an eating disorder would say things like ‘She doesn’t really have an eating disorder—she is just doing it for attention’

or, ‘She doesn’t look like she has an eating disorder’ and it wasn’t until I lost a significant amount of weight that people actually believed me,” she said.

It is a fallacy, this weight thing that people see. I have seen girls of all sizes and shapes with eating disorders. They are not necessarily skinny and thin. People with eating disorders can be well built, well framed. So I think there is a lot more that we need to talk about, a lot more that we need to know and understand. The *Canberra Times* article of 6 April quoted one of the young girls as saying:

“For a city this size that has so many people with eating disorders and so many people at Canberra Hospital with eating disorders all the time, we really don’t have the treatment for it.

So anything that the government can do, anything that the minister can do, to investigate further options, to save us from having to send people to the closest specialist eating disorders clinic, which is in Sydney, would be a real positive. As members will be well aware, I have sent a copy of the Worldwide Charter for Action on Eating Disorders to the federal health minister and also to Jeff Kennett at beyondblue. So I am trying my best to do what I can to help and I know that the ACT government are doing and will continue to do, I am sure, all they can.

The more that we talk about it, the more we are able to address the problem. So I want to encourage people to attend the event today called Scaling the Heights to Freedom, which is an exhibition of messages painted by sufferers. Many of you would have seen it in the *Canberra Times*. They have been painted onto weighing scales and it is about hope and finding a way out of a bleak and difficult mental condition. That is a National Youth Week project being held today between 1.00 pm and 3.00 pm in Civic Square. It will move on 11 April to the University of Canberra campus from 9.00 am until 12 noon and then to Woden Square from 2.00 pm to 5.00 pm, and on 17 April to Youth in the City from 2.00 pm to 5.00 pm.

I thank members very much for their continued attention. I thank Ms Porter for her motion today and for the focus that we have placed on our young people. They are our future.

MS GALLAGHER (Molonglo—Minister for Health, Minister for Children and Young People, Minister for Disability and Community Services, Minister for Women) (12.11): I also thank Ms Porter for moving the motion today, as it gives all in the Assembly the opportunity to talk about young people and, more broadly, to talk about Youth Week. There is a whole list of events that are going on through the city this week. They tie into Youth Week nationally, and here in the ACT we have had a lot of input from our Youth Advisory Council and also from the Youth Coalition of the ACT, who have responsibility to run many of the events of Youth Week. One of their key events is the Youth Expo, which is held in Garema Place, usually on the first Friday of Youth Week. I understand it was a big success last week.

I will take the opportunity to thank and acknowledge the efforts of the Youth Advisory Council. I have spent the last year reforming that council and trying to ensure that we have on it representation from a broad range of young Canberrans who also feel that they have real influence when it comes to government decision

making and taking part in discussions about youth issues around the city. I think we have got it right. We have got fantastic co-chairs in Kristy and Reece, who are managing the youth council. It is the first time we have had co-chairs, but it appears to be working.

We have got some very young people on the council—I think as young as 12—and we have got a young person with a disability. We have got a young Aboriginal man on the council now. We have got a good gender balance—a range of very excited and interested young people. When you attend one of the Youth Advisory Council meetings you do get the sense that we will all be in good hands when that generation takes over from us in years to come.

The Youth Advisory Council organised the youth interACT conference this year, which Ms Porter, Dr Foskey and I attended last Friday. It was a fantastic opening of the conference. There were over 200 people there, I believe. It was over at the Ainslie Arts Centre, and it was packed. They had some great games for us all to play, including blowing up balloons and writing on toilet paper. It was a great way of getting everyone involved in what the whole conference was about, which was to generate ideas—it was actually called *Generate 08*—and take part in decisions that affect young people in the city.

The Youth Advisory Council provides advice to me on a range of matters relating to young people in the ACT. They will provide me with feedback and a report on the youth interACT conference. They provided me with that report last year and we took their advice and actually made some changes based on that advice. That advice dealt with safety in the city and improving public transport and also about facilities and recreation, particularly recreational facilities for young people. Again, we will be holding a recreational summit to look at how we can better meet the needs of young people in the ACT.

I have referred Mrs Burke's tattooing and body piercing bill to the Youth Advisory Council for their advice to me before the government makes a decision on our position. I have also referred the extending the school leaving age proposal to the Youth Advisory Council because it is important that we actually take seriously the views of young people. That is what the council is for, and I look forward to their advice on both of those areas.

The show bags this year did not cause any political outrage, I do not think. I had a quick look in them but they did not have any outrageous union material such as that which caused discomfort for Mr Seselja last year. The outrageous "your rights at work" badges, I think, or stickers, were not in there this year. Maybe that is because they made the impact they wanted last year; they got the result they wanted last year.

I think the broader issue here about dictating what young people put in that material was significant, and it is a matter that I raised with the Youth Advisory Council post Mr Seselja's concerns around the "your rights at work" material appearing in that show bag. So I went back and asked them why they decided to put it in there. They were pretty clear that they felt rights at work was a matter of significant interest for young people post Work Choices and they had arranged for a wide variety of speakers

to come and talk to young people about a whole range of matters at the youth conference, one of which was “your rights at work”. Presenters at the conference, as part of presenting their workshops, were allowed to provide some of their material in the show bags. So it was nothing more than that. But I looked through and it was replicated this year. There was material in the show bags from those who were hosting some of the workshops.

I think Mr Seselja has got to lighten up a bit on that. I am not sure, but I am pretty sure he is the shadow minister for youth. I think he has just got to lighten up. When you are dealing with young people, they quite often want to raise things that maybe older people feel uncomfortable about. But, really, the whole point about youth interACT and consulting with young people and the whole design of the youth conference is that young people actually design it for themselves. I do not dictate what they are allowed to talk about, and that really has allowed the conference to grow to what it is today—a conference attended by over 200 young people who genuinely think they can come and participate in free discussion.

So it is a very important principle that I hope that future governments will keep—that whatever form the Youth Advisory Council takes politicians will stay out of it, as much as we can, and allow young people, as much as they can, to determine the format of events such as the youth interACT conference and that, provided it is legal and not offensive, they are allowed to have discussions on things that might cause politicians some discomfort. I hope that other governments in here in years to come will think about that and see the worth in taking that position.

Ms Porter’s motion deals with a whole range of new services that we have provided. I think the youth mental health step-up, step-down facility is a fantastic initiative. It is the first of its kind and we are funding it here in the ACT. There are adult step-up, step-down facilities around the country, but there is not a young person’s one. It is managed by the non-government sector. It is early days, but we will keep an eye on how that goes. We will be talking to the non-government sector about whether that is meeting the needs of young people. We will, of course, be moving to the adult step-up, step-down facility as well.

I have been on a tour of Bimberi recently. It is a fantastic facility. I am not sure the young people who are going to live there will think it is that fantastic. They will think it is much better than Quamby, but they are certainly detained there against their will. But for people who will live there and for the staff who will support those young people there, it is a whole new world from the current youth justice facility. It is a fantastic initiative. It has been a long time coming, but we are almost there. We are looking to have Bimberi certainly operational in the second half of this year, with decommissioning of Quamby to occur at the same time.

So there are some big projects underway for the young people in the ACT. I look forward certainly to seeing Bimberi come to conclusion and become operational. I think that for the young people that we are trying to support and rehabilitate there, this will offer a whole new level of service, not just from the youth justice point of view, but from health and education being involved and from the facilities that we will be able to provide to the young people out there.

I thank Ms Porter for bringing the motion. I think it has given all Assembly members who wanted to talk the opportunity to raise issues of their own interest in relation to Youth Week, and that is certainly an important part of the Assembly's role.

MR GENTLEMAN (Brindabella) (12.20): I would like to thank Ms Porter for bringing this motion to the Assembly as well. I want to add to the debate and touch on a program that is being run at the moment by Multicultural Youth Services. They have got a photo exhibition happening now on the top floor of the Civic library for the people involved within the service and the people that they have been helping, who are younger Australians that have come from other countries. They have been helping them get to know Canberra and how to get about in the ACT.

This photo exhibition will be there for a few days and it is worth while having a look at. The aim of the exhibition is to talk mainly about friendships—how these young people have got together and made friendships within the ACT. They have also got a video running over there, too, which goes back to the Multicultural Festival in 2006 and shows these young people interacting together with the Multicultural Youth Services group. I just wanted to touch on that and ask members, if they have an opportunity, to get over and have a look at that exhibition.

MS PORTER (Ginninderra) (12.21), in reply: I would like to thank all members for their contributions to the debate and for further highlighting the many services that the ACT government provides which are also provided by young people themselves and by non-government youth services and other non-government services. As a government we must always be aware that, whilst the majority of our young people are happy and achieving, there are some young people in our society that need our support and need targeted services to meet their needs.

Our young people are resilient and many young people volunteer regularly, not only to help to provide support for their peers but also to provide services to all sectors of our community. I note, for instance, a number of young people that regularly turn up at the tree planting events run by Greening Australia, and I note, too, the young people that participate in the arts and amateur theatre in this town, adding richly to the cultural life of our city.

But it is not just by those two examples, of course. It is through all those examples that we have heard about here this morning and the other ways in which our young people commit to service to their community. I would like to thank all those young people for their work and participation. I would like particularly to thank them for their work and their participation not only during Youth Week but also throughout the whole of the year.

Motion agreed to.

Sitting suspended from 12.23 to 2.30 pm.

Questions without notice

Australian Defence Force Academy

MR SESELJA: My question is to the Chief Minister. The Canberra community has recently become aware that the federal government was seriously considering the closure of ADFA. When did you first become aware that the federal government was considering the sale of ADFA?

MR STANHOPE: It is not at all clear that the federal government is considering the closure of ADFA. There have been rumours and suggestions, not supported by the federal government, that the federal government—as part of the efficiencies it is seeking as a result of the Liberal Party-induced inflation; they have been in the context of that—is considering the closure of ADFA. I know of no federal government serious consideration of any proposal to close ADFA. It has never been confirmed. It certainly has not been denied.

In the context of speculation around budgets, it is a usual government response to neither confirm nor deny speculation of the sort that we have seen in relation to ADFA. Revenue is a path that never ends. Oppositions do this all the time. They set a hare running by saying, “Is it true that the government proposes to close ADFA?” The government had never considered it. It probably never crossed or entered its mind. But the hare is set running and the government is then asked, “Confirm or deny. If it’s not true, just deny it.” The government then responds. The next day the opposition sets another hare running: “Is it true that you’re doing this or you’re doing that?” It makes a complete mockery of the budget process.

In response to the specific question, I am not involved in the construction of the federal government’s budget. I am certainly deeply involved in the construction of the ACT government’s budget at the moment. But I am not involved in the federal government’s budget. I am not privy to the detail of the federal government’s budget—nor is the person who started the rumour about ADFA. But I am aware of the rumour.

I am conscious of the position that governments traditionally adopt in relation to confirming or denying wild rumours and speculation about any budget. It happens here. We engage in the same process in the context of ACT government budgets. I am constantly being asked, “Treasurer, do you propose to cut taxes in the next budget?” Mr Mulcahy has asked me this very question. I have no doubt that, when we get to his matter of the day, the question will be posed, perhaps more rhetorically again, and I will refuse to confirm or deny the government’s intentions in relation to what is or is not in the budget, which I look forward very much to delivering in four weeks time.

I am aware of rumours about the closure of ADFA, which I do not believe. I am aware of rumours about the abandonment of the Defence Science Technology Organisation, which I do not believe. I am aware of a whole range of rumours that I have heard which I do not believe. In a pre-budget context, with budgets to be delivered in four weeks time, this sort of rumour—innuendo, scuttlebutt, suggestion and essentially wild speculation—will continue. It is not particularly profitable. It is anxiety inducing. At the end of the day we just have to wait and see what the detail of the budget is.

Do not forget—never forget—that the stringencies being forced onto the people of Canberra and Australia as a result of the efficiencies being pursued by the federal government are a direct result of the Howard-Costello Liberal Party economic mismanagement. There were eight interest rate rises in three years. An average mortgage of a young Canberra family has increased—in terms of monthly payments or repayments—by \$370 per month; \$110,000 over the course of a mortgage.

The great Liberal Party legacy—the gift of the Liberal Party to the people of Canberra, to young Canberra families—is an additional \$370 a month being paid straight to their bank. This is \$370 that they can no longer spend on other things; \$370 that cannot be spent on clothing, recreation, their children, and going to restaurants or movies. It is \$370 a month on an average mortgage—the Liberal Party gift to young families, working families, to the people of Canberra and Australia. Never forget it.

Balloon festival

MR SMYTH: My question is to the Minister for Tourism, Sport and Recreation. Minister, I have received a number of documents under an FOI request relating to Canberra's balloon festival. One document was prepared by the general manager of Australian Capital Tourism at 3.11 on the afternoon before you announced the change in operator for the balloon festival. This document says, in paragraph 2:

My concern is that our Minister

that is, you, Mr Barr—

is about to go out on a limb, with nothing in writing.

Minister, why did you approve the change of operator for Canberra's annual balloon festival when there was no documentation on which to base that decision?

MR BARR: I thank Mr Smyth for the question. The government were faced with three options in relation to the balloon event this year. We could accept yet again from the previous operator a reduced event and not meet the commitments that they outlined in their original submission to the government, and that was for a nine-day event. For the same money, for the \$70,000 that we were going to provide towards that event through both the tourism events assistance program and the festival fund—a combined total of \$70,000—we could have accepted a four-day event.

Option No 2 would have been to have had no event at all. Option No 3, the one that I pursued, in consultation with the Chief Minister as the moneys were coming both from the tourism portfolio and from the festival fund, was to pursue an alternative supplier to provide a nine-day event for the people of the ACT—a nine-day event that represented value for money and represented what the government intended by providing an additional \$20,000 of assistance towards the operation of a balloon event.

Mr Smyth seems to be suggesting that the government should have increased its grant by 40 per cent and got a reduced event in return. Given the available options—and

Mr Smyth is aware of the options because, as part of his FOI documentation, he would have received a copy of the same brief as I received—I, as minister for tourism, determined that a nine-day balloon event would be appropriate for the ACT, a nine-day balloon event within the budget that the government put forward.

I am very pleased to advise the Assembly that, in addition to the government's contribution, the national autumn balloon spectacular is now also being sponsored by Kaz Electronics, Canberra CBD Ltd and ActewAGL who are providing cash sponsorships; that we have an accommodation sponsor, through the Hotel Heritage; and that we have three media partners, 666 ABC, Southern Cross Ten and the *Canberra Times*.

Promotion has already commenced, and I am sure members would have seen the local television production that Southern Cross are broadcasting throughout their broadcast region, which is very good. They continue to promote the event, which will run from 19 to 27 April this year. There will be more than 30 balloons.

Mr Smyth: On a point of order, Mr Speaker: the question actually was: why did you approve the change of operator for Canberra's annual balloon festival when there was no documentation on which to base that decision? If the minister would answer the question, that would be very nice.

MR SPEAKER: The minister is going into the detail of why he made the decision.

MR BARR: Thank you, Mr Speaker. For the benefit of members, I will repeat that the offer that was made to the previous operators was not accepted. It was rejected. So I go back to the original point I made, and that is that we were presented with three options: no event; a reduced event, with the previous operator; or a nine-day event, with a new operator, a local operator.

I am very pleased to be able to advise members that we have secured for the national autumn balloon spectacular Kaz Electronics as a major cash sponsor—something of the order of \$25,000, I understand, from them in sponsorship—as well as support from Canberra CBD, from ActewAGL, from the Hotel Heritage, from 666 ABC, from the *Canberra Times* and from Southern Cross Ten.

Most interestingly, though, is that I have recently received advice that one Mr Paul Gibbs, who was the principal proponent of the former provider, the president of the Canberra balloon fiesta, is in fact going to be piloting the Kaz Electronics balloon during the national autumn balloon spectacular. Such is the confidence of the former operator that he is going to be piloting one of the balloons in the new event.

Once again, what we see here is that Mr Smyth is full of hot air. He must indicate to the people of the ACT whether he supports a local company running this event and whether he supports the event at all, because it is clear from his comments that he does not.

MR SPEAKER: Resume your seat, please. Supplementary question, Mr Smyth.

Mrs Dunne: Probity, due process, doing something with some documentation to support your decision.

MR SPEAKER: Mrs Dunne, cease interjecting. You will be able to ask that question later.

MR SMYTH: Given that there was nothing in writing, according to your officials, on what basis did you approve the decision to change the operator of the balloon festival?

MR BARR: I held a number of meetings with my department and also with members of the Chief Minister's Department who had been in contact with—who had been approached by—the local operator, back in November last year, who had expressed concern that the event would not go ahead because of a failure to reach agreement with the former operator.

It is worth noting that in the 22-year history of this event the government has run up to 16 of those years. It has been run within the ACT government and, just prior to self-government, presumably by the relevant federal agency at that time. It has been run within government for the vast majority of the time. Even when the event management was contracted out to CBF, the ACT government, through tourism and through events, provided the bulk of the on-the-ground staff for the organisation of the event and huge amounts of in-kind assistance—often in the order of \$75,000 to \$100,000 of in-kind assistance—as well as always being the major cash sponsor.

Given the circumstances and the failure of the previous operator to agree to meet its obligations—that is, a nine-day balloon event—for the money that was available, we were left with three choices. I will repeat them for the shadow minister: no event; a reduced event—a four-day event even though we had increased the funding by 40 per cent; or going with a local operator who will provide an outstanding event from the 19th to the 27th.

My challenge to the opposition is for them to indicate loudly and clearly whether they support the local operator running this event and, given that the president of the former organisation is going to be piloting a balloon in this event, whether—if he is big enough to be able to come and be part of the new event—they are big enough to give up this petty, smearing campaign that continues behind the scenes.

We know the real story behind this. We know what Mr Smyth is up to. We have seen him peddling innuendo around the role that public servants might have played in this. We also know very clearly the views of the tourism industry. Mr Smyth had to get up in this place and indicate the views of TIC and the views of the Tourism Ministerial Advisory Council in relation to the management of this event.

MR SPEAKER: Come back to the subject matter of the question, Mr Barr.

MR BARR: Let me make it clear again. Through the tourism events assistance program, the government has provided \$50,000 for the marketing of the event. That is what that money is entitled to be spent on, regardless of who is operating the event.

The Chief Minister, through the festivals fund, is providing \$20,000 worth of assistance. There is a range of cash sponsors: KAZ electronics, CBF and ActewAGL. There is an accommodation partner, the Hotel Heritage. And there are three media partners: ABC 666, the *Canberra Times* and Southern Cross Ten. All of those organisations are involved in producing a quality event for the people of the ACT and for visitors to the ACT—an event that the ACT government has been involved with for 22 years.

On that basis, I was confident, and the Chief Minister was confident, that we would have the capacity, with the assistance of Balloon Aloft, a local ballooning company, to operate a successful event. And that is what we are going to do.

ACTION bus service—social inclusion

DR FOSKEY: My question is to the Minister for Territory and Municipal Services, and concerns social inclusion and public transport in the ACT. Noting that Minister Hargreaves has been tasked by the Australian Transport Council with coming up with a policy framework on social inclusion as it pertains to transport throughout Australia, I would like to hear from the minister if a socially inclusive transport policy for the ACT would extend beyond buses and how the new ACTION network will enhance social inclusion in the Canberra region.

MR HARGREAVES: I thank Dr Foskey for the question.

Opposition members interjecting—

MR SPEAKER: Order! Members of the opposition!

MR HARGREAVES: Haven't your mummies told you not to be rude?

MR SPEAKER: Mr Hargreaves, direct your attention to Dr Foskey's question.

MR HARGREAVES: I will, thank you, Mr Speaker. The document that will go forward to the Australian Transport Council will not merely be restricted to the ACTION network. It will, as best we can, cover all modes of transport around things such as registration regimes. We want to make sure that it has a climate change focus about it as well. There are a whole range of issues that we want to put forward.

