



Debates

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Wednesday, 7 December 2011

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Wednesday, 7 December 2011

The Assembly met at 10 am.

(Quorum formed.)

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

Work Health and Safety (Bullying) Amendment Bill 2011

Ms Bresnan, pursuant to notice, presented the bill and its explanatory statement.

Title read by Clerk.

MS BRESNAN (Brindabella) (10.03): I move:

That this bill be agreed to in principle.

This bill proposes two important changes to the ACT's work health and safety regime to help address bullying and other psychosocial hazards in the workplace. Firstly, it requires the ACT's work health and safety authority, WorkSafe, to appoint at least three inspectors who have specialised expertise or experience in dealing with bullying in the workplace and other workplace psychosocial issues. Secondly, it establishes an expert advisory committee in relation to bullying in the workplace and other workplace psychosocial issues. These changes will enhance the ACT's ability to respond to bullying issues, to take preventative action against bullying and to implement best practice and innovative laws and procedures.

The changes recognise workplace bullying as a serious and unique workplace hazard. Workplace bullying is a damaging and insidious practice that has a major impact on people's lives and health. It is also damaging to workplaces and has impacts economically in terms of lost work hours and staff. Bullying is also prevalent across all industries and workplaces and has been recognised as an issue in all Australian jurisdictions.

Research conducted by Australian-based health psychologist Toni Mellington found that as many as 70 per cent of employees were currently being bullied or had been bullied at some time in the past. Similar findings were made by the Labour Council of New South Wales. Seventy-four per cent of the 840 respondents to a survey by the Labour Council said they had been bullied in the workplace and over half thought there was a culture of bullying in their workplace. The Labour Council lists workplace bullying as the number one occupational health and safety issue.

In the ACT, the most recent state of the service report shows that almost one in five Australian public service employees reported being subjected to harassment or bullying in the workplace. Data from Safe Work Australia reveals that bullying and

harassment make up almost 40 per cent of accepted mental stress claims in the ACT public sector. This is a figure well above the national average. In the ACT public sector there are consistently 100 or more successful claims per 100,000 workers.

Workplace bullying is not confined to the public sector or any one area of employment. UnionsACT has told the ACT Greens that workplace bullying is the most regular complaint it receives. The complaints come from all sectors of the workforce, from all ages and all genders. UnionsACT receives at least one complaint about bullying every week, and often three or four a week.

The impacts of workplace bullying are significant. Bullied workers can suffer psychological, physiological and social trauma. Psychologists identify a clear correlation between workplace bullying and poor health, with victims suffering from problems such as depression, anxiety, fear, panic attacks, low self-esteem and eating disorders.

These health problems persist even after the bullying has ceased, and many targets of workplace bullying even experience post-traumatic stress disorder. According to Stale Einarsen, an international expert in work psychology, 75 per cent of bullying victims experience symptoms that are the same as for victims of traditional trauma, and 65 per cent still have symptoms five years later. These health impacts also extend to co-workers. Australian research shows that witnessing workplace bullying can have a negative impact on worker health. The clinical evidence is clear about the health impacts of bullying.

I have received a number of representations from people in the ACT who have been victims of bullying, and many Canberrans are suffering serious health problems caused by bullying and harassment in ACT workplaces. Workplace bullying also has serious economic costs, such as lost work hours, decreased productivity and staff turnover.

The Productivity Commission found that the total cost to the Australian economy of bullying and harassment was about \$14.8 billion a year. This did not include the hidden costs, such as hiring and training employees to replace people who have left as a result of workplace stress.

The Australian Human Rights Commission has estimated that the annual financial cost of workplace bullying could be as high as \$36 billion annually, when hidden and low opportunity costs are considered. The Victorian WorkSafe Authority has estimated that bullying costs businesses more than \$57 million a year in Victoria alone. Clearly, the human and economic costs of workplace bullying are significant. Whether from a health perspective, an economic productivity perspective or a human rights perspective, there is an imperative to take action on the issue.

