Debates

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SEVENTH ASSEMBLY

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Tuesday, 8 March 2011

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MR SPEAKER (Mr Rattenbury) took the chair at 10 am, made a formal recognition that the Assembly was meeting on the lands of the traditional custodians, and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Alexander Maconochie Centre—drugs
Papers and statement by minister

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services), by leave: Before I table these documents, can I just highlight to members the circumstances and the issues surrounding them? Members would be aware that on 23 February the Chief Minister and I wrote to Mrs Dunne as Chair of the Standing Committee on Justice and Community Safety and to the Speaker, respectively, concerning information that we had provided to the Assembly and to the committee of the Assembly in relation to drug-testing procedure at the AMC.

Members would be aware that the Chief Minister and I have advised members that the information we were provided by my department in relation to drug-testing procedure of prisoners on admission at the AMC was inaccurate and that as a result we had inadvertently misled the Assembly. The Chief Minister and I have written to the Speaker and to the relevant standing committee correcting the record and apologising for any confusion that has been caused.

A number of members have expressed interest in seeing documents that the Chief Minister and I relied upon for the purposes of providing that advice and, accordingly, today I table a speech prepared for me and used by the Chief Minister on 22 September last year in relation to drug-testing procedure at the AMC.

I am also tabling a question time brief provided to me in relation to drug and contraband urinalysis procedure at the AMC, an annual reports hearing brief used and relied upon by me in relation to answering questions in relation to drug-testing urinalysis procedure at the AMC and, finally, an email provided to my office from the then Executive Director of Corrections ACT on the date of the debate in the Assembly confirming the procedure that the Chief Minister and I subsequently indicated to members in relation to urinalysis testing of prisoners at the AMC. I present the following papers:

> Alexander Maconochie Centre—Drugs and contraband/urinalysis—Copy of—
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> > Ministerial speech prepared for the Attorney-General, dated 21 September 2010.
> >
> > Email from Lisa Blundell, on behalf of James Ryan, to Kim Hosking, dated 22 September 2010.
> >
> > Annual Report Hearings 2009/10—Hearing brief—Accurate as at 2 November 2010.

Question time briefs—Accurate as at—

11 November 2010.

6 December 2010.

Leave of absence

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (10.03): I move:

> That leave of absence be granted to Ms Porter for this sitting week for medical reasons.

I am sure that all members would join with me in wishing Ms Porter a speedy recovery from her recent medical procedure.

Question resolved in the affirmative.

Justice and Community Safety—Standing Committee
Scrutiny report 33

MRS DUNNE (Ginninderra): I present the following report:

> Justice and Community Safety—Standing Committee (performing the duties of a Scrutiny of Bills and Subordinate Legislation Committee)—Scrutiny Report 33, dated 3 March 2011, together with the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

MRS DUNNE: Thank you, members. Scrutiny report 33 contains the committee's comments on one bill, 41 pieces of subordinate legislation, three government responses, one private member's response and the government amendments to the Working with Vulnerable People (Background Checking) Bill 2010. The report was circulated to members when the Assembly was not sitting.

The committee is still considering the Criminal Proceedings Legislation Amendment Bill and the Road Transport (Third-Party Insurance) Amendment Bill and expects to report on these bills in future reports. I commend the report to the Assembly.

Public Accounts—Standing Committee
Statement by chair

MS LE COUTEUR (Molonglo): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Public Accounts. I wish to advise of a corrigendum to the Standing Committee on Public Accounts report No 15 *Inquiry into the ACT Auditor-General Act 1996*. In paragraph No 4.41, under the

recommendations section, on page viii, recommendation 8 incorrectly referenced recommendation 6. Recommendation 8 should have referenced recommendation 7. In paragraph 4.41, under chapter 4, "Strengthening and safeguarding independence", on page 52, recommendation 8 incorrectly referenced recommendation 6. Recommendation 8 should have referenced recommendation 7.

The corrigendum replaces the respective text in the published report. I therefore seek leave to table a corrigendum to the Standing Committee on Public Accounts report No 15 *Inquiry into the ACT Auditor-General Act 1996*.

Leave granted.

MS LE COUTEUR: I present the following paper:

> Public Accounts—Standing Committee—Report 15—*Inquiry into the ACT Auditor-General Act 1996*—Corrigendum.

Crimes Legislation Amendment Bill 2010

Debate resumed from 9 December 2010, on motion by **Mr Corbell**:

> That this bill be agreed to in principle.

MRS DUNNE (Ginninderra) (10.06): The Liberal opposition will be supporting this bill which makes a range of amendments to the Crimes Act 1900, the Crimes (Sentencing) Act 2005, the Criminal Code 2002 and the Prostitution Act 1992. The Attorney-General in his presentation speech noted that these amendments "provide our laws with greater clarity and consistency".

The bill makes seven amendments. Firstly, it reintroduces the offence of bestiality to the Crimes Act 1900 and imposes a maximum penalty of 10 years. The definition is wide ranging, covering any sexual activity between a person and an animal. The ACT and South Australia will be the only jurisdictions to carry such a wide-ranging definition. The next amendment, which is associated with the first, amends the definition of sexual intercourse in the Crimes Act to state that "an object" also includes an animal.

Thirdly, the Crimes Act 1900 is amended to provide that the fault element, currently knowledge or recklessness, in acts of indecency should be recklessness only, which is established by proving either knowledge or recklessness. This is to remove the current problem of duplicity in the court proceeding in which the court, rather than satisfying itself as to the relevant fault element, has been calling on the prosecutor to elect the fault element on which the matter should proceed.

In my discussions with the legal fraternity on this bill, it has been suggested to me that the amendment may cause technical issues in legal argument in these kinds of matters. But only time will reveal whether this is the case and I will be watching this matter closely and reserve the right to bring forward further amendments should the problems emerge.

The next amendment is to the Crimes (Sentencing) Act 2005 that allows a victim impact statement to be presented to the court before the court determines whether a conviction should be recorded against the offender. This is a worthwhile amendment that puts the effect of a crime on the victim more at the forefront in the judgement process. Victims of crime suffer in a range of different ways, some of them not always immediately obvious. To take these impacts into account before deciding whether a conviction should be recorded is a positive step towards the delivery of justice for the whole community.

Then there is an amendment to the Criminal Code 2002 to include an alternative verdict provision in drug-related matters. This will allow the court to consider alternative summary possession offences if a defendant is not guilty of a section 603 drug trafficking offence. Importantly, it also gives procedural fairness in relation to finding of guilt on the alternative offence.

A further amendment to the Crimes Act 2002 creates consistency at sections 304 and 324 of the code in relation to the definition of what constitutes appropriated property. It will capture any person who assumes the right of an owner to ownership, possession or control of the property without the consent of the actual owner.

The final amendment is to the Prostitution Act 1992 and again it relates to the bestiality offence that I referred to earlier. It provides that the bestiality offence is a disqualification offence so that a convicted person cannot become an operator, owner or director of a commercial brothel or escort agency or continue to be so.

I note the scrutiny of bills committee, in its consideration of this bill, in report No 32, commented that the explanatory statement did not address adequately the question of a person's right to privacy in relation to these offences. However, it did not call on the minister to respond. Given the offence of bestiality was previously a long-standing offence and is now being reintroduced after some absence and given the public attitude towards the offence, I am satisfied that sufficient proportionality is established between the nature of the offence and the offender's right to privacy.

As mentioned earlier, the Canberra Liberals will support this bill. However, I will monitor the effectiveness of those issues that I raised in relation to election of recklessness or knowledge and, if necessary, come back to the Assembly with other changes. I congratulate the minister on these changes and hope that they work as effectively as he maintains.

MR RATTENBURY (Molonglo) (10.11): The Greens will be supporting the Crimes Legislation Amendment Bill 2010. We believe it makes important changes to four acts in the ACT that relate to sexual offences and other criminal procedures more generally. Amendments 4 to 8 make amendments to part 4 of the Crimes Act which covers sexual offences.

Regarding amendment 4, clearly the legal definition of what constitutes sexual intercourse will be a central element of part 3, "Sexual Crimes". To protect victims, it is important that each sexual crime is clearly defined and that there are no unintended

loopholes. This is a principle that applies to all crimes, of course. For this reason, the definition of sexual intercourse is amended to close down a potential loophole. The amendment made is minor but important.

Sexual intercourse is currently defined to include penetration by an object. The amendment today defines "object" to include an animal. While this may have been the conclusion by a court anyway, it is best to avoid doubt. The explanatory statement which discusses this amendment describes a truly horrific example from New South Wales that does deserve to be criminalised. This amendment today closes down any potential for conduct of that type to escape conviction in the ACT if we are ever unfortunate enough to confront those circumstances.

Amendments 5, 6 and 7 refine the construction of the mental element for the offence of the act of indecency without consent. Currently, the offence has two mental elements listed, either knowledge that the person did not consent or recklessness as to whether they consented. This raises the legal problem of duplicity which the attorney has already discussed and which the explanatory statement gives good analysis of.

The Greens support the solution. It is consistent with where the problem has been resolved in other parts of the act. The end result is greater certainty of the law, which is in the interests of both victims and defendants and in the interests of justice more generally. Importantly, the mental element of the crime is neither watered down nor made tougher; rather, it is now expressed in a way that avoids the problems of duplicity, while retaining both mental tests.

Amendment 8 reinserts the offence of bestiality into the ACT statute. As has been explained in the Assembly previously, prior to self-government there was a conjoined crime of bestiality and buggery. In the process leading up to self-government, this offence was repealed. This was intended to bring to an end the criminalisation of homosexuality, which was indeed a very welcome reform at the time.

However, what was not thought through or understood at the time was that bestiality was not related to the criminalisation of homosexuality. What should have happened at the time was that a stand-alone offence of bestiality should have been created while at the same time deleting the offence of buggery. The amendment today fixes this mistake by reinserting the crime of bestiality. The remainder of the amendment updates the construction of other crimes aside from sex crimes and improves criminal procedure.

With regard to amendment 9, victim impact statements are one such area. Currently, the legislation only allows for statements to be tendered in court after the offender has been convicted. This reflects an important legal principle that the courts may only use victim impact statements as a means of determining sentence and not as a means of determining guilt.

The amendment today expands the instances in which a statement may be given by a victim while remaining aligned to that key concept. The amendment reflects the numerous ways in which a defendant may actually be found to have committed an offence. They may plead guilty; they may have the offence proven; they may be found

guilty; or they may be convicted of the offence. Each has a technical and slightly different legal meaning. It is enough to summarise that each signifies the end of the court's work in determining whether an offence has been committed and that they are appropriate times at which a victim impact statement may be tendered.

Through amendment 10, the crime of receiving stolen property is also updated. The current definition of stolen property means that only the initial receiver of the goods can be found guilty of the crime. As the explanatory statement makes clear, the original intent of parliament was for the crime of receiving stolen property to apply to all subsequent receivers, whether they are first or second or fifth in line. The amendment applies a revised definition of stolen property to achieve this original intent.

An important question here is just how many times can stolen property change hands before the person is not committing a crime, because of course it is possible to imagine a situation where someone unwittingly buys stolen property, perhaps over eBay or at a market. Are these people wrapped up in the new expanded crime of receiving stolen property? Happily, this is not the case.

The important mental element of the crime remains the same, and this is that the accused person must be proven to have reasonably suspected the goods to be stolen. Evidence will need to be tendered to show why the accused had the reasonable suspicion that the goods were in fact stolen. If that cannot be proven, then they will be rightly found not guilty. This test makes the expansion of the crime appropriate and as the Assembly originally intended.

The Greens support the remainder of the bill which, through amendments 11 and 12, adds an alternative verdict to the charge of trafficking of a controlled drug. This allows the court to find the accused not guilty of trafficking but guilty of lower level possession offences as opposed to the current situation which may require the DPP to bring a second, fresh prosecution for those lower level offences. Alternative verdicts are used where the lower level offence is a required element of the more serious offence and are used throughout the criminal code, especially in relation to drug offences.

The Greens support the concept of alternative verdicts on the basis that they do not represent a scattergun approach to prosecution; rather, they reflect the hierarchy of specific offences and it would be counterproductive and time consuming to require fresh prosecutions to be brought in those specific instances.

In conclusion, the Greens support this bill. It makes a number of important changes to the ACT's criminal laws, all of which are well thought through and carefully aligned with key legal principles and concepts.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (10.18), in reply: I thank members for their comments on this bill. As has been discussed today, the Crimes Legislation Amendment Bill will enact seven essential amendments to criminal laws in the territory. One of the most

important functions of government is to ensure that members of our community are aware of their rights, responsibilities and obligations under the law. These amendments will clarify existing criminal legislative provisions by ensuring that all serious sexual offending is criminalised, by ensuring that the voices of victims are heard in determining sentences and by making technical amendments to ensure that our criminal laws are precise.

In addition to our laws being readily understood, they must also be an appropriate reflection of community standards. Our laws must reflect our community's sense of morality, which is best described as our sense of what behaviour is right or wrong. This is one of the driving reasons for the reintroduction of the offence of bestiality. While the offence was not reintroduced in response to the recent media attention on the issue, this attention was a timely reminder of the importance of the offence, and it also demonstrated the community support for such an offence on the ACT statute book.

The reintroduced bestiality offence has been drafted broadly to encompass all sexual activities between a person and an animal. The definition is distinct from most Australian jurisdictions, and the ACT will join South Australia as the only jurisdictions which state that bestiality includes any sexual activity between a person and an animal.

The second amendment in this bill, which is the amendment to the definition of "sexual intercourse" at section 50(b) of the Crimes Act, will result in the definition of "object", specifying that it includes an animal for the purposes of the sexual offence. The result of this amendment will be that a person who uses an animal to commit a sexual offence against another person will be captured by the most serious category of sexual offences on the ACT's statute book. Although such offences are rare, it is important that people who commit them do not go unpunished.

The third amendment is to clarify the fault elements of section 60 of the Crimes Act. As members have outlined today, this bill will amend section 60 by removing the fault element of knowledge from subsections (1) and (2) and by including a new subsection (3) to state that either knowledge or recklessness will satisfy the element of recklessness. This clarification will ensure that a person who is charged with an act of indecency offence knows the exact nature of the charges against them and that these offences comply with the ACT's Criminal Code provisions.

This amendment will ensure that the original intention of the Assembly is given effect. The intention behind the inclusion of both fault elements was to allow for a judge or jury to decide on the facts which fault element was satisfied. By allowing for either element to satisfy recklessness, this intention will prevail.

The fourth amendment to the Crimes (Sentencing) Act 2005 is an important one. It will ensure that a victim impact statement can be given to a court when consideration is being given to recording a conviction against an offender. It will ensure that the court can consider the impact that the offence has had on the person or people most affected by the offender's conduct by maximising opportunities to use victim impact statements.

The fifth amendment to the Criminal Code will include an alternative verdict provision for the indictable drug trafficking offence at section 603. The amendment will allow the Supreme Court to consider the alternative possession offences in the Drugs of Dependence Act 1989 and the Medicines, Poisons and Therapeutic Goods Act 2008 in circumstances where a defendant has been found not guilty of the section 203 code offence. By allowing the Supreme Court to consider these alternative verdicts at the time of trial, it will provide for a more expedient outcome for the defendant and for our criminal justice system.

The sixth amendment is to section 324 of the Criminal Code. This amendment, which will redefine the "stolen property" definition as it applies to the section, is necessary to ensure that the section captures the criminal behaviour that it was intended to capture by the Assembly at the time of enactment. Section 324 creates the offence of unlawful possession of stolen property. However, as the section presently stands, it does not capture people who are subsequent receivers of property, apart from the first receiver and the person who appropriated the property. This result is contrary to the intent of the Assembly. The offence was intended to capture a person who has property, or who gives possession of that property to a person not lawfully entitled to it when the property is reasonably suspected of being stolen property or property otherwise unlawfully obtained. This amendment will give effect to that intention.

The final consequential amendment is to the Prostitution Act 1992. The amendment will result in the reintroduced bestiality offence being included as a disqualifying offence to prevent a person who is convicted of a bestiality offence from running a commercial brothel or escort agency.

While these amendments contained in the bill are detailed and technical, they are important. They enshrine the values which our community expects us to protect, maintain and develop. Finally, as these amendments were raised with me by key criminal justice stakeholders and community members, I would like to offer my thanks and those of the government to all those people for their ongoing contribution to the ACT's criminal justice system. The government encourages and attributes great value to the ongoing dialogue it has between ourselves, the criminal justice stakeholders and the broader community. I thank the members for their comments and support for the bill and commend it to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Environment Protection Amendment Bill 2010

Debate resumed from 28 October 2010, on motion by **Mr Corbell**:

> That this bill be agreed to in principle.

MR SESELJA (Molonglo—Leader of the Opposition) (10.25): The opposition will be supporting this bill. The bill amends the Environment Protection Act of 1997—specifically, section 57. Within the act currently there are three classifications of environmental authorisations that allow those granted such an authorisation to conduct activities that have the potential to cause harm to our environment.

I note the minister's comments regarding the many different aspects of community life that interact or have the potential to interact with or have an effect on our local environment. Whether it is festivals, concerts and events or greenfield development, the act provides the tools for the Environment Protection Authority to define the conditions under which the activity will be undertaken.

To date, the authorisations have provided for an annual review for those granted for more than one year. The amendment substantially changes this aspect of the act, allowing for the EPA to review at varying intervals—longer than one year but not exceeding five years. The new system will be regulated by risk assessment on a case-by-case basis. The Environment Protection Amendment Bill 2010 will, through the removal of the previously quite rigid compliance and audit system, allow for both government and industry to reduce costs without putting the environment at risk. The opposition are satisfied this amendment will not adversely affect the environment and will assist with costs and compliance. On that basis, we will support the bill.

MR RATTENBURY (Molonglo) (10.26): The Greens will be supporting the Environment Protection Amendment Bill today as we believe that it presents the opportunity to improve the management of resources at the EPA, which will, in turn, free up the organisation to undertake more work on the ground, undertaking more inspections and compliance work where they are most needed.

The bill seeks to change the default period by which standard environmental authorisations granted by the EPA are reviewed. Currently the legislation mandates that the EPA must review every 12 months all standard environment authorisations that are granted for an unlimited period. This bill seeks to change that mandated review period to five years. It does not seek to change the review conditions for other types of authorisations under the legislation, such as special environmental authorisations, which will still need to be reviewed every 12 months.

The Environment Protection Authority has indicated that it undertakes desktop reviews of around 255 standard environmental authorisations each year. The majority of these authorisations are for the use of AgVet chemicals, and the circumstances of their use does not change much from year to year. This bill does in some ways place a higher level of trust on the EPA to ensure that reviews are followed up in specific circumstances rather than just routinely each year.

Another way to pursue these changes would have been to retain the existing review periods but provide the EPA with the discretion to extend the review period up to five years for standard environmental authorisations where the EPA has determined that a longer review period is appropriate. This could be done following a risk assessment based on the risk posed by the authorised activities and the potential to cause

environmental harm. This perhaps would have been a more precautionary approach and still allowed streamlining where annual reviews were not necessary. However, in the end, it may have effectively led to much the same outcome since the decision to set a longer review period would have been left with the authority nonetheless.

I do not think there is any intention in this legislation to reduce the role of the EPA in addressing issues of concern. To the contrary, the stated intention is to reduce administrative time on routine reviews and increase the amount of time undertaking inspections. The Greens are pleased to hear this, as there must also be some triggers that will prompt a review of any environmental authorisation should a problem arise. I understand that, if the EPA receives complaints about a particular authorised activity, that acts as a trigger for a review of the authorisation.

Inspections by the EPA are likely to result in better enforcement and compliance inasmuch as they occur without notice and, therefore, obtain a more accurate representation of how the authorised facility or process is operating. It would perhaps have been of some comfort to have included in the legislation what triggers might be used to determine that an authorisation on a five-year review cycle would be reviewed earlier. From my conversation with the EPA, I understand that these are the kinds of things that are already taken into account.

Complaints from the public, changes to knowledge base about pollutants, or even poor performance by operators might mean they are not placed on a five-year review schedule in the first place. And this is an important point. This amendment leaves it open for the authority to undertake reviews at any time at the discretion of the authority. I think the Assembly should accept the premise of this bill today and also acknowledge that there is no benefit to those at the Environment Protection Authority to be lax with reviews of authorisations. In matters such as these, prevention is a much better path than cure. Mopping up after an incident is not a good outcome for the EPA and it is not a good outcome for the community.

The intention of a regulatory framework such as the Environment Protection Act is to prevent problems from occurring in the first place. Indeed, the objects of the act include to prevent environmental degradation and adverse risks to human health and the health of ecosystems by promoting pollution prevention, clean production technology, reuse and recycling of materials and waste minimisation programs.

We will, of course, be watching closely to ensure this bill achieves what is intended—that is, the EPA is freed up to conduct more targeted enforcement and compliance activities—and that we do not see any increase in the number of breaches of authorisations or adverse environmental outcomes. If we do see this happen in the years to come, it may well be necessary to reconsider the schedule of reviews again.

MR CORBELL: (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (10.31), in reply: I thank members for their comments on and support of this bill. I would like to take the opportunity to outline again some of the provisions of the Environment Protection Amendment Bill 2010. The amendment proposes that environment authorisations of certain classes be reviewed at intervals

longer than one year and at least once in the period of five years. The bill seeks to maintain the safeguards incorporated within the Environment Protection Act 1997 while, where appropriate, removing unnecessary regulatory burdens on industry and business.

The Environment Protection Act 1997 is an important piece of legislation which provides the regulatory framework to help reduce and eliminate the discharge of pollutants into the environment. Overall, the desired outcome of the act is a healthy environment, achieved in a sustainable way with appropriate regard to economic and social considerations.

Schedule 1 of the act lists class A activities which have the potential to cause environmental harm. Due to the potential for significant environmental harm of these activities, the act requires that such activities be regulated by an environmental authorisation. These activities vary in their nature and impacts. For example, quarrying activities have potential adverse impacts on air quality as they release particulates. They have the potential to disturb surrounding ecological communities and water discharges from quarrying sites have the potential to impact on the local ecology and water quality.

The operation of concrete batch plants can also have adverse impacts as discharges from the operation site have the potential to degrade air and water quality and increase sedimentation of receiving waterways. An environmental authorisation is one of the most important regulatory tools utilised by the Environment Protection Authority, the EPA. It is a form of licence which allows a person or business belonging to an industry to conduct class A activities that are regulated to the highest level in the act. The authorisation itself imposes strict requirements to ensure that the potential environmental risks associated in conducting the activity are minimised.

This may include regular reporting of activity levels, reporting of environmental changes observed as prescribed in legislative standards and remediation of any disturbed environment. Along with the offence and penalty provisions for environmental breaches, the environmental authorisation sets out strict conditions, parameters and standards under which the activity can be conducted. Under the act there are three classes of environmental authorisations: standard, accredited and special environmental authorisations.

A standard authorisation, which can be issued for an unlimited period or a period of up to three years, is the most common authorisation issued by the EPA. An accredited authorisation can be issued to a person who is applying for an environmental improvement initiative as specified by the act, while a special authorisation of up to three years can be issued for research and development, including the trialling of experimental equipment.

Due to the potential risks inherent in conducting class A activities, the EPA assesses each individual application for an environmental authorisation prior to granting the authorisation and throughout the lifespan of the authorisation. Before granting an environmental authorisation, the EPA assesses a number of factors relevant to it. These may include the risk of environmental harm posed by the activity, the economic

and social benefits of the activity, the applicant's environmental record and relevant environment protection policies.

Currently, the provision under section 57 of the act requires an annual review of standard environmental authorisations that have been granted for an unlimited period and special authorisations granted for periods longer than one year. This requirement places an unnecessary regulatory burden on individuals, businesses and industries who utilise facilities or practices that are technologically advanced, comply with up-to-date environmental practices and have a good environmental compliance record.

The bill seeks to amend the time frame in which environmental authorisations are reviewed. The amendment would allow the EPA to review authorisations at more appropriate intervals. At the very least, a review would be conducted once every five years. However, the bill does not prevent the EPA from reviewing authorisations at any time the authorisation is in effect and does not affect the review requirements of accredited environmental authorisations.

The implementation of the bill is expected to occur on a gradual basis. The EPA anticipates incremental increases to individual authorisations based on a risk assessment approach. The time frame at which the authorisations are to be reviewed will be based on a risk assessment of the specific activity and the authorisation holder's environmental compliance record.

Where an activity is deemed to have a relatively lower risk of environmental harm due to the inherent nature of the activity, environmental awareness, utilisation of technological advances and the authorisation holder's good environmental record, the review period would be extended to a more appropriate period. For example, the production of concrete and concrete products would be deemed to have a lower environmental risk due to technological advances and current industry practices which have resulted in a good environmental record in the ACT.

On the other hand, the operation of a sewerage treatment plant as an activity has greater environmental risk because of its potential impact. For such an activity, an environmental authorisation imposes more stringent conditions and would continue to be reviewed on an annual basis. The proposed amendment would not interfere with the standards of risk assessment for each specific activity but instead introduces more appropriate regulation resulting in a lightened regulatory burden without compromising fundamental environmental safeguards.

Introduction of the risk-based review periods for authorisations will reduce costs and will benefit the government, businesses and industries by removal of unnecessary regulatory burdens while still maintaining the safeguards provided for in the act.

Annual reduction in costs for businesses and industries would be seen through less time spent in conducting on-site inspections for annual reviews and the associated administrative costs in completing reviews annually. This would also result in benefits to government through allocation of resources to more critical environmental issues.

The introduction of the bill will bring the ACT environment protection legislation into line with its New South Wales counterpart, the Protection of the Environment

Operations Act 1997, which requires the regulatory authority to review licences issued at intervals not exceeding five years.

In conclusion, the alignment of the amendment with legislation of the ACT's bordering jurisdiction will provide opportunity, consistency and further facilitate cross-border trade and commerce for businesses. Furthermore, the bill is consistent with and will further advance COAG's promotion of national harmonisation of environmental regulation.

I thank members for their support of the bill and commend it to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Australian Capital Territory (Self-Government) Amendment (Disallowance and Amendment Power of the Commonwealth) Bill 2010 (Commonwealth)—motion of support

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for the Arts and Heritage) (10.39), by leave: I move:

> That this Assembly:
>
> (1) entreats all Senators and Members in the Australian Parliament to support Senator Bob Brown's Australian Capital Territory (Self-Government) Amendment (Disallowance and Amendment Power of the Commonwealth) Bill 2010, which seeks to remove the section 35 provision allowing for executive override of ACT laws; and
>
> (2) notes that section 35 is an unnecessary and unwarranted constraint upon the legitimate legislative rights of the elected ACT Parliament, conferring upon the people of the ACT second-class citizenship without rationale or just cause.

As a politician I have always sought to reduce things to first principles—axioms that do not depend upon any other deduction or assumption for their veracity. It is a quest that is common to philosophy, but also to the law. As such, it perhaps ought to have an intrinsic appeal to every heart and mind in a thinking and rational nation, but, sadly, it seems that that is not so.

And so, it seems, we Canberrans may be condemned, by people wholly unconnected with us and our lives, to perpetual second-class citizenship if Senator Brown's bill is not passed. Thus, we may be condemned, by senators from Western Australia and

MPs from Queensland, by men and women whose names we do not even recognise and whose acquaintance with this city never extends beyond the parliamentary triangle, to an existence in which any law passed in this place is liable to be extinguished without debate, without argument, any time a federal minister happens not to agree with its substance. And it is not just controversial laws, not just laws that nudge up against the limits of constitutional responsibility. It is any old law. A quick phone call to the Governor-General and it is gone in an instant, at the stroke of a pen. No debate. No to and fro of opinion. No need for the powers of persuasion. No need for numbers.

The aggressive tone and illogic of some of the commentary that has greeted the Bob Brown bill is instructive. The Murdoch press—it has to be said a well-known defender of our democratic institutions—went so far as to suggest in an editorial that the relatively high educational attainments of Canberrans compared to the national average somehow rendered us less able to legislate for ourselves than our fellow Australians in other cities. Actually, it is irrelevant whether Canberrans are better equipped or worse equipped than their fellows to legislate wisely. First principles insist that we be given the same opportunity as others to both flourish and founder, the same licence to make history or to make mistakes.