Clearly, the role of the ACT is not only to talk to the council about issues to do with the ACT; it is also to bring together all of the interstate jurisdictions' experiences and aspirations. It talks about, for example, the application of rail, buses and ferries in other jurisdictions. It wants to make sure that our transport plan into the future is not only about such important issues as climate change but also that it is about addressing social exclusion.

In response to the second part of Dr Foskey's question, the new ACTION network has as one of its major planks addressing social exclusion and trying to do something about it. It does that essentially in two parts. One was the design of the routes themselves and the consultation process that went forward. One of the things we did

badly in 2006 was that we did not talk to the people who travel on the buses and who suffer that social isolation. For example, we know that where a bus is particularly poorly patronised and is not economically viable—

Mr Pratt: That's why we tore the whole thing apart in 2006!

MR HARGREAVES: Would you like to answer my question for me, Mr Pratt?

Mr Pratt: I could probably do a better job.

MR SPEAKER: Order! Mr Pratt, cease interjecting.

MR HARGREAVES: We know, and we knew then, that sometimes if you have only one passenger on a bus it is decidedly uneconomical and unviable, so the decision then was to cut the route out. Of course, this had a distinctly adverse effect on the particular person on that bus, and we needed to make sure that we tapped into their circumstances, which we did in the consultation process, and adjusted a lot of our bus routes accordingly.

An example of that is the change to route 33 in Campbell. While the changes to the bus route were okay from a bus perspective and from a passenger perspective, in fact the route that the bus travelled was not appropriate for the type of person who was using it. These people were elderly and would have needed to walk up a hill to catch the bus. Really, that was a disincentive for those people to catch that bus. We were not aware of that until we had a conversation with them. I had a conversation with them myself. As a result of that, we changed the bus route to make sure that these people were not isolated in their homes.

The other thing we did was to partner with the Deputy Chief Minister's disability and community services portfolios in providing our community bus system, which involves putting buses out into the communities to make sure that we have a door-to-door service for people who are socially isolated, for whom access to the major bus system is a problem and for whom access to the taxi system is beyond their economic means. We needed to address the inclusion of people with disabilities as well; hence our commitment under the Disability Discrimination Act to having 50 per cent of our bus fleet wheelchair-accessible by the year 2012.

In summing up, I advise Dr Foskey that social inclusion has been a very big factor in our thinking in the development of a new network and additional services.

MR SPEAKER: A supplementary question, Dr Foskey.

DR FOSKEY: In the new network, will people in wheelchairs and people with prams know when accessible buses can be expected, and will seniors enjoy free bus travel during peak hours, or will they still be excluded during those times?

MR HARGREAVES: I will address the second part of the question first, and implore Dr Foskey to listen when we actually do announce things. She would be aware, I would hope—at least her advisers should be aware—that the government had

indicated that the concessions for seniors would apply in off-peak times. Now, in recent times, the government has extended that so that people can use their concessions at any time—24/7. When there is a bus on their bus route, they will not be having to adjust their travelling intentions because it happens to be peak or off peak.

This particular week is Seniors Week, and, as part of Seniors Week, we are offering free bus travel to all seniors in the off-peak time. For example, I went down to Tuggeranong to represent the Chief Minister this morning at the concert for the seniors. There were about 300 to 400 people in the auditorium. It was a wonderful thing. They were entertained by the RMC band. All of those people who attended that function by bus were not charged anything for that journey as part of Seniors Week. What was the first part of the question?

Dr Foskey: About people in wheelchairs and pushing prams.

MR HARGREAVES: I have got it. A seniors moment in Seniors Week! The wheelchair accessibility is something that we are absolutely dedicated to. Remember, every bus we buy costs between \$460,000 and \$480,000. That is a lot of money, but every single one we buy is wheelchair accessible. Our intention, of course, is to honour our commitment under the Discrimination Act, which is that 50 per cent of the fleet will be wheelchair accessible by the year 2012. We are at about 24 per cent at the current time.

In terms of whether there will be a wheelchair-accessible bus going down a particular street and how someone can tell, the answer to that is twofold. Any person can contact the ACTION headquarters and the ACTION hotline and say, "I'm located at this particular address. Is a wheelchair-accessible bus going to come down my route?" They will be told the answer, which will, of course, ultimately, be yes, but it may be not straight away. The government has decided to put the wheelchair-accessible buses on the intertown routes initially and then to spread them out into the suburbs, as every time we get a new bus it goes out into the suburbs. We want to have further feedback from people who are wheelchair bound, because that influences our decisions of which route will next get a new bus as it comes on. We want that feedback; we seriously want that feedback.

Also, one of the initiatives that we are looking at is our information at interchanges. This is a change which was driven by my colleague Mr Corbell in promoting public transport as an alternative mode of transport. We want the information available at interchanges to be useful to people. We are looking at the possibility of a communication box, if you like, with a push button where people at an interchange can call the hotline and say, "I want to go from here to an address. What bus route can I get on, and will it have wheelchair accessibility and will it have a bike rack on the front?" That information will be made available to them straight away.

We believe that in the customer base at the moment there are probably somewhere between 20 and 40 people in wheelchairs who use the bus system at the moment. We try to cater for those people. We do talk to people in the disability community around their needs from time to time. I am anxious to hear from anybody. If Dr Foskey has a

number of people who have contacted her office who have said, “I want to be able to use a wheelchair-accessible bus but one doesn’t come down my street,” I would like to know that information so I can feed it into the planning. If, for example, we find that there is one on a bus route which is underutilised or not utilised at all, we can flick it and put one of the old buses on. However, without that information, I cannot do it. I invite any member here, if you have people contacting you with that kind of an issue, to please let me know so we can do something about it.

Alcohol—binge drinking

MS MacDONALD: My question is to Mr Corbell in his capacity as Attorney-General. Can the Attorney-General advise the Assembly what steps the government is taking to ensure that the legislation governing the regulation of alcohol remains consistent with community standards and expectations, particularly in relation—my apologies; I am asking the wrong question.

Mr Smyth: Oh, the wrong question.

MS MacDONALD: Yes. My apologies, Mr Speaker. I was just checking against a question that Ms Porter had asked previously about the same subject matter. My question is: in light of much community concern about underage and binge drinking—

Mr Pratt: Would Mr Corbell like to ask the question, perhaps?

MR SPEAKER: Order!

MS MacDONALD: can the minister advise the Assembly of recent developments in the enforcement of laws dealing with underage drinking?

Mr Smyth: Didn’t you answer this question the other day?

MR SPEAKER: Order!

Mrs Dunne: Mr Speaker, on the basis of Ms MacDonald’s admission that this was a question that had already been asked, is it reasonable to ask the question?

Members interjecting—

MR SPEAKER: Order, members!

Mrs Dunne: Is it already completely answered and therefore can’t be answered again?

MR SPEAKER: Ms MacDonald—

Members interjecting—

Mr Stanhope: We now know why Mr Seselja needs help.

MR SPEAKER: Order, members!

MS MacDONALD: Mr Speaker, if I can just address that—

Mr Pratt interjecting—

MR SPEAKER: Mr Pratt!

Mr Stanhope: “I need your help.” He looks around in much despair.

MR SPEAKER: Chief Minister, quiet, please.

Mr Seselja interjecting—

MR SPEAKER: Mr Seselja, order!

Mr Stanhope: He needs help because of the people around him.

MR SPEAKER: Chief Minister!

MS MacDONALD: As I was saying, Mr Speaker, I recalled when I was reading my question that Ms Porter had asked a similar question last week, so I was checking against it to make sure that it was not the same question.

MR CORBELL: I thank Ms MacDonald for the question, and again it is of great disappointment to me that those opposite do not consider issues about alcohol regulation in our community to be a serious matter.

Opposition members interjecting—

MR SPEAKER: Order!

MR CORBELL: Every time a question is asked in this place, they deride it, laugh, cackle, carry on—

Mrs Dunne: No. Every time a question is asked in this place—

MR SPEAKER: Mrs Dunne, order!

Mrs Dunne: your side stuff it up.

MR SPEAKER: Mrs Dunne! No more interjections from the opposition, please.

MR CORBELL: It should be a matter of great disquiet to many people in the community that the Liberal Party continually deride, cavil and complain about questions which relate to the regulation of sale and use of alcohol in our community.

Mr Stefaniak: No, we put up suggestions; you knock some of them back.

MR SPEAKER: Mr Stefaniak!

MR CORBELL: The government is committed to addressing the issues of underage and binge drinking in the community. As members should be aware—but I draw the Liberal Party's attention to this matter again—the government has recently released a discussion paper as part of a comprehensive review of the ACT's Liquor Act to ensure that the law is consistent with best practice and community standards. The effectiveness of good laws in this area of course depends largely on enforcement of those laws. I would like to highlight to members recent actions taken by the ACT Liquor Licensing Board which highlight the rigorous approach that continues to be taken by the police and liquor inspectors to the issue of underage drinking in licensed premises. Most recently, there have been four matters where fines and conditions—

Mr Stefaniak: Why don't you have on-the-spot fines for it?

MR CORBELL: You are just not interested. This is the problem in the Liberal Party: they are just not interested in this serious issue of regulation and sale of alcohol in our community.

I draw members' attention to four matters that have recently been before the Liquor Licensing Board. Most recently, four clubs or bars in the Civic area have been fined as a result of selling alcohol to people under the age of 18 or having persons under the age of 18 on the premises. In particular, Bar 32 in Civic were fined \$1,000, with \$500 suspended for 12 months and becoming payable should further breaches of the Liquor Act occur in the next 12 months. The liquor board has acknowledged that, since the offence, Bar 32 have put new procedures in place to prevent further occurrences of underage drinking, and they should be commended for the proactive approach they have taken since this incident took place.

ICBM, another nightclub in the Civic area, has been before the board for having a person under the age of 18 in the bar area on the premises. The offenders were identified as a result of police and liquor licensing inspector activity. That licensee has been fined \$4,000 in total for two separate offences, with \$1,500 suspended for 12 months and becoming payable if further breaches of the act occur within the next 12 months.

A bar called Meche was before the board for having a person under the age of 18 in a bar area on the premises. The offenders again were identified by police and liquor licensing inspectors and the licensee has been fined \$4,000 in total for two separate offences. Finally, Company Nightclub has also been fined a total of \$1,000.

This highlights the very practical approach being taken by liquor licensing inspectors and police in the community and it is the approach that we will continue to adopt to address issues with the sale of alcohol to underage people in Canberra.

Legislative Assembly Secretariat—submission to Remuneration Tribunal

MR MULCAHY: My question is to you, Mr Speaker. Can you confirm that the Legislative Assembly Secretariat recently made a submission to the Remuneration Tribunal? Will you table that submission for the interest of members?

MR SPEAKER: Thank you, Mr Mulcahy. Thank you for advising me that this question was going to be asked so that I could get you some information. I am aware of a submission that was put to the Remuneration Tribunal by the Clerk of the Legislative Assembly. I am happy to table the following paper:

Overseas travel allowance—MLAs—Submission to the Chair of the Remuneration Tribunal by the Clerk of the ACT Legislative Assembly, dated 18 March 2008.

Griffin legacy

MRS BURKE: Mr Speaker, my question, through you, is to the Chief Minister. Chief Minister, some time ago the ACT government and the commonwealth government reached an agreement to undertake various actions to facilitate the implementation of the Griffin legacy along Constitution Avenue. Since that agreement was reached, the Rudd government has announced that the \$46 million that was to fund these capital works had been cut from federal spending. Chief Minister, what elements of the agreement have been completed or are proceeding and what elements have been scrapped as a result of the cut of \$46 million?

MR STANHOPE: The ACT government, through ACTPLA most particularly, has been working for an extended period of time with the commonwealth, particularly through the NCA, on a refresh and revision of the Griffin plan, as Mrs Burke has just indicated, with a new version of Burley Griffin's vision for Canberra. It is a tremendous plan that has been broadly supported by the Canberra community and certainly has been supported by the ACT government and by the commonwealth.

One aspect of that—and it is only one aspect—to which I will restrict my answer is the issue of Constitution Avenue because there are many other aspects of the Griffin legacy, particularly in relation to West Basin, in relation to Lennox Park, in relation to other aspects of the Parliamentary Triangle of Canberra that continue.

To the extent that Mrs Burke asks broadly, “What aspects of the Griffin legacy are continuing?”, it is fair to say that at this stage they are all advancing. The question is, of course, whether the resource has been applied and the timing that relates to the advancing of all those different aspects of the Griffin legacy—whether it be in relation to Lennox Park and the Albert Hill precinct, whether it be in relation to West Basin, whether it be in relation to City Hill and London Circuit or whether it be in relation to any area of designated land in the territory. Those aspects of the Griffin legacy that affect those particular issues are there and will be continued.

Mr Smyth: They are all continuing and running?

MR STANHOPE: They will continue. The simple, straight and quick answer to the question is that there is no aspect of the Griffin legacy which does not remain current. I could leave the answer there if you wish. That is the answer to the question. There is no part or aspect of the Griffin legacy that is not extant, is not relevant and will not continue.

There is an issue on resourcing and there is an issue on timing of the different aspects of the implementation of the Griffin legacy. To be specific in relation to the question, there is work continuing in relation to the plans of management, for instance, for the Albert Hall precinct. The ACT government remains actively interested in the prospect of advancing those aspects of the Griffin legacy that relate to West Basin.

But there is, of course, a current issue in relation to Constitution Avenue. Constitution Avenue is one of the major ways or lines into Civic, and the Griffin legacy plans for Constitution Avenue will result ultimately in the development of a wonderful boulevard or access between Russell and the city.

The commonwealth did, in quite detailed and extensive negotiations with the ACT government, commit a sum for the upgrade of Constitution Avenue—a total package of the order of \$40 million which was negotiated by the ACT government with the NCA and, indeed, involved discussions between me and the then Treasurer, Peter Costello; just as there were discussions between me and Mr Costello in relation to the Kings Avenue roundabout/flyover which actually are continuing. Part of those negotiations did, of course, deal with Griffin legacy aspects or implications for road upgrades and maintenance and, most specifically, Constitution Avenue.

The commonwealth's enhanced interest or the priority the commonwealth was prepared to give at that time to Constitution Avenue was a result, as much as anything, of major developments which are proceeding or are planned for Constitution Avenue to be upgraded out to the RSL. In that particular precinct the commonwealth proposes to construct a new headquarters for ASIO and the Office of National Assessments, to the east of Anzac Park East, and the refurbishment of both Anzac Park East and West, with the prospect of an additional 7,000, 8,000 or 9,000 public servants and others working along Constitution Avenue within the next five years.

There is an urgency around the need to upgrade Constitution Avenue. I continue to work with the commonwealth. I am in correspondence with both the Minister for Home Affairs and the Minister for Finance and Deregulation in relation to the decision the commonwealth has announced. I have asked that it be reversed, and I will continue to agitate for the moneys that have previously been promised for Constitution Avenue.

MR SPEAKER: Supplementary question?

MRS BURKE: Chief Minister, what adverse implications are being incurred by the ACT and the ACT economy as a consequence of the cut in funding for the Griffin legacy?

MR STANHOPE: The adverse implication is that the upgrade and redevelopment of Constitution Avenue will be delayed unless the money is restored or unless the moneys are sourced from elsewhere. That is the adverse implication: there will be a delay.

The timing of significance for an upgrade of Constitution Avenue is as work proceeds on, particularly, the proposed new headquarters for ASIO and the proposed new

headquarters for the Office of National Assessments and the refurbishment of the RSL and that particular precinct. Traffic flows on Constitution Avenue will, of course, increase. The point will be reached where further development will be constrained without additional capacity on Constitution Avenue, but that is some years away. This is a significant issue—

Mr Smyth: That's not what you said yesterday.

MR STANHOPE: I said nothing yesterday that contradicted that at all.

Mr Smyth: You did. You said there were ample projects going ahead.

MR STANHOPE: Actually, there is no project that is not going ahead. It is again one of these suggestions. There is no project on Constitution Avenue that is not going ahead because of issues in relation to the redevelopment of Constitution Avenue. That is just puerile nonsense. But certainly there was an issue, and there will be an issue in time if Constitution Avenue is not upgraded. We will have to ensure that that result is avoided, and we will avoid that result.

Constitution Avenue—upgrade

MR PRATT: My question is to the Chief Minister and Treasurer. During the MPI yesterday, you stated that investments committed or proposed in the ACT with a “high degree of certainty” included “construction and redevelopment of office buildings along Constitution Avenue at a cost of \$250 million”. The *Canberra Times* of 7 April 2008 reports that the future of these investments in new developments is at risk after the federal government cancelled the upgrade of Constitution Avenue.

Chief Minister, why did you claim that these projects had a high degree of certainty—you said “high degree of certainty”—when in fact they are at risk because the commonwealth government has scrapped the upgrade of Constitution Avenue?

MR STANHOPE: There was a very ambiguous and unfortunate quote from the NCA in relation to its responsibilities for approving a particular development on Constitution Avenue. I do not think there is any chance or any risk to any development on Constitution Avenue as a result of the decision that the commonwealth has taken to withdraw funding from Constitution Avenue.

It is a matter of enormous regret. I do regret enormously that the commonwealth has withdrawn that funding. I have taken up the matter in correspondence with the Prime Minister's office, the Minister for Finance, and the Minister for Home Affairs. I have met the Minister for Finance, Lindsay Tanner, and I have met the Minister for Home Affairs, Bob Debus, and expressed directly and bluntly my serious concern and opposition to the decision taken to withdraw that fund. I have asked that it be reinstated. I am continuing those negotiations directly with the Minister for Finance, both through my meeting with him and in correspondence.

To suggest that the NCA will not approve the redevelopment of the RSL because Constitution Avenue has had funding for its upgrade withdrawn is sheer, utter

nonsense. The RSL development will be approved and Constitution Avenue will, in time—either by the commonwealth or by the ACT government—be upgraded.

Mr Smyth: Oh, so we're going to carry the cost.

MR STANHOPE: We do run Canberra.

MR SPEAKER: A supplementary question, Mr Pratt?

MR PRATT: Chief Minister, what action are you taking to stand up for Canberra against the federal government on this matter?

MR STANHOPE: I could rant and rail and grandstand and do the sorts of things that Mr Seselja has indicated today that he would do. "I can guarantee," he says—if only I get a little bit of help from my colleagues, I suppose he means—"that I will stand up for Canberra."

We can all rant and rave and pull our hair and scream and shout and throw tantrums in relation to decisions that other governments take. What I have done in relation to Constitution Avenue and the withdrawal of funding, which I regret enormously and which I think was a bad and wrong decision and an unnecessary decision that the commonwealth has taken, is that I have met and spoken directly with the chief of staff of the Prime Minister on this issue and put my position to him strongly and bluntly. I have met and spoken with the Minister for Finance, Lindsay Tanner, and I have put my position in relation to Constitution Avenue strongly and firmly. I have met with the Minister for Home Affairs, the minister with responsibility for the territories, and I have put my position in relation to Constitution Avenue strongly and firmly.

I have met with my three federal colleagues: the member for Canberra, the member for Fraser and the Labor senator for the ACT. I have made representations to them about this particular decision, and I have asked them to make all representations available to them or possible in relation to their government's decision in relation to Constitution Avenue.

What have you done? That is what I have done. I have met now with six separate or individual members, including three ministers and a parliamentary secretary and two other members of the commonwealth parliament and I have put the position firmly and strongly. I am sure that as I continue my negotiations we will achieve a resolution.

ACTION bus service—Seniors Week

MR GENTLEMAN: My question is to the Minister for Territory and Municipal Services and it is in relation to ACT Seniors Week. Can the minister advise the Assembly what initiatives ACTION is taking in support of ACT Seniors Week?

Mrs Dunne: Mr Speaker, hasn't that question already been answered in response to Dr Foskey's question?

MR HARGREAVES: No. Can we stop the clock while we are considering this? This is the second time she has wasted time.

MR SPEAKER: I will exercise my discretion and stop the clock. Mr Gentleman, would you repeat the question.