I will outline some of the benefits that will result from the introduction of specialised bullying inspectors to WorkSafe ACT's inspectorate. This requirement recognises that bullying and other psychosocial hazards are unique and that detecting, managing and regulating these hazards requires specialised attention. Inspectors that have specific expertise and experience in this area are appropriate, especially given the complex social and psychological issues often involved in bullying claims.

The Productivity Commission's 2010 report on OHS supports this view. It found that work-related stress and psychosocial hazards of bullying, occupational violence and fatigue that give rise to it are not being given the same attention as physical hazards in OHS legislation, nor by inspectors. Research from the National Research Centre for Occupational Health and Safety Regulation at the ANU in Canberra also found that specific training in psychosocial risk factors was only a limited component in foundation training programs for workplace inspectors.

The ACT has generalist inspectors who deal with the full range of work safety issues, but does not have any specialist inspectors to work on bullying and psychosocial hazards. Current OHS legislation treats bullying as a standard workplace hazard, but unlike traditional physical workplace hazards, bullying is psychological, consists of repeated and often subtle or hidden behaviour, and requires a contextualised assessment. It can be very problematic to deal with different constructs using a single generalised approach.

Establishing specialised inspectorate positions will genuinely help to overcome this, and improve the ACT's ability to both respond to bullying matters and prevent bullying from occurring. Specialists will mean bullying complaints can be investigated in a timely way and also in a way that is sensitive to psychological and social complexities.

The complaint handling process is critical to ensuring victims receive resolution. Victims are often traumatised by the requirement to relive and dwell upon their bullying experiences. For example, women victims in particular have identified "being heard" rather than "being questioned" as critical to the complaint handling process. A specialist complaints handling team will facilitate victims to come forward, which is particularly important as bullying is an area notorious for under reporting.

A specialist inspectorate will also recognise the importance, in terms of health outcomes, of providing high level practical support as well as facilitating access to mental health treatment. I expect that a dedicated inspectorate will develop refined procedures around the hearing of bullying complaints, as well as developing links with other social support services, such as women's centres and telephone help lines.

Specialists will be skilled in recognising that, as a psychological phenomenon, bullying is also a subjective experience. Some complaints may not qualify objectively as bullying despite being made in good faith, and these complaints need to be dealt with sensitively. On the other side, specialists will have skills in recognising and dealing with false or malicious complaints which could be designed to deliberately harm an individual or organisation. A specialist contingent of inspectors will also be able to train other inspectors and to lead new bullying programs within WorkSafe.

The specialist inspectors will help with preventative measures and improve WorkSafe ACT's capacity to undertake workplace inspections and education programs. Early intervention is crucial in mental health outcomes and the same is true in workplace-based intervention. Targeted visits, rather than complaints or incidents-based inspection, are critical to addressing bullying matters in particular, as intervening and resolving bullying matters can be a vexed process.

The Greens recently questioned the ACT government about efforts on bullying prevention. I was disappointed to learn that WorkSafe had only audited one employment sector for bullying compliance in the ACT, which was the takeaway food industry, and the compliance rate was low. To WorkSafe's credit, the result of the audit is that it is now developing further guidance material specifically on bullying for small businesses.

This example shows the kind of progress that can be made in workplace bullying when it is targeted. We need to learn what is happening in all the other workplace sectors and make improvements in these sectors, as many workplaces are not well informed on the issues.

As well as identifying workplace sectors that are vulnerable to bullying, I would hope that the specialised inspectors, in conjunction with the advisory committee that is established through this bill, would work on identifying demographic vulnerabilities.

I have had the opportunity to discuss approaches to bullying and psychosocial hazards with both Workplace Health and Safety Queensland and WorkSafe Victoria. Both of these jurisdictions have decided that specialised inspectorates are needed to deal with bullying and other psychosocial hazards. Queensland now has a psychosocial unit that includes registered psychologists and specialists with backgrounds in fields such as social work and human resources management from high risk industries.

I believe there is strong evidence that this approach is working and that it is increasing the regulator's ability to intervene early and to help address the systemic factors that contribute to workplace bullying and other psychosocial hazards. For example, an evaluation of Queensland's psychosocial program in 2009 found that the program had secured substantial achievements, such as an increased awareness in organisations in effectively managing psychosocial issues and risks in the work environment.