The people of the ACT are not seeking superior powers to those of the rest of the nation, just equal powers. We just want the right to make laws for the good governance of this territory within the limits of our constitutional powers, without interference from people who will be unaffected by our laws and who are irrelevant to our lives. All we want is for Australians who happen to be born here, rather than, say, over the border in Queanbeyan, to have the same birthright, the same opportunity to have their own parliament legislate on their behalf, knowing that those laws cannot subsequently be overturned without a word of explanation or a moment of debate.

Section 35 of the Australian Capital Territory (Self-Government) Act is the offending passage, the one that Senator Brown proposes to be scrapped. This is not an academic argument. We Canberrans live with the spectre of disallowance. The threat has already been carried out once when the Howard government used the provision to fight, and indeed to overturn, the ACT's original civil unions legislation. And more recently a threat of disallowance was made by the Rudd government in relation to a proposed strengthening of the territory's civil partnership laws.

The absurdity of these acts lies in the fact that any one of the state parliaments in this country could decide tomorrow to legislate for something that could go by the name of "gay marriage". Similarly, any state could legislate for euthanasia and be constitutionally entitled to do so. The ACT could so legislate, too, if it chose, at least in respect of gay marriage.

The difference—and the second-class citizenship—derives from the fact that if the commonwealth disapproved of a Victorian, Western Australian or South Australian law, it would need to either take the matter to the High Court and argue that the legislation conflicted with the commonwealth's Marriage Act or change the constitution to remove the rights of the states to legislate in that area. In the ACT, the Prime Minister—or indeed any minister—can simply instruct the Governor-General

to disallow the relevant territory law. No legal challenge necessary. No tedious to and fro in the parliament. No need to consult. No need, in fact, to stand up and to defend one's position. It is the sort of situation where, of course, a good education might come in handy.

This is a motion about principle—a principle that I do not believe any Australian could genuinely or seriously argue against. There will be those who say that it is a debate that takes our collective eye off more important issues. The answer to that is that we do, of course, all the time in this place deal with a myriad of issues at the same time. Besides, relevance is always in the eye of the beholder.

But principles do endure, while issues come and go. Who is to say that the next issue to come along will not resonate with and profoundly affect the men and women who today argue that this chamber or this Assembly ought not waste its time on minority causes or that it is reasonable and appropriate that there be another parliament of other people with a right of veto over whatever it may be that this chamber decides on behalf of the people that elect us.

I am aware that this is just one view. I am aware of views, and a range of views, about how to best progress a review of the self-government act, our constitution. I do acknowledge that this is just one provision in the self-government act deserving of attention. Some might argue that it would be better not to deal piecemeal, one by one, with the issues of concern. I acknowledge that there is a broad-reaching and broad-ranging acknowledgement. I am aware, indeed, that all of the parties represented in this place have a view, perhaps not entirely meshed or consistent, that there are aspects of the self-government act that do need review, do need refinement, do need change.

There may be some that would argue that it is not perhaps efficient, appropriate or in the best interests of our constitution or constitutional arrangements to deal with issues of concern one by one. I can understand the argument; there is a certain logic to it. But the contrary position is that for 10 years now, I—and other members in this place, but I most particularly—have been seeking support consistently, from three successive federal governments now, for a broad, general, overarching, thorough review of the constitutional arrangements—in other words the self-government act.

I have made repeated representations in writing and in person to three successive prime ministers, to successive attorneys-general and to successive ministers for the territory that this is an issue, a genuine issue, affecting the Australian Capital Territory, affecting this parliament and affecting the arrangements under which this Assembly works within the context of our self-governing role and our democratic right.

I acknowledge that there are a number of other issues. There is most lately an issue being pursued around Australia by other parliaments in relation to the capacity to recognise within the preamble of constitutions the prior custodianship of this place by Indigenous Australians. The parliament of New South Wales recently, through a chamber such as this, resolved to amend the preamble to its constitution to acknowledge just that prior custodianship, ownership, occupation and traditional rights and traditional values that Indigenous people have.

The Prime Minister of Australia has announced that she is prepared to sponsor an amendment to the national constitution to similarly recognise Indigenous Australians in our national constitution. I believe that the parliament of South Australia has done the same—and Tasmania. We alone of the Australian jurisdictions cannot do that—we alone. This parliament cannot decide on behalf of the people of the ACT that we will similarly recognise prior custodianship of the ACT by the traditional owners of these lands.

That really is not acceptable. It is good enough for every other state and territory; it is good enough for every other parliament. It is good enough for the Northern Territory, but not, it seems, for the ACT, at least in terms of a priority that has been expressed by successive national governments now in relation to requests that this place has made for our self-government act to be reviewed.

There is another issue that I believe is becoming increasingly urgent, and that is the issue around the size of this parliament. There is a range of views, as they say, within this place about what an ideal, appropriate or optimum size the Legislative Assembly should be. We can argue that here, but any argument that we have in this place in relation to that would at one level be fruitless, because there is not a power or a capacity which we have unilaterally to deal with it.

It is an urgent issue. Despite the urgency of the issue, and I believe it is becoming increasingly urgent, the point of principle is that of all the parliaments in Australia, including the other two territories, including the parliaments of the Northern Territory and Norfolk Island, we are the only parliament in Australia that cannot decide basic machinery issues around our own size, configuration, structure and nature—the only one. That is simply not acceptable. That is simply not acceptable as a principle.

Similarly, there are other issues that are deserving of thorough review. We are constrained and it is inappropriate. It is a pity, and it is wrong, frustrating and demeaning that the national debate, and much of the national commentary in relation to Bob Brown's quite simple amendment, has been enmeshed in an argument around the rights and wrongs, the morality, the ethics or otherwise of euthanasia and gay marriage.

It is a simple amendment, a simple amendment that goes to a principle—that goes to the most fundamental principle of all, which is democracy. The amendment is about democratic rights—the most fundamental principle, the principle essentially on which most wars have been fought or justified. I find it remarkable in a way that it was the very argument used to justify the invasion of Iraq. We invaded Iraq as part of the coalition of the willing in order to assure the democratic rights of the people of Iraq.

Irrespective of one's views about that, it brings into focus the essential nature of this debate, when one has regard to the extreme levels that peoples and nations go to in the name of democracy. We are having a debate here, in the heart of Australia, in the national capital of Australia—the great bastion of democracy, the great defender of democracy, the nation that has never shied away from its commitment to democracy—arguing about the democratic rights of the people of the national capital of Australia, having their simple, basic democratic rights respected and acknowledged.

It seems too hard for some and too big an opportunity for those that would seek to make a point or to run a position or a debate around and about euthanasia, gay marriage and other things potentially in relation to which they have a personal position of opposition to avoid. It is being done by media, socially conservative commentators and socially conservative politicians—of all persuasions, I acknowledge, including, regrettably, some of my federal Labor colleagues.

This is a simple matter of principle. It does not benefit the debate. It demeans the debate to treat it as a mini-referendum on issues such as gay marriage or euthanasia. It demeans the debate. It allows us not to focus on the issue of principle but to simply say, "We all know what Bob Brown's agenda is." It demeans the debate. It demeans the debate to seek to actually deflect it to issues of gay marriage, euthanasia or, indeed, the operations of the Greens party to suit a personal predilection to oppose all of those and to not focus on the fundamental responsibility of protecting our democracy and sticking up for the people of the ACT.

MR SESELJA (Molonglo—Leader of the Opposition) (10.55): I move the amendment circulated in my name:

> Omit all words after "That this Assembly", substitute:
>
> "(1) supports the rights of people of the ACT to legislate on their own behalf upon matters within their legislative jurisdiction under the Constitution of Australia;
>
> (2) supports the formation of a broad public consultation forum to discuss and debate changes requested to the Australian Capital Territory (Self-Government) Act 1988 as raised by the Assembly, the community and other stakeholders; and
>
> (3) calls on the Senate Standing Committee on Legal and Constitutional Affairs to:
>
> (a) recommend against the adoption of the Australian Capital Territory (Self-Government) Amendment (Disallowance and Amendment Power of the Commonwealth) Bill 2010, currently before it; and
>
> (b) recommend a comprehensive review of the Australian Capital Territory (Self-Government) Act 1988 to give proper autonomy to the ACT Legislative Assembly, to be conducted having regard to detailed community consultation.".

The amendment that I have moved to Mr Stanhope's motion is similar to amendments we have moved in this place before. There is a fair amount of deja vu about this debate. We are having it again in this place. We are again putting forward the proposition, through this amendment, that this narrow focus, which is the obsession of the Labor Party and the Greens, is not the way to go. It is counterproductive, it does not consider all the issues, it does not bring the community along with us and it ignores the community.

My amendment again calls on the Assembly to support a much broader process which looks at autonomy in all its forms. I think that the Chief Minister actually made the argument. He spent the second half of his speech making the argument in favour of my amendment. Deep down inside he knows this is the right way to go and that we should not take this narrow focus. You have got to ask why: why does he agree then? He made an eloquent argument in favour of my amendment.

Given he so passionately believes in my amendment, why is he not supporting it? Why is he supporting the motion in its current form? It is about the Greens' tail wagging the Labor dog. That is what this is about. When Bob Brown says, "Jump," Jon Stanhope says, "How high?" We have seen it again today. When Meredith Hunter says, "Jump," Jon Stanhope says, "How high?" It is the Greens' tail wagging the Labor dog—and a dog it is. It is a dog of a government. That is why they do not want to be talking. In fact, you could ask, Mr Speaker, why they want to talk about this. Could it have anything to do with the fact that they have no agenda and we would have been finished by about 10.30 if it were not for this rushed motion?

Dealing with the substance of the motion and my amendment, what we have is a government that does not want to talk about its own agenda. It does not want to talk about its own performance. The last thing it would want to do in this place is talk about health, public transport, planning, housing affordability and fiscal responsibility. It would not want to talk about those.

Members interjecting—

MR SESELJA: But let us deal with the amendment and let us deal with the approach. In fact, while we have the Greens interjecting we might deal with the issue of hypocrisy. We see the absolute hypocrisy about this. We have argued for some time that if you make it about a narrow focus you will not be successful and you will not get the change that the people of the ACT would like. We have also argued that you should be listening to the community and consulting with the community on this issue. We ask the question: why would you not want to go broader?

MR SPEAKER: Mr Seselja, one moment, please. Mr Stanhope, Mr Corbell, could you either take it outside or keep it down? Thank you.

Mr Stanhope: Is there anything worth listening to, Mr Speaker?

MR SPEAKER: Sit down, Mr Stanhope.

MR SESELJA: Why would you not want to go broader? We look at the issues that you could go to. You could go to the ability for us to choose our own size. You could look at issues around the National Capital Authority and its interference in the broader planning of Canberra. Why would Bob Brown not want to talk about that? Why would he not want to have a debate about that? His record damns him, Mr Speaker. He claims that it is about territory rights, about standing up for the territories. Of course, Bob Brown came to prominence by overriding the Tasmanian government.

But there is an example closer to home. We only have to go back to the debate about the Gungahlin Drive extension to see the extent of the hypocrisy of the Greens and the Labor Party on this issue: "Greens Senator Bob Brown has vowed"—in relation to Gungahlin Drive—"to move in the Senate to disallow any change to the national capital plan that allows the eastern route for Gungahlin Drive to continue." He is in favour of territory rights unless we want to build a road where he does not want it to go. If there is a road where he does not want it to go, they can be overridden at will.

Maybe that is why he does not want to talk about the broader issues. The broader issues bring it into stark focus. In fact, maybe Bob Brown still wants to veto our next road. There is an acute sense of embarrassment for the Greens on this issue because not only did Bob Brown demonstrate his hypocrisy, but what was it about? It was about denying the people of Gungahlin a road.

If it was up to the Greens and their interference from the federal parliament, the people of Gungahlin would still be waiting. Of course, they are still waiting for their second lane, but they would still be waiting for a road if it was up to the likes of Bob Brown. Of course, we know Meredith Hunter's views on the issue. She wishes it had not been built. Kerrie Tucker would not have had it built and Bob Brown thought it was so serious that the federal parliament should intervene in the ACT's ability to determine where it puts its roads and how it services the people of its growing suburbs. What rank hypocrisy!

We should not just pick on Senator Brown. We know that Senator Lundy, on behalf of the Labor Party, has shown a fair degree of hypocrisy about this as well. It must be said that she has changed her views on this. She has gone back and forth. It does appear to depend who is in government at an ACT level as to how much she respects the mandate.

Let us have a look at August 2001. The Liberal Party was in government in the ACT. We have here: "Labor Senator Kate Lundy told the *Canberra Times* yesterday that the matter should not be decided by federal parliament but, if it were, Labor would join the Greens and the Democrats in blocking the eastern route." So when it was a Liberal government, the Labor Party would block the eastern route. But some time later, in 2003, that was no longer the case—"We should let the road go through." Who was in government then? The Labor Party was in government. So it appears that for the Labor Party and the Greens it very much depends on who is in government, who is in power, and what the particular issue is.

That brings us back to our point, Mr Speaker. The government—the Labor Party and the Greens—have made it about these contentious issues. They do not want to have a broad discussion because the broad discussion might stop the Greens in future from interfering in planning decisions here in the ACT. Let us have a broader discussion. Let us put aside the hypocrisy of the Greens and the hypocrisy of the Labor Party. Let us as an Assembly say, "We will talk to the community. We want a broad review and reform of the self-government act."

That is what our amendment says. Which part of that do the Labor Party and the Greens oppose? Is it the part that says we should talk to the community about it—is

that the part?—or is it the part that says we should have a broader review? I have heard it said over these last few days as we have been hearing about this that it is about democracy. Why would you not then talk to the community about it?

We have a situation where the people of the ACT were asked whether they wanted self-government. They said no. They got self-government. We have self-government now. With the next step in changes to the self-government act, would it not be reasonable that we listened to the community, that we actually went out and consulted?

Mr Hanson: They might not say what the Labor Party and the Greens want to hear, Mr Seselja.

MR SESELJA: They may well, but let us have the conversation. Let us not focus on one narrow issue. Let us go for a broader review. Why is it that the Greens do not want that? I think that is pretty clear. They want the right to still intervene when it suits them. They want the ability to intervene. This will come up again. In new suburbs there will be controversial roads in future. Bob Brown and the Greens want to say to the people of Canberra, "No, you can't have that road." They want to have that right; they want to have that ability. They want to take that right away from the elected parliament here in the ACT. They are, therefore, guilty of hypocrisy.

My amendment is about saying that we as a parliament are ready to take the next step. We believe that the federal parliament should look broadly at all of the issues that affect the ACT and its ability to govern itself. In doing so, it should consult with the community and it should listen to the community. It should make sure that it takes on board those views and gets a robust change so that we are not coming back in six months, 12 months, 18 months or five years time and having the same debate.

It appears to me that that is exactly what the Labor Party would want—anything to distract from their record as a government, anything to distract from their record of service delivery for the people of the ACT. Let us get it right. Let us have the review and let us take the community with us. We will get significant changes and changes that will benefit the people of the ACT for many years to come. I commend my amendment to the Assembly.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (11.06): This debate goes right to the core of democracy in the ACT. It is one of the most fundamental debates we can have in this place about the legislature of the ACT and therefore about the effective governance of the territory. Ordinarily, we all come to this chamber to put our respective views on a particular issue or concern that one of us has identified and that we think something should be done about. Sometimes we all agree and change the laws that govern us or we give effect to some other course of action that we think will remedy the concern.

Sometimes we do not agree; so we take a different path to achieve the outcome that the majority can agree upon. All the time, of course, we are giving effect to what we believe in and what we think the people who voted for us would want us to do. However, today with an even greater imperative than ever before, we are considering

the underlying role, powers and, in many ways, the validity of the ACT Legislative Assembly itself.

This is an exceptional debate made all the more so by the real possibility that in the very near future we could see a significant and very positive change in the respect afforded by the commonwealth parliament to this place and, in turn, to the people who live here.

The Greens obviously support this motion. We have been protagonists for change for some time now. We believe in this parliament and we believe that there should be true and equal democracy for the 360,000 or so people who live here. Every member of this place was elected to represent the views and values of Canberrans, and we should do so in the same way, free of external threats and influence, as all state parliaments do.

Voting no to the proposed changes is not only a direct attack on this place; it is a slap in the face to all Canberrans. We are all accustomed to a level of Canberra bashing. Our city is often criticised as dull and boring. However, I do not think I have ever before heard such criticism of the people who live here.

Not only are those who oppose the change explicitly saying that they do not think this parliament is capable of fulfilling its function properly; they are also saying that they do not think the people of Canberra have a right to be represented as they see fit. I disagree. Whilst at times I do lament the decisions reached in this place, I respect the democratic process that has led to them.

I respect everyone's right to their point of view and I think that as a democratic institution this place actually does rather well. So far the only argument I have heard against the change is that we are too well educated and too many of us are connected to the public sector to be trusted to be able to decide what we want for our community.

Whilst that argument is too stupid to engage with, I think it is indicative of the level of substance behind opposition concerns. We are at least as capable as any other jurisdiction of choosing who we want to represent us and the ideas and values we want them to bring to the legislature.

We have a good range of checks and balances—overall probably the equal of any state. We have an effective government structure and we are, of course, subject to all the same constitutional limitations as the commonwealth, which in some ways arguably means ACT residents are better protected against the misuse of power than residents in the states.

We have, of course, canvassed this issue as part of a number of broader concerns about the self-government act. I note that Professor George Williams in his submission to the Senate inquiry has given his support not only to the passage of this bill but also to a range of other changes that should take place and that will improve the Legislative Assembly for the people of the ACT. That is, of course, not any kind of reason not to fix this problem, Mr Speaker.

Mr Hanson interjecting—

MR SPEAKER: Mr Hanson!

MS HUNTER: The argument that we should not make this change because other problems still exist is utterly ridiculous.

Mr Hanson interjecting—

MR SPEAKER: Order! Ms Hunter, one moment, please. Mr Hanson, if you wish to communicate with Mr Seselja, can you do it a little more quietly, please.

Mr Hanson: Certainly, Mr Speaker.

MR SPEAKER: Thank you. Ms Hunter.

MS HUNTER: Thank you, Mr Speaker. That is, of course, not any kind of reason not to fix this problem. The argument that we should not make this change because other problems still exist is utterly ridiculous and so lacking in even the most basic logic that I doubt even the opposition really believes it.

An analogy that puts the stupidity of the argument in perspective is that of an old house that has a leaky roof, needs new flyscreens and new hinges on the back door. Imagine saying no to a plumber who offered to stop the roof leaking because he could not fix the other problems on the same day. It is a nonsense and I do not think even the Canberra Liberals believe it.

As I have said on several occasions in previous debates, we are not second-class citizens and we should have the same rights to legislate free from the threat of executive veto as the states do. Whilst we will, of course, always be the subject of some level of commonwealth veto created by the constitution that we can do nothing about, we should at the very least ensure that it must be done by the parliament and not just by a minister.

It is wrong that a commonwealth minister—not even the parliament of the commonwealth but a minister alone—can overturn a validly made law of this Assembly. It is wrong that people who have no interest in and who are not affected by what happens here in the territory have a say in the validity of the laws passed by this Assembly.

Professor Michael Crommelin from the University of Melbourne wrote recently:

> The values inherent in Australian Federalism are regional diversity, local participation and decentralisation. The framers of the Constitution sought to realise these values through the establishment of two levels of government with limited powers distributed by the Constitution.

Our federal system is predicated on regional parliaments exercising significant legislative authority over their respective jurisdictions. Indeed, the scope of their powers is unlimited and extends to everything not otherwise assigned to the commonwealth.

This issue has, of course, been tied up, quite intentionally so, with another issue, which I think is most unfortunate. For instance, there are some people out there who are prejudiced and who do want to continue to discriminate against people such as gays and lesbians in our community. That is, of course, not what this issue is about. It is not why Senator Bob Brown has proposed this change. The issue is about the democratic rights of the parliament and the people of the ACT. I think that is where we really need to be focusing today.

I find it quite interesting that in Mr Seselja's speech there is very little actually on the issue and about where he stands on this issue of democratic rights of the people of the territory. He does want to go off on other tangents and I am not sure what he wants to talk about. He is wandering off down side paths when really, at the end of the day, this is very, very simple: do the Canberra Liberals stand up for the democratic rights of the territory and territorians or are they not going to do that? Are they going to support Senator Brown's bill, which is a very simple change to the self-government act, to ensure that we are not treated as second-class citizens. That is at the heart of this debate that we are having today.

I really did not get a sense at all from Mr Seselja that he understood that, that he understood it is very, very simple: where do you stand? That is what I would like to be asking and am asking the Canberra Liberals here now: where do you stand on the democratic rights of people in the territory? We are not second-class citizens. There is no rationale and there is no just cause for the current section 35 in the self-government act, and it should be repealed. Where do the Canberra Liberals stand on that issue?

Again, I think that is unfortunate because the Canberra Liberals have bailed out of the debate.

Mr Smyth interjecting—

MR SPEAKER: Thank you, Mr Smyth. You will have your chance in a minute. Order!

MS HUNTER: The Liberals have to say if they agree. You need to stand here and you need to tell the people of Canberra whether you agree that Canberrans are too well educated to make their own laws, to know their own mind. Do you agree that this place cannot be trusted or do you think that this place is a responsive and accountable legislature that should be able to make its own laws free from the arbitrary interference by the federal executive. Where do you stand on that issue?

Do the Liberals believe in change? I find it very odd that on the one hand they say that they agree things need to change. Yet they do not want to actually support this legislation. Senator Gary Humphries, one of their colleagues up on the hill, is a man who is quite often out there talking about how he stands up for Canberrans and their democratic rights. Obviously, the Canberra Liberals are indicating quite clearly that they are not going to talk to their colleagues to ensure that this wrong is righted, that this change is made.

It is evident in their statements. It really comes to the point that it appears as though the Canberra Liberals and their colleagues on the hill think less of this parliament than they do of every state parliament in Australia. The obvious question is why. I think every Canberran should ask the Canberra Liberals why all their colleagues in the states are better than them and why it is that they do not want to represent Canberrans on the same range of issues that members of state parliaments represent their residents on.

Mr Smyth: Bob didn't feel that way about—

MS HUNTER: They are getting very touchy on this. Why do they want to be subject to the whim of politicians from other states? Why do they not want members of an institution to have the final say in what is in the best interests of the people of Canberra? This is not the spirit of the constitution. Constitutional cases do ensure a range of protections and limitations to ensure the parliaments are truly representative of the people. It shows that this parliament should enjoy the same level of responsibility and quality of democracy as enjoyed in other states.

That, as I said, is really at the heart of the legislation that Bob Brown has tabled in federal parliament. I very much support Mr Stanhope's motion today. I think that it is trying to clearly put forward a view from this parliament that we do not believe that the people we represent should be treated in a shoddy manner, in a second-class way, that they should be able to enjoy those same democratic rights. I would very much like to hear answers to the questions I raised about where do the Canberra Liberals stand on this? Do they really think that this place is not as good as other parliaments? Do they really think that the people of the ACT are second-class citizens who should not enjoy the same democratic rights? You need to clearly answer those questions.

It was quite interesting when this issue did break last week. I was talking to one of the local media people who was saying that the phones were ringing hot and people were white hot with anger on this issue. The people of Canberra were very angry that this would not be supported by politicians up in federal parliament who live many thousands of kilometres away from the ACT and yet who believe that they should be the ones who have the say on the laws of the territory. We cannot allow this to continue. It is a ridiculous situation. Therefore, I am fully supportive of Senator Brown's bill.

I will address the issues. Yes, there are a number of other areas of the self-government act we would like to see changed. Cast your mind back to 2009 when I did bring a motion into this place. That was around calling on the federal parliament to look at the self-government act and to review it. Guess what? There are many people up in federal parliament who, unfortunately, simply do not care about the ACT.

I have asked on a number of occasions and been given an update by the Chief Minister on his efforts to engage with the federal parliament to try and move this issue along. I do hope that that will be successful, because there are areas that need to be addressed. The Chief Minister has touched on one of those this morning, which is around the size of this Assembly. It is ridiculous. We have had self-government for

21 years. Now, 21 years ago there were around 100,000 less people in this territory. We have a larger population now. Our budget has increased four times over. The level of complexity of what is being dealt with in this place has grown. It has increased. We do need to be able to have an Assembly, a parliament, that is able to grow with those challenging issues into the future.

I do agree that we should have control here in the ACT over the size of the Assembly. But at the same time, I make it very clear that that should not stop everyone in this place from supporting Senator Brown's bill. Yes, it is only one of the issues, but it is at the moment on the table being debated. I would very much call on all members of this place to be lobbying their federal colleagues to support Senator Brown's bill. It is a small step forward but it at least is some progress and a step forward while we then work on the issue of how to engage the federal parliament and to ensure those other issues that need to be changed in the self-government act are addressed as well.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (11.21): Mr Speaker, the term "reluctant democrats" has often been coined to describe the journey of the ACT community towards self-government. Indeed, it was the title of a history that was put together a number of years ago about the journey of the territory towards self-determination. I am afraid to say that we still have some reluctant democrats here in the chamber today, and those reluctant democrats are, of course, those on the other side of this house who continue to resist and to shy away from a fundamental debate about how the territory governs itself. They are, indeed, reluctant and, can I even suggest, recalcitrant democrats in this place.

I draw members' attention to debates in this chamber that have occurred over many years now and, in particular, a debate that occurred in 2006 which was, of course, the year in which the Howard government disallowed—actually vetoed and made null and void—an act of this democratically elected Assembly. That, of course, was the Civil Unions Act. The issue we are debating today and the issue we were debating then was not the substance of the act that was disallowed or, indeed, the substance of acts that could be disallowed. What we were debating was whether or not the Crown could unilaterally act to veto and make null and void an act of a democratically elected parliament.

That is what Senator Brown's bill is about, and that is what this motion is about today. It is about saying that nowhere in a democratic nation with a form of constitutional government with all of the conventions and norms that have evolved over hundreds of years should there be a place for the Crown—the Queen's representative—to unilaterally and without reference to parliament override an act of a democratically elected parliament, because that is what this particular section of the self-government act provides for.

Section 35 allows the Crown, acting on the advice of her ministers, to overturn the act of another parliament. That is what the provision does, and it is a fundamentally undemocratic provision. It is a provision that has no reference or regard to the views of the commonwealth parliament, let alone the views of this Assembly, which is the

only body that can claim to have a mandate to reflect the views of the community of the Australian Capital Territory. It is this Assembly which is elected by universal adult suffrage and by the people of the territory alone.

What is so radical about that position that forces the Liberals in this place to shy away from supporting the rights of this place to legislate for its citizens without the fear of the Crown overriding its laws? What is so radical and exceptional about that that leads the Liberal Party to shy away from that fundamental constitutional argument?

It is an absolute disgrace that those who claim to be elected by and to represent this community believe it is all right for the Crown to override a law of this parliament. That is exactly what they are saying when they refuse to support a motion that says that that power must go. That is what this motion is about today—the removal of the power of the Crown to override a law of this parliament—and they have failed to support that fundamental principle.

They can stand up here and say, "Well, we want a broader review of the self-government act. We all want a broader review of the self-government act, and the Chief Minister and I have repeatedly made representations to our federal colleagues of both political persuasions seeking a review of the self-government act. But there is one particular egregious element of the self-government act that should not wait for a broader review of its operation, and that is this provision—section 35 of the self-government act.

The fact is that there is a proposal before the federal parliament today that that section be removed from the self-government act. We should as an Assembly overwhelmingly and unanimously say that, when it comes to the ability of the Crown to veto a law without regard to the self-government act, the federal parliament or the ACT parliament, that provision should go. It is as simple as that. Yes, we should have a broader discussion about the operation of the act as a whole, about the powers granted to this place, about the operation and the interaction between this place and the federal parliament.