MR GENTLEMAN: Mr Speaker, it is in relation to ACT Seniors Week. Can the minister advise the Assembly what initiatives ACTION is taking in support of ACT Seniors Week?

Mrs Dunne: In answer to Dr Foskey's supplementary question, the minister, Mr Hargreaves, has already outlined the initiatives for Seniors Week and ACTION.

MR SPEAKER: Mrs Dunne, I think I am being verbally again. A question which has been fully answered cannot be resubmitted, but this is a different question.

Mrs Dunne: I seriously seek advice on this, and the clock has stopped, so no-one is being affected. Can I seek your guidance, Mr Speaker: a question can be asked again, even though the information has already been provided in another form?

MR SPEAKER: A question, fully answered, cannot be re-asked—that is, the same question. This is a different question.

Mrs Dunne: So the information can be the same and—

MR SPEAKER: It is up to the minister as to how he answers it, Mrs Dunne. I call the Minister for Territory and Municipal Services. Start the clock.

MR HARGREAVES: Thank you very much, Mr Speaker, and I thank Mr Gentleman for the question. I am pleased to advise—and I would ask you, before you jump up, to wait till you hear the rest of the answer—that ACTION is providing free off-peak bus travel for holders of the ACT seniors card during this week, Monday, 7 April, to Friday, 11 April. There is some detail here—this is where it comes. Weekday off-peak is any time between 9 o'clock in the morning and 4.30 in the afternoon and again after 6 pm.

Providing free travel for ACT seniors during this week demonstrates the government's commitment to encourage older Canberrans to lead active lives and join in specific activities throughout the week. Information on events during ACT Seniors Week is available on the ACT Council of the Ageing website at www.cota-act.org.au. To be eligible for the free bus initiative, Canberrans are reminded to show their ACT seniors card to the ACTION bus driver.

All of ACTION's 74 new buses provide easy access for our older commuters. These buses are equipped with a ramp, a wide front entrance and space to accommodate two wheelchairs or walkers. The government has provided funding of \$8 million for ACTION to procure 16 new easy-access buses. These buses will be progressively introduced into ACTION's fleet by the end of the year. ACTION will continue to meet its commitment of replacing its older fleet with easy-access, DDA-compliant buses. By 2012, 55 per cent of ACTION's fleet will be compliant. As more easy-access buses come on line, I am confident that more ACT seniors will use ACTION bus services.

ACTION and the government are continuing to ensure that public transport is a safe, viable option to consider. The government provided \$445,000 in the 2007-08 budget to complete the fitting of closed-circuit television to all ACTION buses. CCTV deters violent and criminal activity and provides a safer environment for ACTION's drivers and commuters. ACT Seniors Week is a great opportunity for our older Canberrans to trial ACTION's buses at no cost, and I encourage them to do so.

Some of the other initiatives for seniors with ACTION include the fact that the Stanhope Labor government has a tangible commitment, as I have said, to supporting ACT seniors. The government identified a need to provide a more flexible service to older Canberrans and members of the community who have difficulty accessing existing public transport. In October last year the Chief Minister announced the introduction of community on-demand minibus services for older Canberrans and Canberrans who have mobility problems and who find it hard to use regular bus services, as well as an extension of concession rates for Canberra's seniors to allow them to travel in peak periods on ACTION buses at concession rates. A supplementary community wheelchair-accessible minibus service will be introduced for older Canberrans and Canberrans who have difficulty in accessing ACTION's bus services.

The Stanhope government has allocated \$289,000 for the minibus service for 2007-08, and an average of \$614,000 per annum for the following three years. ACTION will provide and maintain the six wheelchair-accessible minibuses for regional community services, with funding of \$50,000 per annum to be provided for driver costs. The on-demand minibus service will be operated by regional community services and will fill an identified gap in the transport system by providing an alternative, affordable and flexible transport option for seniors and those with mobility difficulties. ACTION has been working closely with regional community service organisations and the Department of Disability, Housing and Community Services to develop the on-demand service. It is expected that this service will commence within the next few months.

All ACT seniors are now able to access concession fares during the peak period on presentation of their ACT seniors card. This means a saving of 50 per cent on adult fares. Prior to October, ACT seniors without an aged pension were only able to use concession bus fares in the off-peak period. All ACT seniors card holders are able to travel on ACTION buses at a discount rate throughout the day.

The ACT government recognises that our older citizens are very active, and by extending concession fares we hope that more seniors will be encouraged to travel on ACTION buses throughout the day. Currently, seniors who do not have an entitlement to other concessions are able to travel in the off-peak times using an off-peak daily ticket. At other times, these seniors are required to pay a full adult fare. These two government initiatives assist older Canberrans to use public transport and demonstrate the government's commitment to older Canberrans.

MR SPEAKER: When members wish to plead for me to stop the clock, it would add to the standing of this place if they rose in their places and put an argument as to why

the clock ought to be stopped. In general, I will exercise my discretion about whether a member's rights are being unduly interfered with when I make a decision in relation to it. I just ask you to note those comments.

Public service—cuts

MR STEFANIAK: My question is to the Treasurer. I refer to a statement that he made yesterday in relation to the Rudd razor gang when he said that the ACT government would look for the opportunities that could be derived from the budgetary reforms of the commonwealth. Treasurer, why do you consider that the Rudd razor gang slashing the jobs of hundreds, if not thousands, of Canberrans is an opportunity?

MR STANHOPE: I was referring to arrangements which the ACT government is making in concert with the chamber of commerce, the Business Council and the commonwealth Public Service Commissioner in relation to the placement both within the ACT government and within the ACT private sector of any commonwealth public servant who may be affected as a result of the efficiencies being driven through this budget. They are opportunities. In an environment where, in the view of Mr Chris Peters, the chief executive of the chamber of commerce, there are in excess of 1,000 positions within the private sector that have not been filled because of a want of people, personnel, to fill them, why would you not be prepared to accept that?

It would be derelict of us not to seek the opportunities that might present as a result of the upcoming commonwealth budget. It would be absolutely absurd to suggest that the ACT government would not look at the opportunities that present to the ACT government, acknowledging the number of vacancies that exist within the ACT services as a result of skill shortages and labour shortages. I can assure you that the Liberal Party's view in relation to this is not a view that is shared by the chamber of commerce, the Business Council, the Property Council or any of the other representative business organisations within the ACT. The Liberal Party would have us turn our backs on the possibilities, the prospects or the opportunities that might present as a result of the commonwealth budget.

It is important that in any debate around the upcoming commonwealth budget we not lose sight of the underlying reason for or cause of the efficiencies that are being driven by the current commonwealth government through its budget. That is, of course, the incompetent Liberal Party management of the national economy in recent years.

This was very much a theme of yesterday's question time. I might just quote again from today's *Canberra Times* business section: "Demand feels heat". This goes very much to the heart of Mr Stefaniak's question and the many questions I received yesterday. The leading story on the business pages today, by Colin Brinsden, says:

It's not just consumers who are feeling glum about higher interest rates. Big business is equally morose.

New data shows business confidence has slumped to its lowest level since the September 11 terrorist attacks on the United States in 2001, and is a further sign that domestic demand is feeling the heat from interest rates at a 12-year high.

It goes on and on. Big businesses throughout Australia are feeling morose as a result of the dampening of domestic demand as a result of incompetent management by Howard, Costello and the Liberal Party—inability to manage the economy in recent years. They talk quite specifically about the eight interest rate rises that have been imposed on the people of Australia and the implications and effect of those interest rate rises on business confidence. We see it again today, with Colin Brinsden's lead story in the business pages talking about how morose business throughout Australia is as a result of the implications of inflation and interest rate rises driven by incompetent Liberal Party economic management.

We saw that repeated most starkly by the Governor of the Reserve Bank, Mr Stevens, in his evidence to a parliamentary committee just last week. He commented again that the inflation was driven by outrageous and reckless spending by the commonwealth through 2007. In fact, during 2007 the commonwealth spent at twice the average rate of expenditure in recent years when it dawned on Peter Costello and John Howard not only that they might lose government but, in the case of the Prime Minister, that he would actually lose his seat. He just went berserk and committed to such reckless spending that we see the implications today—the legacy, and an ongoing legacy, throughout the community.

We even find that business support for the Liberal Party has gone west. The 250 Club are no longer prepared to support the Liberal Party, because they want to support candidates in parties that actually support business and they know that that is not the Liberal Party. They know it is not the Liberal Party. I look forward to speaking with Mr Jim Murphy about his intentions in his support for the Labor Party, the party that supports business in Canberra.

MR SPEAKER: A supplementary question from Mr Stefaniak.

MR STEFANIAK: Thank you, Mr Speaker. Thank you, Chief Minister, but what is your government doing to protect the jobs of those Canberrans from the Rudd razor gang?

MR STANHOPE: What my government has done, and I am pleased and proud that we have, is to show the necessary economic management and commitment to the ACT and to the ACT's budgetary and economic position to ensure that we have the capacity to actually soften the blow. We are taking staff. NCA staff have moved seamlessly across to ACTPLA as a result of the efficiencies that were driven in the NCA from the Liberal Party incompetence.

What we have done is actually create a budgetary position and a balance sheet that is the envy of governments around Australia which gives us the capacity to respond to the bumps of the cycle in which the economy is staying. You know, this is still a company town with a single major employer, namely, the commonwealth, and when the commonwealth, that major employer, actually hits a road bump, the entire ACT economy feels the shock from that bump. But we have a capacity through the strength of our budget at least to be able to move to ameliorate the implications of that particular bump and to ensure that we have the capacity to continue to enhance services to the people of the ACT in the way that we have done over the last six years.

ACT public service—recruitment

MRS DUNNE: My question is to the Chief Minister and Treasurer. In your budget speech in June 2006 for the 2006-07 budget, you said:

Collectively, the measures announced today will result in a reduction in the size of the ACT Public Service in 2006-07 of about 500.

On a number of occasions around that budget you said that the size of the ACT public sector was unsustainable. However, you said yesterday that the ACT government will commence a recruitment campaign in the coming weeks aimed at attracting the commonwealth workers potentially affected by commonwealth budget cuts to the ACT public service. Chief Minister, why are you now proposing to recruit potentially hundreds of former federal public servants to the ACT public service in 2008 when in 2006 you claimed that the size of the public sector was unsustainable?

MR STANHOPE: I welcome the opportunity to respond in order to draw attention again to the significant efficiencies that have been driven by the ACT government through its management of the budget and the economy in recent years.

Mr Smyth interjecting—

MR SPEAKER: I warn you, Mr Smyth.

MR STANHOPE: The size of the ACT public service two years ago was too large; it was unsustainable. It had grown at a rate that could not be sustained, and we have reduced the ACT public service considerably over the last two years, because of the strength of our economy and the fact that we have factored into the budget and into the estimates efficiencies in the order of \$100 million a year—a very hard task. I can use as a shining example of those efficiencies the shared services centre. I notice, Mrs Dunne, that you and your colleagues have gone enormously quiet on the shared services centre and on the capacity of the shared services centre to drive significant and continuing efficiencies. I am interested that you have not asked a question on the shared services centre over the last year, now that it is a success, now that it comes in on budget every year, now that it is achieving the \$20 million-plus a year in reduced expenditure in relation to some of our human resources and IT needs—and that is just the shared services centre, driving efficiencies of over \$20 million a year, year on year.

In our budget, in our forward estimates, there is, I am told, just in excess of \$100 million of efficiencies driven out of the budget of two years ago, which we have maintained and which have actually reduced the size of our public service considerably. We find now, though, as a result of our success in managing the economy, and because of the strength of the ACT economy and the implications of that, that our unemployment is at 2.3 per cent. The significant supply issues in relation to labour force are impacting on us as well. We have reduced the ACT public service considerably but we still, despite the reductions, have a significant number of vacancies. We have 2.3 per cent unemployment, the lowest unemployment ever produced by a jurisdiction in Australia's labour force statistics history. It is a wonderful achievement.

The most significant sign of the strength of an economy is the level of unemployment, and unemployment is at 2.3 per cent, against a national average of about four per cent. It is the number one indicator of how well your economy is going—how many people are employed and how many are unemployed. We have the highest participation rate of 73 per cent; we have the lowest unemployment rate. The two most significant signs of how strong and how well your economy is performing are the number of people working. Because of the supply side constraint, the number of people in employment, the low level of unemployment and the overall skill shortage and labour force shortage issues we face, there are vacancies within the ACT public service and we intend and would like to fill them. We are struggling to fill them. Mr Barr makes the comment now that I think there were somewhere in the order of 30 vacancies in ACTPLA. We have simply been unable to attract people to the organisation—until, of course, regrettably, cuts were made to the NCA and staff have moved from the NCA to ACTPLA.

We the ACT government have taken advantage of decisions the commonwealth have taken and we have invited and welcomed into ACTPLA staff from the NCA. We have significant vacancies across the board in the ACT public service and the private sector. Just speak to Chris Peters, although I know that business do not speak to the Liberal Party much any more in town; but they speak to us. Chris Peters believes that there are over 1,000 jobs that could be filled immediately if only there were people to take the jobs. I look forward to my next discussion with—I am not sure what title Jim Murphy actually ascribes to himself these days—

Mr Hargreaves: Treasurer at large.

MR STANHOPE: the treasurer at large of the non-250 Club business club. The group that used to support the Liberal Party are now so dismayed at the appalling performance of the Liberal Party—its total lack of understanding of the needs of business and of budgeting—that they now propose to fund and support any candidate who is not a Liberal candidate. Of course, the Labor Party, as the only party that genuinely supports business in Canberra, actually looks forward to receiving the largesse of the new Canberra business club.

MR SPEAKER: Supplementary question, Mrs Dunne?

MRS DUNNE: Chief Minister, why, given your admission that you cut the size of the public service in order to build it up, are you now taking these actions? Are you taking these actions so that you foot the bill for Kevin Rudd's cuts to the commonwealth? Are you doing this rather than standing up to Kevin Rudd and his cuts to the commonwealth?

MR STANHOPE: No. Kevin Rudd does not need my help and I do not need his.

Mr Hargreaves: But maybe Zed does though.

MR STANHOPE: What is it?—I need your help. Poor old Mr Seselja glances around as he sits there amongst the talent and the brains trust. You can just imagine the little

talkfest—the little brainstorm—that went on in the Liberal Party party room: “Look, we’re going to do this ad because nobody knows who I am. How can I appeal to the people of Canberra and get my recognition rate up above 10 per cent?” And Mr Seselja looked around the Liberal Party party room table and he thought, “God, I’ve got it; I need help.”

Mrs Burke: Mr Speaker, I rise on standing order 118 (a), which relates to keeping to the subject matter. He cannot because he does not know the answer.

MR STANHOPE: We all saw the ad.

MR SPEAKER: Order! Chief Minister, stay with the subject matter.

MR STANHOPE: I conclude on this point. We all did this morning, as we opened the paper and saw the ad. Every one of us saw in that absolute spiel—

Opposition members interjecting—

MR STANHOPE: You sure do need help, Mr Seselja—just look around you.

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

Vocational education and training

MS PORTER: Mr Speaker, my question, through you, is to the minister for education. Minister, with skills shortages of such a magnitude in Canberra, can you please inform the Assembly of the progress in vocational education and training programs that are aimed at increasing skills?

MR BARR: I thank Ms Porter for her question and for her ongoing interest in education and training matters in the territory. Due to 11 years of underinvestment in skills by the previous federal Liberal government, skills shortages have, along with high home mortgage rates, become a feature of the Australian labour market. Addressing the Howard Liberal skills shortage has, therefore, become a focus not only for the new Rudd government but for the ACT Labor government, and we have been working both locally and nationally in conjunction with the Skills Commission, the Council of Australian Governments, the Australian government’s skilling Australia for the future initiative and local industry representatives to provide practical solutions to our skills shortage.

VET institutions in the ACT such as the CIT, along with our high schools and colleges, are playing an important role in addressing the local impacts of the national skills shortage, particularly in the areas of building and construction, community services, health and education, finance, banking and insurance, tourism and hospitality, electro technology and utilities. Through the CIT, the ACT government is responding in a number of ways to the challenges we face.

It is fair to say that the CIT’s effectiveness is evident from its enrolments. Despite the claims from the opposition of a fall in apprenticeships, last year the CIT had

2,698 program enrolments in apprenticeship or traineeship programs, an 8 per cent increase from 2006. In 2007, the CIT enrolled 106 Australian school-based apprentices, a 23 per cent increase on the previous year.

Through the CIT, the ACT government has led the nation in establishing accelerated apprenticeship programs in chef training, hairdressing and panel beating. These programs, responding to key areas of skills shortage, have cut the time taken to complete apprenticeships by up to 50 per cent, without compromising the quality of training provided.

The shortened apprenticeships demonstrate how the CIT and local industry in the ACT can work together to develop nation-leading solutions that meet the needs of students and of industry. In short, these programs will see more skilled apprentices in the workplace sooner.

Last year I launched the CIT vocational college, which opens new education opportunities and pathways to study and work for people of all ages, offering essential skills and job training for around 3,000 youth, mature aged and migrant students each year. Students are also able to work towards essential skills like the year 10 and year 12 certificates, as well as competency in English, whilst making a start on their work qualifications. The CIT's articulation arrangements with the University of Canberra are a nationally recognised model of choice.

To address skills shortages of the future, we need to ensure that students in our high schools and colleges can access job training at the same time as completing their schooling. That is why all ACT public colleges are registered training organisations and why the ACT public education system offers Australian school-based apprenticeships.

ASBAs provide valuable experience to students, increasing their industry-specific and employability skills. They also provide students, who might otherwise have left school early, with an incentive to continue their studies and achieve a senior secondary certificate.

To increase participation, entry requirements were amended to enable students over 15 years of age to commence an ASBA in 2007. This is another example of the ACT government doing its bit to address the skills crisis that was left by the former Liberal government.

I recently launched an initiative to facilitate the placement of students on ASBAs to work within our public education system—in schools, colleges and sections of the department of education. We hope to expand this program across all ACT public sector agencies into the future.

Until November of last year the Howard government and those Liberals opposite were unanimous in saying that the only way to address the skills crisis was to slash wages and conditions and the job security of working Canberrans and their families. It is very pleasing to see, therefore, that the new Rudd Labor government takes the approach that the best way to remedy the skills crisis is to invest in skills and to invest in training. That is a view which this government shares.

It is clear that the only skills shortage we see in this chamber is on that side. This remedy and the help that is needed by the Leader of the Opposition are clear. His public call today for that help is recognition of the skills deficit that lies on the opposition benches.

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

Papers

Mr Speaker presented the following paper:

Travel report—Non-Executive Members—Sixth Assembly, up to and including 31 March 2008.

Mr Corbell presented the following paper:

Petition which does not conform with the standing orders—Fraser—Block 6, Section 39—Objection to development application 200705930—Ms Porter (38 signatures).

Personal explanation

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services): I seek leave to make a personal explanation.

Leave granted.

MR CORBELL: On 1 April 2008, when moving a government amendment to the Crimes Amendment Bill 2008, I referred to the effect of that amendment on the Children and Young People Bill 2008 as removing the ability of the Magistrates Court to impose a period of imprisonment if someone was effectively in default of paying a fine. I need to clarify the record. I should have referred to the Children and Young People Bill 2008 as removing the provisions in the Children and Young People Act 1999 that provide for the imprisonment of young persons in default of paying a fine. I just want to correct the record.

Older Canberrans

Discussion of matter of public importance

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

The importance of developing comprehensive policies for older Canberrans.

MR GENTLEMAN (Brindabella) (3.45): I speak to the Assembly today, during Seniors Week, on the importance of developing comprehensive policies for older

Canberrans. The government is developing and implementing policies and programs that will build a strong, safe and cohesive community, consistent with the goals identified for Canberra seniors in the Canberra social plan.

The 2006 census indicated that approximately 27 per cent of the ACT population is aged 50 years and older, one group that you and I fall into, Mr Speaker, with 14 per cent aged 60 and over. By 2031, the 60-and-over group is expected to represent 27 per cent of the population.