The second key aspect of the bill is to form an expert advisory committee in relation to workplace bullying and other workplace psychosocial issues. This advisory committee will draw on the knowledge and experience of a range of people, including union representatives, academics with expertise in relevant fields and people with professional or clinical knowledge and experience in bullying.

The bill uses existing machinery in the Work Health and Safety Act and establishes a committee that will report to the Work Safety Council, and to the minister via that council. The bill permits the council to also appoint additional suitably qualified people to the committee who would have qualifications or expertise relevant to the functions of the committee, such as a person who represents victims of bullying.

The bill sets out the functions of the committee which will monitor the development and operation of laws and procedures in the territory and other jurisdictions, recommend amendments to territory laws and procedures and report at least twice a year on these matters. Research and practice in this area of work health and safety is fast evolving and the advisory council is tasked with ensuring that the ACT has information and data necessary to implement best practice laws and procedures.

Lastly, I want to note that this bill addresses broader workplace psychosocial hazards as well as bullying. Both the specialist inspectors and the expert advisory committee will be tasked with working on psychosocial issues more generally. The bill uses the term “workplace psychosocial issues” to refer more generally to psychological and social stressors in the workplace that can affect workers’ health. These include workplace bullying but also wider issues such as occupational violence, aggression from customers, excessive work demands, exposure to trauma and workplace fatigue and burnout.

The impact that these broader issues have on the health of ACT workers should not be underestimated, as the workplace is a key place to tackle the causes of health problems. In Australia there are almost eight million workers spending a quarter to a third of their waking lives at work. Recent epidemiological studies have estimated that approximately 15 per cent of depression in workers is attributable to job stress and that statistics of mental health compensation claims underestimate this causal relationship by at least 30-fold. There is clearly an enormous opportunity to improve health outcomes by better managing broader psychosocial hazards in the workplace.

It is also important to note that workplace stress is an inequitably distributed public health problem. Research from the University of Melbourne and VicHealth show that women and those in lower skilled jobs are more likely to experience job stress and so bear a greater share of job stress related depression. This is similar to the demographic pattern of mental health that we see in the general population, suggesting that job stress is actually a substantial contributor to mental health inequalities.

By agreeing to the measures proposed in my bill, the Assembly would also be making an important contribution to mental health outcomes in the territory. Recent reports of an internal ACT government survey found that more than 1,600 government workers have been physically attacked, bullied or harassed by members of the public in the 20 months until September 2011. This represents a very high rate of 4.8 incidents per 100 workers over a 12-month period. The assaults referred to in this survey are examples of occupational violence. Like bullying, these incidences have negative health impacts as well as an economic burden. Safe Work Australia reports that the median payment for a worker’s mental stress claim due to occupational violence is \$10,100 and the median time off work is 7.4 weeks. There is obviously a significant economic argument for reducing these incidents.

As with workplace bullying, these broader psychosocial hazards are not being given the same attention as physical hazards by laws or inspectors. This is a point made by both the Productivity Commission and unions.

If adopted, the measures in this bill may result in an increase in claims in the areas I have discussed. Some people may consider this a failure, especially from the point of view of compensation costs. I would characterise it as the beginning of a success in addressing a serious problem.

In conclusion I want to emphasise that I am happy to work with the government and the Liberal Party on the details of this bill and to consider any proposed amendments.

I do not expect this to be the last legislative initiative taken on workplace bullying in the ACT, as ongoing reforms are needed in this area. I anticipate that, in the longer term, refinements will be needed to the range of legal mechanisms governing bullying.

The bill I am introducing is an important step in this longer term process. By focusing on workplace bullying as a discrete and specialised area of work health and safety and establishing specialist inspectors and an advisory body, the bill creates a process through which the ACT can develop reforms both in practice and in legislation. I believe it will make a significant contribution to the prevention of and response to bullying and psychosocial hazards and, more broadly, to the health and productivity outcomes for the territory.

I commend the bill to the Assembly.