Mr Smyth interjecting—

MADAM ASSISTANT SPEAKER (Ms Le Couteur): Mr Smyth, please stop interjecting.

MR CORBELL: But that is not the question before us. The question before us and the question before the federal parliament is: should section 35 be repealed? That is the question that those opposite must answer. Yes or no? Should the Crown have the ability to veto the laws of this place in a manner that has no reference to the federal parliament or this parliament? Should the Crown be able to act unilaterally in that manner? We say no. We say it offends fundamental democratic principles of constitutional government. It is up to those opposite to show that they are not reluctant democrats and that they also agree that the Crown has no role in overriding the act of any elected parliament, particularly this one, as far as we are concerned.

We have heard some furphies advanced by those opposite in support of their amendment today. One of those furphies has been that there have been attempts made

by members on all sides of the federal parliament to seek to override other issues. For example, we have heard the furphy of the Gungahlin Drive extension. No-one is arguing in the debate in this place that the federal parliament does not have the constitutional power to override the laws of the territory.

Mr Seselja: What about the national capital plan?

MR CORBELL: Of course, the national capital plan is a law of the federal parliament, and the federal parliament reserves to itself certain powers in relation to the making or otherwise of amendments to the national capital plan. The difference, of course, which those opposite fail to comprehend—

Opposition members interjecting—

MADAM ASSISTANT SPEAKER: Mr Smyth and Mr Seselja, please stop interjecting.

MR CORBELL: The difference, of course, that those opposite fail to comprehend is that those mechanisms and provisions involve a vote of the federal parliament. They do not involve the Crown unilaterally overriding a law of this parliament. It is not the same mechanism. It is not the same approach. It is not the Crown vetoing a provision made by this parliament. It is a completely different constitutional mechanism. It shows the paucity of the argument of those opposite—

Opposition members interjecting—

MADAM ASSISTANT SPEAKER: Excuse me one minute, Mr Corbell. Members of the opposition, please be quiet. Mr Corbell.

MR CORBELL: It highlights the paucity of their argument that they seek to align the one with the other. They are not the same. They are not the same in any regard. The issue at stake here is simply this: should the Crown be allowed to disallow laws of this place? We say no. What do they say, Madam Assistant Speaker? *(Time expired.)*

MADAM ASSISTANT SPEAKER: Before we go onto the next speaker, Mr Stanhope and Ms Gallagher, if you want to have a private conversation please do not have it in the Assembly. Members of the Opposition, it has been very hard to hear Mr Corbell speak. I hope that it will be quieter for our next speaker. Mr Smyth.

MR SMYTH (Brindabella) (11.31): It is always pleasing to go after Mr Corbell, because you get that indignation in Simon. The button gets done up and the hand is thrust in the pocket and the finger pointing starts. You know that Simon Corbell does not have an argument when the tone in his voice rises and his temper flares, that blush comes into his cheeks and he starts asserting things that are fundamentally untrue.

He said that we do not stand for anything. He said we do not have a position on whether laws should be overridden by other jurisdictions. I simply refer him to the Leader of the Opposition's speech on 12 May 2009 when Mr Seselja said that he believes the territory deserves to be treated at least equal to other states and that if any

government of any persuasion passes a law which is not unconstitutional they should not be subject to arbitrary disallowance by another jurisdiction.

It is very clear; it is very simple; and it was simply ignored by Mr Corbell. Now, compare that to the position of Bob Brown on this issue. What did Bob Brown say about the position of the ACT Assembly? What did Bob Brown specifically point out to the Assembly in 2001? He said that the ACT Assembly should remember that the national parliament has a key role in the planning and future directions of this, our national capital. That is patronising at best. It is a lecture, of course, about the role of the Senate and its ability to override things.

But let us see what the Greens believe about the ACT on this issue. Bob Brown says that the ACT Assembly should remember that the national parliament has a key role in the planning and future direction of this, our national capital. So what has changed in the last 10 years? What has led the leader of the Greens in the Senate on his road to Damascus that he is suddenly now an advocate for our rights? It is an interesting question, but nobody can explain it.

We have got Mr Corbell who basically has just misled the Assembly because he asserts something that is not true—

Mr Corbell: On a point of order, Madam Assistant Speaker, Mr Smyth knows—

Mr Hargreaves: Clock please, Madam Assistant Speaker. Clock!

MADAM ASSISTANT SPEAKER (Ms Le Couteur): Mr Hargreaves, please be quiet.

Mr Smyth: Could we stop the clock, Madam Assistant Speaker?

MADAM ASSISTANT SPEAKER: Yes, stop the clock. Mr Corbell.

Mr Corbell: Mr Smyth knows the forms of this place very well, and he abuses them. If he wants to make an allegation that a member has misled the Assembly, he can only do so by a substantive motion. Mr Smyth is not moving a substantive motion, and he should simply be asked to withdraw the comment.

MADAM ASSISTANT SPEAKER: Mr Smyth, would you like to withdraw that?

MR SMYTH: Well, I will withdraw it. I am happy to withdraw it.

MADAM ASSISTANT SPEAKER: Restart the clock.

MR SMYTH: It is interesting that if you want to move a motion such as that, you actually have to wait a day and put a motion on the notice paper, because those forms of the house are now denied us. But Mr Corbell should review what he said in the light of what I have just quoted from the Leader of the Opposition. He might apologise for what he said.

Let us get back to Mr Brown and what he said. It is patronising to say that the ACT Assembly should remember that the national parliament has a key role in the planning and future direction of this, our national capital. The problem for Mr Corbell is that he said we all want a broader review of the self-government act. In that case, support the amendment. Mr Corbell did not know his process, and Mr Corbell just simply chose to ignore what the Leader of the Opposition has put forward in this excellent amendment.

There is an opportunity to have the broader review. How can the Greens and the government actually be against paragraph 3(b) where it says, "Let's give proper autonomy to the ACT Legislative Assembly." It will be interesting to see members vote against that. It will be interesting to see whether the Greens and the Labor Party are in favour of or against proper autonomy for the ACT Legislative Assembly. Mr Corbell said that it is not before us today. Well, read the amendment—it is actually before us today. You can choose today to send a message to the inquiry that is currently underway in the Senate to have a proper review of this act.

And I refer the government to the Hawke review. I refer the government to page 34 of the Hawke review where Dr Hawke says:

> The lead up to the Centenary of Canberra in 2013 provides a timely opportunity for the Self Government Act to be reviewed, updated, and perhaps stripped of what might, despite their merits in the early years of self government, now be considered anachronistic colonial type powers. Of course, the outcomes of any such review could not alter the ultimate power and right of the Commonwealth Parliament to legislate for, or about, the ACT and the national capital, but it would be a significant vote of confidence in the maturity of the governance arrangements for the ACT.

So he was actually in favour of getting something broader underway. Let us start today. But, of course, the Greens are not serious about it, because we know Bob Brown's position—the federal parliament has the right to intervene. He asserts that. He asserted it in 2001 when it suited them. The Greens now conveniently forget. What did Ms Hunter say when she hurriedly ran into the Alex Sloan program this morning? Something about throwing obstacles or logs in the way of this process.

Mr Seselja: She wouldn't answer the question about Bob, though.

MR SMYTH: And she refused to answer the question about Bob Brown, as she would refuse to answer such a question. Why would you not want to look at all these arrangements? People have listed them: the size of the Assembly, numbers of ministers, other powers, things that are excluded in various sections of the self-government act that we are not allowed to do as a parliament. Why would you not want to see the autonomy given to the people of the ACT through their ACT Assembly? Because you probably do not believe in it.

Ms Hunter ran the Kenny defence. I thought it was quite amusing when she talked about the plumber on the roof and fixing the leaks and you have to start somewhere. We will see if that applies tomorrow. She said it is about the democratic right of the

people of the ACT. Well, what did the Greens believe in and what do they still believe in? You cannot believe anything they say because they are all over the shop on this issue. When they did not want a row, they did not believe in it. When they want something else, they believe in it. There is no consistency from the Greens on this issue.

Ms Hunter said that the Liberal Party had bowed out of the debate. That is not true. There is an amendment here that puts a position we have long held. We just have a different view. We want to go a different route to you. What we want to see is that, if we get the opportunity to amend the self-government act, it is all encompassing. I think that is important. As Dr Hawke says in his review, ACT issues are on the periphery of the federal parliament. If we are going to have the opportunity to amend the act, then we should look seriously at amending all of the act.

It is interesting when you look at the views of politicians such as Senator Lundy. When there was a Liberal government in the ACT, she was in favour of overriding the power of the ACT. When there was a Labor government in the ACT she was against that happening. Is it not interesting that the only consistent people in this place for a period of time over this argument are the Canberra Liberals? We believe it is time and it is appropriate to go back and look at all of the sections that hinder us from doing our job.

I go back to what Dr Hawke said. Dr Hawke mentioned the Pettit review, a review conducted by the ACT Liberals at the time. Nothing has been done by this government until the Hawke review recently. That the Assembly should be empowered to determine its own size is a fundamental issue of principle and, indeed, we should be addressing the fundamental issues of principle.

If you go to the chart on page 33 of the Hawke report, you see there is one elected representative for 14,285 Canberrans. In the Northern Territory it is one for every 685, and in WA it is one for every 977. There are fundamental things that need to be addressed. If we are, as Dr Hawke asserts, on the periphery of thought in the federal parliament, we should be taking the opportunities to ensure that we address the big issues first.

What we need to do is have an all-encompassing review, as pointed out by the Leader of the Opposition. What we should have today is support for the amendment. Again, Ms Hunter said that we have bowed out on this argument, but let us look at paragraph (1) of the amendment. We want the Assembly to affirm that it supports the rights of the people of the ACT to legislate on their own behalf upon matters within their legislative jurisdiction under the constitution of Australia. How can you vote against that? Are people in favour of that or not? There is a position put forward by the Liberal Party—we should have the right to legislate on our own behalf.

Paragraph (2) supports the formation of a broad public consultation forum to discuss and debate changes requested to the Australian Capital Territory (Self-Government) Act. It is important that we bring the public with us on this issue. It is incredibly important that they have their say about all of the issues that affect them. We should be doing this on behalf of the people of the ACT. But I do not hear the Labor Party or

the Greens talking about consulting with the people. There is a fabulous opportunity in the lead-up to the centenary of Canberra to get this right. Let us not jeopardise it by just addressing one section of the act today.

The third paragraph calls on the standing committee to recommend against the adoption of the disallowance amendment bill currently before it and instead recommend a comprehensive review of the Australian Capital Territory (Self-Government) Act 1988 to give proper autonomy to the ACT Legislative Assembly, having regard to detailed community consultation. There is only one party in this place today standing up for ensuring that this Assembly gets proper autonomy, and that, of course, is the Canberra Liberals. *(Time expired.)*

MR RATTENBURY (Molonglo) (11.42): In light of the considerable heat that has been generated in this debate today, I think it is worth stepping back and actually considering what Senator Brown's proposed amendment does.

Opposition members interjecting—

MADAM ASSISTANT SPEAKER (Ms Le Couteur): Members of the opposition, please be quiet. Mr Rattenbury, you have the floor.

MR RATTENBURY: The amendment in Senator Brown's bill is a simple one: it seeks to move us from veto to vote. It is really very simple because at the moment the federal parliament has the ability—

Opposition members interjecting—

MR RATTENBURY: I am not sure why the members of the opposition have started interjecting right from the beginning of my speech, but I am sure they will continue to do it. What Senator Brown's bill seeks to do is simply to remove that ability of a minister to go to the Governor-General to seek a disallowance of an ACT act without any consultation—remember that: without any consultation—without any parliamentary debates and without any potential for a public discourse on it.

What it simply does is remove that right of ministers to do that and instead says that there must be a debate in the federal parliament. It is actually very simple. What it does is bring some transparency to the process. It says that the commonwealth may still seek to strike down an ACT law—and we can have a debate about the merits or otherwise of that—but that that must be conducted by an act of parliament. It requires a federal member of parliament to move a bill overriding an ACT law. At least then there is some transparency about what is happening. It is not a minister or the Executive Council scurrying off to the Governor-General and saying, "My personal whim says I don't want this law in the ACT."

Mr Hanson interjecting—

MR RATTENBURY: Mr Hanson, you are special.

Opposition members interjecting—

MADAM ASSISTANT SPEAKER: Please stop the clock for a minute, Clerk. Mr Hanson, Mrs Dunne, members of the opposition, please be quiet. Mr Rattenbury deserves to be heard in silence.

Ms Bresnan: I raise a point of order, Madam Assistant Speaker. I just ask that Mr Hanson withdraw that comment to Mr Rattenbury.

Mrs Dunne: On the point of order, Madam Assistant Speaker, if that is the case, Mr Rattenbury should also be asked to withdraw the same comment that he made to Mr Smyth.

MADAM ASSISTANT SPEAKER: I am afraid I find myself at a considerable disadvantage here. There was so much noise that I actually have no idea what Mr Hanson said. And I presume—

Mr Hanson: I was quoting the Speaker.

Mrs Dunne: In that case, could I suggest, Madam Assistant Speaker, that you might review the Hansard tape and hear the comment made by Mr Hanson and the comment made by Mr Rattenbury?

MADAM ASSISTANT SPEAKER: I will certainly do that, but. I am afraid I have absolutely no idea at this stage what any of the interjections were.

Mr Hanson: Madam Assistant Speaker, I am happy to withdraw it as an inappropriate comment, and I assume that Mr Rattenbury will be happy to do the same.

MADAM ASSISTANT SPEAKER: Thank you, Mr Hanson. It is very useful. Mr Rattenbury, I believe you have the floor. Please continue.

Mrs Dunne: There is the live question, Madam Assistant Speaker, of the comments that were made by Mr Rattenbury that I drew to your attention.

MADAM ASSISTANT SPEAKER: I will review the tape. As I said, Mrs Dunne, it is so noisy I have no idea what any of you said, which is the major problem. Mr Rattenbury, you have the floor. Clerk, please restart the clock.

MR RATTENBURY: Thank you. I was simply in the process of going back to the substance of Senator Brown's bill—

Opposition members interjecting—

MR RATTENBURY: There has been quite a debate this morning about the consistency of Senator Brown's approach and I think it is an interesting point to reflect on because when Senator—

Mr Smyth: I raise a point of order, Madam Assistant Speaker. Apparently, the question was asked whether or not the Speaker, Mr Rattenbury, would withdraw the

same comment that he said before Mr Hanson repeated it, and it has not been resolved. I was wondering if you could ask Mr Rattenbury to withdraw or—

MADAM ASSISTANT SPEAKER: Mr Smyth, I have not asked Mr Rattenbury to withdraw, because, as I explained—

Mr Seselja interjecting—

MADAM ASSISTANT SPEAKER: Mr Seselja, please be quiet. The chair is speaking. I am not in a position to ask anyone to withdraw, Mr Smyth, because it was so noisy I could not hear what any of you were saying. Mr Rattenbury, you have the floor. Please restart the clocks.

MR RATTENBURY: Thank you, members. The point I was making was that Senator Brown's bill seeks to change the situation where the federal parliament must vote, and this brings us to the considerable debate this morning there has been about consistency. There has been a whole lot of heat and noise over this side of the chamber about Senator Brown moving a disallowance, and the simple point is that Senator Brown's disallowance motion was voted upon; it was voted on in the federal parliament. That is what Senator Brown's amendment seeks to do now, to require anybody who has a concern with an ACT law to vote on it. So it is entirely consistent, and I think that is important to reflect on.

Of course there is a role for the commonwealth in the ACT as the national capital. I certainly believe there is always a role for the federal government to have some discussion with the ACT about the state of affairs. As the national capital we do have a position where we have linkages to the commonwealth in a way that none of the other states and territories do, so there are those national matters, and I think that is a challenging discussion to work out exactly how to draw some lines around that, but it is one that we need to continue to consider.

The unfortunate part of Mr Seselja's amendment today, where he seeks to suggest that we need to take a broader approach—

Mr Corbell: I raise a point of order, Madam Assistant Speaker.

MADAM ASSISTANT SPEAKER: Please stop the clocks. Mr Corbell.

Mr Corbell: Madam Assistant Speaker, at what point in this place is the chair going to require members to listen to the debate in relative silence? You have repeatedly requested that members opposite desist from their constant interjections—

Opposition members interjecting—

Mr Corbell: on any matter which they disagree with—and they are still doing it, Madam Assistant Speaker. They are holding your rulings in contempt, they have no regard for the authority of the chair, and it is getting to the point where those opposite need to have their responsibilities as members drawn to their attention in such a manner that they have regard to the standing orders. They are refusing to do so, they

repeatedly flout the authority of the chair, and I ask you, Madam Assistant Speaker, to take whatever steps you feel are necessary to restore the dignity of this place—because those opposite hold it in contempt.

MADAM ASSISTANT SPEAKER: Thank you, Mr Corbell. Mr Rattenbury, you have—

Mr Smyth: Just on the point of order, there are standards here, Madam Assistant Speaker. Mr Hanson, when challenged, withdrew a comment, and it still is up to the Speaker to withdraw exactly the same comment which Mr Hanson repeated. With this talk of standards, the standards should be applied to all. If Mr Corbell has a problem with your rulings and the way you are conducting the house, then of course he should move dissent. He does not have the courage, and of course he does not have the case, to move dissent. So I think you should instruct Mr Corbell to go and read his standing orders, because there is a form and a way about going about this—

MADAM ASSISTANT SPEAKER: Thank you, Mr Smyth. Mr Rattenbury, you do indeed have the floor, and I trust you will be heard in silence.

MR RATTENBURY: The point I was simply trying to draw out when I was speaking before—I think I might it wrap it up here, because we should really just get on with this debate—is that it is important to focus on what Senator Brown's bill does.

Mr Seselja's motion—that is where I was—is unfortunate in that I think many of us would agree with the sentiment in the first part of it, which is that we should undertake a broader examination of the self-government act; I think every member in this place at various times has made observations about their frustration with the current formulation of the self-government act. That cuts across a range of different areas and I think different members would have different views.

There is, undoubtedly, scope to consider whether the self-government act as it was established more than 20 years ago now is still the right self-government act for the ACT. But that should not be diminished by what is on the table today, which is a simple step to deal with section 35 and remove the veto power, the ability to simply wipe out a law on a ministerial whim. We want to move from that veto power to where the federal parliament has to vote if it wants to strike down an ACT law.

Mr Seselja's motion in seeking to recommend against the adoption of that amendment I think does the ACT a disservice. We have the ability to do something constructive now to address one of the flaws in the self-government act. It is a practical step. It is something concrete that can be done. The Greens believe that that step should be taken now.

We also support Mr Seselja's sentiment that it is worth looking at other elements of the self-government act; I think we should be seeking to do that. But, certainly, this Assembly has expressed that desire on previous occasions and we have not been able to get the federal government to engage in that process. So I think we have got some more work to do there to get to that point. We should take practical steps now and get on with what can be done at this point in time.

MR HARGREAVES (Brindabella) (11.53): This debate is about self-determination, this debate is about basic rights enjoyed by Australians and this debate is about fairness. This debate is also about discrimination and it is about the class of sovereignty that different citizens enjoy. This debate is about insult and this debate is about ignorance.

Who remembers the days when we were administered not by someone who lived here but by a grazier from Queensland or a lawyer from Tasmania, disparagingly referred to as the mouth from the south? Who remembers the days when the commonwealth treated us as a colony? Who remembers the days when we were taxed without proper representation? And who remembers the days before the self-government act and the frustrations we had because we dealt with a single member of the House of Representatives who was a notional minister? There was little difference between the way we were perceived and the way the colonies were perceived in the days of yore.

And has anything changed? We are now told that the commonwealth parliament, nay, a federal minister, is wiser than a body of elected representatives. But who says so? Who says that the commonwealth parliament is wiser than the body of elected representatives put here by the people of the ACT?

Why can't people just understand that the people in the ACT are not overpaid, overfed and affluent public servants, that mythical creature which has never existed in numbers in this town? Why is it that people deciding our future do so with such hideous prejudice after experiencing little more than the night-life of Kingston and Manuka? Why is it so that these so-called wise men and women can determine our destiny when they do not, by their own admission, know where Spence is, know where Waramanga is or know where Conder is? Indeed, you will hear said in the house the suburb of "Condor". For their information, a condor is a bloody big black bird and Conder was a painter.

Why do these people fear allowing us the same rights as those in the states have, notably Queensland, South Australia or New South Wales? Did the commonwealth overturn the socially progressive laws of Don Dunstan? I do not think so. Yet there is a senator from South Australia who would like to do that here. A senator did not overrule the progressive stuff that Don Dunstan pioneered. What gives a member of the House of Representatives or a senator for Queensland the right to deny us the same rights as Queenslanders or those in South Australia?

I have got a brother who lives in Calwell and I have got a brother who lives in Jerrabomberra. I ask those opposite and I ask those people in this place that oppose self-determination, "What am I going to tell my brother who lives in Calwell when it is suggested that he is a less responsible person than my brother who lives in New South Wales? What am I going to say to him? 'No, you're not trusted like my other brother in Jerrabomberra.'"

What am I going to say to my daughters, one of whom lives in Fadden and the other lives in Boorowa? Do I tell my daughter who lives in Fadden that she is not as responsible as her sister, that she cannot be trusted but her sister can? I do not hear any suggestions on what would be the response.

Mrs Dunne: That would be disorderly.

MR HARGREAVES: That would be disorderly. Mrs Dunne, in fact, is the expert in disorderly conduct in this place.

Mrs Dunne: Madam Assistant Speaker—

MR HARGREAVES: I have to say in this place—

MADAM ASSISTANT SPEAKER (Ms Le Couteur): One moment, Mr Hargreaves.

Mrs Dunne: I think that the accusation that I am an expert in disorderly conduct is unparliamentary, and I request that it be withdrawn.

MADAM ASSISTANT SPEAKER: Mr Hargreaves, I invite you to withdraw that comment.

MR HARGREAVES: Okay, then, Madam Assistant Speaker, I withdraw the fact that Mrs Dunne is an expert in disorderly conduct in this place.

MADAM ASSISTANT SPEAKER: Thank you. Mr Hargreaves, you have the floor.

MR HARGREAVES: She makes my case for me, but that is fine.

I have to say that I was flabbergasted at the rank hypocrisy of a Labor senator, Senator John Hogg. When I went as part of the parliamentary delegation to Kenya, the Australian delegation of which I was a part was appalled at the lack of democracy shown at that particular gathering. Indeed, my report to members here will reveal the extent to which democracy was abused as part of that process.

Senator Hogg led the charge by saying, "We need to stand up for democracy in this place; everybody has the same rights." So much so was his power, he wanted to withdraw the Australian delegation from the CPA altogether. Yet here is the same senator who would deny the people in the ACT the rights that he was trying to defend in Kenya. That is rank hypocrisy, and he owes the whole of the ACT an apology for that.

I am saddened by the Liberals' position here. This action by Senator Bob Brown is an incremental step in the right direction. What part of going in the right direction do people not understand? No, what they want to do is to refer it to a parliamentary committee, which is death by a thousand cuts. You know the old story: if you want to stick something into the rubbish bin, stick a parliamentary committee in it. Give it to them to look at. What happens is that they all go on a junket around the country, talk to everybody and then come up with nothing, which is what they want. Good on you. Here is your chance to actually stand up and do something, join with the rest of us and say: "We're happy with the incremental step. We'll be back to do the rest of it but we want the incremental step."

No, what happens? Mr Hanson rabbits away in the background like a little Maltese terrier. I suggest that if he wants to act like Gary Humphries, if he wants to look like Gary Humphries, stand up for the ACT like Gary Humphries and stop being a poor imitation of him. They actually sit here, enjoying the partial sovereignty that we enjoy here, but they are scared to go to the next step.

Some whole-scale revision of the self-government act is necessary to grant full sovereignty. We agree with that. But, I ask, should it be a case of "or" or "and"? I suggest to you that it should be "and". We can move that little step forward and still go and do the rest of it.

Self-determination is something that Australia as a nation has tried to ensure in nations overseas. It has advocated just this in the north African crises currently being played out and has vigorously advocated this in UN debates. But why then does the national parliament deny the same right to its capital territory? What makes them think that one idiot minister or idiot senator from Queensland or some right-wing idiot Labor senator from South Australia has much more wisdom than the collective body of representatives here? What makes them have the temerity to suggest that?

Then, on top of that, somebody says, "We will put the whole collection of these idiots together because they will know what is better for our people than we do." I reject the right that they are giving themselves to tell us what to do. Our people in the ACT determine that. They have put people in here and they have taken them out of here. They have legislated for the good of the people here for 20 years. We have matured as a parliament, I had thought, and I do not see why we need change it.

The real reason behind all this is that that little minnow, the ACT, might just legislate in favour of euthanasia or civil unions. That little minnow might have the courage, in fact, to be a bit more socially progressive than those staid conservative states. Perhaps they are afraid that we are a little bit too educated, too affluent. In fact, we are so educated we know the difference between progress and conservatism.

Quite frankly, I do not care who it is that is bringing the action into the federal parliament. I do not care whether it is Labor, Liberal, Green, whoever. I thank them for doing that because we cannot. And other people that we put in those chambers have not had the courage to get up there and do it. We have had people like Senator Humphries squawking like blazes since he left this place about denying sovereignty to the ACT. And what have we seen? He has threatened to cross the floor. Yes, that was when he was a backbencher. Let us see whether he has still got the guts as a frontbencher. I warrant you, Madam Assistant Speaker, that he is going to have more of an eye on his job than he has on the sovereignty of the ACT. I bet you that is the case.

I applaud the first part of the Liberals' amendment and I deplore the other two because they are just putting it off, putting the inevitability off. And the cackling laughter of Mr Hanson does not do this debate any justice at all.

MR RATTENBURY (Molonglo) (12.03): Madam Assistant Speaker, under standing order 46, I seek your leave to make a personal explanation.

MADAM ASSISTANT SPEAKER (Ms Le Couteur): Leave is granted.

MR RATTENBURY: Earlier in the debate I was asked to withdraw some comments I was alleged to have made across the chamber. This situation has highlighted the challenges of being both the Speaker and an MLA in seeking to fulfil the role of Speaker and representing my constituents and the views that I hold. Of course, having had the request to review the *Hansard*, the Speaker is required to fulfil that duty and I think it is best that, in order to avoid an invidious situation for both perhaps the Speaker and the Clerk, I withdraw the comments I made earlier.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (12.04), by leave: I am speaking to Mr Seselja's amendment. My colleague Mr Rattenbury has said that the Greens will not be supporting Mr Seselja's amendment.

Mrs Dunne: Madam Assistant Speaker—

MADAM ASSISTANT SPEAKER: One moment, please! Stop the clocks. Mrs Dunne.

Mrs Dunne: Madam Assistant Speaker, can you explain to me why it is that Ms Hunter is speaking again?

MADAM ASSISTANT SPEAKER: She has leave.

MS HUNTER: I have got leave.

MADAM ASSISTANT SPEAKER: She requested and obtained leave, Mrs Dunne.

MS HUNTER: I requested leave and it was given.

MADAM ASSISTANT SPEAKER: So she is entitled to speak again.

Mrs Dunne: So what is Ms Hunter speaking to?

MADAM ASSISTANT SPEAKER: The question is that Mr Seselja's amendment be agreed to.

Mrs Dunne: But that is what Ms Hunter spoke to before.

MADAM ASSISTANT SPEAKER: Yes, and she got leave to speak again.

MS HUNTER: No, I spoke to Mr Stanhope's motion.

Mrs Dunne: Why did we give her leave?

MADAM ASSISTANT SPEAKER: Mrs Dunne, please sit down. Ms Hunter, you do have the floor.

MS HUNTER: Thank you, Madam Assistant Speaker. As my colleague Mr Rattenbury has said, we will not be supporting Mr Seselja's amendment. I think the amendment just is not right. It was actually an amendment that was brought in by Mrs Dunne in December of last year, particularly that first part, and at the time I said that the amendment showed significant ignorance of our constitution and the way it distributes power within our federal system. This is applying to paragraph 1 of Mr Seselja's amendment today.