The demographic shift raises social and economic opportunities and challenges across our community. In this context it is imperative that we continue to develop policy which supports active and positive ageing, where people can continue to contribute to their community in meaningful ways, for example, through leisure activities, part-time employment or volunteering.

We believe that the government should be actively fostering the creation of a community where older people are respected for their wealth of knowledge and experience and are encouraged to share this wealth with the rest of the community. To assist people to maintain their active community participation, we also need to ensure that, where assistance is required, it is available and easily accessible, whether this support is through informal community support networks or a formal service.

The government needs to continually improve its understanding of ageing issues. We need to appreciate the changing expectations of people over 50 and to better understand resilience, social roles and social supports for older people. We have traditionally associated old age with negative dependency stereotypes. This is no longer a valid outlook, if it ever was.

With the increase in life expectancy comes increased years of healthy and active living. Retirees can experience a golden opportunity to live life to the full now that family and work responsibilities have abated. However, I do not deny that many older people enter retirement experiencing significant financial stress, especially single women who are completely reliant on the age pension and who do not own their own home.

Indeed, with people living longer, and with significantly increasing mortgages, rents and medical expenses, most people will need to consider working longer and saving harder if they are to experience the quality of life in retirement that they aspire to. Maintaining people's quality of life is a key issue. This includes ensuring that people have real choices regarding employment, retirement, lifestyle and general community participation.

The principles underpinning "a society for all ages" are to support older people in the ACT by promoting health and wellbeing, providing safety and security in the home and in the community, assisting older people to effectively plan for their retirement, promoting positive images of older people and ageing, promoting opportunities for lifelong learning, providing land for residential developments for seniors and regulating developments to ensure that a proportion of housing meets the needs of older people through the requirement for accessible and adaptable housing.

As one of many strategies to promote health and wellbeing, the ACT government funds Seniors Week. This year it is being celebrated from 6 to 13 April, to coincide with New South Wales Seniors Week. In July last year the ACT government produced the ACT government's policy framework for ageing 2007-09 entitled "A society for all ages".

Our vision is that the population has opportunities for healthy and fulfilling third and fourth ages. The fourth age includes the oldest old, those requiring significant personal support. Also, people of all ages, abilities and backgrounds are valued for their contribution, respected, included, encouraged to reach their full potential and share in the benefits of our community and have access to a range of productive occupations and interests; and, lastly, the community can benefit from the skills, experience and wisdom that comes with age.

Seniors Week has been celebrated in the ACT for approximately 20 years and is organised by the Council on the Ageing ACT, or COTA ACT, with funding from the ACT government. The current service funding agreement with COTA ACT was signed in January this year and is for \$40,000 per annum, GST exclusive, for three years.

The week aims to promote positive attitudes within the general community towards older people and to increase the community inclusion and participation of older people, including increased intergenerational activities. This year's Seniors Week theme is "growing older is all about living".

The program of events was publicly distributed in the first edition of the *Canberra Times* new monthly start-living Sunday supplement for readers who are over 50 years old. This year's program includes the Chief Minister's concert today, a series of myth-buster events which include visits to local Jewish, Buddhist and Hindu centres and the great debate at Old Parliament House on Friday, 11 April. Participating organisations include seniors clubs, the YMCA, Pedal Power ACT, Carers ACT and ACT Health. With visits to the Lower Molonglo Water Quality Control Centre, folk dancing, singing, yoga, martial arts, retirement planning and seminars on spirituality, Seniors Week 2008 has something for everybody.

Can I remind the Assembly that this year saw the 10th annual Chief Minister's seniors breakfast last Monday. The guest speaker was Emeritus Professor Jennifer James AM who spoke on this year's theme, "growing older is all about living". This event was well attended by seniors and invited community leaders. One of Professor James's points was that retirement should be a time of opportunity, the icing on the cake of life, as it were.

Seniors Day will be celebrated this year on Thursday, 10 April by a mini expo at the Old Bus Depot Markets. This event, to be opened by Minister Hargreaves, will bring together government, business and community organisations providing information to the public, with a particular focus on health, active lifestyle and retirement planning.

Over the last few years I have been to a lot of retirement parties for people that I used to work with from the old Protective Service. I have been quite inspired—I think it is

a good word—to see that these people are living very active lives after their retirement from the APS. Most people in APS worked shiftwork. Some of the comments at those parties from those retirees were that their lives are now busier than they have ever been and for the first time ever they have actually had to go and buy a diary.

Seniors Week is an opportunity for older people to discover new information, services, activities and local groups and to make new friends and establish social networks. As the Chief Minister stated at the seniors breakfast on Monday, not only is the percentage of older people increasing but people are also living longer. In just the last 10 years the average life expectancy for men in the ACT has increased by five years, and by six years for women. He stated that, with years being added to our life, now we need to add life to those extra years.

Ultimately the Seniors Week message is to encourage positive and active ageing. The support of Seniors Week is just part of the ACT government's work in the support of people who have retired from full-paid work or are approaching retirement or semi-retirement.

Other ways in which the government promotes health and wellbeing is the ACT concessions program which provides concessions to eligible older people on services such as utilities, public transport, motor vehicle registration, drivers licences and spectacles. This is especially appreciated by people on the age pension.

In 2007 the government extended public transport concessions to peak hours for seniors card holders to help maximise their community participation. This month will see the introduction of a new community minibus service which will assist seniors and other members of the community who would otherwise be likely to experience social isolation due to their limited transport options,

The ACT Office for Ageing is also currently working with the Tasmanian and Northern Territory governments to put in place reciprocal public transport concessions for seniors card holders. The MOU drafts for comment are currently with these jurisdictions. We hope to have final drafts signed by the end of April this year.

The Office for Ageing also supports the Ministerial Advisory Council on Ageing which advises the ACT government on issues including the promotion of positive attitudes towards ageing and older people, also housing, accommodation, lifelong learning, mature age employment, prevention of elder abuse and the provision of services for older people. Last year the council undertook major work on public transport and worked with the ACT and Region Chamber of Commerce and Industry on the silver lining project, which is an information package to encourage employers to appreciate the value of older people in the workforce. The department, through the ACT Office for Ageing, also funds the ACT seniors card and ACT seniors information service, both of which are administered by COTA ACT.

Other work for seniors includes the elder abuse prevention program, the sponsorship of the annual Canberra retirement and lifestyle expo and the ACT seniors grants program. In the 2007-08 grants round, \$85,000 was allocated for projects that

encourage and support older people's regular participation in community activities, encourage and support older people to share their skills and knowledge with others on a regular basis, encourage and support capacity building within the community and support participatory decision-making models within community groups and organisations.

New work for the Office for Ageing this year includes a research project to examine the issue of social isolation for older people in the ACT. There will be a public consultation process as part of this, including a number of focus groups. The Ministerial Advisory Council on Ageing also plans to hold a seminar that will feed into this work.

In addressing the health and wellbeing of older people, we must also acknowledge the major role of ACT Health in providing numerous programs and services which assist the frail aged. They provide aged care assessment, residential aged care liaison nurses, multicultural aged care liaison, rapid assessment of the deteriorating aged at risk, a geriatric medicine output clinic, the falls prevention and assessment program, the transitory therapy and care program, the aged care day program at Tuggeranong and Belconnen health centres, the Independent Living Centre, which has organised special drop-in sessions during Seniors Week, and equipment services.

The home and community care program is a joint commonwealth and ACT government initiative which assesses the frail elderly and people with a disability and their carers to remain living in the community and prevent premature or inappropriate admissions to residential aged care. In 2007-08 the Australian government provided close to \$12 million and the ACT government \$12.5 million, for a total of \$24.5 million of funding for HACC services in 2007-08.

ACT Health also provides the older persons mental health service, health promotion and health promotion grants, denture services, community health and respite services. In addition, Sports and Recreation ACT's active ageing strategy coordinates strategies to increase the participation of older people in physical activity in the ACT.

Mature-age people are targeted for support through the Australian apprenticeships user choice program and the strategic priorities program. Over half of the 23,000 participants funded for training through the strategic priorities program in 2007 were mature age, over 40, with no upper age level. And one of the adult and community education programs funded in 2007 was "out of the shower, on with the show", an over-50s choir which rehearses weekly and performs at public venues, including retirement villages, schools and festivals. I was able to see a preview of the show at the Tuggeranong Arts Centre last year. It was very entertaining.

Lifelong learning is also supported by ACT libraries which provide older Canberrans with a safe place to meet friends, socialise, read books, newspapers and magazines, as well as taking part in discussion and reading groups. The libraries have material in over 18 languages, primarily for migrants who often prefer to read in their first language, especially as they get older. Other services include the mobile library service and the home library service for the housebound.

Getting back to Seniors Week, I encourage all members to have a look at the program of events available through the COTA ACT website and, of course, in this promo here, and try something new, whether it is pitch and putt at the Canberra International Golf Centre or just checking out the *Life's Reflections* photographic exhibition at the Canberra Centre.

I would also like to thank COTA ACT for its great work in putting the week's events together.

MRS DUNNE (Ginninderra) (4.00): I thank Mr Gentleman for bringing forward this extremely important matter of public importance; namely, the importance of developing comprehensive policies for older Canberrans. It falls especially to members of the Legislative Assembly, as leaders in the community, to take a lead in ensuring that our older Canberrans have the right range of services to meet their needs and to ensure that what in these days is a lengthening period of retirement from the full-time workforce is an enjoyable and productive one for the members of our community.

As we ourselves grow older, those of us who are still blessed with the presence of our parents are quite alert to some of the issues confronting older Australians and older Canberrans. I am blessed with both my parents still being alive and extraordinarily well, well into their 80s. My mother is 88 and my father is 86. My father plays golf. He plays off a handicap of 19—sorry, it has just been increased; he now plays off 22, which is a substantial achievement for someone of such an age. My mother has given up golf after a wrist injury, but she has discovered bowls. As an extraordinarily competitive sportswoman all her life, she has discovered something else that she is good at.

Recently at home we spent some time reflecting on how wonderful it is when you see people who, as they get old, are in the right place and able to make the right choices for their future. I am blessed, and the rest of my family is blessed, because my parents have been able to do that. They do not live in Canberra but they are doing very well. And I reflect upon other people, other members of my family and my extended family, who are not in that same situation. It shows how important the right decisions and having the right choices before you are to one's wellbeing as one advances in years.

Seniors Week is an important time to reflect upon this. Although Mr Gentleman has encouraged us to get out during Seniors Week, it is difficult for members of the Assembly to get out during sitting days. But, perhaps at the weekend, we should take some of the opportunities that are afforded to get out to some of the seniors events.

As I said at the outset, there is an important role for those of us in government and in the legislature to make sure that we have all the right settings in place or that we do what we can to ensure that there are the right settings in place. Therefore there is an important role for the opposition. I would like to run a reprise of some of the comments that the Leader of the Opposition made recently and reflect upon those in the context of making and developing comprehensive policies for older Canberrans. The leader said:

It is ... the role of oppositions to fight hard for those left behind by government policy or administration. I believe that oppositions, even when faced with a majority government, are capable of influencing outcomes for the good of the community and leading in such a way as to improve people's lives on a day-to-day basis.

This is extraordinarily important in the case of our older and ageing Canberrans. The leader continued:

I believe that a solutions focused opposition is best placed to become a solutions focused government.

To put it another way, the role of opposition—as it was put to me a few years ago—is like this. There is a bus; it is the government bus and people are all on the government bus. As the government goes round the corner and goes over bumps because the roads have not been maintained and it is hard for people to get on the bus because they do not run as frequently as they used to, it is the job of opposition to come behind and provide an alternative bus service which picks up those people who have been left behind by a thoughtless government.

That leads me to one of the key areas of significance that the Council on the Ageing have prioritised for action over the next year or so: transport. When it comes to the issue of transport, the ageing community in Canberra, like most others, has been substantially ill served by the Stanhope government. We have spent the best part of 18 months struggling with a service which is worse than it was before—which was described as the worst public transport service of any capital city in the country, even worse than little old Hobart, with its small government and not much opportunity for economic expansion. Even Hobart can get a better public transport service than we can.

Although there is promise that the new bus timetable will address many of those issues, the fact is that we have had to struggle for 18 months and the government has not listened to the community when they asked for the old service to be reinstated. The paltry excuse was, "Well, if we reinstated the old service we would have to cut the services to the eye hospital." Yes, the services to the eye hospital are important; they are good and they are to be applauded—any extension of the service is. But it was an extension to the service at the cost of many other services that created huge inconvenience for people who depend upon public transport.

We have to remember that 50 per cent of the people in the ACT do not have direct access to private transport. Fifty per cent of people in the ACT rely upon public transport. That is probably because of age—whether they are young or old—or infirmity. That is an important figure that we need to keep in our minds. But we are not providing a service to half the population.

Mr Hargreaves: That's not true.

MRS DUNNE: It is not true in the ACT—the minister interjects—because people who do not have direct access to private transport have to beg, cajole or stay at home

because they do not have the mobility that is their right, especially after they have contributed to the community after a working life of 30 or 40 years.

While I am doing a reprise of some of the words of the Leader of the Opposition, let me say that we have to ask ourselves this. After receiving unprecedented revenue from the property boom and the GST, many Canberrans ask, "What have we got to show for it?" It certainly is not a public transport system that meets the needs of older people.

In addition, taxes and charges have increased significantly. This has a disproportionate impact on older members of our community who are pensioners or self-funded retirees. There are many people in the ACT who are self-funded retirees but are not extraordinarily wealthy people. Most of the people who are retired on CSS pensions are low to middle-ranking public servants who have modest pensions, modest superannuation, some of which is not much larger than the age pension. We have to keep that in mind. Not everybody who retires out of the public service does so with a great big golden handshake even if they were members of the CSS for a lengthy time.

In addition, we have seen the worst waiting lists in the country. Again, this is an issue which is of considerable concern to our retirees, for whom healthcare is an ever-increasing priority.

There has been a failure to significantly improve infrastructure, particularly water infrastructure. This is a matter of concern for elderly Canberrans, as they see their lifetime's work in establishing a garden and contributing to Canberra's urban amenity crumbling, dying and turning to dust before their eyes.

Canberrans deserve better. "If ever there has been a time after the great boom that we have had from the GST and the property boom when people should be expecting a lot from their government, it is now." These are the words of the Leader of the Opposition. They certainly echo today when we talk about the needs and the rights of people in our community who are ageing. If the government cannot take care of important services in the midst of a multimillion dollar boom, how can we expect them to get it right in tougher times?

Instead of wasting our time on the list of things that the Leader of the Opposition has outlined, and that other members have outlined on a number of occasions, we should go to priorities. There was the \$3.5 million for a busway that Mr Hargreaves said we will never see in his lifetime. There was \$4.5 million for FireLink, a communications system that was never rolled out properly and therefore was mothballed. There was \$130 million for Canberra's ever-shrinking prison. There was \$500,000 lost on pay parking which was a considerable inconvenience to elderly Canberrans who had to drive to the hospital. This is what we have to show for seven years of the Stanhope government—a complete lack of management which has resulted in bad priorities for our ageing people.

I would like to go back to COTA's list of what it sees as priorities. In addition to transport, which I have touched on, a high priority is affordable housing. In here we

have spoken a lot about the dream of home ownership for first home buyers but the problem of housing affordability is not just confined to our young; it is also a problem for our old. We have seen the cost of land going up and up. It does not just drive up the cost of land for first home buyers; it drives up the cost of land for older people who want to find more appropriate accommodation.

I will give two examples which are close to my heart because they are in my constituency. There was the shameful—shameful—six years of planning mismanagement, duckshoving and paper shuffling before we got to the stage where Calvary aged care could fully establish their facilities at Calvary in Bruce. That was an important facility which was on hold and was going nowhere for a very long time. The sum total of that was that the cost of the individual units in those places has been driven up.

Another instance where the cost of units was driven up by the carelessness, thoughtlessness or perhaps malice of the previous minister for planning related to St Vincent's church in Aranda. St Vincent's had some land which was inaccessible to anyone but them; it was not being used for any other purpose. The changes to the territory plan for supported housing on community land made it possible for them to build aged persons accommodation on that, but the delays that the community incurred over that were entirely shameful.

The shame of it all was capped off by the minister's decision to impose a change-of-use charge—a change-of-use charge on a block of land which was already owned by the same organisation and which could not under any circumstances be sold. It could not be sold off; it had no access except through an existing block of land, through a school. It could not be sold off; there was no way that the Aranda church community could ever recoup a windfall profit. But they imposed a change-of-use charge which drove up the cost of those units by a figure of something like \$35,000 per unit. That is the dead hand of the Stanhope government when it comes to planning for aged care.

The other area of considerable concern is healthcare, particularly dentistry. Over the years, we have seen the falling use of bulk-billing by doctors in the ACT. We have also seen a shortage of GPs, in particular, within the ACT. The Stanhope government has not done enough about it. One of the projects that we have spoken of—I have spoken of it regularly as a worthwhile project—is that in west Belconnen, but we are still waiting to see that come to fruition.

One of the other areas of priority for COTA was dentistry. It is significant to see that there is very little movement in the provision of dentistry through the ACT government. This needs to also be looked at through the prism of what is being done by the commonwealth. The Stanhope government is pretty keen to criticise the Howard government on almost every turn, but we have to remember that it was the Howard government which introduced a substantial amount of money—\$350 million, from memory—for dental assistance for people with complex and chronic needs, people who are, disproportionately, older Australians.

This program was immediately dismantled by the Rudd government and replaced with two programs: the dental health payment, which is not targeted at people of any

particular age, to reduce waiting lists; and a teens program. That means that the money is in for teens and out for older people. That is not to say that teens are not worthy, but the needs of older people are still substantial and are not being addressed by the Rudd government. There was no criticism of this move by the Stanhope government or the Stanhope government Minister for Health, Ms Gallagher, even though the Rudd government ended up putting less money into dentistry programs than was previously provided by the Howard government. There is much to be done to make sure that the policy frameworks that this government talks about actually provide good policy for our older Canberrans.

DR FOSKEY (Molonglo) (4.15): Before I make my contribution on this matter of public importance, I want to remark on the fact that we are now debating matters of public importance on Wednesdays and that that erodes private members business. Although MPIs are put by private members, we must remember that they are not motions and they do not have resolutions. I believe that their contribution to that important, precious thing we have—private members day—is questionable. I hope that after the election—I do not suppose that much will happen in an election year—the committee for admin and procedures will make a ruling, by a gentlemen's or gentlepersons' agreement, reflected in standing orders, that we revert to the earlier regime.

It is interesting that we are talking about young people and seniors today. It is a week for young people; it is also a week for our senior citizens. Perhaps surprisingly to some people, the two groups have a lot of issues in common and share a lot of concerns. They are both vulnerable groups in our community. One major difference is that senior citizens have a vote, but they are both affected by public transport issues, planning issues and other issues that it would be nice to see them getting together a little more on.

In my office, probably like other members, I am frequently contacted by elderly constituents. They do know how to use their MLAs. That is something that is learned in a lifetime of living in the ACT. We know that the ACT population is an informed group, a group that knows its rights and is not short of people who know how to call for them.

Let me go to the kinds of things that we have heard about in the last year or so. This is just a slice of them. For instance, there are issues about footpaths in the suburbs where they live. Some suburbs are very well served by footpaths, Yarralumla being one; but others, apparently Red Hill, are not. Both these suburbs have a high proportion of elderly people. There are concerns about the lack of footpaths for people with walkers, people who are able to walk without walkers, people in wheelchairs and so on. They have to be on the road. It is unsafe; it limits their mobility. A lot of elderly people will choose not to go out if they have to go on the road.

This must be particularly a problem in Gungahlin. As yet, it does not have a high number of elderly people, but when it does they are going to be extremely challenged, because of the narrow roads and lack of footpaths. We will probably have to instigate a wheelchair lane or a scooter lane shared with bicycles. I am not sure quite how we are going to deal with that one. I do not think our planners were full of foresight in that case.

Another issue that we deal with is shopping centres. Local shopping centres are most important for those who do not have access to vehicles or the ability to drive them. It is really important to have local shopping centres that can be walked to. In some suburbs we know that there has been a real loss of amenities in shopping centres—the loss of supermarkets and in some cases newsagents, pharmacies, doctors and so on. The Greens would really like to see a focused attempt to make our local shopping centres viable again so that a person who cannot go any further than their shopping centre can buy everything they need for basic living. It should be a sort of a rule.

There is public transport. We have already heard a bit about that today. I would say that at least half the concerns that were expressed about the new ACTION bus network were from elderly people. That is because they really rely upon buses; it is a safe way for them to travel and it is a cheap way for them to travel.

There have been concerns about taxis as well. I was pleased to hear from the minister—I think I understood him to say it—that older residents will no longer have to pay more if they travel in peak hour. I am not sure about that; perhaps he can clarify it when he stands up. I have not had a chance to read the answer to my question yet. Access to taxis will be a big one, I note, for people in the disability community. A lot of elderly people have disabilities; access to taxis that are able to carry them is really important.

We know that access to GPs is a very big issue for people at that end of their lives, because their health status is often poorer than that of other people. And it is not only that: many elderly people find themselves living on their own after the death of a partner. It is my belief that being alone does lead to greater focus on health. There is no-one to share it with, no-one to talk about it with; there are depression issues and quality-of-life issues altogether. So health services are really important.

One of the things we have to be very careful of is that we do not assume that all senior citizens are retirees with decent incomes. The fact is that an awful lot of our senior citizens never had a chance to accumulate a decent superannuation sum and do not own their houses—or, if they do own their houses, through sheer luck in being able to buy them when they were affordable, cannot afford to maintain them. And people really worry about their safety in their communities and so on. There are a whole lot of issues around that.

I would like to see our government set up a home and garden maintenance program that elderly people could call on, with an emphasis on occupational health—that would be an adequate reason, in my mind—and fire safety. They could work with community organisations to do that. We have to realise that it is going to be good for us all if no-one has a backyard that is a fire risk, for instance.

Another thing is that planning is going to be hugely important. We realise that we now have people who are home all alone in their streets because everyone else is at work. We can have elderly people at home with no-one to call upon. That is why I would like to see more attempts to do community development in suburbs so that in every street it is known that that person is there alone and vulnerable. In some ways,

that can be done through the fire watch program so that, for instance, we do not have elderly people unable to leave their houses because no-one knows that they are in their houses. I will not expand on that—I am running out of time—but it is a really important area. It would apply to people who cannot even push their rubbish bin out and do not know how to ask for help. I have met people like that. They are out there.

Another very concerning thing—it indicates the financial challenges for many other people—is the couch surfing that is now occurring amongst our elderly people. Couch surfing sounds like fun, doesn't it? But what if it means that you have not got a permanent place to live and that you are relying on friends or, more particularly, family and you are at their mercy? No-one is happy: the family is not really keen about it and the elderly person is not keen about it because they lose their power by having to stay in other people's houses. COTA has indicated that this is a growing problem in our community, due to the cost of accommodation. They are not people who are going to tell us that they are homeless but they are there. Thank goodness COTA is there to represent them.

Finally, I want to mention recent discussions in our community about voluntary euthanasia. I have had concerns expressed both ways—from groups of people concerned about it being introduced and from people begging for it to be introduced. Again, they are at that end of the spectrum where they really fear the loss of control over that end of their life.

We have to take these issues on for people who worked their lives for us—the end of the working family process. They are no less valuable because they are no longer part of a working family.

MS MacDONALD (Brindabella) (4.25): I commend Mr Gentleman for raising this important issue of the need to develop comprehensive policies for older Canberrans, particularly with the spotlight on this important and valued element of our community during Seniors Week.

The current ACT population profile is younger than the national average. However, population growth in the ACT in recent times has been slower than that at the national level, while at the same time the rate of ageing has been faster. In 2005, the median age of the ACT population was 34.5 years. Since 1985, this represents an increase in the median age of 6.4 years. Nationally, the increase in median age was 5.9 years.

Over the last three decades, the ACT has also experienced a steady decline in the proportion of the population aged under 15 years. At the other end of the spectrum, the ACT has experienced a steady increase in the proportion of those people aged 65 years and over. Since 1995, the number of children aged under 15 years has increased by eight per cent. However, the number of those aged 65 years and over has increased by 45.5 per cent and the number of those people aged 85 years or older has more than doubled. These are stark figures. Such a change in the profile of the ACT population has a range of policy implications for the ACT as well as the nation.

Areas of impact for the ACT include rate of economic growth, revenue collection, health services, housing types and services, aged care accommodation, carer support

services, transport services and education services. As with any age cohort, the policy inclusions will not be one-size-fits-all, but rather a multiplicity of policy and program initiatives that reflect the diversity within the older population.

Although the ageing population will have both fiscal and economic pressures, such a phenomenon will also provide opportunities and benefits. Key amongst these is an increased level of family and community involvement and a ready supply of skilled and experienced labour. As the Chief Minister discussed in the chamber yesterday, the ACT is currently experiencing a low unemployment rate. More Canberrans than ever are currently employed, with unemployment at a record low of 2.4 per cent. We have a unique situation in the territory where there are still more vacant positions than people unemployed. The chief executive of the ACT and region chamber of commerce has commented that the ACT private sector could readily absorb some 1,000 jobs. It may be that older Canberrans can supplement these labour and skill shortages. Of course, after October, maybe I will take up one of them too, Mr Speaker.

Following an approach by the ACT Ministerial Advisory Council on Ageing last year, the Chief Minister asked the Commissioner for Public Administration to consider formalising grandparental leave for ACT public servants. On 28 February this year, the commissioner recommended to the joint council that grandparental leave be incorporated into an ACT public service mature age employment strategy.

The development of an ACT public service mature age strategy is a commitment under the ACT public service union collective agreements, most of which were entered into late last year. In addition to the provision of grandparental leave, it is intended that the strategy also go to payments equivalent to the employer superannuation contributions for employees 70 years or over; assistance for mature age employees transition to retirement by converting to permanent part-time employment status; and the development of measures to attract mature age workers to the ACT public sector.

Detailed procedures for the implementation of grandparental leave and the payment of an amount equal to the employer superannuation contribution to employees aged over 70 have been developed. It is planned to have the overall mature age employment strategy agreed by July 2008. At this stage it can be anticipated that grandparental leave will be granted to permanent full or part-time staff who assume a primary caretaking role after the birth or adoption of a grandchild or after their children accept an authorised carer's role under a law of the state or territory—for example, foster care during the first three years of a child's life.

The issue of aged persons' accommodation is another area on which the Stanhope Labor government has focused its attention. In 2003, the ACT government released *Building for our ageing community*, detailing a commitment to work with industry and service providers to reduce the time involved in delivering high-quality aged persons accommodation. To this end, the Stanhope government has increased total funding for aged care and rehabilitation from \$18 million to \$35½ million since the amalgamation of the service in 2004. This represents an increase of approximately 97 per cent in the past four years. Prior to 2007, there was a shortfall in the number of publicly funded beds available for older people and those with rehabilitation needs.

This meant that older people regularly remained in an acute-type bed in our public hospitals, rather than receiving care appropriate to their care needs—that is, receiving care at a higher level than necessary.

Over the last few months a number of projects have been completed that have delivered additional aged care beds and independent living units, all adding to the accommodation options available to older Canberrans. Southern Cross Care at Garran has added 70 beds and 14 independent living units. Centacare at Aranda has built 15 supported housing facilities. Goodwin at Farrer has 19 assisted living units. I have to say that I drove past them the other day; they look pretty good from the outside and I understand they are pretty good on the inside too. Ridgecrest at Page has 24 independent living units; Calvary has 100 beds and 78 independent living units; and Goodwin at Ainslie has constructed 103 beds and 22 independent living units.

In addition to those aged care facilities that have recently come online, there are additional developments under construction. Southern Cross Care, Campbell, is developing 40 beds; Illawarra Retirement Trust, Lake Ginninderra, is developing 100 beds and 150 independent living units; St Andrews at Hughes is constructing 74 beds; Mirinjani at Weston will have 64 beds; and Goodwin, Ainslie, will have 45 independent living units.

The proactive approach being implemented by the Stanhope government is achieving good results. The 2007 report on government services—ROGS—released in January this year, shows that the ACT leads the nation in assessing and caring in the community for older Canberrans. The ACT had the highest number of aged care assessments per 1,000 people in Australia, with 113 per 1,000, against a national average of 86.8. This number was made up of people aged over 70 and Indigenous people aged 50 to 69 years.

As Mr Gentleman has pointed out, the theme of this week's Seniors Week is that growing older is all about living. Since 2003, the Stanhope government has had an actively ageing framework which highlights the importance of promoting healthy lifestyles. It is about extending preventative health measures to enable older people to remain independent and to get the best from life.

In developed countries such as Australia, older people are living longer and at the same time enjoying more years of greater quality. The actively ageing framework has been developed to provide a coordinated response to issues surrounding the provision of physical activity opportunities to older people within our community. It will serve to underpin the ACT government's leading role in the development of appropriate policies and programs to encourage greater participation by older people in physical activity.

The Stanhope government, through a multitude of policy strategies and initiatives, is providing a comprehensive response to addressing the issues arising for older Canberrans. I emphasise specifically the statistics that I cited at the beginning of my speech. It seems that we have a baby boom in town at the moment, so in a few years time we will have a lot of people at the young end and a lot of people at the aged end. This morning, while driving in, I was listening to Radio National. They were talking

about young people not having much association with older people. I think we are going to have that big gap in between, and there will be a need to work with both ends of the spectrum.

MR SESELJA (Molonglo—Leader of the Opposition) (4.35): I thank Mr Gentleman for bringing this matter forward today. There is no doubt that it is crucially important that governments develop comprehensive policies for older Canberrans. It is true that, with the challenges with having an ageing population, governments will need to find new ways of responding. Governments will need to be innovative in the way that they care for the elderly. I think it is also fair to say that, as the baby boomers age, with that large aged population, not only will we see significant challenges for government but also the political clout of the elderly will increase significantly, simply because of their numbers. So governments will not be able to ignore, if they are at the moment, the growing needs of a growing aged population.

It is worth looking in particular at a number of areas of government policy that currently impact upon the elderly, particularly taxes. It is fair to say that, for many Canberrans on high incomes, certain taxes do not impact on them as much as they do on low-income earners and on the elderly. We know that many of our elderly, particularly those who rely solely or primarily on the age pension, are low-income earners. They are living from week to week in terms of their income. This government has imposed a number of significant burdens on them. We have seen issues such as the utilities tax and the indexing of taxes and charges to wage price inflation as opposed to consumer price inflation. The elderly—those who rely on pensions—are seeing their relative incomes go down in relation to the taxes they are paying. We have seen a massive increase in rates.

Another issue that affects the elderly, particularly those in their 60s and 70s who are looking to downsize, is the impact of stamp duty and the significant rates of stamp duty payable. It is worth reflecting for a moment on what that actually does. Many Canberrans have lived in their houses for many years. The kids have grown up, they now have grandchildren and they are looking to move from a four-bedroom or a five-bedroom home on a quarter-acre block to a townhouse, a unit or some other appropriate form of accommodation. The significant amount of stamp duty that is imposed upon those groups cannot be underestimated. We know that a house at around the median value attracts about \$20,000 in stamp duty. That is a significant burden for those who are looking to find more appropriate accommodation.

It is disappointing that we do not have a minister here to respond to this important issue. We did hear from Katy Gallagher a while ago about the difficulties in providing aged care accommodation. She lamented that problems in the ACT planning system were preventing the delivery of a number of these beds. It does cause Canberrans to reflect on what is going on inside the government, when the planning system is doing so badly that other ministers are lamenting that they are unable to deliver the services that they should be delivering for the community because the planning system is simply not up to scratch.

With respect to the issue of housing for older persons, in February this year we were informed that Housing ACT has just 1,217 older persons units for persons over the

age of 63. There are also 258 aged persons flats, but these can be used by persons aged 45 and older. Housing affordability is a function of income and rent. In relation to elderly Canberrans, we see significant increases in rent at the moment. I believe rents went up by 18 per cent in Canberra last year. That is impinging on a lot of our elderly people who are renting. Those who are lucky enough to own their own home obviously have been slugged with all sorts of taxes and charges, but for those who do not own their own home, an 18 per cent increase in rents is really hurting them. We know that the pension is not going up by anywhere near that amount. We know that the indexation of the pensions of self-funded retirees—commonwealth public service pensions—will not be able to keep up with those kinds of significant cost pressures.

We often talk about young families and the impact of an unaffordable city on them, even though the Chief Minister continues to maintain that the ACT is an affordable jurisdiction. But we know that our elderly are struggling with all of these cost-of-living pressures. A nationwide issue is the increase in food prices. I refer in particular to the increase in the cost of fresh food as a result of drought. That has been compounded by the obscene increases in rent in the territory. The impact of that is not just felt by young people. We often focus on young people, and it is true that it is impacting on those who are young and who are saving to buy a home. But it is also true that the high rents in the ACT, and the massive increases in rent, are significantly affecting our elderly population. A survey last week by AAMI shows that Canberra has the second highest proportion of residents who rent, at 37 per cent.

It is worth looking at public housing tenants and at how some of them have been treated. Last month, Mrs Burke exposed an awful case of the general mismanagement of public housing by the ACT government. She revealed that a frail 71-year-old was being pressured by ACT Housing to pay a debt of \$1,200 incurred by a relative several years ago, before she could move to safer accommodation to escape the same relative. This government rewards bad behaviour while punishing good tenants.

This is indicative of the government's attitude. It is indicative of a government whose policies have hurt the elderly and have hurt some of the most vulnerable and disadvantaged groups in our community the most. In particular, we can look at all of the government's policy changes over the last few years. I have talked about taxes and the disproportionate effect on our elderly population of the significant increases in taxes, but it is worth looking at the decline in ACTION bus services and the effect that has on our elderly residents.

Many of our elderly residents, who have contributed to our community over many years and who have worked for their entire lives, now either do not drive because they cannot afford to own and service a car or because for other physical reasons it is difficult or unsafe for them to drive a car. They rely on our bus service more than anyone. It is a shameful fact that under this government we have seen a serious decline in the quality of our ACTION bus service. We saw it under Minister John Hargreaves. The feedback I get from our elderly is that it has a significant impact. When I was on the planning and environment committee and we inquired into public transport, we certainly heard about some of the difficulties posed by changes to the network. In some cases, for elderly residents of some suburbs of Woden who simply wanted to get to an adjoining suburb in Woden, it took up to three hours under some of the network changes.

Mr Hargreaves: Fixed.

MR SESELJA: Mr Hargreaves interjects that some of it has been fixed. Some of it has improved but we know that the changes to the bus service and the decline in the bus service under this government have hurt the elderly, probably more than any group in the community. We know that young people and other groups are affected by it, but our elderly Canberrans have been affected by this government's mismanagement of our public transport system.

In a number of areas, whether it be tax, housing, rent, public transport or the provision of aged care, our elderly are being let down by the government. I am very glad that Mr Gentleman has brought this matter of public importance to the attention of the Assembly. It is an important issue. It is not an issue that is going to go away; in fact, it is an issue that will continue to increase. We need to find better ways of looking after our elderly residents because I think it is clear—(*Time expired.*)

MR SPEAKER: The time for this discussion has expired.

Utilities (Network Facilities Tax) Repeal Bill 2008

Debate resumed from 5 March 2008, on motion by **Mr Mulcahy:**

That this bill be agreed to in principle.

MR SMYTH (Brindabella) (4.45): Mr Speaker, I note that the notice paper says Mr Corbell was going to resume this debate, and his absence is noted. The Liberal Party welcomes this bill; it represents Liberal Party policy. It was agreed to by the party room in 2007. We attempted to remove the tax once and are pleased to see that we can have another go again. It is good to see this bill from the political oncer—the one-time member for Molonglo, Mr Mulcahy. He has plagiarised Liberal Party policy for his own end and has not got the capabilities to develop his own policies. Imitation is the sincerest form of flattery, and so the objective to repeal the utilities network tax is a worthy cause; it is something that we have supported in the past and we will support in the future.

This bill highlights serious issues with the Stanhope government's tax strategy or, should I say, lack of strategy. The Stanhope government was elected on the promise of being a low-taxing government. Indeed, Mr Stanhope as opposition leader promised before the 2001 ACT election:

We need a government that will be focusing on delivering ... low tax rates.

Sounds good, does it not? But what was the reality? The most succinct summary of the position was established by the former Treasurer, Mr Quinlan, in his famous remarks to the Canberra business community when he said that the government would squeeze investors till they bleed but not until they die. The reality of the Stanhope government is that it has a taxation strategy, if that is what it can be called, of being a high-taxing government. If it moves, tax it; if it is land, tax it; if it is built, tax it; if you can drive it, tax it; and if it is a hole for a utilities service, tax it.

How has this strategy been realised? There is a sad history of failed attempts to impose new taxes on the long-suffering Canberra community, and this history has been despite the agreement by all governments in Australia to remove so-called nuisance taxes under the 1999 intergovernmental agreement that was part of the implementation of the GST.

Consider the history of this government's failed tax policies. First of all we had the rating policy—this was a corker. The government proposed a complete change to the way in which general rates were determined in the ACT. They proposed a policy for which virtually no analysis was done. Indeed, the then Treasurer, Mr Quinlan, admitted that it sounded like a good idea at the time. It was defeated in the Assembly, and rightly so, because what it proposed was that if you were an existing owner you got charged tax at one rate but if you moved in after a certain period of time you got charged tax at a different rate. So much for equity.

Then, of course, we had the transfer of business assets. This policy imposed a tax on the acquisition of business assets at the same rate as the conveyance duty. It was supposed to raise an estimated \$1.7 million. Then, of course, we had the bushfire tax, which the government also had to withdraw. It proposed a fixed rate of tax on all rateable properties for two years, raising \$10 million over the two years. It was knee jerk, it was unnecessary, and this proposal was also abandoned after pressure from the opposition in the Assembly.

Then we had the loan security tax. This policy would have imposed a tax on secured loans valued at more than \$1 million, supposedly raising half a million dollars for the government. This proposal was abandoned after the government realised belatedly that all the other states were abolishing this particular tax.

Then we had the pay parking in Barton fiasco. This proposal had to be abandoned when it was established that the ACT government could not introduce the tax. Who could forget the parking space tax? This measure was proposed in the 2003-04 budget to apply in the four city centres in Canberra, supposedly raising \$2.5 million. Again, the policy was poorly researched, even more poorly explained, and the government failed to undertake proper consultation. Yet again, yes, it was another tax initiative that the government finally abandoned.

Then we had the motor vehicle tax. The Stanhope government sought to impose stamp duty on motor vehicles based on the list price of a vehicle. In the face of fierce opposition from the Liberal opposition, from industry and the community, when the government became aware of the stupidity of this proposal the proposal was, yet again, withdrawn.

Then we had the utility land use permit. The Stanhope government sought to impose the utility land use permit as a charge on utilities where they occupied unleased territory land. It was estimated to raise \$16.5 million in a full year. This policy became the utilities tax, which is the subject of this bill, after the government had to modify it after consulting with utilities companies such that it would impose a lower administrative burden on the utilities—yet again, lack of consultation.

Then we had Mr Hargreaves's outdoor cafe fees debacle. After having an embarrassing error in the calculation of fees applied, the Minister for Territory and Municipal Services, John Hargreaves, laughed off the error in the Assembly. Yet a few days later the minister announced that the error had been validated and that the new schedule would be withdrawn, refunds would be paid and a new corrected schedule implemented.

Then we had the corporate reconstruction tax. This policy involved changing an existing exemption to a concession based on 95 per cent of duty payable, raising an additional \$1.1 million.