Unlike the states, whose constitutions and powers enjoy the protection of the constitution under sections 106 and 107 and whose legislative jurisdiction is protected by scope of matters assigned to the commonwealth parliament, the territories enjoy no equivalent status or rights. The constitution, in section 122, gives a plenary power to create a government for the territories. Rather than any positive legislative jurisdiction, the commonwealth constitution only gives a range of protections and limitations on the legislative power that can be exercised by the commonwealth and the ACT government. The only source of our legislative authority is the ACT self-government act. The powers and structure of that act are at the discretion of the commonwealth parliament.

So as I said, the only limitations on the commonwealth parliament are limitations that would otherwise apply to any exercise of legislative power by that parliament. Otherwise there is no inherent limitation on the jurisdiction that can be given to the territory parliament, and to attempt to equate one, as this amendment does, is simply wrong. And that is what we said back in December to part of that motion.

I do support some of the statements made by Mr Hargreaves around the idea of a review and sending it off in that form. I think that we have been lobbying hard. I think that we should be tripartisan in our approaches to the commonwealth about getting further reviews of the self-government act. But I think any idea or notion that it is the Canberra Liberals that are leading the charge on this really needs to be put to one side. But I would like to see tripartisan support and movement for a more thorough review, as I said earlier.

Mr Seselja and Mr Smyth really did try to bring in this idea of Senator Bob Brown and a disallowance motion around the GDE. And I point out quite clearly that the—

Mrs Dunne: Embarrassing for you.

MS HUNTER: No, not at all embarrassing, Mrs Dunne. It is pretty clear actually. Because the NCA controlled the land, that was the issue. It was not any suburban street. Mr Seselja is now trying to put out the view that any federal politician can stop a road being built in any suburb in the ACT, which is a complete and utter nonsense. In this case it was around land that was controlled by the NCA and it is Senator Brown's job to take up these issues in the federal parliament. This was under commonwealth jurisdiction and it is his role—

Mrs Dunne: He was doing his job?

Mr Hanson: Doing his duty.

Mrs Dunne: He was doing his duty?

MADAM ASSISTANT SPEAKER: Members of the opposition, please be quiet.

MS HUNTER: It is his role to take up these issues. I would also like to point out quite clearly that, again, what Senator Brown's legislation is trying to do is to ensure that if, at the commonwealth level, the parliament believes that a law of the territory should be struck out, should be overridden, at least there needs to be a debate, an open and transparent debate in the parliament, not just this executive override behind closed doors. And in Senator Brown's case with this road, with this disallowance, guess what? It was a public debate in the parliament. It was not something that was done behind closed doors.

Mr Seselja interjecting—

MADAM ASSISTANT SPEAKER: One moment. Mr Seselja, please be quiet.

MS HUNTER: It was done in the parliament. It was transparent. Mr Seselja is very much trying to muddy these waters. And what Senator Brown has on the table with this legislation—

Opposition members interjecting—

MADAM ASSISTANT SPEAKER: Members of the opposition, please be quiet. I will start warning next.

MS HUNTER: It is very clear. It is a small change but it is an important change. And of course, the Canberra Liberals do not want to say to the people of the ACT, "We are not standing up for your democratic rights." They do not want that to be the message that goes out there and so they are paddling hard underwater, trying to muddy that water so that the people of the territory will not realise that in the ACT parliament they do not have people they elected properly representing them or pushing their case for democratic rights.

Mrs Dunne has mentioned the word "embarrassment". I think the embarrassment comes around their colleague in the federal parliament Senator Humphries—I think that is where the embarrassment is—having been put in a very difficult position. He certainly is very pleased and proud that he has managed to get a shadow portfolio. I do not think he necessarily wants to put that in jeopardy. But he certainly in the past has been someone who has come out and said he is championing the rights of the people of the territory. I certainly would hope that he would continue to do that in this case. I think that it will be great disappointment, and I would say a big backflip, if he does not go and support this small change to the self-government act that will improve the democratic rights of the people of the ACT.

I think that is where the embarrassment comes in. I think it is because Senator Humphries is in a difficult position, and so his colleagues in this parliament are going to push a line, put forward a view that is going to ensure that they are not in contradiction with their colleague Senator Humphries.

I do hope that is sorted out. I do hope that that Canberra Liberals will realise that this is an important step forward and will support this motion. I really do hope that they also lobby, as I said earlier, their federal colleagues to support Senator Brown's legislation, as I would hope that the ALP also will lobby their colleagues to support this important bit of legislation. It is a small step but it is an important step.

As I said, we will not be supporting Mr Seselja's amendment. We do support Mr Stanhope's motion, and I very much hope that we are going to see a successful outcome for Senator Brown's bill.

MRS DUNNE (Ginninderra) (12.12): The record will show when this matter is voted on today that the ACT Greens and the ACT Labor Party are opposed to a broad, comprehensive review of the ACT self-government act. What Mr Seselja's amendment seeks is simply that. It says, "Let's not do the piecemeal." When you listen to the rhetoric you would think that everyone in this place was in favour of Mr Seselja's amendment. What we have heard is that they are all in favour of it but they cannot bring themselves to support it. The effect of this will be that the Greens and the Labor Party in this place will vote against a comprehensive review of the ACT self-government act.

What a parlous state we get ourselves into. The Chief Minister says, "You know, I've been working hard on this issue for a very long time but I can't actually bring myself to vote for it. I can't bring myself to vote for a motion that calls on the federal parliament, in consultation with this Assembly and the people that we represent, to review the self-government act that governs the ACT." This is what the record will show.

We have had the most appalling performance in this place today during this quite undignified debate. We have had the appalling performance of Ms Hunter. She had a speech prepared in anticipation of what she thought the Canberra Liberals were going to do. She was so flummoxed that she could move away from the prepared script. She had to seek leave later in the day to actually address Mr Seselja's amendment when somebody else told her what to do.

We have seen an appalling performance here today by the Greens, the Attorney-General and the Chief Minister himself, who will say, "I think it's very important that we have a comprehensive review of the self-government act." The Chief Minister thinks that the most important thing—if you listened to what he said—that we should do in relation to the ACT's constitution is to have the power to change the size of the Legislative Assembly. He thinks that is the most important thing. "It is an increasingly pressing problem," he said.

There is no doubt that we have an opportunity here. What is currently happening is that a bill to make a very small amendment to the self-government act is currently before the legal and constitutional affairs committee of the commonwealth Senate. This is an opportunity for us as a whole to say to the federal Senate, through the constitutional and legal affairs committee, that this step is too small, it is insufficient, and that what we need is not a piecemeal approach but a comprehensive approach to the review of the constitution of the Australian Capital Territory.

But what we have here today is the Labor Party and the Greens empowering that piecemeal approach by saying that it is all right for Bob Brown's bill to succeed because it is only a small step. The people of the ACT, after 22 years of self-government, do not need a small step. We need an appropriate review. Mr Hawke says that in his review. The Chief Minister recognises it and Mr Rattenbury recognises it. Even Ms Hunter recognises that.

The only people who have consistently spoken in favour of a comprehensive review of the self-government act are the Canberra Liberals. Mr Seselja in his address at the seminar to mark the 20th anniversary of self-government spoke at length about those needs and the sorts of things that we should look at. We have consistently in this place, when this matter has been brought up, spoken about the things that we think we need to look at and about the need for the people of the ACT to be involved in that decision making. The Attorney-General touched on it. The people of the ACT had self-government foisted upon them. There is general agreement that this was not the best way to go. Why should we continue that form of behaviour with this?

What we are calling for, what Mr Seselja has consistently called for and what this amendment calls for today is that there should be a comprehensive review of the constitution of the ACT in concert with this Assembly and the people that we represent. What is the harm in that? The harm, it seems to me, Mr Speaker, is that the Labor Party and the Greens are afraid of it. The Labor Party and the Greens want to have their little, insignificant but ideologically-driven amendment.

It is quite interesting that the Chief Minister spent five minutes or so saying that it was not about gay marriage and it was not about euthanasia. It is not about euthanasia. There is another piece of legislation to address that issue. But it is quite comprehensively the case because, when the issue first arose last week, Mr Stanhope and Ms Hunter were in the media so fast your eyes would bleed. They were saying, collectively, that the issue of civil unions in the ACT was unfinished business and as soon as this legislation passed they would be back doing it.

Mr Stanhope here today says it is not about that, but last week he was saying it was about that. If we were concerned, not about the narrow sectional interest but about the wider constitutional reform that is necessary in the ACT, we would support Mr Seselja's amendment. But we are not interested in that. We are interested in, as Mr Seselja said at the outset, the Greens' tail wagging the dog. The Greens want this and the Labor Party is saying, "Yes, master, yes, yes, yes. We'll be doing it."

This is what the Greens want and it is not necessarily in the interests of the people of the ACT. If they were interested in sticking up for the people of Canberra, they would be voting for Mr Seselja's amendment. They would be drawing to the attention of the committee inquiring into this the need for a much more fundamental and systematic reform of the self-government act. They would be saying, "We don't want a piecemeal approach to reform of the self-government act."

The problem is that if this bill passes, the senators will think it is all done. The members of the federal parliament will think that they have reformed the ACT self-

government act. They will not have done so. It will be harder to actually get the reforms that this Chief Minister thinks are so important through because they will think that they have done their job. They have not done their job.

This will not aid the people of the ACT in having an adequate constitution to allow them to live according to the rights that everyone in this place seems to think we have. This is a piecemeal approach. It is an inappropriate approach and it does not do justice to the people of the ACT. When we vote on this the record will show that the Labor Party and the Greens do not want to do justice to the people of the ACT.

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for the Arts and Heritage) (12.20): Mr Speaker, I thank members for their contribution. I must say that I find the Liberal Party's attitude quite enlightening. I am, frankly, stunned that the Liberal Party today have stood up and declared to the people of Canberra that they do not care—they do not care about the change, they do not care about rights, they do not care about democracy and they do not care about fundamental principles. If they did, they have not got the courage, the guts, to do anything about it.

What a pathetic, gutless performance we have seen this morning from the Liberal Party in the ACT. These are issues that go to fundamental principles of democracy, fundamental rights and fundamental issues around respect, and the Liberal Party walk away. They walk away from the people of the ACT. They walk away from principle. This is an issue of principle. It is an issue that this Assembly and all of us in this Assembly have indicated over the last decade that we believe should be pursued. We sought to do it in a whole of self-government act context with a review and the opportunity or chance for reform of all aspects of the self-government act.

We have been unsuccessful in attracting the interest of the commonwealth to do that. We have been unsuccessful through seven years, over this last decade of Liberal government, and we have been unsuccessful to be non-partisan about it under three years of Labor government. We have made serial representations to engage the commonwealth government in amending an act of their parliament, the ACT self-government act, to better reflect the realities of self-government. We have done it repeatedly, we have done it consistently, we have done it often and we have done it genuinely. We now have an opportunity to deal with one of the issues that many of us have identified as requiring attention.

The Liberal Party have signalled today: "Let's let the first opportunity in 21 years for an amendment to the self-government act that seeks an outcome that all of us support pass." It is the first opportunity in 21 years and the Liberal Party will vote today to let it pass—"Let it pass. Let's let this one opportunity that we have had in 21 years pass. Let's not worry about it. It's not that important. Even if it were important, we don't have the guts to stand up for the people of Canberra. We don't have the guts to stand up for democracy. We don't have the guts to stand up for our constituents in the hope that they might be accorded some of the respect that they deserve as Australians."

That is the message today. That is the context—the first opportunity in 21 years to deal with an issue that goes to our fundamental rights, an issue of principle—and the Liberal Party walk away. It is all too hard. It might require them to take a position. They might have to own up to something. They might have to act collegiately. They might have to seek a bipartisan position or a tripartisan position. They might have to work with the Labor Party or the Greens. Heaven forbid that they be seen to be working with the Labor Party or the Greens. Heaven forbid that they be seen to be working collegiately. Heaven forbid that they be seen to be working in the best interests of the territory.

It is an absolute shambles—a gutless Leader of the Opposition, out of bed lately but gutless, who has no capacity to stand up for the people of the ACT, no interest in fundamental principles of democracy and no understanding of fundamental issues of democracy. He does not understand and does not care about the principle. He does not have the guts to stand up for the principle. He does not have the guts to stand up for a fundamental principle of democratic rights.

MR SPEAKER: One moment, Chief Minister. Stop the clocks, thank you. Mr Hanson.

Mr Hanson: On a point of order, Mr Speaker, under standing order 62, the Chief Minister is being repetitious. He is essentially saying the same thing. He has said the same thing about four or five times now. I would just ask that you—

MR STANHOPE: Four or five times—what?

MR SPEAKER: Order! Mr Hanson has the floor.

Mr Hanson: I am raising a point of order. He is being repetitious. I just ask that you take account of the Chief Minister's speech and if he continues to repeat the same sentence over and over that you call him to order.

MR SPEAKER: There is no point of order. Chief Minister, you have the floor.

MR STANHOPE: Thank you, Mr Speaker. It is interesting that we have Mr Hanson showing such concern about a suggestion that his leader has no courage. It is interesting that it embarrasses Mr Hanson to have it exposed in this way—that his leader stands for nothing, that he has no courage, that he does not understand basic principles and, even if he did, that you know he would not do anything to protect the democratic rights of anybody in this territory.

It has actually been said, and the argument that the Liberals propose today goes something like this: "Yes, all right. This might be quite a good idea, but it is only one of the issues we need to see addressed. So let's not do that; let's wait till we can deal with these things holistically." Mrs Dunne goes to great lengths to say that the Labor Party and the Greens today will show, if they do not support the amendment, that they do not support a broad review. That, of course, is patent nonsense. We have passed resolutions in this place. We have made representations previously to the federal parliament.

Using the same analogy and the same argument, of course, if the Liberal Party do not support or vote for my motion after their amendment is lost, does that mean that they do not think section 35 should be repealed? Does that mean that they support the status quo? Does that mean that the same logic applies to the vote that they would take or make if they do not support the motion today? A vote against my motion today is a vote which says, "Yes, we support section 35. We believe it should be maintained. We believe an individual minister of the federal parliament has the right to overturn the democratic will of the people of the ACT."

So how are you going to vote on the motion? Are you going to support the motion after your amendment is lost, or are you going to stand up and say, "Actually, we support the status quo. We believe that section 35 is a good provision. We believe that it is doing its job"? Let us see how they vote.

I must say that I was wondering why the Liberal Party have adopted this amazing attitude of opposition, of gutlessness. It is the Gary Humphries factor, I think. Gary has been on the phone saying, "Guys, you could embarrass me here because you know when I crossed the floor last time it really was a stunt and I was under no threat, but now I am. I am now on the frontbench. I can't cross the floor any more. Actually, my job is more important than my principles." I was looking for an explanation and it is the only one that has a ring of authenticity about it. Gary has been on the phone saying, "Guys, for goodness sake don't embarrass me today. Give me an escape hatch. Don't force me to cross the floor again because I can't do it again. It was easy last time. All of a sudden it's not so easy."

Question put:

That **Mr Seselja's** amendment be agreed to.

The Assembly voted–

Ayes 5		Noes 10	
Mr Coe	Mr Smyth	Mr Barr	Mr Hargreaves
Mrs Dunne		Ms Bresnan	Ms Hunter
Mr Hanson		Ms Burch	Ms Le Couteur
Mr Seselja		Mr Corbell	Mr Rattenbury
		Ms Gallagher	Mr Stanhope

Question so resolved in the negative.

Amendment negatived.

Question put:

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

The Assembly voted–

Ayes 10		Noes 5	
Mr Barr	Mr Hargreaves	Mr Coe	Mr Smyth
Ms Bresnan	Ms Hunter	Mrs Dunne	
Ms Burch	Ms Le Couteur	Mr Hanson	
Mr Corbell	Mr Rattenbury	Mr Seselja	
Ms Gallagher	Mr Stanhope		

Question so resolved in the affirmative.

Motion agreed to.

Sitting suspended from 12.33 to 2 pm.

Questions without notice

Environment—carbon tax

MR SESELJA: My question is to the Treasurer. Has the Treasury done research into how much the federal government's proposed carbon tax will cost ordinary Canberra families? If so, what was the outcome of that research? If not, why not?

MS GALLAGHER: As far as—

Mr Hargreaves: Point of order, Mr Speaker. What is the relevance to the ACT—

MR SPEAKER: There is no point of order.

MS GALLAGHER: As far as I am aware, the scheme has not been determined by the federal government; it is a bit difficult to cost a scheme that has not had any detail provided to it at this point in time. As I understand it, the federal government has taken a decision—a preliminary decision—to introduce a price on carbon and is awaiting a committee report from the federal parliament. More detail will be provided, and it is at that point, I believe, that the ACT Treasury would provide the government with details on the implications of that for residents of the ACT.

MR SPEAKER: Supplementary, Mr Seselja.

MR SESELJA: Does the ACT government support the federal government's proposed carbon tax?

MS GALLAGHER: This government has always made clear that we support a price on carbon. I think we have always been clear that the issues facing the global economy around climate change are significant. We are not climate change deniers on this side of the Assembly, unlike over there. We believe that the cost of taking action will include increases in costs. We have seen that from our own work we have done here around setting ourselves a very ambitious greenhouse gas reduction target in the ACT.

Unlike those opposite, we are not climate change deniers. We believe that there needs to be a price on carbon, that we need to reform and move to a clean economy, and we are supportive of moves in this direction.

MR SPEAKER: Supplementary question, Mr Smyth?

MR SMYTH: Thank you, Mr Speaker. Minister, has your department provided you with any advice on this or previous proposals on the impact of a carbon tax on the ACT's bottom line?

MS GALLAGHER: I would have to go back and check in terms of the previous scheme when it went before the federal parliament. But certainly in terms of the advice, we have not received any advice around impacts on the ACT budget's bottom line about a scheme that is not detailed to the point that we would be able to do that work.

MR SMYTH: Supplementary question, Mr Speaker?

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Minister, is it the usual practice for Labor to mislead the community before elections, given that you misled the community about school closures in 2004 and all your plans on the table for Calvary in 2008?

MS GALLAGHER: I have no idea how that supplementary was a supplementary to the original line of questioning.

Members interjecting—

MR SPEAKER: Order, members!

MS GALLAGHER: I do feel—

Mr Hanson interjecting—

MR SPEAKER: Order, Mr Hanson!

MS GALLAGHER: I do feel honoured on International Women's Day to continue to be the focus of the opposition's attention—

Mr Hanson interjecting—

MS GALLAGHER: when I sit here and reflect on what women have won and achieved over the last 100 years. I feel very privileged that I am a woman standing here, having irrelevant supplementaries attached to a question about a federal government proposal around a price on carbon that can somehow segue into Calvary hospital—

Mr Hanson interjecting—

MR SPEAKER: Order! Thank you, members.

MS GALLAGHER: and the future of our school system.

Events—scheduling

MR SMYTH: My question is to the Minister for Tourism, Sport and Recreation. Minister, the annual Canberra Festival will be held between 11 and 20 March this year. As part of this festival the regular Skyfire event will be held on Saturday, 19 March. Also this year there is a new event called Enlighten which will be held over two weekends, on 11 and 12 March and 19 and 20 March. Minister, were you aware, when you were planning for Enlighten, that this event would clash with Skyfire on Saturday, 19 March? If you were aware of this clash, what consideration did you give to ameliorating any adverse outcomes?

MR BARR: Yes, we were aware. We are working very closely with the organisers of Skyfire to ensure that the events are indeed complementary. The Skyfire event is just after 9 pm and runs for 18 minutes. There is some lead-up activity. The Enlighten event, in fact, runs until midnight and the main performing artists will be on after the fireworks. We are working very closely together to create a fantastic evening for Canberrans and for visitors from interstate and overseas.

MR SPEAKER: Mr Smyth, a supplementary?

MR SMYTH: Thank you, Mr Speaker. Minister, are you aware of any additional burden that will be placed on the organisers of Skyfire as a consequence of this clash?

MR BARR: Actually, we are working very closely with the organisers of Skyfire to reduce the burden on them, particularly in relation to issues like traffic management, where the government will be providing additional support around that particular event. We are working closely with them, and have been for many months. Ever since Enlighten was announced, we have been working very closely with the organisers of Skyfire to ensure that the 19th, the finale of the first year of Enlighten and Skyfire, combine to create a fantastic event for Canberrans and visitors alike.

MR SPEAKER: A supplementary, Mr Seselja.

MR SESELJA: Minister, what additional costs would be incurred by ACT taxpayers as a consequence of the clash?

MR BARR: None. All costs are being met within the Enlighten budget to put on that event.

Education—Indigenous achievement gap

MS HUNTER: My question is to the Minister for Education and is in regard to the Indigenous achievement gap in the area of literacy and numeracy. Minister Barr, it has been a year since you made a commitment to reduce the Indigenous achievement gap. Can you update the Assembly on progress to reduce this gap?

MR BARR: Yes, we report, of course, twice a year formally to the Assembly on Indigenous education outcomes. I am pleased that a number of important programs

have been very successful in not only engaging Indigenous students in education but working towards improving outcomes.

Only last Friday I had the great pleasure of presenting five scholarships to Indigenous students to assist them in the completion of their year 11 and 12 studies with a particular focus on the government's election commitment to increase the number of Indigenous teachers and teachers' assistants. These scholarships are aimed directly at Aboriginal and Torres Strait Islander students within the ACT public education system to encourage them to go on to a career in teaching.

It was very good to see in the second year of this program five new scholarship recipients in addition to five scholarship recipients from the previous year continuing their studies into year 12. We were also able to see the success of the first round of scholarship holders, a number of whom have gone on to university here in Canberra and in Sydney. That, I think, was an important outcome of just one element of the government's response to improving education outcomes for Indigenous students.

We continue to work in partnership with the Indigenous education consultative body. That body and I will be hosting a forum very shortly on sport and education and the value that Indigenous students place on active participation in sport and recreation and its capacity to drive improved educational outcomes. We continue to work closely with the Indigenous community and hope to see a continuation of these positive outcomes.

MR SPEAKER: Ms Hunter, a supplementary?

MS HUNTER: Yes, Mr Speaker. Minister, will NAPLAN data and results be used to track the progress that you are making in the area of the achievement gap in literacy and numeracy for Aboriginal and Torres Islander students?

MR BARR: Yes, Mr Speaker, amongst other measures.

MR SPEAKER: Ms Bresnan, you wanted a supplementary?

MS BRESNAN: Yes, thank you, Mr Speaker. Minister, can you give us a projection of how long it will take to reduce the gap by 25 per cent?

MR BARR: Off the top of my head, no, and it would depend on which particular area of assessment of literacy and numeracy—which year levels. It would be very difficult to give such a straightforward answer to a complex question. I think in fact the question itself is somewhat insulting of the issues that we are attempting to address here—a 25 per cent improvement in which particular measure? There are many different areas of engagement that we are attempting to improve, outcomes that we are attempting to improve. To try and simply, I suppose, compact it all into one simple measure I do not think accurately reflects the complexity of the issues. So we will continue to work actively and diligently to achieve better outcomes in this area.

MS LE COUTEUR: A supplementary, Mr Speaker?

MR SPEAKER: Yes, Ms Le Couteur.

MS LE COUTEUR: Minister, how does the ACT compare with other states?

MR BARR: The ACT has the best performance of all states and territories. We have, of course, a higher socioeconomic basis for our population and, equally, our Indigenous population. So one would anticipate, as a starting point, the ACT would perform better. But again, there are literally hundreds of different measures that one could look at but across the board, as a general statement of principle and a general statement of performance, the ACT is doing better than all other states and territories.

Education—teacher registration

MR DOSZPOT: My question is to the Minister for Education and Training. A reason provided by the government for the rushed passing of the ACT Teacher Quality Institute Act in December last year was so that teachers could be registered in the lead-up to the start of the 2011 school year. Section 95 of the Teacher Quality Institute Act states that "The Minister may determine fees for this Act". Subsequently, the Teacher Quality Institute website advises that new teachers will be required to pay a $100 registration renewal fee, while existing teachers in the ACT are exempt from this for 2011 and 2012. Minister, what criteria did you use to come up with $100 as the registration fee and what will this money be used for? How much money will the government raise from this fee?

MR BARR: The figure is, as I understand it, comparable with other states and territories and the funding goes towards the administration of the particular institute.

MR SPEAKER: Mr Doszpot, a supplementary question?

MR DOSZPOT: Minister, can you tell us if there is an equivalent scheme in New South Wales or in other states? If so, what are the fees?

MR BARR: Other states and territories have a fee-based structure for teacher registration. I do not have the costings in front of me for each state and territory, but I am sure that a bit of research will be able to provide that information for Mr Doszpot.

MRS DUNNE: A supplementary question, Mr Speaker?

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, why do new teachers have to pay a fee but existing teachers are exempt in 2011 and 2012?

MR BARR: We sought to apply the new arrangements fairly, to ensure that those teachers who are already teaching within the system have a process applied to them. Of course there is a starting point for teacher registration, that is, 2011, and it is appropriate for new teachers and new people who enter the system to come in out of that basis.

MRS DUNNE: Supplementary question, Mr Speaker?

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, have all existing and new teachers now been registered and, if not, how many existing and new teachers are yet to be registered?

MR BARR: I would need to take advice from the institute in relation to the registration process in terms of the exact numbers and I will get that advice and provide it to the member.

Visitor

MR SPEAKER: Before we proceed to the next question, I draw the chamber's attention to the presence of former member Michael Moore in the gallery today and I welcome Mr Moore to the chamber.

Questions without notice

Waste—draft strategy

MS LE COUTEUR: My question is to the minister for environment and concerns the government's new draft waste strategy. The draft strategy does not favour a third bin for organic waste, but in the media you said that a trial of a third bin, as well as composting, was being considered. What further work are you doing to ensure that you give full and fair consideration to the option of a third organics bin for Canberra—such as conducting a trial collection at high-density apartments?

MR CORBELL: I thank Ms Le Couteur for the question. Consultation on the draft waste strategy has recently concluded and we have received a good number of responses, including a response from Ms Le Couteur on behalf of the Greens. I thank her for that. I do not know if the Liberals have responded, but I know that it is not generally their approach. They do not like to engage in policy debate. It is not their style. It is the case that the government is giving consideration to a broad range of options to improve the recovery of organic waste that currently ends up in the general municipal waste stream. One of those options is a third bin. I would draw to Ms Le Couteur's attention the detailed cost-benefit analysis which has been attached to the draft waste strategy to explain to Canberrans—

Opposition members interjecting—

MR SPEAKER: Mr Corbell, one moment, please. Stop the clocks, thank you. There have been quite enough interjections from the members of the opposition. We will hear the minister in silence, thank you.

MR CORBELL: I would draw to the attention of Ms Le Couteur and members the detailed cost-benefit analysis that has been prepared as part of the consultation on the waste strategy. That cost-benefit analysis does indicate that a third bin would be more expensive and would be less effective at capturing organic waste than other options that are put forward in the waste strategy. I note that Ms Le Couteur has contested and disputed that analysis, but I have no reason to believe that it is not a thorough one.

Nevertheless, we will have regard to the issues that the Greens have raised in their submission around the cost-benefit analysis as we finalise our consideration of the waste strategy.

The point I would make, of course, is that a third bin works well for those households who choose to separate their waste. The challenge will be that there will still be households that do not separate their waste, and then the question is: what do we do with those households? It can be a sizeable number of households. The experience of other jurisdictions is that there is a large number of households where third bins exist that do not separate all of their organic waste. That organic waste still ends up in the general waste stream, and then further investment has to be put into other mechanisms to recover that waste. So you are basically paying twice.

The question that the Assembly has to address is: is it reasonable to ask taxpayers to pay twice to extract that waste or do we do it once, do it right and do it in the most cost-effective manner? Those are the issues the government will address as we finalise the waste policy.

Opposition members interjecting—

MR SPEAKER: Order! Mr Corbell, a moment, please. I have asked members of the opposition to remain silent. Mr Hanson, you are now warned for repeated interjection. Have you finished, minister?

Mr Corbell: Yes, thank you, Mr Speaker.