As you can see, Mr Deputy Speaker, the Canberra community can be entitled to ask how carefully the Stanhope government has developed its taxation policy. The answer, based on the evidence of seven years of failure, is quite simple—the Stanhope government has demonstrated that it does not have the capacity to research properly new taxing measures before they are introduced. Even when it does propose a new tax, it is typically an inefficient tax. In a budget of \$3 billion it raises small quantum of revenue, but it imposes significant administrative burdens, particularly on business.

The Chief Minister asked yesterday what the Liberal Party's business policy was. We all know what the Stanhope government's business policy is—abandon business, cut business assistance, impose higher taxes on business and offer no relief at all for business in the ACT. How do we know the effects of this? We only have to see the collapse in business confidence as recorded in the recent report from Hudson as well as other reports from groups like Access Economics, the ANZ bank and Westpac.

To put the Stanhope government's revenue raising in context, in 2001-02 the budget for the ACT government was \$2.2 billion. Five years later in 2006-07, the government had raised its budget to \$3.2 billion—a significant increase—an increase over five years of nearly 50 per cent. This increase represents an additional \$200 million each year. Taxation revenue has gushed into the coffers of the ACT government over the past six years. Indeed, the billion-dollar boom that they have had has been so squandered that they now seek to put in place additional revenue measures that really are largely unnecessary given the windfalls that they have had. From their perspective, I suspect they are necessary simply because they have squandered a billion-dollar boom.

We will see new taxing measures, new taxes that are inefficient and a nuisance. This tax that we seek to repeal today is just another in a long list of failures of the ACT Stanhope Labor government to have an effective tax policy. They have failed because they have not diversified the economic base of the ACT. We will be supporting this bill.

DR FOSKEY (Molonglo) (4.54): The ACT Greens opposed the introduction of this tax when it was debated in 2006. The Greens are of the view that revenue can be raised in a more orderly and progressive manner right across Australia. It seems clear to me that this tax is a tax on consumers, and it is a flat tax which disproportionately hurts people who are doing it tough, and that includes people on welfare benefits and

limited fixed income, people employed on low to middle incomes living in the private rental market and especially people with families and couples with children buying their first house. The notion of the working family leaps to mind here.

The evidence is continuing to accumulate that things are getting harder for quite a number of Canberra people. No matter how they manage their affairs, if they use power or the telephone, they will be carrying the burden. People on low or limited incomes find that power and phone bills are a higher proportion of their revenue than those of us, such as politicians and public servants, who earn significantly more. Furthermore, the costs of rent or mortgages and of transport have also increased at a significantly greater rate than, say, pensions have.

I am aware that the ICRC, the pricing regulator, explicitly mentioned a commitment by the ACT government to ensure that people on low incomes would be compensated for the impact of this tax. The ACT government has failed to deliver on that commitment. I note, however, that the ACT government has finished a review of concessions. Since it was my motion in the Assembly which produced that review, I am extremely interested in its outcomes.

I anticipate a more comprehensive and robust approach to providing concessions for people who are disadvantaged due to income levels, health status or disability or are otherwise in need. I imagine that we will see that emerge in the next pre-election budget. Perhaps the promised compensation for this unfair and regressive extra tax will be tucked into that response, but I do not think that is good enough.

I am also aware that the Essential Services Consumer Council has written to the Attorney-General asking him to recommend that the tax be abolished. The Essential Services Consumer Council made the same points about the inequity of the tax that I have already pointed to. It emphasised the impact of the tax on electricity price rises in the past year and the overall increase in the basic cost of living for people on limited incomes as opposed to the average increases in their income. It also made the point that people on controlled or regulated electricity contracts could be assured of having the cost reduction passed on to them. The Independent Competition and Regulatory Commission could and would simply require the utilities to direct the savings to customers.

If we were to abolish or reduce other taxes and charges that might or might not be equitable, the savings may not flow back to the worst affected consumers. Nonetheless, in a more thoughtful environment we would see an integrated and more considered approach to changing the revenue mix.

I have the same criticisms of this initiative now as I had of the ACT government when it first introduced the tax. At that time, I argued that income and revenue measures ought to be designed to have a progressive impact on ACT residents and on our environment. Rather than simply restructuring or introducing new revenue measures, a plan based on a social environmental impact analysis needed to be prepared. Similarly, in this case, rather than simply abolishing a tax, a more sophisticated look at how to put some charge on utilities who use ACT government resources might have been investigated.

I would like to finish by addressing a few comments to Mr Mulcahy's tabling speech. I support his bill, because it removes an inequitable and inefficient tax. I do not share his view that the ACT government has too much money. My concern has always been that it is not using that income to do enough to address the challenges we face in our community. For too many Canberrans housing is neither secure nor affordable. The destruction of small schools was unwarranted. Our buildings are inefficient and need to be improved. Our approach to public transport is unimaginative and inadequate. Our dependence on property development results in the continual loss of irreplaceable biodiversity and habitat at questionable benefit to our ability to reduce our energy use.

I look forward to seeing the ACT budget in May and to the election campaign later this year, which might see us all moving further down the path of an integrated and progressive approach to government revenue and expenditure. Meanwhile, I would be very pleased if this bill were passed and this unwarranted and inequitable tax removed.

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts) (4.59): I must say it is interesting that nobody who has spoken in this debate has yet indicated which \$17 million of government services over the course of this particular budget cycle they propose to cut. It is the height of hypocrisy, of course, for anybody in this place to stand up in the first place to move and then to support a bill that removes \$17 million from the budget in forward estimates without a single person saying—

Dr Foskey: That is your job.

MR STANHOPE: Dr Foskey says, "That is your job." Dr Foskey stands here and says it is outrageous that we are collecting this \$16.5 million to \$17 million a year, but she does not have the integrity or the courage to stand and say, "Mr Speaker, in supporting this bill to remove \$17 million from the budget, these are the \$17 million of recurrent services which the Greens propose be removed from government services."

Will the \$17 million be in climate change, I wonder? Will Dr Foskey's \$17 million worth of cuts be in health, in child protection or in community safety, or will Dr Foskey cut the \$17 million from climate change or from the environment? Where will Dr Foskey take the \$17 million worth of cuts from?

There has been a complete lack of integrity today by speakers debating a proposal to remove \$17 million from the budget. Not a single speaker who supported that proposition has said, "Mr Speaker, I propose that we reduce the number of police by such and such," or, "I propose, Mr Speaker, that we cut the number of hospital beds by 30," or, "Mr Speaker, I propose that we reduce funding for Mental Health by \$17 million a year," or, "Mr Speaker, I propose that we do not fund an Indigenous-specific drug and alcohol rehabilitation facility."

Which of these proposals will Mr Smyth and Mr Mulcahy and Dr Foskey cut? They say, "Let us cut \$17 million from the budget. Isn't it outrageous that we have this

level of taxation? This is what I, Richard Mulcahy, will cut from the budget. This is what I, Dr Foskey, will cut from the budget. This is what I, Brendan Smyth, will take out of the budget. We will reduce services for child protection. We will reduce services for mental health. We will reduce services for community safety. We will reduce our investment on climate change.”

If you are going to stand here today and say, “Look, I want you, the government, to take \$17 million out of your government expenditure,” at least give us a hint as to which government expenditures you propose that we cut.

Dr Foskey: Just find it in a more equitable way.

MR STANHOPE: Which government expenditures do you propose we cut? Dr Foskey interjects, “Well, impose your taxation in a more equitable way.” What is your taxation proposal, Dr Foskey? These debates around “you are overtaxing” and “you are charging too much” are presented to the government every sitting week. All day today it has been: “You are not spending enough on this. You are not spending enough on that.” I exclude Mr Mulcahy from that. At least Mr Mulcahy does have some conviction around a philosophy in relation to the role of government. I do acknowledge that. Mr Mulcahy would cut from services here and there. He is quite open about it.

It is humbug for the Liberal Party and the Greens to stand here, with hand on heart, and say, “This impost on the people of the ACT is outrageous,” without once giving a hint as to what it is that they would cut. This is the hard business of government—determining an appropriate level of revenue and then determining what priorities that revenue will be directed to.

The government certainly will not be supporting this bill today. As I have said in response to a number of questions over the last two weeks, the ACT is not a high taxing jurisdiction. I find that suggestion absolutely remarkable when all the advice, all the evidence and all the statistics—this is not from the ACT government, not from my officials or services, but the latest advice, the February reports of the Commonwealth Grants Commission and the Australian Bureau of Statistics—indicate that we spend at 122 per cent of the national average. In other words, we spend at 22 per cent above the national average in the ACT, and we tax at 105 per cent, just above the national average and exactly in line—within one per cent—of New South Wales, two per cent of Victoria and beneath, for instance, South Australia. Those are the facts.

On the basis of state and local government top taxation, the ACT taxes at essentially the Australian average and in line most particularly with our neighbour New South Wales. We do not tax highly or harshly, but we certainly do spend at significantly above the national average. You have to ask the question: if you are taxing at 105 and spending at 122, you have got a 17 per cent disjoint. How do we manage to do that? We manage to do that through efficiencies in service delivery. We have some economies of scale here as a city state, but we do it through efficiencies.

Through the budget that has just been so roundly criticised we did take some significant steps. We did seek to get expenditure in line with revenues to a far greater

extent than it is has ever been before, but we also did drive a whole range of efficiencies. There is embedded within the budget \$100 million worth of efficiencies. So this suggestion that we are just trying to tax our way to get our service delivery costs to match our revenue is simply not true on a number of bases: we tax at the average, we are driving efficiencies and there is always room for improvement; there is always an opportunity and potential to do more. But we have done the hard work on efficiencies. We have done the hard work in seeking to ensure that our revenue effort matches our expenditure effort.

It is not fair to say that this is an inappropriate or unfair tax. You could say that about every tax. Nobody likes taxes or taxation. This particular tax was introduced two years ago as one of a number of revenue measures necessary to address what everybody knows and accepts and acknowledges was a historical mismatch between the territory's expenditure and revenues, which has been evident since self-government and, indeed, before. There is absolutely no sound policy reason why you would abolish this tax. More generally, in fact, there is no sound policy reason for reducing the amount of overall taxation.

The utilities networks tax provides a significant level of revenue—just under \$17 million. As I have said, abolishing this tax would reduce the budget and forward estimates by \$70 million. That is what is being debated here. What is being debated is a proposal that \$70 million be taken out of the budget and out of the forward estimates. As I have said, absolutely no proposal accompanies the bill or has been put by anybody supporting the bill that would restore the revenue position or the budget position.

The utilities network tax is one of the few ACT taxes that generate revenue from a source other than property or employment. It is a significant tax which helps to diversify the territory's taxation base. It is considered reliable because it is derived from a relatively stable base that is not subject to significant market trends, which, of course, makes it even more attractive for a government. It is applied consistently across all utility sectors with liability resting on the individual network owners.

The tax is well bedded into the billing processes of utilities; the calculation methodology has been set to minimise the administrative effort of utilities. It has a comparatively low administrative burden on the Revenue Office in relation to its collection. It is an efficient tax, and although the charges are being passed through to the consumers, the full extent and timing of this effect will be determined by the pricing strategies of the particular utilities.

To conclude and in summary, this is a broad-based and relatively efficient tax that has been well bedded with relatively low administrative burden for both the government and the taxpayer. The government opposes the bill today. I lay down the challenge for anybody, particularly for the mover, but for anybody supporting it, to tell us and the people of Canberra which services you are going to cut. Where are they? Are they in health? Are they in community safety? Are they in child protection? Are they in climate change? Are they in education? Which services are you going to cut?

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (5.10):

I was not going to speak in this debate, but upon hearing some of the contributions from other members, I did feel the need to make a contribution.

Whilst I will acknowledge from the outset the ideological purity of Mr Mulcahy's position in putting forward this piece of legislation, this repeal bill, I do note that it really has taken his removal from that position there as shadow Treasurer to that position there on the crossbench for his true ideological purity to come to the fore. In my experience in this place—and I think I have just ticked over two years as a member of this place—I am yet to witness from the Liberal opposition anything that comes remotely close to a coherent policy in relation to taxation and in relation to budgeting in the territory. In the two years that I have been in this place, the only voice of any economic credibility within the Liberal opposition resided with Mr Mulcahy, who has since moved to a different position in the chamber. I admire, as I say, his ideological purity, but I would have to indicate my disagreement with Mr Mulcahy on this particular matter.

As the Chief Minister has alluded to, taxation is never popular. No-one likes particularly paying tax, but the broader contribution to our society that we collectively make as taxpayers and the opportunity through our governments to deliver services to those who are most in need requires taxation. I have to say that I do find it remarkable, given all the questions that I have fielded from Dr Foskey in the two years that I have been a minister in relation to the need for increased resources in the portfolio areas that I have responsibility for, most particularly in education, and I am just thinking back to conversations at the 2020 Summit on Saturday. I sat in on a table that included Dr Foskey, and the consensus was that governments needed to invest significantly more in education. So the question that is clear is: where is that money going to come from if not by means of collecting through taxation?

To suggest that we would be in a position, given the increased level of demand for services in the community, most particularly in health and education, just to hand back that amount of revenue and expect that it would have no impact on service delivery is a ridiculous proposition. I just think of the process of seeking efficiencies within the public education system, for example, through 2006 and the position of the Liberal opposition and of Dr Foskey around rejecting any moves to have more efficient service delivery in education, for example, and just how they would propose to make \$17 million worth of savings each year given their resistance to taking any difficult decisions in relation to efficient service delivery.

Now, I will exclude Mr Mulcahy from this because in this instance I at least will give him credit for being supportive of government seeking to deliver services more efficiently. Since his move from the chair that Mr Smyth now occupies, his level of hypocrisy around wanting to walk both sides of the street here and opposing every single measure to improve efficiency and then, at the same time, wanting to reduce taxation has at least moved away from that position and he now occupies a more ideologically pure position whereby he believes in smaller government. Good luck to him on that!

I am not necessarily sure that that is the position that the people of the ACT or the people of Australia are indicating in that they are requiring government to invest more

in community services, in health and in education. But in order to achieve those worthy social goals, it is a requirement—as unfortunate as it is and as much as people do not like paying tax—that there is a collective community contribution to ensure that we are able to deliver services. But I believe very firmly that it is then incumbent upon government to deliver those services effectively.

Through my time in the education portfolio and in the tourism portfolio—and I look forward with some interest to the next matter before the Assembly and Mr Smyth's position on this—it is my experience that you do have to look very critically at how you are delivering services and being more efficient. That means returning savings to the budget, which we most certainly did in 2006, 2007 and in 2008 through both the education and tourism portfolios, in particular, by delivering services more efficiently. You undertake those reforms, yet throughout there is such opposition to more efficient service delivery.

We see a call in the next motion for a restoration of funding to tourism, and we see through the various comments of Dr Foskey that, even when we are investing more in areas of pastoral care or languages or a range of other areas in the education portfolio, it is never enough and that there must always be more. But the challenge, of course—and that is a challenge that you can only really face when you are sitting around the table in the cabinet room seeking to put together a budget—is how you achieve so much more within the limited resources that you have. That is a difficult challenge, one that I do not think Dr Foskey will ever experience in her career. I think Mr Mulcahy may well have dealt himself out of that possibility as well, as much as I admire his ideological purity, but we will see what happens there.

For those people opposite, who put themselves forward as the alternative government in the ACT, to suggest that, on top of all of the other significant commitments that have been made—and I understand that Mr Mulcahy costed those when he was shadow Treasurer as in the order of about \$200 million a year—if you include this \$17 million—and I will have to check with Mr Mulcahy whether this was, in fact, part of his \$200 million costing—the ability of the ACT government to continue not only to meet future service needs but to continue just at the current level of service delivery whilst ripping \$200 million out, either on the taxation side or by \$200 million of new initiatives, would be affected. I note, Mr Deputy Speaker, your particular interest in light rail, for example, and a commitment that you gave on behalf of the Liberal opposition on ABC radio last year that you would give serious consideration to a \$900 million investment in light rail.

So, you see, portfolio by portfolio, as each of the shadow ministers within the Liberal Party decide that when it comes down to a difficult political decision—“will I be backing efficient service delivery or will I try and score the cheap political point?”—it is the cheap political point every time. But the thing is that the people of Canberra are not fooled. They know that when it comes ultimately to making a decision in October of this year it is not possible to simultaneously add \$200 million worth of new expenditure or revenue reductions and seek either to maintain or further enhance service delivery, that you cannot do both and that at some point the Liberal opposition will have to stop walking both sides of the street.

They cannot promise to wind back every significant efficiency gain that this government has made, be it in education or tourism or health or across the board. They cannot do that and cut taxes and layer on top of that their own array of new initiatives. It is simply not possible. At some point, if and when they ever release a policy, they will be confronted with the obvious question: where is the money coming from? This will be the real challenge.

We know the level of confidence that the Canberra business community has in the Liberal Party and in the shadow Treasurer, in particular. We know the failings during the 2004 campaign. We know the desire to put \$100 million worth of capital money into recurrent expenditure. We saw that through the 2004 campaign. So we know the difficulties that the Liberal opposition have with fairly simple budgetary matters. There was a temporary reprieve for them when Mr Mulcahy was elected but, no, they were unable to cope with him putting forward some reasonably commonsense propositions around their wanton expenditure proposals—\$200 million worth of tax removal or new spending initiatives that the former shadow Treasurer costed and was about, I understand, to present to the Liberal Party room. But they did not want to hear that news. They really did not want to hear that news, so what did they do? They kicked him out of the party.

That is unfortunate for Mr Mulcahy. I wish him well, as I say, in his ideological crusade around these issues, but I do not believe that this particular proposal is worthy of support. I do believe, however, that government should always seek to deliver services efficiently. We should always be looking at our taxation arrangements, and I am sure that the Chief Minister and Treasurer will have further things to say in relation to these matters on budget day.

We look forward to the delivery of this year's budget and the continuation of sound economic management for the ACT and a consistent position that the Labor Party have put in bringing forward new initiatives that it must be within an affordable context in terms of what the territory budget can afford. It is only as a result of taking difficult decisions in 2006 that the territory is in the position that it is in now, and that is a quite sound financial footing. We look forward to an outstanding budget in this place on 6 May.

MRS DUNNE (Ginninderra) (5.22): It is wonderful that we have yet another example of the way that Mr Mulcahy and the Labor Party are whispering sweet nothings in each other's ears, but eventually the Labor Party will tire of Mr Mulcahy and will abandon him, as they always do. They always make friends with somebody who comes onto the crossbenches and then use him for all he is worth and throw him aside.

The reason that prompted me to speak on this occasion is to address some of the issues that Mr Barr raised in relation to the supposed savings that we see in the department of education. Let us go back to June 2006, the anniversary of D Day, when the minister for education announced a plan to close 39 schools and why the opposition opposed that proposal. The principal reason for the initial opposition to the proposal to close 39 schools, which became a final decision to close 23 schools, was that the savings were illusory.

If you go back and look at the budget papers, the savings in the first year were something less than \$2 million, rising to \$4 million and then \$8 million and \$16 million over the outyears.

Mr Barr: Each and every year.

MRS DUNNE: Mr Barr can interrupt all he likes but he does not like to hear the truth. If you go back and look at that, over the outyears over the life of the budget, there was \$16 million worth of savings if Mr Barr had had his way and closed 39 schools. In the further years, there may have been—

Mr Mulcahy: On a point of order, Mr Assistant Speaker: the sentiment and discussion on education are interesting but we do have the Utilities (Network Facilities Tax) Repeal Bill here. We seem to be getting way out of the mainstream of discussion.

MR ASSISTANT SPEAKER (Mr Gentleman): Thank you, Mr Mulcahy.

MRS DUNNE: I hear what Mr Mulcahy says.

MR ASSISTANT SPEAKER: Thank you, Mrs Dunne.

MRS DUNNE: It is entirely relevant because it goes to the government's capacity to manage and the government's capacity to levy reasonable taxes. All of this goes back to the 2006 budget. In the 2006 budget Mr Barr promised savings across the life of the budget because of the school closures, if he closed 49 schools, of \$16 million.

Mr Barr: Sorry, say that again. How many schools?

MRS DUNNE: Sorry, 39 schools. We are clever, are we not? The final decision was to close 23 schools, so that the savings that the minister set out to achieve were unachievable because he did not close the quantum of schools that he wanted to. Mr Stefaniak, who had had experience of two—both the Alliance government and Liberal Party government—school closures, understood that the savings from closing a school were very small. As a result, Mr Barr—

MR ASSISTANT SPEAKER: Order, Mrs Dunne! I do need to bring you back to the point of this discussion, which is the Utilities (Network Facilities Tax) Repeal Bill, and remind you that that is the discussion we are having.

MRS DUNNE: The Utilities (Network Utilities Tax) Repeal Bill goes to the heart of the Stanhope government's capacity to manage revenue and raise taxes. The proposals Mr Barr was allowed to wax long and lyrical about in relation to the supposed savings in the education budget and the hard decisions are illusory—non-existent. The hardship imposed by the Stanhope government on the people of Canberra, through initiatives like the utilities revenue tax proposal and the closure of schools, has been unwarranted and has not brought the benefits that this government claims that we would see.

What we have seen is hard times for people on fixed incomes, mainly old people. We have seen hard times for families with children at school, who have seen considerable disruption, where almost no school in the ACT was left untouched by the dead hand of the Stanhope government.

MR MULCAHY (Molonglo) (5.26), in reply: I am pleased to see the Liberal Party supporting this bill. I was pleasantly surprised and pleased to hear the Greens' Dr Foskey also support this bill, possibly for different reasons or with a different objective in mind. But the end point is that I was comforted by speeches that indicated that they would vote in favour of this.

I was not exactly shocked by the declaration by the Chief Minister and Treasurer and his colleague Mr Barr that the government would not be backing this legislation. I think that was made fairly clear in the media a couple of weeks ago when I first introduced this measure.

There is, of course, a fundamental mathematical flaw in the line of argument presented by the Chief Minister. Of course what he is saying probably would have had some validity a couple of years ago when they continued to produce deficits in the budget under the GFS system. It meant, therefore, that, if you were to reduce your income stream, then obviously something had to go in its place. Things have all changed and that has been conveniently ignored.

If you simply look at what we know now that we did not in November, when this was last before the Assembly, the territory's forecast net operating balance has increased to \$116.1 million. The forecast amount of revenue has increased by \$167.2 million.

I am pleased to be able to assure Mr Stanhope that the money is in fact there and that it is not too late to embrace this repeal bill. He will not have to throw people out of hospital beds, sack police, shut down more schools or let the roads go into further state of rack and ruin. In fact, that can be funded. Even if you look at the outyears, which I have done, we have the capacity to comfortably manage this tax initiative that I have brought forward.

The issue is not that we can do this or that; the issue is: how much of the war chest do you want to give back to the people of Canberra? And it would seem at this stage it is very little. It will be interesting to look back on this afternoon's discussion in a few weeks time, when the budget comes in, and see how serious the territory government is about denying any form of tax relief to the people of Canberra or whether they will say, "We cannot do the utilities one, we better not do the fire and emergency services levy, we will dream up something else."

I was in Gungahlin Marketplace on Monday afternoon and a colleague of one of your ministers, Mr Stanhope, came up and said, "I am very pleased with those bills you are bringing in. I have been told by a minister that they are definitely going to be introducing some tax reforms in the budget in a few weeks." Whether that information or leak is valid I do not know, but I took some comfort in the fact that last time the windfall was disclosed in the December accounts you in fact indicated that you were

exploring the issue of tax reform. The exploration has obviously continued. It is not going to manifest itself today with a positive outcome, but I will continue to press this issue because I do believe it is important.

I have had quite significant numbers of people raise it with me as an issue. I am particularly concerned about these sorts of measures on our older people, our fixed-income people, self-funded retirees, people who are reliant on superannuation, which is increasing simply by the consumer price index, and those people who see these things go up as well as watching their rates bills go up. The value of their homes increases but their income stream does not rise to match.

I know there are various measures and exemptions or at least deferrals that can be accessed. As I have said in this place before and as I am sure many members know, older people do not like to leave debt and it causes them to stress when they do not have the capacity to meet the growing charges imposed by this territory government.

I thought it was a little rich to hear, notwithstanding my appreciation of the Greens' support, the Liberal Party talk about my plagiarising this policy. I persevered to convince the Liberal Party of this policy. For months and months, Mr Smyth, in the Liberal Party party room, delayed it. He said, "No. We need to see more figures." He put up every conceivable roadblock. When it comes to in fact cutting expenditure or cutting taxation, he is not comfortable with that whole concept.

To hear it said that I am plagiarising something that I persevered with, posited and argued for many, many months last year I find absolutely hypocritical. I cannot believe anyone can stand up in this place, knowing the facts as they do and I do, and then tell me—

Mrs Dunne: We do.

MR MULCAHY: Mrs Dunne protests here. I find it extraordinary that Mrs Dunne, who was part of those discussions, protests. She knows that from August to late last year Brendan Smyth kept saying, "No, no, no; we cannot embrace this one yet and we cannot embrace the fire and emergency services repeal bill," even though his then leader wanted it. Now I am being told that I am plagiarising something that I wrote. I should have put a copyright on the particular policy. Talk about trying to capture the credit after the event! It is quite extraordinary.

The Chief Minister, quite interestingly, said: "Where can this cut of \$17 million be found? Where is Dr Foskey going to produce these savings? What services are going to disappear?" But in the same address he talked about making \$100 million in efficiencies—this is what he is claiming—within the territory. He spoke earlier today about the shared services centre, which they assured us last year in annual reports would deliver \$20 million in savings. The Chief Minister says that is going to happen. That is good news. But when you hear that these things are achievable and then they say, "But how can we ever find \$17 million," I find enormous confusion in that response. It does not add up.

Indeed, the Chief Minister also said there was room for improvement in the way the territory is managing its affairs, which makes one believe that, in fact, this is quite

manageable. And of course it is. I am quite sure, as I saw after the second appropriation last year, that as soon as more money comes in the first response is not to hand it back to the people but in fact to increase outlays. It is very easy to increase the spending but there is a great level of discomfort in reducing taxation, especially if it is not the government's initiative and it is not proximate to an election.

The utilities tax has not been well received. Someone close to or within the realm of the territory government described it to me last week as being nicknamed the unfit tax. They said it is a horrible tax. I understand that. The Chief Minister can tell me I am wrong on this if he wants to, but I was reliably informed that there was pressure on Actew by the ACT Treasury in fact not to disclose this on consumer statements when this first came in and that there were cross words between the department and that corporation.

The fact of the matter is that, as the Chief Minister said, it is appearing on accounts. Of course it is appearing on some accounts now. It is not appearing on Telstra accounts. You might not have a lot of sympathy on this. I read the Chief Minister's comments when he brought it in that this is only about 10 per cent of Sol Trujillo's salary. I would not mind if Sol Trujillo was the one who paid it, but I suspect the poor mug customers of Telstra are the ones who are going to wear it, not Sol Trujillo.

However, at this point Telstra do not appear to have corrected their billing system. It has obviously presented them with some significant problems and, as a result, they must be absorbing this charge, which does speak to some of the issues it presents, when a territory or a state comes out with a unilateral measure of this nature, that it is in fact not reflected across the tax regime of other jurisdictions.

I have a few other comments to make on this particular matter. As was noted, the tax was introduced in the horror budget of 2006-07. At the time, the budget forecast a deficit of \$123.7 million. As I said earlier, we are now expecting a surplus of \$116.1 million. A few of the hints that have come out in the last week suggest there might even be more to play with when the next set of accounts is made public.

The Chief Minister introduced this tax after failing to forecast the direction of the ACT's budget position. He might not unreasonably put some of this back on Ted Quinlan, although the word was that Ted Quinlan was always trying to stop spending and gave up in the end. I do not know where the facts lie on that. We now know that position, yet he refuses to relinquish his extra revenue.

It is simplistic to say, as the Chief Minister has in his media releases, that tax reform comes at the expense of spending on core services. If you put this into perspective, repealing the utilities tax would cost \$16.525 million this year and, when you see that in the context of a surplus of \$116 million, of course it is achievable to make this reform without long-term adverse impacts on the ACT accounts.

Mr Barr: In the forward years—

MR MULCAHY: Even in the forward years, Mr Barr. I have looked at those, too, and it is still manageable within the forward projections on the accounts, many of

which will in fact strengthen, based on the recent historical pattern of a constant underestimation by ACT Treasury.

To say that putting money back in the pockets of Canberrans has to be done at the expense of funding for education, health and police is simplistic and misleading. The government's implied argument that they cannot afford to spend on core services and deliver tax relief does not balance with either their anticipated surplus or their constant declarations about investment in the health, education and police services.

My motivation in introducing this bill was not to dramatically slash the territory's revenue. Returning \$16.5 million to the community would not result in more schools closing or health services deteriorating. And for the government to claim this would be the case is misleading and points to the fundamental position of Labor that they do not trust residents with their own money. In their minds, the people most qualified to spend a person's income are the government, not the person who earns that money.

The Chief Minister bemoans at length the impact of rate rises on family budgets. We have heard it every day this week. Here he has an opportunity to provide some relief to residents through his own local taxation, and he shies away from it. He continually blames the last commonwealth government for every rate increase, apparently. I do not know how they achieved it in other jurisdictions, as I said yesterday, but when it comes to the ACT, when there is an opportunity to put money back into—

Mr Barr: They were claiming credit for every rate reduction, so they can take responsibility for every rate rise.

MR MULCAHY: Mr Barr would not be old enough to remember, but I have lived through the Whitlam and Keating eras. You can talk about rate increases. They were prime examples of what happens when government goes off the rails. As I said, this is an opportunity to put more dollars back into the ordinary families.

As the Chief Minister said in question time today, people are having to cut back on movies and entertainment and clothing and education. Let us see the ACT start to put some of that back in their pockets rather than constantly expending money and, when a windfall comes, go to the people and say they will splash more money around. I fear that this government still has a philosophy of spending—

Members interjecting—

MR MULCAHY: I am struggling to hear myself. If we could just tone it down a bit, it would be most helpful. I fear that this government still has a philosophy of spending—

Members interjecting—

MR ASSISTANT SPEAKER (Mr Gentleman): Mr Mulcahy, take your seat for a minute. Members, this conversation across the chamber makes it very hard to hear Mr Mulcahy.

MR MULCAHY: Thanks, Mr Assistant Speaker. We saw, when they introduced a second budget this financial year in response to extra money, revenue that they had failed to forecast, the government come up with new spending initiatives. I am not commenting on the value of those individual initiatives but it speaks volumes about the government's attitude that they react to extra revenue by sitting around saying, "How can we spend this?" Where is the discussion on how money can be returned to taxpayers? It ultimately is their money, after all.

The Chief Minister has made much of the recent Commonwealth Grants Commission relevant fiscal capacities of the states. He points to it and says, "We do not tax that highly compared to other states." There are two points to be made here. One, I would not point to the taxation regimes of other Labor jurisdictions and be proud to be sitting close to the top of the pile. The figures that Mr Stanhope quotes provide a profile of the territory compared to other Labor jurisdictions.

It does not say that the ACT is a low-taxing jurisdiction. It says, overall, that we tax at a slightly lower rate than South Australia and Western Australia and at a higher rate than every other jurisdiction. This is not a justification for every tax that Mr Stanhope has increased or introduced.

Secondly, the Commonwealth Grants Commission considers all taxation. The figure that Mr Stanhope has proudly pointed to includes taxes beyond those paid by Canberra households. For Mr Stanhope to tell Canberra households that the amount of tax that they paid actually dropped in 2006-07 is patently ridiculous. I would like him to tell the people of Canberra how the introduction of the utilities tax and the fire and emergency services levy, as well as the massive increases to the level of rates and the water abstraction charge, mean that they actually pay less in tax.

I am not trying to dramatically alter the basis of ACT revenue with this bill. I recognise and support the efficient funding of key services like health, education, municipal services and police. I believe that these services can be handled better and that this does not necessarily require vast amounts of extra funding. This is a tax that the ACT can afford to repeal. It should never have been introduced. No other state or territory has this tax to anywhere near the same degree.

Question put:

That this bill be agreed to in principle.

The Assembly voted—

Ayes 8

Mrs Burke Mr Seselja
Mrs Dunne Mr Smyth
Dr Foskey Mr Stefaniak
Mr Mulcahy
Mr Pratt

Noes 9

Mr Barr Mr Hargreaves
Mr Berry Ms MacDonald
Mr Corbell Ms Porter
Ms Gallagher Mr Stanhope
Mr Gentleman

Question so resolved in the negative.

Economy

MR SMYTH (Brindabella) (5.45): I move:

That this Assembly:

(1) notes:

- (a) that the 2008-09 Federal Budget will have a significant, adverse impact on the ACT economy and on individual Canberrans;
- (b) the constant lament of the Chief Minister at the ACT's narrow economic base;
- (c) the failure of the Stanhope Government to take action to diversify the economic base of the ACT;
- (d) the commitment of the then Leader of the ACT Opposition, Jon Stanhope, to be a low taxing government when in office;
- (e) the failure of the Stanhope Government to maintain the trend in increasing the relative proportion of employment in the private sector in the ACT;
- (f) that, in the 2006-07 Budget, the Government gutted the areas devoted to economic development in the ACT, such as BusinessACT and Tourism ACT;
- (g) the lack of progress in answering the question of skill shortages, particularly in contrast to the actions of the Federal Government;
- (h) the downgrading of some Actions in the Economic White Paper to second order Actions; and
- (i) the failure of the Stanhope Government to implement those Actions set out in the Economic White Paper that were intended to encourage the development of nine priority industries in the ACT; and

(2) calls on the Stanhope Government to:

- (a) report to the ACT community on action that is being taken to expand the economic base of the ACT;
- (b) provide the Assembly with the strategy that is being implemented for each of the nine priority industries;
- (c) set out the strategy that is being followed to strengthen the role of the private sector in the ACT;
- (d) restore funding for BusinessACT and Tourism ACT in the 2008-09 Budget; and
- (e) provide a list of those Actions listed in the Economic White Paper that have been downgraded to 'second order' Actions by close of business on Wednesday, 30 April 2008.

Mr Speaker, this motion goes to the heart of much that we have been debating for some time in the Assembly. Particularly after two days of equivocation from the Chief Minister and Treasurer, it is important to note that the 2008-09 federal budget will have a significant adverse impact on the ACT economy and, through that, on individual Canberrans.

When you look at the document that is guiding the economic development of the ACT, the much-vaunted economic white paper, it is interesting to note that on page 26 it talks about a narrow economic structure and revenue base for the ACT. As the then Treasurer Ted Quinlan said, "Yes, it is a statement of the bleeding obvious." It is interesting that four years later we have a Chief Minister and Minister for Business and Economic Development and Treasurer who still constantly laments the narrow economic base. The fact that four years after this document was produced the base is no broader is an indictment of the failure of the Stanhope government to take any action to diversify the economic base. The Chief Minister can say that they have done it but the sad reality is that it has not occurred.

In many ways the Rudd cuts are unnecessary given the zero debt that the federal government has and the \$17 billion surplus it has inherited, and it is unnecessary for the people of Canberra to be victimised. The sad thing about it is the failure of the Stanhope Labor government and the ministers and the backbenchers of that government to in any way raise the prospect with their colleagues that this is not a good thing for the ACT. The failure of the Stanhope government in this regard will be well and truly measured in the results in October this year.

We have a Chief Minister who promised to lead a low-taxing government when he was in office. What has he done about it? During the last debate I read the litany of all the initiatives that they tried on but which the Assembly had the good sense to reject or which fell apart under scrutiny: the new rating policy, the transfer of business assets, the bushfire tax, the loan security tax, the pay parking in Barton, the parking space tax, the motor vehicle tax, and so it goes on. This is the regime that the Chief Minister felt was a low-taxing regime.

The reality is that he has not developed or demonstrated any capacity to implement a coherent taxation strategy and a coherent business strategy. We have a Chief Minister who managed the development of the Canberra plan and the economic white paper within that overall plan but who has since virtually repudiated all that was set out in the white paper, including relegating some of the proposed recommendations to second order, presumably because they are less important. We have the conflict even in the answers that the Chief Minister gives in regard to what is a second order initiative. In one answer to questions on notice he said that, for instance, the recommendation in regard to the development of intellectual property in the ACT—action 40—is a second order initiative. When I asked him to explain that, he said that there are no second orders. So one of the answers he has given to this Assembly and had published in the *Hansard* is absolutely incorrect.

Then we have the Chief Minister and his former Treasurer claiming as an objective through the economic white paper the intention of making the ACT the most

business-friendly location in Australia. What is the reality of all that the Stanhope government have done for business in the ACT? It is simply that they have ignored it or they have taxed it. In the context of this motion, the contribution from the Chief Minister yesterday in the debate on the matter of public importance was most interesting, as were some of his answers to questions this afternoon. He has confirmed the limitations on his role in dealing with economic matters. He has retreated into that favourite spot for people when they do not know what they are talking about—repetition and personal denigration. It is important to respond to some of these matters now.

The Chief Minister spends an inordinate amount of time talking about and denigrating the achievements of the Howard government. The reality of it is that the economic record of the Howard government is second to none. They were left a mess to clean up by the Keating government, much in the same way as Kate Carnell had to clean up the mess left by the Labor colleagues of Rosemary Follett with that \$344 million operating loan.

Government members interjecting—

MR SMYTH: I note that they do not like it, Mr Speaker, but that is the reality. Having paid off \$96 billion worth of Labor debt leading to an annual saving of \$8 billion in interest, that is \$8 billion that is providing services and infrastructure federally. The Chief Minister has railed against that, and his only defence is interest rates. It is interesting to read the truth of the matter—the standard variable home loan rate has fallen from 10.5 per cent in March 1996 to around 8.3 per cent towards the end of 2007, some 2.2 per cent less, Mr Speaker.

This interest rate reduction from 10.5 to 8.3 per cent would save around \$449 per month in interest charges on an average new mortgage of \$245,000 on an interest-only loan. Over the course of the coalition government, the saving would have been much greater, remembering that for most of the 11½ years of the Howard government interest rates were much lower still. Of course, we had the Chief Minister partially quoting it and weaving in his fiction on the Howard government today when he read an article from the *Canberra Times*. He read two paragraphs and said, “Of course, they blame the Howard-Costello Liberal government.” The Howard-Costello Liberal government is not even mentioned in the article. Let us go on with interest rates. Small business—

Members interjecting—

MR SPEAKER: Order Mr Barr! Mr Seselja! Resume your seat, Mr Smyth. Mr Barr and Mr Seselja, discontinue your conversation across the chamber. Mr Smyth to continue, please.

MR SMYTH: Thank you, Mr Speaker. Small business has also benefited under the federal coalition government. Small business rates have averaged 8.9 per cent since 1996 compared to 14.25 per cent under Labor, not to mention the 22 per cent peak under Paul Keating. If you look at the average rates under Labor, you see that they were 12.75 per cent for home loans and 7.26 per cent under the coalition government.

I know the Chief Minister loves to go to repetition and loves to attack those that have done a good job when he cannot answer the question. We have had repeated questions this week, we have had an MPI and we have this motion now asking the Chief Minister to outline what he will do, and he cannot do it. He attacks, he repudiates, he goes to everything that he can think of talking about, except his own achievements. Let us do the comparison: the Howard government from 1996 to 2007 had to deal with the Asian economic meltdown, the fallout from the attacks on the USA on 11 September, the economic difficulties in Russia, the collapse of major global companies based in the USA, the tsunami—

Members interjecting—

MR SMYTH: They found \$1 billion to help out. They were quite able to cope because of good economic management. There is the conflict in Iraq. They funded Timor; they were able to cope with the HIH collapse, the Ansett collapse and with SARS. It will be interesting to see how Mr Stanhope copes with the cuts that the Rudd government is about to bring in.