MR SPEAKER: Ms Le Couteur, a supplementary question?

MS LE COUTEUR: Thank you, Mr Speaker. Minister, given the cost of a third bin system can vary considerably depending on its configuration, will you table in the Assembly the breakdown of the costings the government used to assess the third bin?

MR CORBELL: All that detail was outlined, as I understand it, in the cost-benefit analysis. That has been made publicly available. If Ms Le Couteur wants further detail on that I am happy to provide a further briefing to her.

MR COE: A supplementary?

MR SPEAKER: Yes, Mr Coe.

MR COE: Minister, the government has stated that the bulky waste trial will begin on 12 March. On what date can we expect the bulky waste trial to begin?

MR STANHOPE: In the separation of responsibilities in relation to waste, issues around the bulky waste trial are operational issues for the Department of Territory and Municipal Services. In relation to the trial, the trial for bulky waste—if I went to my notes I could probably find it—has been scoped up. My expectation is that the trial will commence shortly.

As members are aware, it was funded in last year's budget. I believe it was funded to the tune of about a million dollars. I am more than happy to get the exact date but I think we are in a position now where the planning for the commencement of the trial is well advanced and I am hopeful we will be rolling it out sooner rather than later.

MR SPEAKER: A supplementary question, Ms Hunter?

MS HUNTER: Thank you, Mr Speaker. Minister, why is the government going out to tender for the building of new materials recovery facilities when the strategy is not finalised? Will you also go out to tender on options for a third bin or windrow composting?

MR CORBELL: No, we are not tendering for a third bin or windrow composting at this time. But in relation to materials recovery, it has been identified that there is significant scope to improve materials recovery in that commercial sector promptly. That is why the government has agreed to proceed with that measure. That decision was taken with due regard to the draft waste policy and a clear understanding by the government that regardless of the options the government chooses in relation to other parts of the waste stream, such as organic waste, there would in any event need to be that materials recovery facility for the commercial waste sector. That is why we have decided to proceed with that process.

Gaming machines—policy

MR COE: My question is to the Minister for Gaming and Racing. Minister, late in 2010 the Assembly agreed to make some amendments to the regime governing the operation of gaming machines in the ACT. At that time, you proposed a series of measures to make more changes to this regime and the federal government had also been considering changes to policies relating to gaming machines. Minister, what is the status of the package of measures, which you announced in the Assembly on 17 November 2010, to reform the operating regime for gaming machines?

MR BARR: Gaming and racing ministers met in Canberra two Fridays ago to progress work in relation to the national reform agenda. A number of areas were discussed in relation to precommitment technologies, withdrawal limits on automatic teller machines within gaming venues.

As members would be aware, there are a variety of different arrangements across the federation. Some jurisdictions, for example, in relation to automatic teller machines have gone so far as to ban such machines within gaming venues. I understand that is the case in Tasmania and is soon to be the case in Victoria. Others have sought to provide withdrawal limits on ATMs within gaming venues.

There was a discussion between the states and territories and the commonwealth in relation to the commonwealth's commitments as part of the Prime Minister's agreement with the member for Denison in relation to a $250 withdrawal limit for automatic teller machines within gaming venues. There was also discussion of a number of precommitment trials that South Australia and Queensland have been

undertaking in relation to utilisation of new technology around working with problem gamblers to set limits on the amount of money they are prepared to lose in any particular gambling session. It would be fair to say that the results of those precommitment trials were inconclusive. They were most effective, on the advice of South Australia and Queensland, when gaming venues were actively engaged and working with their patrons to assist them in the utilisation of this technology.

There is still a considerable amount of research and further work to be undertaken at both the commonwealth and jurisdictional level and ministers agreed to meet again in May to further progress this work.

Mr Coe: I raise a point of order, Mr Speaker. The question was about the status of the package of measures he announced on 17 November—not a rundown of the state of the national scene.

MR SPEAKER: Mr Barr, do you wish to add any further comments?

MR BARR: Thank you, Mr Speaker. I was indicating, as I did at the time, that these matters are of course linked and that members opposite would be aware—particularly aware in the context of this morning's discussion about the territories powers under the self-government act—of section 122 of the constitution as it relates to the commonwealth's capacity to use that territories power to legislate in relation to matters of the territory. They have also got advice that they can use a range of other constitutional powers in relation to taxation and matters otherwise to require change at the state and territory level in relation to gaming policy.

All of these issues have been discussed and they have significant implications for the ACT's response. I have indicated a package of reforms that the government is progressing. Some of those matters have proceeded. I have already made public announcements in relation to, for example, reducing the number of poker machines in the territory, and we will continue to progress this agenda in partnership with other states and territories and the commonwealth to ensure a sound public policy outcome at the conclusion of the process.

MR COE: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Coe.

MR COE: Minister, what negotiation have you had with stakeholders in the ACT gaming industry in recent months in relation to the effects of the proposed reforms to the operating regime for gaming machines on the industry?

MR BARR: In fact, my office met just this morning with ClubsACT. We continue to engage with relevant stakeholders. I know, for example, that the casino continues to quite aggressively lobby for an expansion in the number of poker machines, or at least an expansion of poker machines into its venue. So there is constant engagement and lobbying in relation to these matters, as one would anticipate. The government will continue to engage with stakeholders, other states and territories and the commonwealth in formulating our policy response.

MR SMYTH: A supplementary, Mr Speaker?

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Minister, does your government support the changes, such as precommitment and a $250 daily cap, that are being considered by the federal government?

MR BARR: As I have indicated, we continue to work with other states and territories and the commonwealth towards an appropriate policy response to these issues.

MS HUNTER: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Ms Hunter.

MS HUNTER: Minister, what research is being undertaken here in the ACT in regard to the issue of problem gambling?

MR BARR: Thank you, Ms Hunter. I understand you would have been present, as I think Mr Smyth was, at the release of the recent ANU gambling prevalence study—I think one of the most detailed and comprehensive pieces of work undertaken in the territory in some time. It highlighted a range of issues of concern and also, I think, provided some important evidence that will underpin the policy discussions and the policy outcomes that will emerge from this national gaming reform debate.

ACTION bus service—cancellations

MS BRESNAN: My question is to the Minister for Transport and is in relation to the cancellation of ACTION services. Minister, it has come to my attention that in recent weeks a number of routes such as Nos 2, 6 and 27 have experienced multiple, repeated cancellations leaving people unable to get to work or unable to get home from school. In one case, route 2 had four missed buses in a row. Minister, why have these cancellations occurred and what is the government doing to ensure that the problem is addressed?

MR STANHOPE: I thank Ms Bresnan for the question. Indeed, it is the case that there have been a number of failures of service delivery on some routes in recent weeks. Before responding specifically to that, though, I think it is relevant in relation to any discussion around service failure to note that it is regrettable always, it does not enhance ACTION's reputation at all and it is a matter of enormous frustration, I know, to the travelling public.

ACTION's service delivery rate, I think over the last six months, has been 98.32 per cent of all services. In any discussion around routes and route service and reliability, it is important to reflect on the sheer number of services that ACTION runs each day. In terms of all services that ACTION delivered over the period since November to February, as I said the service delivery rate was 98.32 per cent. Indeed, the service rate in relation to school services was 99.5 per cent.

But there has been, as Ms Bresnan said—it has been brought to my attention too and I am aware—in recent weeks a spike in service failure. It has been averaging somewhere in the order of 20 services a day, I believe it is—I would have to check that—that have not run. It is as the result of two circumstances: non-availability of drivers and non-availability of buses. They are the two reasons in relation to why any particular service does not run on a particular day at a particular time. It is obviously because either there was nobody to drive the bus or a bus had broken down.

To answer your question directly, Ms Bresnan, that is the answer. In relation to those services—the services that did not run—there was not a driver available for whatever reason or the scheduled bus had broken down and a replacement could not be provided in time.

We have had some pressure and stress over recent months in attracting a sufficient number of would-be ACTION bus drivers to induction courses. It is interesting and it is a matter worth reflecting on. An area of employee shortage or skill shortage—however you wish to describe it—that we are currently suffering is bus drivers. ACTION is finding it increasingly difficult to attract sufficient applications to fill vacancies within the ranks of ACTION bus drivers just at the moment. Indeed, in recent inductions the full complement of positions available has not been filled. We continue to have some vacancies. There has been some turnover in staff.

But in relation to buses and the availability of buses, members would be aware that three years ago we committed $50 million to a massive program—the most significant bus replacement program that has been pursued since self-government. We are in a position now where, I think, more than half of those buses—it is a program running over a number of years—or a majority of those brand new state-of-the-art buses are being delivered. We will enhance that and continue to fund additionally to continue to maintain the rollout of new buses.

But that is the answer, Ms Bresnan. It is a matter of enormous frustration to me and to ACTION and most particularly to the travelling public. *(Time expired.)*

MR SPEAKER: Ms Bresnan, a supplementary question.

MS BRESNAN: Minister, what impact does repeated cancellations have on patronage? Does ACTION have data on which bus services are being cancelled and will you table this data in the Assembly?

MR STANHOPE: All I can do is acknowledge the enormous frustration that anybody would feel in either circumstance, the circumstance where a bus does not appear at all, compounded by the fact that the next bus may be full as a result of people not being picked up as a result of the non-appearance of the bus and the second bus being full or overfull, and the circumstance where a bus does not stop. That would be enormously frustrating and, of course, has the potential to have a very significant impact on people's willingness or desire to utilise ACTION services.

But as I said, for all buses, including school routes over the last four months, a period when there has been some difficulty, 98.32 per cent of all buses have run. That

particular statistic has to be put into context of thousands of services that would have run and would have run appropriately and satisfactorily. But I do not deny for one minute the enormous frustration, the damage to the company's reputation, that no shows would cause and it really is and should be one of the avoidable issues in relation to what we need to do to seek a significant modal change to get Canberrans onto buses.

In relation to statistics, Ms Bresnan, I am not sure what is available but I am more than happy to pursue it and I am more than happy to provide you with whatever is available.

MS HUNTER: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Ms Hunter.

MS HUNTER: Minister, what steps does ACTION take to inform patrons when cancellations occur and what recourse do patrons have if their service is cancelled?

MR STANHOPE: In the first instance, if the issue is non-availability of a driver for whatever reason, if a driver calls in sick or if a driver goes off sick or if a driver is for whatever reason not available and the route does not operate—I have to say that a significant number, in terms of statistics and accounting of routes not serviced or not serviced exactly or precisely on time, is a result of the non-availability of a driver—a significant number of the driver-serviced routes are driven by a transport officer.

I am sure you are aware that ACTION employs somewhere in the order of 20-something or other transport officers, all of whom are drivers or ex-drivers. There is an immediate attempt to follow up, and indeed I believe that in recent weeks when there has been a period of some driver shortage transport officers have been filling the gap on many of the routes that have not been serviced. So we do have that option.

It is, of course, not ideal, but it does satisfy, in those emergency situations, some routes. In others, of course, the consequence, Ms Bresnan, is unfortunately that would-be passengers are left stranded with the consequential impact and implications which I have just spoken about—a very poor result for the network, with continuing damage to its reputation, compounded by other issues that the network has faced over its existence.

MR COE: Supplementary, Mr Speaker?

MR SPEAKER: Yes, Mr Coe.

MR COE: Minister, will you please give an update to the Assembly of the nature of the discussions the government has been holding with Deane's with regard to further integration of the ACT bus network.

MR STANHOPE: I am not sure that there have been discussions related to the further integration of Deane's into the ACTION bus network. Deane's actually bid for and were contracted to provide the Nightrider service. There have been ongoing

discussions. We will not go into that today, though I will be more than happy to on another occasion. I am sure the question would be out of order—or my response would be. But I am happy to talk about Nightrider at any time, and at length.

Mr Smyth: Don't be so precious, Jon.

MR STANHOPE: I am not being precious, though seeing that 7News is represented here today perhaps it is an opportunity to set the record straight, which would perhaps be worthwhile. In relation to ongoing discussions with Deane's, there have been discussions in relation to a cross-border connection or the capacity for collaboration.

Mr Coe: I thought you said there had not been discussions.

MR STANHOPE: There have been discussions. I am just trying to round the answer out so as not to leave something out. The simple answer is that I am not aware of any discussions broadly about integrating Deane's into the ACTION network. I am aware of discussions associated with Deane's in relation to Nightrider. And there have been continuing discussions in relation to how to better integrate cross-border bus services between Canberra and Queanbeyan, which, of course, if those discussions were successful, would lead to significant integration of services across the border. Along with all of us, I was impressed by the position put by Ms Bresnan on behalf of the Greens during the week: that the Greens' number one priority for transport in the upcoming budget is—what was it, light rail? *(Time expired.)*

Alexander Maconochie Centre—drug testing

MR HANSON: My question is to the Attorney-General. Attorney-General, all prisoners entering the Alexander Maconochie Centre are required to have their urine tested for drugs. However, between November 2009 and December 2010 only 66 out of 500 prisoners entering the AMC had urine tests. Why was there a breakdown in the process?

MR CORBELL: I thank Mr Hanson for the question. I of course have already indicated my extreme displeasure with the failure of Corrective Services in relation to the advice they have given to the government on this matter. For that reason, I have commissioned Mr Keith Hamburger to review why this has occurred, what steps need to be taken to prevent it from reocurring and, in particular, to look at the issue of why the government was misled in the advice it received from Corrective Services on this matter. I have asked Mr Hamburger to report to me by 11 April and I will be reading with much interest his report.

MR HANSON: A supplementary, Mr Speaker?

MR SPEAKER: Yes, Mr Hanson.

MR HANSON: Minister, since you announced that you had been misled have all prisoners had their urine tested for drugs prior to entering the AMC?

MR CORBELL: Yes. Corrective Services have taken steps to ensure that all prisoners are tested on admission, in accordance with the long-standing policy.

MR SPEAKER: Mr Seselja, a supplementary question?

MR SESELJA: Thank you, Mr Speaker. Minister, what impact does this failure have on the reliability of data on prisoners entering the AMC with drug problems?

MR CORBELL: It is quite clear that it does not assist Corrective Services in understanding the drug use of prisoners when they arrive for admission to the AMC. It is a fundamental breakdown in the administration of a longstanding and very clear procedure that the government was at all times advised Corrective Services were fully implementing. The fact that they have failed to do so is a matter that I am on the public record about, in relation to what I believe was an intolerable breakdown in governance and procedure, and that is why the matter is being investigated independently, with a report to be provided to me early next month.

MR SPEAKER: A supplementary, Mr Seselja.

MR SESELJA: Minister, what confidence can the community have in your capacity to run a needle exchange program at the prison, given the failure to implement appropriate processes for drug testing?

MR CORBELL: It is a hypothetical question. The government has made no decision in relation to that matter.

ACT Ambulance Service—alleged bullying

MRS DUNNE: My question is to the Minister for Police and Emergency Services. Minister, in the *Canberra Times* of 5 March 2011 there was a report about an investigation into allegations of bullying in the ACT Ambulance Service. Minister, what are the circumstances that resulted in the independent investigator withdrawing from this investigation?

MR CORBELL: I am advised that the independent investigator has withdrawn from his role at his own instigation as he has advised he believes there may be the perception of a conflict of interest which could jeopardise the authority of his investigation. I understand he has voluntarily withdrawn his services and a new investigator will be appointed.

MRS DUNNE: A supplementary question, Mr Speaker?

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, who or what organisation has been appointed to continue this investigation and will the information previously gathered be passed on to that investigator?

MR CORBELL: I am not familiar with what steps have been taken by the ESA in the brief period of time since the previous investigator has indicated he is unable to continue. I am happy to take the question on notice and provide further information to the member.

MR SPEAKER: A supplementary question, Mr Smyth?

MR SMYTH: Thank you, Mr Speaker. Minister, why did the appointment process leading to the appointment of the first investigator not identify the issue that caused this investigator to resign?

MR CORBELL: Again, Mr Speaker, these are matters that are dealt with by the ESA commissioner. I will take advice from him and provide further information to the member.

MR SPEAKER: A supplementary, Mr Smyth?

MR SMYTH: Thank you, Mr Speaker.

Mr Hargreaves: That is a third.

MR SPEAKER: Are you after a supplementary, Mr Hargreaves?

Mr Hargreaves: No, I am after a direct new question.

MR SPEAKER: I will come to you in a moment, then. Mr Smyth.

MR SMYTH: Thank you, Mr Speaker. Minister, has the investigation of the allegations of bullying been compromised by the change in investigator?

MR CORBELL: I do not believe so, Mr Speaker.

Women—funding

MR HARGREAVES: My question is to the Minister for Women. Minister, I note that today is International Women's Day. Could you please advise the Assembly about any work being undertaken at the national or the local level that will support women in the ACT?

MS BURCH: I thank Mr Hargreaves for his question and, as he noted, I would like to acknowledge that today is indeed International Women's Day and in fact it is the 100th anniversary of International Women's Day.

Although 8 March is International Women's Day, we as a government recognise that women are to be celebrated and recognised and their importance valued each and every day. It is also true that there are struggles faced by women today, struggles that women confront on a daily basis, and as such one of those struggles is the reality of domestic violence. This is why on 15 February this year an out-of-session Council of Australian Governments meeting endorsed a national plan to reduce violence against women and their children.

This national plan is the first of its kind as it emphasises a whole of government and a whole of community sector approach throughout all jurisdictions and at all levels to

eliminate the factors and triggers which unfortunately can lead to domestic violence occurring. This is a national plan which will actively work to increase gender equity with the aim of stopping violence occurring in the first place.

The ACT, along with all other jurisdictions, is in the process of creating and developing its local jurisdictional plan and plans to have it delivered and tabled in the middle of this year.

In 2010-11 the ACT government provided funding of $2.8 million over four years to community services which offer assistance and support for women and children experiencing domestic violence. The ACT strategy will encompass a whole of government and a whole of community approach to protecting the rights of women and children to live free from violence, with strategic focus on diversion, early intervention, primary prevention and on holding perpetrators accountable.

I would also like to acknowledge the good work that this government has undertaken to support women at a local level. Supporting women's financial security and employment opportunities through our economic grants and scholarship programs is a key objective of the ACT women's plan 2010-2015. Through the Office for Women we are advancing this objective through grants and scholarships such as our return to work grants which I have recently expanded the criteria for.

The overall aim of these changes in criteria is to enable older women who have been out of the workplace for some time due to caring responsibilities better opportunities to access the program and the financial assistance that it offers.

I would also like to acknowledge the microcredit program. As of 1 March this year, 17 loans have been approved through the microcredit program. This allows women access to interest-free loans of up to $3,000 to help them to establish or expand an existing business, and it is assisting in the growth of a diverse range of businesses for women on low incomes and providing them with opportunities to take their idea one step further.

Other grants programs include the women's directors scholarship program, which affords women support through training with the Institute of Company Directors. We also provide the Audrey Fagan postgraduate scholarship program, the Audrey Fagan Churchill fellowship and also the Audrey Fagan young women's enrichment grants program.

This is just some of the work that this government does to support local women.

MR SPEAKER: Mr Hargreaves, a supplementary question.

MR HARGREAVES: Thank you very much, Mr Speaker, the last one for the day. Minister, can you please advise the Assembly how Canberra has celebrated International Women's Day this year?

MS BURCH: Again, I thank Mr Hargreaves for his interest in International Women's Day. As I have said, this is the 100-year anniversary of International Women's Day;

so for a century women across the globe have celebrated and reflected on the work they have achieved. The ACT government, along with many organisations and groups across the community, are holding events and functions to ensure that the milestone anniversary is celebrated and recognised. I note that at two events—yesterday at the ACT international awards and this morning at the Women's Services Network breakfast—Meredith Hunter and Amanda Bresnan were also present.

Yesterday at the ACT government International Women's Day award ceremony I not only announced the successful winners—there were some fabulous local women—but I also launched the ACT women's honour roll. The honour roll is a collection of 100 inspirational and dedicated women who have had a significant impact on the Canberra community. That honour roll is just one of the many ways that we, as a community, are celebrating and acknowledging the remarkable women of Canberra, past and present, and ensuring that their legacy and contributions are remembered for years to come.

On Friday, I will be hosting a lunch at CIT of girls from our local colleges who have demonstrated leadership and positive advocacy for their peers and for their community. This event is an opportunity for us to foster and recognise the leaders of tomorrow and share with them the stories of the past.

There are also opportunities for me to meet with many women and groups. Yesterday, for example, in the Assembly I had the pleasure of launching the solace in song CD for the Multicultural Women's Alliance.

These events are just part of the broad range of activities being held over today and the week. As I have noted, International Women's Day is a time to celebrate the successes to date and to reflect on the work that is yet to be achieved. *(Time expired.)*

MS HUNTER: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Ms Hunter.

MS HUNTER: Minister, given that one of the major issues raised on International Women's Day was pay equity in the community sector, once the case is decided will you support funding for the increase in wages?

MS BURCH: I value the work of the community sector. They are strong partners here in the work that we do. The ACT government has provided a response and a submission to Fair Work Australia. I think that submission outlines the value that we place in the community sector. We are looking forward to the decision by Fair Work Australia. The ACT, along with all other jurisdictions, will then consider how it is best to respond to it, but there is work continuing between not only DHCS but also the Office of Industrial Relations about how we are best placed to respond once those decisions are made.

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

Supplementary answers to questions without notice

Education—teacher registration

MR BARR: During question time Mr Doszpot asked me a question in relation to comparable fees for teacher registration in other states and territories. I took advantage of the new facility of being able to access the internet whilst sitting in question time and can provide the member with the following information.

Remember that the ACT fee is $100. It is also $100 in New South Wales. In Victoria there is an initial application fee that ranges between $125 and $145, depending on the nature of the registration, and then there is a $72 annual fee. In Queensland there is an ongoing fee of between $117 and $128, an application fee of $82 and, upon the first registration, a fee of $105. In Western Australia, initial registration, depending on the nature of the application, is between $141 and $198, or $161 to $218, depending on whether it is a provisional or permanent registration, and then there is a $76 annual fee. In South Australia they have a three-year registration process. You pay $113 initially and then $293 for a three-year registration, which I believe would work out at $97.66 per year. In Tasmania the application fees and annual fees range between $84 and $129. And in the Northern Territory the fees range between $75 and $115.

As you can see, Mr Speaker, the ACT fee of $100 is the same as for New South Wales and I think is very reasonable when compared with other jurisdictions. And it is important to note that this fee is tax deductible for teachers.

ACT Ambulance Service—alleged bullying

MR CORBELL: During question time, Mrs Dunne, and also, I think, Mr Smyth, asked me a question about allegations of bullying and harassment in the ACT Ambulance Service and an investigation into those matters. I can provide some further advice to members.

A complaint was made to me on 7 December in relation to this matter. As a result, the ESA appointed Mr Michael Chilcott, former Deputy Director of Public Prosecutions, to conduct the preliminary investigation. The complainant was on leave for the period 6 December last year to 15 January this year and from 31 January this year to 11 February this year. Mr Chilcott was engaged by my department prior to Christmas, and commenced in the week starting 17 January this year. The matter did not progress until the complainant returned from leave.

The *Canberra Times* approached my department on 24 February this year seeking confirmation that Mr Chilcott's daughter was employed by the ACT Ambulance Service. The department confirmed to the *Canberra Times* that this was the case and also advised the *Canberra Times* that it was not considered to be a conflict of interest. Mr Chilcott was engaged prior to his daughter obtaining employment in the ACT Ambulance Service.

Mr Chilcott withdrew of his own volition as the investigator, and advised the complainant on 25 February this year. Mr Chilcott's daughter had applied for a

position in ACTAS, the ACT Ambulance Service, which had been advertised to the public in November, and she commenced in January this year.

The engagement of Mr Chilcott to undertake the preliminary investigation and the employment of his daughter are in no way connected. However, following Mr Chilcott's own withdrawal a private organisation experienced in reviews and investigations has been engaged to undertake the preliminary investigation. I will provide further details to members in relation to who that organisation is.

Bimberi Youth Justice Centre—staff

MS BURCH: I want to correct the record. Back in December, in response to a question from Mrs Dunne, I said that there were 59 funded positions at Bimberi. I met Mr Coe at a function last Friday and I alerted him to the fact that there were 56, as I have stated previously here in the Assembly. As I was sharing that information with Mr Coe, I thought I would share it with the rest of the Assembly. I apologise; there are not 59 but 56 funded positions at Bimberi.

Papers

Mr Speaker presented the following papers, which were circulated to members when the Assembly was not sitting:

Standing order 191—Amendments to:

Bail Amendment Bill 2010, dated 18 and 21 February 2011.

Electricity Feed-in (Renewable Energy Premium) Amendment Bill 2010, dated 21 and 22 February 2011.

Legal Aid Amendment Bill 2010, dated 21 and 22 February 2011.

Public Sector Management Amendment Bill 2010, dated 18 and 21 February 2011.

Statute Law Amendment Bill 2010 (No. 2), dated 18 and 21 February 2011.

Workplace Privacy Bill 2010, dated 21 and 22 February 2011.

Auditor-General Act—Auditor-General's Report No. 2/2011—Residential Land Supply and Development, dated 24 February 2011.

Alexander Maconochie Centre—Process for urinalysis testing of new prisoner admissions—Letter from the Chief Minister to the Speaker, dated 23 February 2011.

Mr Stanhope presented the following paper:

Ministerial Travel Report—1 January to 31 December 2010.

Ms Gallagher presented the following papers:

Dangerous Substances Amendment Bill 2010—Revised explanatory statement.

Gene Technology Act, pursuant to subsection 136A(3)—Operations of the Gene Technology Regulator—Quarterly report—1 July to 30 September 2010, dated 22 November 2010.

Mr Corbell presented the following papers:

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

ACT Teacher Quality Institute Act—ACT Teacher Quality Institute Regulation 2010—Subordinate Law SL2010-53 (LR, 23 December 2010).

Corrections Management Act—Corrections Management Regulation 2010—Subordinate Law SL2010-52 (LR, 17 December 2010).

Court Procedures Act—Court Procedures Amendment Rules 2010 (No 2)—Subordinate Law SL2010-51 (LR, 16 December 2010).

Cultural Facilities Corporation Act and Financial Management Act—Cultural Facilities Corporation (Governing Board) Appointment 2011 (No 1)—Disallowable Instrument DI2011-17 (LR, 10 February 2011).

Education Act—Education Amendment Regulation 2011 (No 1)—Subordinate Law SL2011-3 (LR, 17 February 2011).

Environment Protection Act—Environment Protection Amendment Regulation 2011 (No 1)—Subordinate Law SL2011-1 (LR, 20 January 2011).

Fair Trading (Australian Consumer Law) Act—Fair Trading (Australian Consumer Law) (Transitional Provisions) Regulation 2011—Subordinate Law SL2011-4 (LR, 17 February 2011).

Government Agencies (Campaign Advertising) Act—

Government Agencies (Campaign Advertising) Exemption 2011 (No 4)—Disallowable Instrument DI2011-11 (LR, 7 February 2011).

Government Agencies (Campaign Advertising) Exemption 2011 (No 5)—Disallowable Instrument DI2011-12 (LR, 7 February 2011).

Health Professionals Act and Health Professionals Regulation—

Health Professionals (Veterinary Surgeons Board) Appointment 2011 (No 1)—Disallowable Instrument DI2011-24 (LR, 17 February 2011).

Health Professionals (Veterinary Surgeons Board) Appointment 2011 (No 2)—Disallowable Instrument DI2011-25 (LR, 17 February 2011).

Planning and Development Act—Planning and Development (Direct Sales) Amendment Regulation 2011 (No 1)—Subordinate Law SL2011-5 (LR, 21 February 2011).

Plant Diseases Act—Plant Diseases (Phylloxera) Prohibition 2011 (No 1)—Disallowable Instrument DI2011-15 (LR, 10 February 2011).

Public Place Names Act—Public Place Names (Watson) Determination 2011 (No 1)—Disallowable Instrument DI2011-16 (LR, 10 February 2011).

Public Sector Management Act—Public Sector Management Amendment Standards 2011 (No 2)—Disallowable Instrument DI2011-10 (LR, 3 February 2011).

Public Trustee Act—Public Trustee (Investment Board) Appointment 2011 (No 1)—Disallowable Instrument DI2011-26 (LR, 21 February 2011).

Radiation Protection Act—

Radiation Protection (Council Member and Chair) Appointment 2011 (No 1)—Disallowable Instrument DI2011-20 (LR, 17 February 2011).

Radiation Protection (Council Member and Deputy Chair) Appointment 2011 (No 1)—Disallowable Instrument DI2011-22 (LR, 17 February 2011).

Radiation Protection (Council Member) Appointment 2011 (No 1)—Disallowable Instrument DI2011-21 (LR, 17 February 2011).

Radiation Protection (Council Member) Appointment 2011 (No 2)—Disallowable Instrument DI2011-23 (LR, 17 February 2011).

Road Transport (General) Act—Road Transport (General) Application of Road Transport Legislation Declaration 2011 (No 1)—Disallowable Instrument DI2011-18 (LR, 10 February 2011).

Road Transport (Public Passenger Services) Act—

Road Transport (Public Passenger Services) Maximum Fares for Taxi Services Determination 2011 (No 1)—Disallowable Instrument DI2011-9 (LR, 28 January 2011).

Road Transport (Public Passenger Services) Regular Route Services Transitional Maximum Fares Determination 2011 (No 1)—Disallowable Instrument DI2011-19 (LR, 11 February 2011).

Road Transport (Public Passenger Services) Act, Road Transport (Safety and Traffic Management) Act and Road Transport (Vehicle Registration) Act—Road Transport Legislation Amendment Regulation 2011 (No 1)—Subordinate Law SL2011-2 (LR, 27 January 2011).

University of Canberra Act—

University of Canberra (Academic Board) Statute 2011—Disallowable Instrument DI2011-13 (LR, 10 February 2011).

University of Canberra (Statutes Interpretation) Amendment Statute 2011—Disallowable Instrument DI2011-14 (LR, 10 February 2011).

Administration and Procedure—Standing Committee
Statement by chair

MR RATTENBURY (Molonglo): Pursuant to standing order 246A I wish to make a statement on behalf of the Standing Committee on Administration and Procedure. The Select Committee on Estimates 2010-2011 recommended:

> … that the Standing Committee on Administration and Procedure investigate and advise the Assembly on:
>
> the effectiveness of the select committee model; and
>
> the adequacy of procedural guidelines for estimates inquiries and whether amendments to standing orders or a more detailed referral motion are warranted in the future.

The committee has discussed the issues raised by the recommendation but has not reached a resolution. To assist the committee with this discussion, the secretariat prepared the following documents: a briefing paper outlining possible models for the conduct of estimates inquiries; draft detailed referral of estimates to select committee; and draft referral of estimates to standing committees of the Legislative Assembly.

I table the following documents for the information of all members and leave the matter for the Assembly to resolve:

Estimates 2010-2011—Select Committee—Report—Appropriation Bill 2010-2011—Recommendation 1—

Models for the conduct of estimates inquiries—Briefing paper, prepared by the Committee Office, dated November 2010.

Draft detailed referral of estimates to select committee.

Proposed estimates referral to standing committees.

Disability services—transitioning from care to independent living
Ministerial statement

MS BURCH (Brindabella—Minister for Disability, Housing and Community Services, Minister for Children and Young People, Minister for Ageing, Minister for

Multicultural Affairs and Minister for Women) (2.59), by leave: I present the following paper:

> A Way Forward—An update on transitioning from care to independent living—Ministerial statement, 8 March 2011.

I move:

> That the Assembly take note of the paper.

I would like to inform the Assembly of the progress of the work my department is undertaking to improve the planning and supports for young people who are transitioning from care to independence, an important milestone in their lives.

The ACT government is continuing to focus on improving services and outcomes for children and young people and has particular responsibility for children and young people who are in a care placement. They may be in care with a kinship or foster carer or in a residential setting.

The government is committed to providing high-quality services to this population, and my department works in partnership with our community partners, other government agencies and kinship and foster carers to plan, support and meet the needs of these vulnerable children and young people as they develop and grow.

Each year the government provides $26.8 million for children and young people who need out of home care. This includes subsidy and contingency payments to foster and kinship carers, agency fees and payments to peak support agencies such as Create and the Foster Care Association.

National research tells us that a large proportion of young people transitioning from care experience homelessness within the first year of living independently. They are more likely not to be engaged in full-time work, are less likely to attend further education and have lower incomes than their peers.

Those of us who are parents of young children know how critical family support to young people gaining their independence is. For these young people transitioning from care, often parental support may not be available; therefore, we need to consider how this gap in support for these young people is filled.

Last year, in response to national research indicating poor outcomes for many of these young people, the government commenced work on improving the way it provides service to young people in transitioning from care. We began by talking to our government and community partners about mechanisms that will ensure that this group of young people gets timely access to coordinated services that effectively support them through their transition to adulthood.

In October last year I released a discussion paper *Maximising potential: improving life transitions for young people in care*. This put forward a new model of service delivery based on best practice. Focus groups were held, submissions were received and the

department talked with young people about their experiences. Written submissions were also received from peak bodies, service providers, youth organisations, carers, government agencies and statutory oversight bodies. I appreciate the effort and time taken by all these people to contribute to improving the support and services provided to this group of young people.

The consultation process generated some very informed comments and useful discussion on the proposed new framework of service delivery. Much of what we heard reinforces the research findings used to develop the discussion paper. Eleven major themes emerged, as did suggestions for building on our current arrangements to support services for young people transitioning from care into adult life.

Young people have told us that a successful transition from care was achieved when they had consistency in the people who helped them and when they were listened to, felt safe and had a sense of control over their lives and stability. Young people believed that a good transition to independent living was characterised by stable accommodation, good support services and receiving an education. Young people wanted their views to be sought, taken into account and acted upon whenever possible in regard to planning for their future.

Some told us that they wanted to be supported throughout their transition to adulthood and that this support should continue beyond the age of 18. They wanted greater opportunities to increase their living skills—to learn how to budget and manage their lives, how to cook, how to raise children—and to have assistance to learn how to fix a car or put together furniture and help to apply for training courses and financial assistance. These skills are often what people receive from families. Transition to adulthood and independent living represents challenges for all young people. We recognise that this group of young people have particular needs for additional information, support and assistance. We want to ensure that these young people receive the help they need during this time in their lives.

Young people have also told us that they would like improvements to the way they are communicated with. It should be acknowledged that young people have a different communication style and different needs. They expressed the need for workers who have these skills in communicating with adolescents.

Another significant issue raised by young people—in fact, across all submissions—is the need to consider the change to the age limit when individualised support for young people ceases. Extending the age limit for young people beyond 18 is something that this government will consider. Individuals will vary in the level of support they need. Some young people will require very little support after they turn 18; however, a small number of young people may require continuing guidance and support. As young people gain more experience and maturity, their need for support should reduce.

The type of support provided for young people transitioning from care varies across jurisdictions. In other states and territories there is a difference in the age limit for providing support to young people transitioning from care. In New South Wales and Western Australia it is 25; in Victoria it is 21. It is worth noting that the commonwealth government uses up to the age of 25 as the age of entitlement for

youth allowance payments. A number of pieces of research undertaken highlight that support to this group of young people transitioning from care may be needed beyond the age of 18.

Carers, peak bodies and service providers have also provided very useful positive feedback on the proposed model outlined in the discussion paper and suggestions on other ways of improving support to this group of young people. Many of the submissions raised similar issues.

A summary of responses to the discussion paper and the consultation process has now been prepared and is currently being circulated to the respondents. It is available on the DHCS website. The next steps are to finalise a new framework, and the feedback we have received will inform the development of this new framework. We need to note that the department is yet to finalise the extent of the framework, as it is still being worked through. The framework will consider such things as accommodation needs, assistance with education and training and assistance in accessing health services and equipping people for employment. Pivotal to the success of the new framework will be ensuring that young people are listened to and that services are integrated and customised to meet their needs.

A new framework will be based on a model of service delivery that provides flexible options to meet the individual needs of young people while they are in care and as they transition from care to independent living. The framework will deliver a continuum of services for young people which incorporates improved planning for young people well before they leave care so that their thoughts and wishes are considered. The framework will also have an emphasis on improved coordination of services for young people to ensure that they have timely access to services to meet their vocational, educational and health needs.

Much of this will be achieved through the establishment of protocols—and the work is already underway—between relevant government and non-government agencies that agree to priority of access for young people transitioning from care to essential services such as Centrelink allowances, mental health services, dentistry and vocational guidance. It is also important to ensure that all agencies are aware of the particular needs of this group.

To progress this work, DHCS is now looking at how it can better support young people, planning for their transition and supporting them. This includes refining our internal processes and practices to make sure that we are more in tune with the needs of this group and that we support them, should that be the final determination of the framework, beyond the age of 18.

The government already provides a number of services to young people and families through the $8.4 million provided for services from the non-government sector in the youth services and family support programs. Other work within DHCS relates to the improvement of housing options for young people and measures to reduce homelessness in the ACT. These pieces of work link to the continuum of services needed to support young people moving into independent living and will be part of the framework.

The new framework will be based on delivering the right individual services at the right time for young people. A governance group with representation from relevant government agencies has been established to oversee the finalisation of this work and to facilitate integrated service provision across government. The framework is expected to be released for further community comment very shortly. Key stakeholders, including Create, the Youth Coalition of the ACT and service providers, will also be asked to provide comment on the draft framework. Following the finalisation of this, a revised model of service will be implemented.

This government is committed to enhancing services for young people transitioning from care by developing a realigned and integrated service response to support young people as they transition from care. The ACT government continues in its commitment to improving services for children and young people; and I, as the Minister for Children and Young People, take that responsibility quite seriously.

MRS DUNNE (Ginninderra) (3.11): I thank the minister for giving members an advance copy of this paper which all in all is an extraordinarily disappointing paper. This is a very important issue and one which occupies the minds of many people in this territory. It is a besetting concern for many people who are looking at their young people transitioning out of care and who find that they are in invidious positions.

I would draw the minister's attention, for instance, to some correspondence that both she and I received over the weekend from a distraught grandmother of a young woman who has transitioned from of out-of-home care into independent care. This is not the place to dwell on the substance of the matters raised by the grandmother in this letter, but it would be useful for the minister to consider the paper that she has presented today, and the work that she says is being done, through the prism of the experiences of this family, because, if the experiences of this family are anything to go by, we in the ACT have an extraordinarily long way to go before we have effective transition for very vulnerable people out of out-of-home care into independent living.

This matter has been around, and Ms Hunter has dwelt on this, on a number of occasions, and I am very disappointed with the lack of content in this statement today. I sometimes wonder whether poor Mr Corbell as the manager of government business, because the government has no business and because we are constantly sort of pulling up stumps at half past 10 or 11 o'clock before lunch and then breaking immediately after the MPI, is casting around and saying, "Have you got 'anything' to say?" And so Ms Burch has come up with this statement today.

Some of what is in it is true but it has been so oft repeated by Ms Burch in this place that it has become trite. Yes, we all know, the research has shown us for year after year, that children who exit care into independent living are more vulnerable than children who are transitioning out of families into independent living. Ms Burch does not need to tell this Assembly this yet again.

It is interesting that she talks about the amount of money that is spent by the ACT government on out-of-home care. The ACT government's approach to this is always

to have an input measure instead of a performance measure. But it is not even an input measure about how much money is spent on transitional care. The minister might like to enlighten the Assembly as to how much of that nearly $27 million is spent on the transitional care arrangements and how much it anticipates that it will have to increase that money so that we will have effective transitional care.

I note that the document that the minister refers to, which is a collation of the consultation, is up on the DHCS website, but if the minister thought this was such an important issue she might have done members in this place the courtesy of providing them with a copy of that along with her statement as it may have some more substantive comments in it than are in Ms Burch's statement.

This is one of the many areas that this minister has to deal with which goes to the heart of looking after the most vulnerable in our community, and I am constantly amazed and horrified at the glib way that this minister deals with these things. I think that she probably sits down today with a sense of achievement that she has done something about transitional care for these young people—when in fact she has not.

What we need is real action for real individual children, and I encourage the minister to read the experiences of the grandmother who wrote to us, to her and to me, over the weekend, to read those experiences in the light of this paper here today and to see just how far we are falling short. I think it would be useful for the minister to come back and to identify just how far we have to go. Rather than patting ourselves on the back, let us admit that this is a place where we have not done our children justice and that all of us in this Assembly and in this community have to work much harder. It is not sufficient to say, "We have had a consultation paper and there are 15 pages of ideas on the DHCS webpage." We need those ideas translated into real opportunities for individual people.

It is nice to say that these young people want to be listened to. This is what this grandmother says: her granddaughter wants to be listened to; she wants the people who are making decisions about her to listen to her needs. The disconnect between what this grandmother told me and the minister over the weekend and what this minister says here today is enormous and we have to close that gap.

The challenge for us all—for you, minister, for me, for Ms Hunter and every other member in this place—is to close that gap so that we will not continue to say the trite things that we read in this statement here today, because they are alarming things but they are said so often and they are run off in such a matter-of-fact way that we are understating the problem.

We have to recognise that children transitioning out of out-of-home care into independent living do not have the supports that my children have and most of the children of members of this Legislative Assembly have and that they will be faced with much greater problems because of the lack of that support structure. It is not sufficient just to sort of rattle it off as yet another statistic. We want more than statistics and more than input measures. We want real action and real results for vulnerable children.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (3.17): I would echo some of Mrs Dunne's words here. I find that this update presents us with nothing new. We already know about the 11 key themes that the minister has reported that came from young people and service providers. We already know that young people want continuity in their support and the same workers and adults around them to do that, that they want stable housing and accommodation options, education and living skills, and they want to be included in processes concerning them and information about what is affecting them.

The problem with this issue is that yet again we are rehashing what we have already read in many national and local reports. One of the references made in this statement was to extending the age limit for supporting young people who are transitioning from care from 18 to 25 years. But it presents this as one option; it does not say: "We will do that. We will follow it." There is nothing concrete here. It says, "Well, that could be one thing we might look at."

Then it goes on to talk about a framework. I hear this a lot out in the community sector: there are frameworks. Every time we need something rejigged or whatever, we say that we are putting in place a framework. But a framework is not commitment to funding of services and programs. It is not. It is simply not. It does make me a little concerned, actually, because I am starting to see "framework" as a term that is used to basically rejig systems without any real thought about whether they are working properly or not. It is not about putting in more money; it is about trying to do more with less. And, as we know, when you are trying to do more with less you tend to have a pretty poor system out there. You can get some pretty poor outcomes.

We know that there have been so many reports about this group. There is the annual Create report card about the poor outcomes for children who have been in our out-of-home care system. They are many times more likely to be homeless. Young women after they leave the system are many times more likely to be pregnant within a very short time, many times more likely to suffer violence and so forth. That is why we do need to be taking seriously this whole issue of extending that support from the current 18 years of age up until 25 years of age.

That is why I find this disappointing—because there is not any commitment to real progress in this area. All we are committing to is this thing called a framework. I do wonder what this means when it says:

> … this Government is committed to enhancing services for young people transitioning from care by developing a realigned and integrated system response to support young people as they transition from care.

What does that actually mean? I do not know what that actually means. I cannot see the services behind that. I cannot see the policy responses behind it. I have to say that I am disappointed. I had hoped for a little more in this response when I received it earlier in the day.

Another thing I want to pick up on that I was concerned about is around planning within the department for transition from care and supporting these young people. It says:

> This may include putting together a specialist team focused on supporting young people from the age of 15.

Then it goes on to say:

> There are many professionals within DHCS who would enjoy the opportunity to support these young people in their transition from care.

Why that concerns me so much is because I would have thought those professionals within DHCS were already doing that. I would have thought they were already working with these young people to support them to transition seamlessly out of care. So it does concern me. Why are we saying there are people who would love to do this when my assumption was that there are people already in there doing it?

I guess that links in with the discussion paper I put out on this very important issue. I felt that it was important to actually put forward some sort of action plan and there are around five actions. One of them was around funding a non-government organisation to provide that advocacy, that support, bringing together coordination and integration of services and so forth. That really does need to happen if we are to make some progress in the area.

I have not received the letter that Mrs Dunne was referring to before, but I have no doubt it probably again talks about that lack of integration of service and coordination and support. We know that there are many young people who do fall through the gaps and whose outcomes in life unfortunately look pretty grim and pretty bleak because they are not provided with the support and opportunities that they really should be given.

We have so much research on this issue. We have so many report cards that come out. We actually need to see some concrete action. I really am disappointed to hear about frameworks and integration and so forth. I really would like government to come out and say: "Yes we agree we are not doing well in this area. We need to do better. We don't want these young people turning up in our homelessness statistics. We don't want them turning up in our prison. We don't want them turning up in our mental health services. We are going to ensure that they can pursue education and training, they can pursue employment and they can contribute to this community and also be supported by this community."

So I would very much urge the minister to go back and talk to the department and push for more concrete steps in this direction, and I do hope that the next time we receive a statement it really is putting in place some funding, some resourcing and a very clear direction about how we are going to support such a vulnerable and important group of young people here in Canberra.

Question resolved in the affirmative.

Election promises
Discussion of matter of public importance

MADAM ASSISTANT SPEAKER (Mrs Dunne): Mr Speaker has received letters from Ms Bresnan, Mr Coe, Mr Doszpot, Mrs Dunne, Mr Hanson, Ms Hunter, Ms Le Couteur, Mr Seselja and Mr Smyth proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, Mr Speaker has determined that the matter proposed by Mr Doszpot be submitted to the Assembly, namely:

> The importance of governments keeping election promises.

MR DOSZPOT (Brindabella) (3.25): I would like to thank the Speaker for the opportunity to speak on this matter of public importance today, the importance of governments keeping election promises. In light of the rich mentioning of broken promises pointed at various Labor governments recently, this MPI is timely and wanting of further discussion.

But allow me to ease into this topic with a literary reference. In 1895, a brand new Oscar Wilde play was performed at St James Theatre in London in which the main characters in this production maintained fictitious personae so that they might escape their burdensome obligations. And although we are not here today to debate the merits of or comment on the virtues of 19th century Victorian society, today's MPI does highlight the importance of being earnest.

For our ACT Labor colleague across the chamber, who perhaps need a more literal and political prefix to what I have to say today, allow me to quote your federal Labor leader:

> There will be no carbon tax under the government I lead.

We have heard this over and over again:

> There will be no carbon tax under the government I lead.

I thought, just for a moment during question time, Ms Gallagher was going to launch into some similar historic statement during that question time when I think Mr Seselja asked about the government's support of the federal government carbon tax policy. And I could for a moment see the blink in her eyes, "Will I? Won't I? What will Jon say?" But she did not say anything. Suffice it to say that everyone in Australia knows who uttered these now memorable words and that promise that is being broken:

> There will be no carbon tax under the government that I lead.

We in the ACT are not immune to Labor's broken promises at the local level, with the Greens allowing this to happen so long as it fits their agenda—another broken promise by the Greens who promised, as part of their election platform, that they would be the third party insurers for the community. That election promise has been

drastically altered. The reference to community has been deleted and they are, in fact, sadly the third party insurance for this government.

In short, what we have here, as with Wilde's play, is a farcical comedy. But comparisons and jests aside, this has very real and serious repercussions for the lives of many Canberrans.

Recall Ms Gallagher's statement regarding the health portfolio on 11 September 2008:

> All plans are on the table.

It was not long after that we learnt she already had definite plans in the works to purchase Calvary hospital, which were progressed to the stage where the government had already written to the Little Company of Mary seeking a heads of agreement. As my colleague Mr Hanson has rightly noted regarding this issue, what she should have said is, "All of our plans are on the table, less those that are subject to closed-door deals, behind closed-door deals."

What of the Gungahlin pool under Minister Barr's watch? As the 2008 election was heating up, ACT Labor promised a $20 million aquatic centre which included a 50-metre pool and a 25-metre pool. In communications with the Gungahlin Community Council, an agreement was reached whereby the Community Council would be patient and wait and, in return for their patience, they would get a 50-metre pool.

My previous statement sounds a bit cumbersome, and that is because the government's 2008 promise was nothing more than a repeat announcement of an existing project. We had heard this before—ACT Labor's 2004 election promise to give the Gungahlin residents a 50-metre pool, which the government also reneged on after that election, the 2004 election.

According to the Gungahlin Community Council, the present excuse by the government in not finally giving the Gungahlin community its promised pool has been chalked up to the promised facility now not being commercially viable. So as a consolation, the Gungahlin community are not getting what they have been promised but instead a 25-metre pool with, to quote the government, "commercially viable facilities", which falls short of what was initially promised by this government.

In this regard, Minister Barr is just an element of ACT Labor's disregard in delivering on its election promises to local communities. I do not think that, when Mr Barr met with the school children at Good Shepherd Catholic primary school in Amaroo in 2009 to solicit their thoughts on the new pool, these kids asked for a 25-metre pool instead of a 50-metre pool. Politicians using children for political capital has to be a new low for this Assembly. Being insincere to school children speaks much about the minister's ethics and priorities.

On the topic of childcare under Minister Burch, recall the minister's promise to the Flynn community for more childcare places after Minister Barr shut down their school. Imagine how the Flynn community felt when they learnt that, out of the 110 or

120 places this facility would create as a result of the merger of Akira and Gumnut, they would only have 10 to 20 places available to them. How did they feel? Anger? Betrayal? The feeling of being misled perhaps? How about bamboozled? Might I add, this facility is yet to open.

Yet the list continues. The Alexander Maconochie Centre is another good case study. Recall the inauspicious 11 September government opening of the AMC, which just so happened to coincide with the day prior to the government going into caretaker mode. And in true ACT Labor fashion, Canberrans learnt shortly after that that the prison was not ready to open and would need another six months before it could take its first prisoner.

When it finally was operational, we learnt that costs for the AMC were 60 per cent higher than in any other jurisdiction in this country, costing approximately $504 per prisoner per day. But the real clincher was that the government promised a 300-capacity prison and as, we now know, truth be said, the prison could only accommodate 245 people.

On the issue of public financial management, ACT Labor's stated policy has been:

> Responsible and fair financial management … ACT finances will be employed to ensure a high level of service provision, protection and assistance for the disadvantaged and maintenance of public assets so that Canberra continues to be a city in which people choose to work and live.

So what has the ACT Labor-Greens alliance delivered on the topic of responsible and fair financial management? Here is a cross-section: Cotter Dam enlargement, cost increase from $140 million to $363 million; Canberra Hospital new car park, cost blowout from $29 million to $43 million; TAMS, failure to manage budget as per the Ernst and Young report; and the $80 million, I believe is the tune, to which ACTION needs to be subsidised each year.

While on the subject of ACTION and broken promises—and this one I think comes down to the Chief Minister—the wheelchair-accessible school bus is proving to be a very serious issue for one of my constituents in Tuggeranong who has been promised for over 12 months that her problem of getting her disabled child, in a wheelchair, onto a school bus will be addressed. It is proving to be caught up in the ministerial buck-passing between three ministers, disability, education, and the Chief Minister's own involvement through ACTION.

With regard to the youth detention centre, there is the budget overrun from $40 million to $42.6 million, with serious ongoing management problems. Again, the list goes on and on. What is insidious is ACT Labor's promise and lack of delivery to protect and assist disadvantaged members of our community as per the earlier quote from their policy platform.

Recall in 2004 Ms Gallagher, now the Treasurer, promised, "There will be no school closures"—these were the election promises—and then, a few short weeks later, very systematically, after the election, the government began to close schools. It started

with the discontinuation of three preschools, in McKellar, Rivett and the Causeway, and seven primary schools, in Flynn, Hall, Melrose, Mount Neighbour, Rivett, Tharwa and Weston. And by 2007, 20 schools were closed and 15 communities were affected.

Subsequent to this, the *School closures and reform of the ACT education system* 2006 report found government processes to be wanting. Here is a small sample: consultation sometimes seemed to be conducted to satisfy the process, there was no real intention to take the community's opinion into consideration in decision making and the government's response was not satisfactory. In true ACT Labor-Greens alliance fashion, both parties rammed through an amendment bill which gave the appearance of rigorous processes but which, where it really mattered, was weak on guaranteeing to ACT communities that future school closures should only happen if absolutely necessary.

More recently, recall also last year's efficiency dividend cuts executed by Minister Barr on our public school system. What was Minister Barr's interpretation of his party's policy platform for, and I quote again, "responsible and fair financial management" whereby "ACT finances will be employed to ensure a high level of service provision, protection and assistance for the disadvantaged"? He chose to cut support services to the members of our school community that needed the most support and he did not consult the various school communities affected by this.

Here are some of the initially proposed areas for the chopping-block: two early intervention preschool support teachers, two support teachers for early childhood English as a second language program, one early childhood support teacher for behavioural management, four school counsellor position vacancies not filled, reclassification of student management consultants and eight remaining positions to be relocated to schools, two hearing support positions from a head count of 10.3 full-time equivalent teacher positions, one of four vision support teachers, a post schools options teacher position to be discontinued, two disability support officers discontinued, five classroom teacher positions and one SLC position in the Aboriginal and Torres Strait Islander literacy and numeracy program discontinued, and one SLC English as a second language position.

When concerned parents of visually impaired students voiced their concern about their child's possible diminished access support services in learning Braille, the government, instead of addressing these concerns, offered up the possibility that text-to-speech software would take up the slack in teaching literacy to visually impaired children. In true ACT Labor–Greens alliance again, on the day we debated these cuts Ms Hunter, in front of the affected parents, sided with the government. A farcical comedy? You can put good money on it. To quote a disgruntled parent who attended this debate, "monkey and organ-grinder politics".

Concurrently, the minister for disability was not even aware of the specifics of her department's involvement in these support service cuts to students with disabilities and could merely state:

> I cannot really respond other than to give you in good faith an answer saying that DHCS and DET are working in a very strong partnership.

And to this, it is troubling to note that the minister has carte blanche and justifies his school closures and subsequent financial rationalisations to feed into his ICT fetish. After all, electronic gadgets look cool and spin a good media release, not to mention a catchy sound grab or two.

In February, we had the headline "State-of-the-art schools impress pupils, teachers", but this month the *Canberra Times* headline reads "ACT Lags Behind Averages". It is quite intuitive to anyone who has a child, is a member of a school community and/or understands education, that good schools are made up of good teachers and administrators. And in this context, it is about the students.

Today's MPI covers a broad range of topics and can be approached in many ways. And my colleagues in the opposition will present a host of other examples of this government failing to keep its promise to Canberrans. What I want to highlight in my speech today is the simple fact that the present government has lost sight of its most important duty and promise, and that is to serve the people of this city. In a democracy such as ours, we are after all, to quote Abraham Lincoln, "a government of the people, by the people, for the people".

MR STANHOPE: (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for the Arts and Heritage) (3.40): It is wonderful to see a member of the Liberal Party supporting democracy today after having just this morning voted against it. Are you conscious at all, Steve, of the hypocrisy of that particular position or argument?

MADAM ASSISTANT SPEAKER (Mrs Dunne): Mr Stanhope, could you address the chair and not Mr Doszpot across the chamber.

MR STANHOPE: I am enormously pleased to have this opportunity to give members of the Assembly, and indeed the community, an update on the road travelled by the ACT government over the last two years in the delivery of the promises that we made at the last election, our commitment to meeting those promises and the way in which we have assiduously, through hard work, through dedication and through a commitment to this community, delivered on them.

As members, I am sure we are all aware that in the last election campaign we made a total of 298 separate promises or commitments through the particular process of the election campaign. I am particularly grateful to Mr Doszpot of the Liberal Party today for giving me this opportunity to update members on progress at this point after two budgets in a four-year cycle, with two budgets down and two to go. We look closely, as I say, rigorously, at the promises we gave and work on our determination to meet them. Of the 298 election promises the subject of this particular matter of importance, we have commenced or completed 192 of the 298. That is a completion rate or a commitment rate of 64 per cent after two budgets. So at 50 per cent, in terms of funding capacity or opportunity, we have met 64 per cent of commitments we made.