This is an important motion because it talks about the economic base. In question time today Mr Barr got up and he talked about the mismanagement of training by the Howard government. It is not true, Mr Speaker. It is quite easy to see that the investment in vocational education and training in 1996 was \$1.1 billion. At the end of 2007 it was \$2.9 billion, almost three times as much. The number of apprentices in training in 1996 was 154,800 and 414,319 in March 2007. Again, they talk without basis, because they are embarrassed that they cannot outline what they will do to diversify the economic base.

The next point in the motion talks about the failure of the Stanhope government to maintain the trend in increasing the relevant proportion of employment in the private sector in the ACT. When we left office in 2001, almost 60 per cent of Canberrans were employed in the private sector. That has now fallen to 55 per cent and is trending back to us becoming a one-company town—that is, public sector employment. The problem with this government is they hate business, and they show it in their policies and what they have done.

We only need to look at the 2006-07 budget to see that the government gutted the areas devoted to economic development in the ACT, such as Business ACT and Tourism ACT. It is really interesting. The Chief Minister has quoted from his innovation report—“Gee, I’ve got a problem. What will I do? I’ll commission a report.” What does the report actually say about this government? Its first recommendation is that there be some leadership—yes, Chief Minister, leadership. There is no leadership in business development, particularly innovation, in the ACT. The innovation report refers to creating and leveraging sector linkages. Recommendation 5 is that the ACT government give consideration to making further investments to build capability. Investments—that is, put dollars in, bring the programs back that you gutted in the budget in 2006-07 because you got it wrong.

We used to have the knowledge fund, but what is recommendation 6? The ACT government should establish an ideas fund. Does that sound familiar? Of course it is

familiar, because the Stanhope government got it wrong. You only have to go back to a recent focus on business forum when the Irish minister who came out as a guest speaker was absolutely aghast that we had a government that had got rid of all the research and development programs that assisted people to take their product to market. What do we get? We get recommendation 8—that is, stimulating and supporting innovation at the enterprise level. Recommendation 8, a program to support innovation. There you go. They used to call it the knowledge fund; we used to call it a business grant.

Here are the mistakes of the 2006-07 budget in a 160-page report that clearly says the Chief Minister got it wrong. It is interesting that recommendation 7 is that the Epicor incubation enterprise development model be extended. Who was responsible for Epicor? The former Liberal government. We set up a model; it is surviving. It is now in the Chief Minister's own report as the way to move forward.

Subparagraph (g) of the motion refers to the lack of progress in answering the question of skill shortages. The government points the finger at the Howard government, but it is wrong. The funding is three times what it used to be, and the number of apprentices has gone from 154,000 to 414,000. If the ACT has suffered, perhaps it is because of the lack of relationship between the Chief Minister and the former Prime Minister, and clearly that lack of relationship continues. It does not matter whether it is a Liberal government or a Labor government in power—nobody wants to talk to Jon Stanhope.

Subparagraph (h) refers to the downgrading of some actions in the economic white paper to second order actions. We have covered this, but it is worth reading. Here is an answer from the Chief Minister to question on notice No 255 from the estimates committee entitled "Managing intellectual property":

- (2) Action 40 is a second order *Economic White Paper* initiative.

Mrs Dunne: Is that like a core and a non-core promise?

MR SMYTH: It is interesting; I did not know what it meant, so I went back and asked. I asked what orders had been determined for the 47 actions and whether there were more than first and second order actions. When I got the response to the question asking what a second order action is, I got the answer that there are no such orders. Hang on; that cannot be right. We have two questions with different answers, contradictory answers, from a Chief Minister who is faffing around in economic development.

My motion goes on to refer to the failure of the Stanhope government to implement those actions set out in the economic white paper that were intended to encourage development of nine priority industries. Most people have forgotten the economic white paper, but a quick summary of it is that there were four themes with nine strategic areas and 47 recommendations. At the heart of it were the nine strategic sectors, because if you can get the sectors right then you can work on delivering for the people of the ACT. Because the Chief Minister would have forgotten this, because he has moved away from them, the nine sectors are information and communication

technology, space sciences, biotechnology, public administration, environment industries, creative industries, sports science administrations, education and defence.

What are we asking for in this motion? We are asking for the government to report back to the ACT community on the action that has been taken to expand the base. Given the questions and the answers of the last two days, the answer to that is clearly nothing. The motion then asks that the Chief Minister provide the Assembly with a strategy that is being implemented for each of the nine priority industries. I doubt that that will come, because there is no strategy. But give the Chief Minister a chance. He can jump up next sitting day and tell us what that will be. We would even give him leave!

The motion then calls on the Stanhope government to set out the strategy that is being followed to strengthen the role of the private sector in the ACT. We would be delighted to hear that, because there is no such strategy. Paragraph (2) (d) of the motion calls on the government to restore funding for business and tourism. It is quite clear that this is now set up so that this can be announced in the budget. They will be ideas found in the budget. It will be like a flash of lighting. We need that funding, because it is important. The country and the world are laughing at us because our government does not give support to businesses that want to grow in the ACT. Finally, I would like a list provided—(*Time expired.*)

At 6.00 pm, in accordance with standing order 34, the debate was interrupted and the resumption of the debate made an order of the day for the next sitting. The motion for the adjournment of the Assembly was put.

Adjournment

Hon John Button

MS MacDONALD (Brindabella) (6.00): I want to rise this evening to pay tribute to and recognise the life of John Button. In the last two days, much has been said and written about John Button's role in reforming the Victorian ALP and therefore assisting the Whitlam government to get elected in 1972, his role in convincing Bill Hayden to step aside for Bob Hawke and how that assisted in the election of the Hawke and Keating governments, and his very big role in reforming industry in this country.

I specifically want to recognise the role model that John Button can be for all parliamentarians. In the main, he was a gentleman when it came to his behaviour within the Senate. And I believe—I think much has been said about this in the last few days—that he was an honest politician. He was probably honest to a fault; he was often too honest with his cabinet colleagues.

Mr Barr: And the media.

MS MacDONALD: And the media. I note that they have been playing the quote upon his retirement about how he missed some of the journalists and would not miss the rest of them if he had a gun in his hand.

That brings me to the final point about what made John Button such a special person: his great sense of humour. I remember that when Ted Quinlan was leaving this place he spoke about how he believed it was very important to bring a sense of humour to this place. John Button said on many occasions that most politicians take the role far too seriously. Having now been to a couple of Commonwealth Parliamentary Association conferences, I can say that that is certainly the case in the vast majority of instances; it is not confined to the ACT or Australia by any means.

Comments from all sides of politics in the last few days have shown how well respected John Button was. As was said in one of the articles I read today, it would be schmaltz to think that John Button did not have people who were detractors; whether one of us would not have our own detractors is questionable. But by and large John Button was a man who was respected on all sides. It is a sad time for the country that we have lost this giant of a man.

Utilities tax 2020 summit

DR FOSKEY (Molonglo) (6.03): I want to speak about two matters. First of all, I want to address some remarks made by the Chief Minister in response to my speech about the utilities tax. It was one of those occasions when I believe the Chief Minister heard some words but did not hear the rest of the speech; we got, I guess, what was a fairly typical and predictable reaction.

I want to reiterate that the reason I supported the abolition of the utilities tax is that it is a flat tax, which makes it regressive. It is certainly not equivalent to saying that services should be cut. That is a very handy attack point, but it belittles the arguments that have been put to the government by organisations such as CARE, Care Inc Financial Counselling Service, ACTCOSS and the Essential Services Consumer Council.

We know that there has been \$17 million in revenue, but it pales into insignificance beside the unexpected surplus of \$100 million or so that the government has announced. The Greens are not people who just go around saying that we should abolish all taxes. We think there is an alternative to the utilities tax. We think that taxes and other revenue raising measures can perform more than one function. Apart from raising money, they can serve environmental and social outcomes.

There are quite a few things that fit that. If we had an inquiry—perhaps the next public accounts committee might have time to do it if it is not so busy responding to Auditor-General's reports—we could look at ways in which we could use our taxes to help us make the most important changes that we know that we as a society need to make.

I want to segue into the 2020 summit that I went to on the weekend, as Mr Barr remarked. It was a really revitalising event. I am, in this case, full of praise. I could make criticisms of the conference, but I do not see the point in that. I would like to commend the Chief Minister for calling it. I do not know if the purposes for which he called it match the results that were achieved.

When you get 200 or 300 Canberra people in a room together, they prove that they are very intelligent and thoughtful people who really want to contribute to decisions made by the government. They really want to shape the ACT. They are full of optimism; they are full of love for the place. Their ideas were extremely useful, even though they had to be “essentialised” down to a couple of key words, which was very frustrating for some, because, of course, issues are far more complex than that.

I attended the education workshop and there was a large amount of agreement in that group. There were other workshops on education as well. It is interesting to see how they all meshed. I also went to a workshop on sustainable Canberra or future Canberra. Again, it was really good to see the way people’s ideas meshed. There was nobody who was there to obstruct. Maybe there was in one workshop I heard about where I think they talked about recycling water for half an hour. It certainly would not have happened in the workshops that I went to, where people were really outcomes focused and wanted the best for Canberra.

So more of these conversations, Mr Chief Minister; Canberra people are ready to contribute.

Legislative Assembly—Liberal Party

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations (6.07): In question time, I alluded to what is possibly Canberra’s most serious skills shortage, that being the one on the benches occupied by the Liberal opposition. That skills crisis is evidenced by the lack of policy that is coming forward from the other side of the chamber.

So dire is that skills crisis that yesterday we learnt from the *Canberra Times* that the Young Liberals, for which I understand the Leader of the Opposition may still qualify, had pictures of their one-time one and only policy formulator, Mr Richard Mulcahy, on their website. And so dire is it that today the tiny Tories have replaced Mr Mulcahy with that other great Liberal policy man—the man who gave us Work Choices, the war in Iraq and core and non-core promises—the former Prime Minister, John Howard.

The skills crisis experienced by those opposite is also evidenced by the Liberal leader’s public cry for help in today’s *Canberra Times*. Perhaps those opposite think that they are copying the very successful Kevin 07 campaign from last year. But we would all recall that, as opposition leader, Mr Rudd introduced himself with the words “My name is Kevin; I am from Queensland; I am here to help.” I am sure that Mr Rudd would be flattered by Mr Seselja’s ham-fisted attempt at mimicry, but the key difference with Mr Seselja’s campaign is that it is he who is crying out for help.

As Minister for Education and Training, it saddens me to see that there is such a skills shortage in the ACT Liberals. Of course, your natural instinct is to want to do something about it. As Minister for Education and Training, I am seeking to work locally and nationally on the skills shortage that is the legacy of 11 years of

underinvestment in skills and training by the former federal Liberal government. Sadly, there is nothing that I can do as education minister to help the Liberal opposition.

However, I believe there may be some action that I can take as planning minister. So that the people of the ACT know where the Liberal opposition stands, I am exploring the possibility of putting forward a variation to the territory plan. This variation would create a new zone that would apply in this chamber. It would be a policy-free zone, or PFZ. I am very pleased that we have been able to mark out where the policy-free zone exists. For the benefit of members, I am very happy to table the following paper:

Chamber floor plan—ACT Legislative Assembly.

We look forward to not needing to advance this territory plan variation, in perhaps the eager anticipation that we might see a policy from the Liberal opposition some time in the near future.

Arthritis Awareness Week

MS PORTER (Ginninderra) (6.11): At lunchtime today I attended a function that celebrated Arthritis Awareness Week—move it or lose it. I know that we are also busy with Seniors Week and Youth Week, which I spoke of this morning, but this week is also one when we can reflect on the fact that more than half of all Australians who live with arthritis also still remain active in the workforce, I being one of those people.

Nearly one in five Australians has arthritis and 62 per cent of those are aged between 15 and 24, so arthritis is a condition that affects not just older people but also young people. There are 150 forms of arthritis, even affecting babies under 12 months. It affects our population to varying degrees, and by the age of 70 some 45 per cent of people have some form of arthritis. As Minister Gallagher said when launching the website and pamphlet of Arthritis ACT today, as well as their new banner, the ACT government is aware of the health tsunami that is rapidly approaching us. I would just like to read a couple of things from the pamphlet about that. It states:

By 2020 one in three hospital beds will be taken up by people with osteoporosis

The cost of osteoporosis to the community is estimated at \$2 billion per annum in health costs

That, I would imagine, is a national estimate. That is why the ACT government is putting into place its forward plans to ensure that we can meet that challenge. I must congratulate Arthritis ACT—its board, staff and volunteers—and also the students who assisted with the design of the new pamphlet, the website and the banner.

As there is a lack of knowledge about the types of arthritis, its prevalence in the community, prevention and treatments available, the pamphlet and the website are very important. Deborah Kerrison designed the pamphlet and it is sponsored by the Australian Pharmacy Group. Mr Bill Wood, as president of the organisation, officiated at the launch today and it was also attended by Ms Annette Ellis MP, member for Canberra, in her role as patron.

I would encourage all members to go to www.arthritisact.org.au to check out the important information to be found on that website. For those who are not able to access the website, Arthritis ACT have a comprehensive information pack which contains a number of fact sheets and booklets dealing with the variety of aspects of the condition. I encourage members to acquaint themselves with the causes, prevention of and treatment for arthritis in all its forms.

Mr Bob Huddleston

MR GENTLEMAN (Brindabella) (6.13): I rise today to inform the Assembly of the sad loss of a mate, a champion and a fighter. Mr Bob Huddleston, a local Indigenous Australian, passed away last night after a long and extensive battle with ill health. After undergoing 16 years of kidney dialysis, Mr Huddleston slipped away peacefully last night. He was aged 68.

I would like to share with the Assembly a few aspects of his life. Mr Huddleston, or Uncle Bob as everyone called him, had a difficult upbringing. His childhood was severely disadvantaged because Uncle Bob was a victim of the stolen generation. After being taken away from his family at a young age, Uncle Bob devoted his life to the cause of reconciliation between Indigenous and non-Indigenous Australians.

I am pleased to inform the Assembly that Mr Huddleston deeply appreciated his life, rising to prominent heights within his chosen professions. From a young age, Uncle Bob knew that he had a talent for sports, and in particular thrived at rugby league. He played in the reserve grade for both the St George Dragons and the Penrith Panthers, before moving on to a successful amateur and professional boxing career. With over 100 amateur and 60 professional bouts under his belt, Mr Huddleston became highly regarded as a pillar of strength around the local region.

He was proud of his achievements and wanted to pass his knowledge and skills on to the younger generation. A true gentleman, Uncle Bob was a Canberra resident for 40 years who strived to give opportunity to all people from all walks of life. A few years ago he enlisted the support of a mutual friend, Greg Chapman, another boxing instructor, and together they started an important project that is now coming to fruition.

Mr Huddleston progressively worked on creating a first-class boxing gym that is currently located in Fyshwick. I had the privilege of visiting Mr Huddleston's gym, at which I genuinely was impressed with the atmosphere, which was encouraging a multicultural training facility. This facility houses the Winnunga Boxing Club, and I am pleased to inform the Assembly that success is finally coming to the club after many years of hard work. Uncle Bob's dream of establishing a non-political or culturally based training facility is finally being realised. However, it is most unfortunate that Uncle Bob will not be around to appreciate what he has accomplished.

His good friend Greg Chapman described Uncle Bob as someone who raised himself to a level of respectable prominence within the Indigenous Australian communities yet still devoted himself to greater causes. Mr Huddleston leaves behind his wife, Meg,

his children, Dale, Mark and Linda, and numerous grandchildren. I extend to all his loved ones the deepest sympathy of this Assembly in their time of mourning. It is important for us to reflect on a wonderful Indigenous role model whose goal in life was to witness the wonders of reconciliation. Uncle Bob, you will be missed tremendously by all.

Mr Bob Huddleston

MRS BURKE (Molonglo) (6.17): I was not going to ask to speak tonight but I was very sad to hear about Bob Huddleston's death; this is the first I knew about it, so I appreciate Mr Gentleman raising it with me. I know that it had been a very difficult path for Bob for quite a few years but, whilst it is a blessed relief for him, obviously there is a big gap in the Indigenous community, it having also gone through the recent passing of Mr Don Bell, a Ngunnawal elder. It is quite sad and the opposition would like to join with Mr Gentleman in wishing Bob's family all the very best at this very difficult time.

Seniors Week

MR MULCAHY (Molonglo) (6.17): I just want to say a few words today about Seniors Week; I did not get the opportunity to speak earlier today. I was pleased that Mr Gentleman did list this as a matter of public importance earlier on and I think it is very important to note the way in which he referred to older Canberrans. I sometimes hear people referred to as "the ageing", as if the rest of us are not also ageing. I certainly also found my former title as the shadow minister for ageing somewhat amusing, as there is very little a politician can really do about the ageing processes; I am sure, Mr Speaker, that even you will agree.

Mr Barr interjecting—

MR MULCAHY: There are plenty of taxes on the elderly, sadly, minister.

Older Canberrans play an important role in the local community. By virtue of their greater life experience they are able to impart valuable knowledge, skills and wisdom to younger people to help enrich their lives. Indeed, one often hears the saying that youth is wasted on the young. I think this reflects the fact that older people can use their substantial life experience to reassess what was of greatest value in their lives and how life should be lived. Unfortunately, the vitality, wisdom and experience of older people are sometimes lost to the community when they are isolated due to poor health or frailty, and the benefits of community life can also be lost to these older people, to the detriment of their standard of living.

Fortunately, there are many excellent community organisations in the ACT that provide valuable assistance to older Canberrans. For example, in my local area the Woden Senior Citizens Club runs a host of activities to allow seniors to remain active in the community. Some of the activities that the club runs include courses by the University of the Third Age, dancing classes, card games, games of carpet bowls, a choir—a very good choir, I might add—computing classes, a craft workshop, exercise and hydrotherapy, painting and drawing, theatre productions, table tennis and tai chi.

There are many other excellent community organisations in the ACT that do a first-class job in catering to the needs of older Canberrans and they are to be commended, particularly this week.

The role of the government is very different from the role of a community organisation, as we all appreciate. For the government it is important to ensure that services which are available to the general community and which facilitate basic living requirements are suitable for older people so that they are able to participate in community life in the same way as younger Canberrans. This can be a challenging exercise. Indeed, in some cases it requires services to be able to adapt to the particular frailties or other difficulties faced by some older people.

For a young person, for example, walking to the local bus stop and jumping onto a bus to travel to meet friends can be taken for granted. However, for some older people these basic tasks can, of course, be extremely difficult. The challenge for government is to ensure that its services are made as accessible as possible to older people. In dealing with this issue it is not ideal to rely on existing policies in different service areas to accommodate the needs of older people. Comprehensive policies focusing on older people are a valuable tool to ensure that these issues do not fall between the cracks of other portfolios.

I did enjoy the role of shadow minister for ageing during my time as a member of the opposition and, whilst I found the name of the portfolio rather odd, the existence of such a portfolio area makes perfect sense. In fact, I pressed to get that particular position. The portfolio drives home the necessity for some overarching policy to deal with issues facing older Canberrans. It involves consideration of many other areas of government, in particular issues of health and transport.

I try to call my mother every night, as she lives interstate, and I often find it informative to hear of some of the challenges that she faces in going about her business—things such as dealing with the banks, who want everybody to use ATMs or online banking. It is a challenge because, although there are many older people who have become used to computers, the majority have not and suffer considerably because of that and because the large institutions fail to provide services. Insurance companies have constant step-down arrangements on telephone services, which older people find distressing. Groups such as Telstra want everybody to deal with a computer voice rather than a human being.

These are the sort of issues that our society needs to focus on. It cannot all be about making money and bottom line efficiencies. We need to pay regard to the seniors in our community. I am pleased that the government is continuing to support Seniors Week and I was impressed by the breakfast which it continues to sponsor and which I aim to attend each year.

Question resolved in the affirmative.

The Assembly adjourned at 6.23 pm.