Just in the very limited time available—I will not have the opportunity to go into any detail on any of these—I will now attempt for the information of members of the Assembly and members of the community and this place to touch on as many of the 192 completed or commenced election commitments or promises as I can. If you will bear with me, I will now put information to members that goes to those 192 election commitments of the 298 that we made. Indeed, other speakers, I am sure—

Mr Seselja: Do you not have time to do all the broken promises?

MR STANHOPE: Well, there are still two budgets to go. To suggest that there are broken promises, there are two budgets left in this particular cycle.

Mr Seselja: You're going to do a 50-metre pool for Gungahlin, are you?

MR STANHOPE: Well, we are consulting about it.

Mr Seselja: You're running away from it.

MR STANHOPE: No, we are not—not at all. We are being consultative. We are not running away from anything. Indeed, in the context of this budget, my colleagues, I am sure—if they get the opportunity—will go to the contrary promises, the promises that the Liberal Party made. I am sure we all remember the Liberal Party's position on a swimming pool for Gungahlin, for instance. I remember it particularly well—a non-promise, a refusal to commit on the issue at all. If you want a debate on what you said about a swimming pool for Gungahlin at the last election campaign we are more than happy to have that conversation.

Let me go to some of the promises. Indeed, the Treasurer will be speaking to this debate and I think she will be paying particular attention to the Liberal Party's promises in the last election campaign.

Mr Seselja: She's the biggest liar.

MR STANHOPE: On a point of order, Madam Assistant Speaker, that is completely out of order. You should have pulled the Leader of the Opposition up. You must demand that he withdraw that accusation that Katy Gallagher is a liar. That is just disgraceful. It is absolutely disgraceful.

MADAM ASSISTANT SPEAKER: Mr Seselja, would you like to withdraw?

Mr Seselja: I am sorry, Madam Assistant Speaker. This is in relation to Ms Gallagher's promise not to close schools before the 2004 election.

MADAM ASSISTANT SPEAKER: Mr Seselja, you have to withdraw the word "liar".

Mr Seselja: Okay. I am sure we can come up with an alternative form of words. I withdraw.

MR STANHOPE: What a grub. What a grub.

Mr Seselja: Madam Assistant Speaker, on a point of order—

MADAM ASSISTANT SPEAKER: Mr Seselja.

Mr Seselja: While we are into withdrawing, perhaps the Chief Minister can now withdraw.

MR STANHOPE: On the point of order, I am not sure that I said anything that is out of order or disrespectful or not consistent with the standing orders.

MADAM ASSISTANT SPEAKER: I think that once a point of order has been made—and you did, Mr Stanhope, make a comment across the chamber which was (a) out of order and (b) directed personally at Mr Seselja. I would ask you to withdraw the comment.

MR STANHOPE: I withdraw. I must say I did not realise that was out of order, but I withdraw. There has been, unfortunately, in recent sittings some incredibly grubby behaviour. I think some of us are fed up with the grubbiness of the Leader of the Opposition and some of his colleagues.

To actually accept this wonderful opportunity the Liberal Party have presented us today, I will go to the 192 election promises that we have completed or commenced. We promised to provide a home for Tuggeranong seniors club. We have funded that. That is a commitment made and being progressed. We promised the Council on the Ageing that we would fund the delivery and development of a senior card directory. That is a promise which has been completed.

We undertook to provide funding to the Migrant Resource Centre, actually accepting at the time that their federal funding resources had been withdrawn and we filled the gap. We undertook to provide funding to the ACT community languages grant program. That is a commitment that has been completed. We undertook to improve migrant transitional housing to the tune of $400,000 over four years, and we have met that promise.

We undertook to fund the multicultural youth services program, and we have met that commitment. We undertook to fund a major autumn event, acknowledging the significance of events to our tourism sector, and indeed we look forward just next week to the fruits of that particular promise and our commitment to provide at least $1 million a year for a new tourism-focused event.

We undertook to increase investment to the Canberra Convention Bureau of $1 million, and we have met that election promise. We undertook to expand Floriade significantly—a very successful spring festival, now being invested in to the extent that that particular festival deserves—and we have completed that promise. We undertook to establish and fund an Indigenous public service traineeship program. We have done that. It has been enormously successful and shows this government's

commitment to increasing and enhancing employment opportunities for Indigenous people within the ACT public service.

We undertook to provide additional support for grandparents who provide primary care for their extended families, and we have met that commitment. We undertook to provide funding to allow the elected Indigenous body to fulfil its statutory responsibilities, an election commitment that we have met. Indeed, in the context of the support by any government for its Indigenous community, it still remains the fact that the only democratically elected Indigenous representative body in Australia remains the elected Indigenous body. It is a commitment, a policy position—a commitment to Indigenous people and to their aspirations for self-determination—that this government takes seriously.

We undertook to fund a genealogy project for the Ngunnawal people within the territory, and that project has commenced. We undertook to fund and to provide Indigenous teachers and teachers' assistants, to attract them into our schools and to provide career paths for Indigenous people. That commitment has been funded and is currently executed.

We undertook to provide an additional 12 community fire units over the term of this particular Assembly, and we are in the process of meeting that commitment. Five, I believe, were established after the first budget. We have made promises in relation to the revision of the strategic bushfire management plan, and they have been funded and completed.

We undertook to provide support for gifted and talented students and to provide support for their parents. We undertook to provide additional grants for school parent groups to the tune of $2.1 million, and we have done that. We undertook to provide more teachers to provide for smaller class sizes—$22 million over four years—and we have met that commitment.

We undertook to provide a performing arts centre for Canberra college at a cost of $5 million, and we met that commitment. We undertook to build a high school in Harrison. It is under construction and being fully funded. We undertook to provide additional IT for non-government schools to the tune of $2.5 million, and we have done so.

We undertook to cluster literacy and numeracy experts throughout our schools as a result of a determination that the ACT maintain its place as the best performing education system in Australia, and we see the results just this week of how successful that devotion and that commitment has been. We undertook to provide additional equity funds for disability, literacy and numeracy within our schools to the tune of $4.1 million, and we have funded that.

As you can see, I am not yet 10 per cent of the way through the 192 commitments made. I will perhaps need an hour or two to do justice to the fantastic and massive work that has been done in relation to these promises.

We undertook to provide additional bus seats and bus shelters and we are rolling out that program, I think, to the tune, to date, of somewhere in the order of $1 million just

for bus seats. In the last budget there was a significant injection of millions of dollars in relation to public transport for additional bus seats, bus stations, park and ride, bike parks, street lighting and enhanced paths, on-road bus lanes—indeed, an overall package just in the last budget of somewhere in the order of $100 million to meet the commitments that we made in relation to public transport, bicycle paths and an enhanced commitment to ensuring that we achieve the sort of modal shift that we have committed to under our sustainable transport plan.

We made a whole range of commitments in relation to sport and recreation. We committed to the smart start program—$800,000 over four years—and it has been done. We committed to a children's activity foundation, and it has been done. We committed to a major upgrade of the Woden Valley Gymnastics Club, and I had the great pleasure just two weeks ago of opening that $1 million extension to the Woden Valley Gymnastics Club. I have to say that it was very pleasing to see how that upgrade will significantly enhance gymnastic opportunities for children most particularly in the ACT. We committed to provide $3 million for a new basketball stadium and player amenity, and we have funded that commitment.

We made, as always in the context of our most important commitments—those to health and the health status—a raft of promises in relation to our commitment to health and our guarantee that we will maintain the ACT as the leading provider of health and the jurisdiction or the system that provides the best health outcomes of any place anywhere in Australia. In relation to health, we more than met every one of our commitments, most particularly in relation to the decisions that we have taken in relation to the capital asset development program, a massive rebuild and reinvestment in health and health care and in our hospitals.

Contrast that, of course, to perhaps one of the most infamous of the Liberal Party's promises when in government, a promise that I remember distinctly. The then Chief Minister, Mrs Carnell, made a promise to increase the number of public hospital beds from around 500 and something to 1,000 in the term of the government from, I think, the 1998 election. She promised to increase the number of hospital beds from 500 and something to 1,000. Over the course of that term, of course, the Liberal Party, we now know, cut the number of beds by 114. There was this fantastic promise that the then Liberal Party made in relation to health in relation to hospital beds, most specifically to increase them to 1,000, and they cut them by 114. We will be happy, of course, at any time to debate our election commitments in relation to health and the election commitments which the Liberal Party made when they were in government. I am more than happy to have this opportunity—*(Time expired.)*

MR SESELJA (Molonglo—Leader of the Opposition) (3.55): I think it is timely that we have this debate in the Assembly, given the national environment and given the local environment. I will focus for a moment on what is going on nationally and the performance of the Labor Party and the Greens in honouring promises before I turn to the broken promises of ACT Labor. It is hard to imagine a more significant broken promise than the promise that there will be no carbon tax under a government Julia Gillard leads, when only months after the election it is announced that, in fact, there will be a carbon tax under a government Julia Gillard leads. One of the greatest broken promises—

Mr Stanhope interjecting—

MADAM ASSISTANT SPEAKER (Mrs Dunne): Mr Stanhope, you were heard in silence. Be quiet.

MR SESELJA: What is it about the Labor Party and telling porkies before elections?

Mr Stanhope interjecting—

MADAM ASSISTANT SPEAKER: Mr Stanhope, be quiet.

MR SESELJA: Days out from the election we had the Prime Minister and the Treasurer reiterating that there would be no carbon tax, and they are now announcing that there will be. It is worth looking at the response here locally. We had the endorsement of that carbon tax and that lie—

Mr Stanhope: On a point of order, Madam Assistant Speaker.

MR SESELJA: Can we stop the clock, Madam Assistant Speaker?

MADAM ASSISTANT SPEAKER: Yes, stop the clock.

Mr Stanhope: Madam Assistant Speaker, this government made no election commitments about a price on carbon. The Leader of the Opposition is so desperate—

MADAM ASSISTANT SPEAKER: There is no point of order, Mr Stanhope. Sit down.

Mr Stanhope: Surely it is a question of relevance, Madam Assistant Speaker.

MADAM ASSISTANT SPEAKER: The question is the importance of governments keeping their election promises. There is no point of order. Mr Seselja.

MR SESELJA: Again, we see that the Chief Minister is embarrassed. But this is where there is a link—we have got the federal Labor Party telling porkies before the election, and we have the endorsement of those lies by the Treasurer today in question time with the endorsement of that tax. We have got a tax that she has not seen—

Mr Stanhope: On a point of order, Madam Assistant Speaker. Surely this—

MR SESELJA: Could we stop the clock?

MADAM ASSISTANT SPEAKER: Stop the clock, please.

Mr Stanhope: Surely this matter of public importance is about this government or governments in the ACT—

MADAM ASSISTANT SPEAKER: Mr Stanhope, sit down. I have ruled.

Mr Stanhope: Surely this motion is not about a price on carbon.

MADAM ASSISTANT SPEAKER: I have ruled. The question is the importance of governments keeping election promises. There is no reference to the ACT. If you interject on this point of order again, I will have to consider that you are being disorderly. Mr Seselja has the floor.

MR SESELJA: Thank you, Madam Assistant Speaker. I was talking about the Treasurer, because the Treasurer has endorsed it. And you have got to ask why. Why would you endorse the breaking of promises which you do not even know the implications of? That is what we saw today. The Chief Minister is very keen for us to talk about the Treasurer, and I am very happy to talk about the Treasurer and her record of breaking promises. The record of broken promises—

Government members interjecting—

MADAM ASSISTANT SPEAKER: Order, members of the government!

MR SESELJA: It is embarrassing when you go back and look.

Mr Stanhope interjecting—
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MADAM ASSISTANT SPEAKER: Mr Stanhope, if you interject again, I will warn you.

MR SESELJA: We could go back to the last election when she claimed all her plans were on the table when it came to health. That was not true. In fact, there were secret plans—secret failed plans, as it turns out. The great reformer Katy Gallagher had secret plans to buy Calvary hospital. Now, that fell over as soon as there was some light shed on that deal. They wanted to waste $77 million of taxpayers' money when it turns out that apparently they own it. We have, "All our plans are on the table," but, in fact, Katy Gallagher was negotiating a secret deal that would have seen the ACT government throw away $77 million.

That is just the latest. But because the Chief Minister is so keen for us to talk about the Treasurer's record, it is worth going back just a little bit further to look at the issue of broken promises. We go back before the 2004 election when we had Ms Gallagher talking about school closures—a serious issue, an important issue, an issue of public concern before the election. This is what Katy Gallagher had to say on it on 11 August 2004. She said that at some stage in the future the community will have to have a conversation about this—old schools, new schools—and what they want from the future. We had that report on 11 August, and people got a bit worried that maybe she had left open the possibility of closing schools.

So then she went on to make it absolutely clear, in a similar way to Ms Gillard making it absolutely clear before the election that there would be no carbon tax under her government. What did Katy Gallagher say? The government will not be closing schools. That was before the election.

Ms Gallagher: Who said that, Mr Seselja?

MR SESELJA: Your spokesman. Apparently they were not speaking for you.

MADAM ASSISTANT SPEAKER: Ms Gallagher, do not interject.

MR SESELJA: Did you ever correct him? No. Because it went on further. Not only would they not be closing schools in that term, but they actually said that, with the school age population in Canberra decreasing in coming decades, closures would need to be looked at but that this would not be during Ms Gallagher's time in politics. What a porky!

Mr Stanhope: On a point of order, Mr Assistant Speaker, could you please instruct the Leader of the Opposition to address the chair?

MR ASSISTANT SPEAKER (Mr Hargreaves): Thank you, very much, Chief Minister. I do not have to say anything, do I? You can tell by the look on my face, because you are an observant man, Leader of the Opposition. Thank you.

MR SESELJA: That was a pathetic point of order. I was looking directly there. He is such a—

MR ASSISTANT SPEAKER: Mr Seselja, before you go on, can I just offer you a little bit of gratuitous advice: please do not make reflections on other members.

MR SESELJA: He really does not get it. He is very sensitive, though. And you would be sensitive on an issue where your deputy had gone to the people and said, "No, no, no, no, we will not close schools. We won't do it in the next term. It won't happen during my time in politics."

Mr Stanhope: On a point of order, Mr Assistant Speaker.

MR SESELJA: Can we stop the clock?

MR ASSISTANT SPEAKER: Stop the clock, please. Chief Minister.

Mr Stanhope: It is simply not true of the Leader of the Opposition to claim that the minister made that statement. She did not.

MR ASSISTANT SPEAKER: Chief Minister, with respect, I do not think that is a point of order. Leader of the Opposition, you have the floor.

MR SESELJA: This is getting vexatious, Mr Assistant Speaker.

Mr Stanhope interjecting—

MR SESELJA: You are pathetic. And the dishonesty of you and your government—

Mr Stanhope: What a grub!

MR SESELJA: You know what is grubby—

MR ASSISTANT SPEAKER: Order!

MR SESELJA: Lying to the people before an election—

MR ASSISTANT SPEAKER: Order!

Members interjecting—

MR ASSISTANT SPEAKER: Mr Seselja, resume your seat. I have a nice sense of humour and I am a really nice bloke. Let us not stuff that up. Let us not have a cacophony of sound that can be heard in Yass. Mr Seselja, please, there is a microphone there; that is sufficient. Chief Minister, please do not bait the Leader of the Opposition. Thank you.

MR SESELJA: Thank you, Mr Assistant Speaker. It is grubby to go to an election and say you are not going to close schools and then turn around six weeks later and close them. What does that say about your trustworthiness? What does that say about your honesty? What does that say about your decency when, six weeks after an election, you go back on it.

We are seeing it now federally with the carbon tax, and we are seeing this government backing it sight unseen. They do not know what it is going to be worth to the people of the ACT, but they will back it because it is their Labor mates, regardless of what they said before the election.

Katy Gallagher has form on this. Her form on it is to look people in the eye and go to an election on a promise that she has no intention of keeping. We could look at what this government has promised the Greens as part of their agreement in order to stay in office. They have made these promises to stay in office. Of course, we know they are not going to deliver on many of them. They simply cannot. A guaranteed bus frequency of 30 minutes—

Mr Stanhope interjecting—

MR ASSISTANT SPEAKER: Order, Chief Minister. You are really upsetting me.

MR SESELJA: A guaranteed bus frequency of 30 minutes. How is that going? Here is one—introducing a levy on plastic bags. That was their promise. No promise to ban them; they could not deliver on that. Gungahlin shopfront is another. Ten per cent public housing. How is that going? There are hundreds of millions of dollars in promises that the Labor Party made in order to stay in office that they have no intention of keeping.

This goes to honesty; it goes to integrity. We have seen a pattern from this government and the Deputy Chief Minister, whether it is promises about education before the 2004 election or promises in relation to health before the 2008 election.

They continue to make promises that they either have no intention of keeping or no ability to keep. They will simply say and do anything. This government's record and the Labor Party's record are clear. We are seeing it both at federal level and at ACT level. Unfortunately, it brings all politics into disrepute when we have such fundamental promises—

Mr Stanhope: What a joke! Bringing politics into disrepute?

MR SESELJA: What is it about the Labor Party? The best they can throw back is "John Howard promised never to have a GST". But when he changed his mind, he went to an election—

Mr Stanhope interjecting—

MR ASSISTANT SPEAKER: Order!

MR SESELJA: He allowed the people to decide—

Members interjecting—

MR ASSISTANT SPEAKER: Order, members!

Mr Doszpot interjecting—

MR ASSISTANT SPEAKER: Mr Doszpot, please be quiet. I ask you now, please, politely, be quiet. Mr Seselja, I am not deaf. I can hear you.

MR SESELJA: He did not look them in the eye two days before the election and promise not to bring in a GST and then bring in a GST months after. That is what he did not do. That is what Julia Gillard has done and Katy Gallagher did something very, very, similar. She went to an election promising not to close schools and six weeks later started closing schools. She went to an election claiming all the plans in health were on the table whilst negotiating a secret and flawed deal to throw away $77 million in taxpayers' money on an asset we already owned. *(Time expired.)*

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (4.06): I thank Mr Doszpot for bringing on this matter of public importance today. If we look at the importance of governments keeping their election promises, it is an easy thing to say that, yes, of course it is important for governments to meet the commitments they made to the electorate, and of course we will all agree that this is the case. There is no doubt that the integrity of every political party is built on their efforts to meet the commitments they make to their electorates. Political parties have fallen and self-destructed on the back of not keeping those election promises, most particularly when they appear to have done complete U-turns on policies, ruling things in and not delivering, ruling things out and then changing their minds.

We can all sit here and reel off a string of examples where promises have not been kept and we can all sit here and reel off all the reasons why they should be kept. Equally, we can argue at great length about the mandates and obligations elected

representatives do and do not have to the electorate, what is and is not a core or non-core promise, who has or has not been deceptive or tricky in their language and what they will or will not commit to.

Increasingly, the public are saying that they are sick and tired of petty politics, sick and tired of the name calling and spin. What they want are outcomes and real substantive debate about the issues that affect them. To achieve this, voters are turning away from the major parties who so often are stuck in this old style of politics.

The growing reality is that governments are being formed with the support of others in the parliament. Here in the ACT, in Tasmania and in the federal parliament we have minority governments that have been formed with the support of other parties and independents. This is the case because the community want action and outcomes and they want a better standard of outcomes. They know that no-one has all the answers and that, far from being a dirty word, compromise can deliver better outcomes for Canberrans and indeed Australians.

Parliamentary supremacy and the structure of our democratic system dictate that executives are accountable to parliament and depend on parliament for the authority to act. Stable governments formed through the support of minor parties are the contemporary reality across the country and not just here in the ACT. We are operating in a new political landscape.

So when is it okay to take governments to task for not implementing their election promises, promises they made as political parties prior to forming government? Firstly, a premise of our system is that our electorates will hold all of us to account when we turn away from the value system and policy background that we have espoused throughout the process of being elected. This may have been one of the reasons why the Democrats were so severely punished for eventually supporting the introduction of the GST.

The current federal debate about a carbon price is an example of this issue. The current opposition campaign will ensure that the federal ALP will wear some flak for pursuing a carbon price against a backdrop of pursuing a market-based mechanism to deal with climate change. I should say that of course the Greens agree that there should be a price on carbon and equally we should stop the current fossil fuel subsidies that create perverse incentives to emit carbon dioxide into the atmosphere. It was probably quite foolish of Julia Gillard to rule out a carbon tax before the election—talk about locking yourself into an unnecessarily difficult situation!

Anyone looking at the ALP policy platform on climate change would have realised that there is not much difference between a carbon price, a carbon tax or an emissions trading scheme. In fact, anyone who understands climate change policy will realise that the broad operation of these is very similar, though a fixed carbon price does not ensure a particular emissions limit and an emissions trading scheme does not tell you the exact price of carbon.

It is interesting to note that the inconsistency on climate policy has been held by the Liberal Party probably more than the ALP over the last decade. They have gone from

supporting a market mechanism right through to supporting so-called "direct action" where programs would be at the whim of government agencies handing out cash to big polluters. It is hard to see how anyone in the community could be sure about what policy mechanisms the Liberal Party think would really address climate change.

To the election commitments of this government here in the ACT: we need to look at these election commitments in the context of minority government and against the backdrop of a parliamentary agreement that delivered minority government to the ALP. The Greens are very proud of our election commitments and the success we have had in ensuring that those have been delivered; already many have been delivered to the people of Canberra.

It is important for everyone, not just governments, to keep their election promises. The Greens put most of our commitments down in the parliamentary agreement and we have so far managed to deliver on many of those commitments. We all have an obligation to put our arguments in this place consistent with what we have told the electorate that we will argue for. Equally, we have an obligation to clearly put a position on all the issues that we are faced with—an obligation not to muddy the waters or hide from the issue but, rather, to stand up and clearly say what we think and what we would do if given the opportunity, so that the electorate can fairly evaluate who they want to represent them.

No doubt there will always be debate about the level of success or otherwise in the delivery of promises. In the context of today's debate it is appropriate to highlight the 2004 ALP promise for sustainability legislation that would take a more comprehensive look at how we can protect the environment and reduce the loss of biodiversity within the territory. As yet, the government have not delivered on this particular promise. They also promised to protect a number of very ecologically important grasslands, and this has not been done to date either. And of course our view is that they should do this and that these measures are essential if we are to have a sustainable community.

There will, of course, be times when it is appropriate to change the commitment that was made during, say, an election campaign and we should not be frightened to admit that maybe we were wrong and that there are better ways of doing things. Blindly following a stated path when a better outcome is available is a much worse outcome for the community. At times, confrontational politics get in the way of outcomes and, as I said earlier, people are turning off the old style of politics. They are looking for something better. They want something more collegiate where negotiation and debate lead to better results.

One of the items of the parliamentary agreement where the government has changed direction with implementation was the large scale renewable energy facility. The parliamentary agreement called for expressions of interest by the end of 2008 for the development of a renewable energy plant capable of producing sufficient power for at least 10,000 Canberra homes and the provision of at least $30 million in assistance in the 2009-10 budget to ensure the development of the plant.

The government did call for expressions of interest in regard to this, and it would be fair to say that in this regard perhaps they have met the terms of this agreement. They

backed away from the $30 million in assistance that they promised, and for this they have been criticised. On the face of it, this might seem like reasonable criticism. Surely here is an example of a government that effectively promised $30 million and then walked away from it.

But it is over-simplistic to say that this is a broken promise. It would be if we did not think that we would achieve the policy objective that sits at the heart of the agreement item. If we thought we were not going to get any renewable energy capacity, then I would say yes, it is a broken promise. But the reality of what this was about, something that the Canberra Liberals failed to understand at the time, is that the policy mechanism announced by the government was a far better policy mechanism to deliver real results on the ground.

An industrial-scale feed-in tariff is a well-used mechanism around the globe to bring on the development of renewable energy generation, and with the government being given a clear message that the $30 million was not going to deliver that policy outcome—and that was a message delivered clearly by industry—it made good sense to review it. It would have been a mistake to pursue the stated path when it was abundantly clear that there was a better mechanism to achieve the desired outcome.

As I said, we did go to the election with a number of promises that were put into the agreement. We have managed to get a library back in the inner south—one that is open in Kingston and is well loved and well used. There has been the introduction of a rapid bus service, particularly the Redex one that has gone from a trial to now being incorporated in the system. We hope to see more of the Redex or rapid bus-type systems.

Yes, someone raised the issue about the banning of plastic bags and the fact that this somehow was a broken promise because we moved from a levy. The simple fact is that legal advice was sought and it is just not possible for the ACT to put a levy on plastic bags. Therefore, we looked at the policy outcome we wanted to achieve. The policy outcome we want to achieve is fewer plastic bags in our environment, and therefore it was decided to move on to a ban. That just shows we are still going to achieve an outcome but there is a better way to do it. *(Time expired.)*

MS GALLAGHER (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (4.16): It is clear from the presentations from Mr Doszpot and Mr Seselja that the Liberal opposition here have been given their riding instructions from the Liberal Party headquarters and they are that they must now bring here issues that are of importance to the federal parliament, to continue attacks against governments that are trying desperately to deal with issues of major concern to the community—yet again another example of our local opposition unable to think for themselves, unable to grapple with the major issues facing this community, and prepared to accept hook, line and sinker from Liberal Party headquarters, just like they did on the self-government motion this morning—

Mr Doszpot interjecting—

MR ASSISTANT SPEAKER (Mr Hargreaves): Order! Mr Doszpot, please.

MS GALLAGHER: They are unable to think for themselves, unable to represent their community. They are told that they must continue to undermine every single effort to respond to local community needs. The venomous personal attack that I continue to be on the receiving end of from the Leader of the Opposition—

Mr Seselja interjecting—

MS GALLAGHER: in relation to allegations that I have lied to my electorate is incorrect—

Mr Seselja interjecting—

MR ASSISTANT SPEAKER: Leader of the Opposition, please!

Opposition members interjecting—

MS GALLAGHER: and I take enormous offence at—

MR ASSISTANT SPEAKER: Stop the clock. Members of the opposition, if you want to talk amongst yourselves please do so outside the chamber. Minister, go ahead.

MS GALLAGHER: Thank you, Mr Assistant Speaker. I would remind those opposite that I have faced continued assessment of my performance at three elections where I have been elected to this place with overwhelming support to represent my community, and I will continue to do so in the best way that I can, and I will never, ever, ever tell a lie—

Mr Seselja interjecting—

MS GALLAGHER: and I have often paid the price for being incredibly honest, but I will continue to do so, because it is the right thing to do. In relation to Ginninderra district high, I do not walk away from that decision. The government did not have any plans to close any schools at that point in time, and six weeks after an election I visited that school and that school was dying. It had 140 students. Year 10 was the biggest year—

Mr Seselja interjecting—

MS GALLAGHER: Year 10 was the biggest year—

Mr Doszpot interjecting—

MR ASSISTANT SPEAKER: Mr Seselja, Mr Doszpot, next time there is a warning.

MS GALLAGHER: I think from memory about 50 students were due to leave the school. That school was going to have 80 enrolments across four years. It was not going to be able to offer electives. The school was run down. Anybody who walked around that school could not have ignored the significant and serious issues facing

that school. As I drive past Kingsford Smith school now and I look at the new facilities for kids of west Belconnen and I look at the enrolments in those schools, I know that I made the right decision.

Mr Doszpot interjecting—

MR ASSISTANT SPEAKER: Mr Doszpot, I will warn you.

MS GALLAGHER: It was a hard decision, and it was a different decision to decisions that had been taken by governments before. But I have no doubt for the kids of west Belconnen it was the right one.

Mr Doszpot interjecting—

MR ASSISTANT SPEAKER: Mr Doszpot, you are warned!

MS GALLAGHER: And I did not lie. What I did was look at the evidence presented to me as minister for education and respond to that evidence. It was the same with Calvary. The government was keen and made clear to the community that we wanted to spend hundreds of millions of dollars improving health facilities across the ACT. That was what we went to the election with—a very clear plan about investing in hospital facilities across the ACT—and nothing has changed. Hundreds of millions of dollars will be spent to make sure that we have the best health system that our city deserves so that my children and your children and the children that come after them will be able to be treated and cared for in facilities that are second to none in this world. That is what they will be, and again I stand by those decisions, and I have no doubt that in 2012 I will be measured upon them.

I do not take the electorate for granted. I come to work every day to work hard for my community, to represent them, and again, just in case Mr Seselja is going to continue on this personal line of attack, I will never lie to my community. It is something that I have taken enormous offence at this afternoon, Mr Seselja—

Mr Seselja interjecting—

MS GALLAGHER: You can continue harping on about it—

Mr Seselja interjecting—

MR ASSISTANT SPEAKER: Mr Seselja, you are warned!

MS GALLAGHER: hoping, like Tony Abbott, that you get some traction. But you will not, because the people of Canberra are smarter than you. They understand difficult issues facing ministers. They understand that policy imperatives change. They understand that governments have to respond to issues outside or inside of electoral timetables—and they expect the government they elect, particularly here in the ACT, to work with other Assembly members to deliver the best outcome they can have for their community. That does not mean stuck in a time warp—

Mr Hanson interjecting—

MR ASSISTANT SPEAKER: Mr Hanson, you are on a warning already.

MS GALLAGHER: where you can never, ever change a decision you have made or modify a policy proposal in order to deliver the better outcome. Those opposite, because they are never going to be in government, never have to deal with these issues. They never have to seriously engage with anything. What is your view on the north side hospital? What is your view on change of use charge?

Mr Hanson interjecting—

MR ASSISTANT SPEAKER: Mr Hanson, I remind you that you are on a warning. You could be on holiday.

MS GALLAGHER: What is your view on the taxation review? What is your view on the waste strategy? What is your view on the budget plan? You do not have a view. None of you have ever had to have a view on anything because you do not ever intend to be in government—

Mrs Dunne interjecting—

MR ASSISTANT SPEAKER: Mrs Dunne!

Mrs Dunne interjecting—

MR ASSISTANT SPEAKER: Mrs Dunne!

MS GALLAGHER: and you know that the ACT community are smarter than the lot of you, and they will never elect a lazy group of policy-ineligible representatives—I was going to say something else, but I will not. They will not ever elect you, not the way you behave now, like a bunch of school kids that come in here and misbehave and think it is hilarious.

See Mr Hanson sitting there grinning and smiling. No-one thinks it is hilarious to say that Ms Hunter has policy priorities out of her arse, or this morning that little quip that she was talking from the toilet—all of that. I heard it, Mr Hanson, just sitting there.

Mr Hanson: What?

MS GALLAGHER: Stand here and say you did not say it. That is the attitude that you bring to this place.

Mr Hanson: I raise a point of order, Mr Assistant Speaker. I am not quite sure what the minister is referring to, but if she is trying to make a comment, she had better—

MR ASSISTANT SPEAKER: Mr Hanson, I am sorry; you have to be more explicit. There is no point of order. Please resume your seat.

MS GALLAGHER: Thank you, Mr Assistant Speaker. I will not stand here and be accused of being a liar. I have not even got to the matter of public importance today,

what deserves to be responded to, because of that unprecedented, nasty attack. I do not know what has happened to Mr Seselja over the last few weeks, but something has got under his skin. That was one of the nastiest, unsupported attacks I think I have faced in this place, and I am not going to stand here and let you spend the next 18 months—

Mrs Dunne interjecting—

MR ASSISTANT SPEAKER: Mrs Dunne!

Mrs Dunne interjecting—

MR ASSISTANT SPEAKER: Mrs Dunne!

Mrs Dunne interjecting—

MR ASSISTANT SPEAKER: Mrs Dunne, you are warned!

MS GALLAGHER: I have put up with this sort of rubbish—

MR ASSISTANT SPEAKER: That's it. You are warned and you are on a marching order.

MS GALLAGHER: and I am not going to stand here and for the next 18 months put up with that rubbish and people over there alleging that I am a liar.

MR ASSISTANT SPEAKER: The time for this discussion has concluded.

Adjournment

Motion by **Ms Gallagher** proposed:

> That the Assembly do now adjourn.

Grandparent and kinship carers

MRS DUNNE (Ginninderra) (4.24): In the matter of public importance today Mr Stanhope ran through what he said was part of a long list of issues that he was on the way to either having met his promises or they were on the way to doing so. I started to write some of them down because I thought I would need to go back and check exactly how far they had gone down this path. I was thinking to myself, "I hope he doesn't mention the grandparent and kindred carers." But, yes, he did. In that list of things between Indigenous public service traineeships and the Indigenous representative body, he said that they had met their commitment or were in the process of meeting their commitment to the grandparent and kindred carers.

I will remind the Assembly what that commitment was—the commitment that was made by the Stanhope government back in the 2008 election—and that was $800,000 over four years to provide a non-government support service for grandparent and

kinship carers. To this day, there is no non-government support service for grandparent and kinship carers. There has been a failed procurement process that has gone on. Part of that procurement process has resulted in, from memory—and I will stand corrected—I think $20,000 going to Marymead to provide a drop-in service and a monthly meeting service for grandparent and kinship carers. I do not denigrate what was done through Marymead for grandparent and kinship carers, but it is not the not-for-profit support agency.

In addition to that, the minister and the department agreed to hive off $60,000 a year for a grandparent and kinship support officer in the department. Again, that is money that is being taken away from the grandparent and kinship carers non-government service that this government has failed to provide.

Let us just think about what the grandparent and kinship carers said about the sort of service that they and their relatives received at the hands of the Department of Disability, Housing and Community Services. We remember in June last year, when Ms Marion Le and Ms Jean Smyth came to the estimates hearing, they complained that, although the ACT Labor Party had promised $800,000 over four years for a dedicated non-government advocacy service, none of that money had come to light and that they had been lobbying to receive that money.

We have to remember that, in that hearing, those women who were supporting their relatives, their grandchildren and other relatives, accused the government of institutionalised abuse of their children. This is not a promise that this government has kept.

Members interjecting—

MR ASSISTANT SPEAKER: (Mr Hargreaves): Stop the clock. Just a second, please, Mrs Dunne. Ms Hunter, Mr Stanhope, I have abused those opposite for interrupting you.

Mr Hanson interjecting—

MR ASSISTANT SPEAKER Mr Hanson, you are on holiday if you keep that up. Mrs Dunne, you have the floor.

MRS DUNNE: Thank you, Mr Assistant Speaker. The Chief Minister should listen to this, because on the list of things that he rattled off today was the claim that he had met that commitment, and that commitment was for an $800,000 four-year dedicated non-government advocacy system for grandparent and kinship carers. That is effectively $200,000 a year, no matter which way you cut it. In the first year, $20,000 was allocated. In the second year, a similar amount was allocated and some money was hived off for other purposes. But there is still no dedicated system of support through a non-government advocacy group for grandparent and kindred carers.

This is something that this government dropped the ball on. They made a commitment that they have not kept. This matter, as well as being raised with me and with Mr Seselja, was raised with Ms Hunter. Ms Hunter has done nothing to keep her

Labor friends honest in relation to grandparent and kinship carers. This is a disgrace and a failing on the part of the Stanhope government and a failing on behalf of Ms Hunter and the Greens who say that they are about third party insurance for the people of the ACT. The grandparent and kinship carers have failed to receive third party insurance from the Greens on this one.

Canberra Area Theatre awards

MR COE (Ginninderra) (4.30): I rise tonight to speak about the Canberra Area Theatre awards that were held on 19 February this year at the Llewellyn Hall, a new venue for the theatre. The shadow minister for the arts, Vicki Dunne, and Mr Doszpot were also in attendance at what was a wonderful night. The CAT awards do a huge amount to encourage, promote and recognise those involved in theatre in the region. I believe in 2010 there were 96 productions, including 49 musicals, 13 variety shows, 34 plays and, of those, 43 were in the ACT and 53 were in New South Wales.

The judges witnessed the work of over 7,000 actors and production personnel. I would like to thank the judging panel: Edwin Briggs, Ian McLean AM CSC, Charles Oliver, Stephen Pike, Oliver Raymond OAM, Jacquelyn Richards, Norma Robertson, Rose Shorney, Garrick Smith, Anne Somes, Bronwyn Sullivan, David Whitbread, Don Whitbread OAM and Coralie Wood OAM. Next year I understand Chris Neal, Terry O'Conner and Derek Walker will be joining the team of judges. Of course, I should put on the record my thanks to Coralie Wood OAM for all she does to promote theatre in Canberra.

I will now acknowledge the winners of the categories. There were 44 awards on offer. The Ryleho Home Solutions best set designer for a play went to Andrew Kay from the Canberra Repertory Society for *Flatspin*. The Ryleho Home Solutions best set designer for a musical went to Saxon Reynolds from Wollongong High School of the Performing Arts for *Beauty and the Beast*. Best costume designer for a school or youth play went to Matthew Aberline from Canberra Youth Theatre for *Retrieval*.

Best costume designer for a school or youth musical went to Helen Symons and team from Legs for *Circus* and to Louise Little from Wollongong High School of the Performing Arts for *Beauty and the Beast*. Best costume designer for a play went to Judi Wemyss and team from the Canberra Repertory Society for *Lady Windermere's Fan*. The best costume designer for a musical went to Deborah Cunningham from the Dubbo Theatre Co for *Joseph and the Amazing Technicolour Dreamcoat*.

Best lighting designer went to Adam Loughlin from the Wollongong High School of the Performing Arts for *Beauty and the Beast*. The Canberra Repertory Society best technical achievement went to Alan Stanger from the Dubbo Theatre Co for *Joseph and the Amazing Technicolour Dreamcoat*. The John Thomson magic moment of theatre award went to the Molong Players for *Cone of Silence in Control or Kaos*.

The best original work for a school or youth production went to the Actors Ensembles from the Canberra Youth Theatre for *Retrieval*. The best original work went to Paul Dion from Spectrum Theatre Group for *Prix d'Amour*. The Bentley's Hairdressing best ensemble in a play went to the cast of eXposed 10 for *My Place*. The Australian

community theatre in the spirit of the community award went to Dawn Smith of Billican Productions. The Patricia Kelson encouragement award went to Ben Burgess from the Canberra Philharmonic Society for *The Boy from Oz* and to Isabel Clarke from Robertson primary school for *Oliver Twisted*.

The Co-Op Bookshop best actor in a featured role in a school or youth play went to Nasha Nyakuengama from Hawker college for *As You Like It*. Best actress in a featured role in a school or youth play went to Rebecca Attanasio from Canberra Grammar School for *The Craving*. Best actor in a featured role in a school or youth musical went to Corey Pickett from Wollongong High School of the Performing Arts for *Beauty and the Beast*. Best actress in a featured role in a school or youth musical went to Theresa Buetre from Karabar high school for *The Pirates of Penzance*. Blumers Lawyers best actor in a leading role in a school or youth play went to Benjamin Kindon from Canberra Girls Grammar School for *The Crucible*.

Blumers Lawyers best actress in a leading role in a school or youth play went to Chelsea Needham from Canberra Girls Grammar School for *The Crucible*. The best actor in a leading role in a school or youth musical went to Cameron Gill from Canberra Grammar School for *Les Miserables*. Best actress in a leading role in a school or youth musical went to Chloe Dobbs from Wollongong High School of the Performing Arts for *Beauty and the Beast*.

The Caphs Cafe best variety performance by an individual or ensemble went to Tom McKinnon from Circus 35 South for *Superstitious*. The Lerida Wines best actor in a featured role in a play went to Jim Adamik from Canberra Repertory Society for *Moon over Buffalo*. Lerida Wines best actress in a featured role in a play went to Christa de Jager from Canberra Repertory Society for *Lady Windermere's Fan*. TransACT best actor in a featured role in a musical went to Jason Parker from Livid Productions for *Little Shop of Horrors* and to Pete Ricardo from Queanbeyan Players for *Fame*. TransACT best actress in a featured role in a musical went to Samantha Bartholomeusz from the Orange Theatre Co as the teacher in *The 25th Annual Putnam County Spelling Bee*.

Best Director of a school or youth play went to Clare Blumer from eXposed 10 for *My Place*. The Queanbeyan Players best director of a school or youth musical went to Derek Walker from Canberra Grammar School for *Les Miserables*. Best musical director for a school or youth musical went to Ruth Waters from Wollongong High School of the Performing Arts for *Beauty and the Beast*. The Loan Market Weston best ensemble in a musical went to the Seven Male Tappers from MoonGlow Productions for *Hot Shoe Shuffle*.

Best production of a school or youth musical went to Wollongong High School of the Performing Arts for *Beauty and the Beast*, and to Canberra Grammar School for *Les Miserables*. Best production of a school or youth play went to Canberra Youth Theatre for *Retrieval*. Teatro Vivaldi best actor in a leading role in a play went to Michael Sparks from Free-Rain Theatre Co for *Who's Afraid of Virginia Woolf*? Teatro Vivaldi best actress in a leading role in a play went to Andrea Close from Free-Rain Theatre Co for *Who's Afraid of Virginia Woolf*? Teatro Vivaldi best actress in a leading role in a musical went to Anne-Marie Fanning from Roo Theatre Co for *Sweeney Todd*. *(Time expired.)*

Grandparent and kinship carers
Mental health
International Women's Day

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (4.35): I want to start my adjournment speech by going back to the MPI and what was discussed there. Mrs Dunne did use her adjournment speech to bring up the issue of the grandparent funding which was an election commitment from the ALP. And then of course that was a great opportunity for her to have a swipe at me. She does like to have the occasional go and definitely has got a few swipes in today. One of the things she said was that we were not keeping an eye on the grandparent funding, which is an absolute load of nonsense and rot.

I did speak with one of the group yesterday at the awards for International Women's Day which I was attending along with my colleague Ms Bresnan. Of course the minister Joy Burch was there to present some awards. I did not see anyone from the Canberra Liberals but I do hope to see some of them out there celebrating International Women's Day and, in fact, this historic week. But I am not sure we will see any Liberals at these events. That does raise the question of commitment to issues around women.

But rest assured, Mrs Dunne, I will be following up on the issues of the grandparent and kinship carers funding. In fact, it was only after speaking with a member of the group yesterday that I asked my office yesterday afternoon to undertake some research into what has gone out to tender, where are we up to, and to be able to pursue that because there is money that has not been expended. It was around a failed procurement process. And that failed procurement process was around a specific Aboriginal and Torres Strait Islander service plus some educational support. And I do want to know what is happening in that area. I do want to see definite progress.

Another thing I just raise is—my colleague Ms Bresnan actually pointed this out—again around commitments we made during the election campaign around mental health funding. It is something we put into the parliamentary agreement, and that was around 12 per cent of the health budget was to go to mental health. Ms Bresnan reminded me—and I am very pleased she reminded me—that she was actually at an election forum with Brendan Smyth, and Brendan Smyth stood up in front of all of those stakeholders and those individuals, those groups of people who attended that election forum, and he committed the Canberra Liberals to this goal of 12 per cent of health funding to be mental health funding. He committed them. He made the commitment at an election forum.

But what we have seen to date is, I guess, them howling down and attacking that goal of having increased funding going into the mental health part of that health budget.

Mr Hanson: How and when it is going to happen, Meredith?

MS HUNTER: Mr Hanson, you may want to take that up with your colleague who has committed the Canberra Liberals—

Mr Hanson: Where is it? We did not get into government.

MS HUNTER: He has committed the Canberra Liberals to that goal. And it is a worthy goal.

But one thing I would like to finish on in my last minute or so is to bring it back to today.

Mr Hanson: Maybe you should have shared government with us instead.

MS HUNTER: And today, Mr Hanson, you will be pleased to know, because I am sure you will be out there celebrating International Women's Day, is the 100th anniversary and I know that you are a person who does not like to see bullying, harassment and those sorts of things. In fact, one of the key issues that are being looked at and are being raised during International Women's Day is violence, domestic violence, violence in workplaces and so forth. It is the issue of violence and women which unfortunately has not been tackled and continues to be a real problem in not just our community but communities right across the world.

Another issue was pay equity and I know that one of the speakers at this morning's breakfast—Ms Bresnan and I were there along with Ms Burch and the Governor-General—Elizabeth Broderick, who is the federal Sex Discrimination Commissioner, spoke about pay equity, the importance of the fair pay case that is up at the moment around the community sector and the importance of having that funded.

But I would also just like to send an invitation to all people, my fellow MLAs and other people in the building or to the public indeed that tomorrow night I will host a screening of a Care Australia documentary, *A Powerful Noise*. It explores the three women who are working against insurmountable odds to improve their community's lot. *(Time expired.)*

Technical Aid to the Disabled ACT
Education—scholarships
Torrens primary school

MR DOSZPOT (Brindabella) (4.40): On Wednesday, 23 February, I had the pleasure of attending the website launch of TADACT as well as the introduction of TADACT's new ambassadors: Paralympian and world record holder Michael Milton, and WIN news presenter for Canberra, Danielle Post. I must say, I was very much taken with the quotes from both the new ambassadors. I will quote Michael Milton:

> I can't ski, can't climb mountains, can't do a lot of things without adaptive equipment. That's why I decided to become a TADACT Ambassador. What they do is important. What they do is life-changing.

I could not agree more with that quote from Michael Milton, TADACT ambassador. Also, TADACT ambassador Danielle Post said:

> In the decades it has been in the Capital, TADACT has assisted and inspired so many people through its tailor-made devices. It's a real community asset.

I spoke to the Chairman of TADACT, Bob Sawyer, afterwards, and he showed me some of the equipment designed or adapted by volunteers. Over the last 30 years, more than 300 TADACT volunteers with backgrounds in wood, metal, design, computing and electronics trades have designed, adapted or made around 6,000 pieces of equipment to make life easier for older people and those with disability. I commend them for their work, and I know that they are very much in need of support at the moment. Any assistance, financial or otherwise, I know they would very much like.

On Thursday, 24 February, I attended the official opening of the new premises of Regional Group Training Ltd—RGT—at Wanniassa. A registered training organisation—RGO—they are one of the leading companies in supplying training to automotive technicians for light vehicles. RGT also offer opportunities within hospitality, frontline management, project management, business, retail, training and assessment.

My congratulations go to CEO, Phillip McGilvray, and president, Tony Howard, for the continued progress and, in particular, their move to the impressive new premises in my electorate in Wanniassa. It was also very good to catch up with old friend Matilda House.

On Monday, 28 February, I attended the Capital Chemist scholarship ceremony to ACT public school students. Thirty-six students nominated by their high schools received $500 scholarships to be put towards costs for text books, uniforms, music, sport or vocational education and training. Maxime and Roger Tall of Capital Chemist deserve the highest praise for their contribution to ACT public schools—$126,000 over the past seven years has been contributed, making the Capital Chemist scholarships one of the largest philanthropic contributions to public education in Australia.

Scholarship winners were from Black Mountain high school, Alfred Deakin high, Melrose high, the Woden school, Stromlo high, Campbell high, Lyneham high, Caroline Chisholm high, Lanyon high, Wanniassa K-10, Gold Creek K-10, Amaroo, Belconnen high, Canberra high, Calwell high, Kaleen high, Melba high, and Telopea high. I would like to offer my congratulations also to Mrs Melita Flynn from Capital Chemist for the organisation of the event, and also to Fiona Muir from DET.

It was also good to see so many of the principals there from the various high schools and the colleges too. In the case of high school principals, they were there to see their former students, and the college principals were there to greet the new students coming to their colleges.

Last Friday I was the guest of Torrens primary school and its principal, Mrs Sue Mueller. I would just like to compliment the school. I was very taken with the school. The school's motto is "Teamwork and tolerance", and it was something I saw in abundance. Both teamwork and tolerance were illustrated through the school assembly that I was fortunate to attend. Year 2 were in charge of the assembly, so we saw some tremendous performances by year 2 students, and the interaction with the senior years was quite incredible. In fact, everyone who was there—the teachers, the students and the parents—got involved.

I was most impressed with the song that I could not quite remember. The principal, Sue Mueller, sent me an email just today to let me know that the music I was so enamoured of was by Randy Newman—I should have remembered that—and the song was, *You've Got a Friend in Me.* They certainly have got a friend in me; I will be visiting Torrens again. I think they have got a twilight fair coming up on 2 April, and I will be there. I would encourage colleagues who represent the same electorate to come along and share in the friendship that I certainly was very grateful for at Torrens primary school. My congratulations to Sue Mueller and all her staff at Torrens primary school.

Tuggeranong 55 Plus Club
Missing Peace Exhibition

MS BRESNAN (Brindabella) (4.45): On Wednesday, 2 March, Minister Joy Burch conducted a sod turning ceremony for the site of the Tuggeranong 55 Plus Club. Mr Hargreaves, Mr Doszpot and I were all at the ceremony. All MLAs in Brindabella have been very supportive of the 55 Plus Club establishing their own site. They currently use the Tuggeranong Community Centre for the activities but, as the club's membership has expanded and there is an ever-increasing demand for their services, it has become more evident that they need their own site. This means they can run their activities more frequently for the people that need them.

55 Plus is a very important club as it very much addresses the issue of social isolation that many older people face. It is also about keeping people active and engaged as they age. I have asked a number of questions of the minister in committees and through the chamber, so I, like all MLAs, particularly MLAs in Brindabella, were very pleased by the announcement that they will get their own site and building and in a wonderful location by Lake Tuggeranong.

I particularly congratulate Maureen Cane and all at Communities@Work and also the wonderful Rusty Woodward, who tirelessly lobbied for the 55 Plus Club to have their own site. Mr Doszpot and I did miss out on getting an invite to the ceremony, but I am sure that it was just lost in the mail.

Mr Doszpot: It was an oversight, was it?

MS BRESNAN: It was just an oversight from the minister's office, exactly. That is correct, Mr Doszpot.

On 2 March, I also launched the Missing Peace exhibition at the Legislative Assembly. Mr Doszpot, Ms Le Couteur and Mr Coe attended, and I thank them for their support for the exhibition. The exhibition aimed to highlight stories of bravery amidst the hardship of post-war Sri Lanka.

The situation for the Tamil community in Sri Lanka, in particular, as I have said, is something I have spoken about on a number of occasions in the Assembly. With the conflict that has occurred in Sri Lanka, the Tamil people in the north of Sri Lanka have suffered a situation many of us could only imagine. As with most conflicts, it is

the people who are caught in the middle who suffer the most and typically children, women and older people.

I would like to acknowledge Jeremy Liyanage of Diaspora Lanka who has been promoting the exhibition across the country. All proceeds from the exhibition go towards development projects in north Sri Lanka, where Diaspora Lanka works with local partners. I do acknowledge that the projects of Diaspora Lanka are aiming to help Tamil people in the north of Sri Lanka, and I do hope they are able to achieve their aims. I will be very interested in hearing about the projects and how they progress and look forward to receiving ongoing information about them in the future.

On 24 February, I spoke at a rally at Parliament House regarding the situation in Sri Lanka for the Tamil community. This rally was to object to the appointment of an ex-navy commander as the next High Commissioner for Sri Lanka in Australia. This appointment has understandably caused significant distress in the Tamil community and does not aid in addressing current issues of concern that are still occurring in Sri Lanka. The Tamil community are calling on the Australian government and all federal MPs to object to this appointment.

Leukaemia Foundation
Australia Thailand Association

MR HANSON (Molonglo) (4.48): Yesterday I attended the ACT launch of the Leukaemia Foundation's "shave for a cure" that was conducted at King O'Malley's Irish pub in Civic and hosted by Peter Barclay from King O'Malley's. I note that he does a lot of very good work in the community. It was only late last year that he held a tripartisan event at his establishment for the prostate cancer association of the ACT.

It was also hosted by Marie Hutley Jackson, who is the representative from the Leukaemia Foundation here in the ACT. In attendance were friends of families, people who have survived leukaemia and their supporters and a number of ACT firefighters, including one who cut my hair, Ron, who thankfully was a barber before becoming a firefighter, which is quite an unusual career progression. He was there assisted by his young daughter. Thankfully, I got a buzz cut rather than a shave, probably thankfully, but my wife actually said I could do better next year. She has insisted that I go the whole hog next year. If I do do it again, it will be at least down to the No 1.

But why do we do this? Why is it this time every year people either get their hair shaved or coloured? It is to do two things. One is to raise the awareness of blood cancers. It is also to raise funds for the Leukaemia Foundation. The Leukaemia Foundation's "world's greatest shave" is one of the nation's biggest fundraising events, with an anticipated 125,000 Australians shaving or colouring their hair. It is the 13th anniversary of this event this year in 2011. All the funds raised will go towards the care of patients and families living with leukaemias, lymphomas, myeloma and other related blood disorders.

The Leukaemia Foundation funds cutting-edge research into better treatments and cures through its national research program. It provides free support services,

including information resources, education support programs, transportation to and from hospital, a home away from home in the foundation's fully-furnished accommodation close to major hospitals, and other practical and emotional support.

It is the only national not-for-profit organisation that is dedicated to the care and cure of patients and the families living with leukaemias, lymphomas, myeloma and related blood disorders. It also runs the "light the night" activity every year in September, which is well worth attending, in Glebe Park. There will be more hair cutting and shaving and colouring on Friday afternoon, so you might want to get along Mr Assistant Speaker, and colour those locks of yours.

MR ASSISTANT SPEAKER (Mr Hargreaves): Been there, done that.

MR HANSON: I encourage everybody to get along and support that, because every hour somebody is diagnosed with one of those diseases and every two hours somebody dies. So anything that we can do, be it through supporting the activity by donating funds or getting behind the cause in any way we can, is to be encouraged.

On Sunday evening I attended the Australia Thailand Association autumn Thai dinner at the Lemon Grass Thai restaurant in Woden. I thank the president of the association, John Milne, for his invitation. Also in attendance was the Thai ambassador's wife. Mr Coe was there and Annette Ellis, who is also a patron of the organisation.

I had the pleasure of sitting next to Dr Gillian McFeat, who is the President of the Heart Foundation, and her husband, Don. It was a great night. The Australia Thai Association does great work in fostering a relationship between our two countries. Looking on the association's website, it shows that in 2006 in the Australian census 822 people living in the Canberra-Queanbeyan region were born in Thailand, which represented 0.22 per cent of the region's population.

Australia is the most popular destination for Thai students currently studying abroad, with about 26,000 students currently in Australian educational institutions. This implies that in the next 20 years or so many senior government officials and business leaders could potentially be Australian educated. The number of Australians who visit Thailand for short-term stays increases consistently from year to year.

I would like to thank the association for everything that they do, and particularly the hard work that is done behind the scenes by the president, John Milne; the vice-president, Brian O'Keeffe; the secretary, Ms Aurea Sethaphanich; the treasurer, Ms Attaya Lane; the assistant secretary, Pamela Atkinson; and committee members Doug Gordon, Kitirat Panupong, Ms Jiraporn Prieto and Mr Peter Siripol.

National Ride to School Day

MS LE COUTEUR (Molonglo) (4.53): I rise today to talk about encouraging bike riding. As I have only got 90 seconds I will only talk about part of it. Next Wednesday, 16 March is National Ride to School Day. It is Australia's biggest celebration of riding and walking to school. This sort of thing is really important in a lot of ways. It makes kids fitter, healthier and more self-reliant and it gives them better connections

to the area in which they live. It used to be how many of us got to work. I used to ride my bike to school when I was a kid.

I would encourage all our ACT kids, as well as their parents, to get involved. The day involves primary schools and secondary schools. There are a lot of resources available to help make the day more energetic and fun. They have a website, www.ride2school.com.au—it has got a number "2", not a word "to"—and that provides all the information. The idea behind this is to make it that it is not just a day, it becomes the whole year—that every school day kids are riding to school.

It is a trend that we need to invigorate—walking and riding to school. Since the 1980s there has apparently been an 80 per cent reduction in the proportion of kids cycling to and from school at least once a week. Traffic and safety have been identified as the two major reasons for this decline. These are issues which I have raised in the Assembly before. *(Time expired.)*

The Assembly adjourned at 4.55 pm.