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

Youth justice

MS HUNTER (Ginninderra—Parliamentary Leader, ACT Greens) (10.19): I move:

That this Assembly:

(1) notes:

- (a) the Human Rights Commission Report into the Youth Justice System in the ACT 2011 recommendation number 4.4 that the Community Services Directorate establish a Youth Justice Advisory Panel to guide the development of a statement of purpose for the youth justice system and to monitor the ongoing translation of this purpose into practice;
- (b) the Government response to the report which indicated that the Government did not agree with the recommendation but noted that the Youth Justice Implementation Task force had been set up for a period of 12 months and were developing a “Blueprint for Youth Justice in the ACT”;
- (c) the Government’s response to the Human Rights Commission report outlines approximately 80 recommendations that are intended to be implemented either fully or in part by the Blueprint or the Integrated Management System;
- (d) the current makeup of the task force does not fully represent the necessary skills needed to develop a complex and long lasting blueprint for vulnerable children and young people in contact with the criminal justice system; and
- (e) the Human Rights Commission’s ongoing concerns that the Youth Justice Implementation Task force has been established for a finite period and the Youth Justice Advisory Panel was intended to be an ongoing specialist advisory body comprising a range of specialists as well as academics/researchers to ensure our practice reflects the current evidence base; and

(2) calls on the ACT Government to:

- (a) appoint an ongoing specialist advisory panel to advise the Government and Youth Justice Implementation Task force on the development of the Blueprint for Youth Justice and its implementation;
- (b) consistent with recommendation 7.7 of the Commission's report, commit to working with the Youth Justice Advisory Panel to develop and implement a suite of risk and protective assessment tools for vulnerable children, young people and their families; and
- (c) ensure that the advisory panel consists of people with experience and qualifications in the following fields:
 - (i) child and adolescent psychology;
 - (ii) trauma and abuse;
 - (iii) Aboriginal and Torres Strait Islander engagement;
 - (iv) vulnerable families;
 - (v) youth justice;
 - (vi) education; and
 - (vii) health.

I welcome the chance today to outline the need for expertise to be incorporated into the development of a blueprint for youth justice in the ACT. However, I find it disappointing that the situation has got to this point. In January this year, the Attorney-General directed the human rights commissioner and the Children and Young People Commissioner to undertake a review of the youth justice system in the ACT, and I looked forward to the outcomes. It was clear to everyone that there were challenges and barriers facing vulnerable children, young people and their families, that some of the problems the territory had been trying to address since the days of Quamby had not been addressed, and that at times the criminal justice system, the community sector and the government were struggling to achieve positive rehabilitative outcomes for young people.

When the ACT youth justice report 2011 was tabled in July I, like many others, was impressed by the size and scope of the recommendations and took some time to work my way through the presenting issues. I believe the evidence base which underpinned this report made it a seminal piece of work for the ACT and a document that would lead us confidently into a process of positive reform. Like many of the stakeholders, I keenly awaited the government response.

Prior to the release of the government response, a range of reforms were announced by the government, such as the after-hours bail coordination service, the single case management approach for community youth justice clients and the youth drug and

alcohol court. I was hopeful that, although some of these initiatives seemed rushed, these were genuine efforts to make reform and change to the youth justice system.

The ACT government provided the following advice in their response to the 224 recommendations of the youth justice review: 105 recommendations are agreed, of which 57 are commenced and 22 are completed; 84 recommendations are agreed in principle, of which 36 are commenced and one is completed; 29 are noted, of which eight commenced; and six are not agreed.

At first glance this looked like a positive sign that the minister, the Community Services Directorate and the community were going to be able to work together to make necessary changes. However, I was quite underwhelmed by the response when I was able to analyse the response the government provided.

My analysis of the government response uncovered contradictions, confusion and some misinterpretation. I began to see a pattern emerging of recommendations being refused with little explanation, recommendations that were agreed to that were, in fact, subject to budgetary considerations, and a number of recommendations that were stated to be either completed or commenced without any clear indication of where or how that was happening. I also began to understand that the blueprint and the integrated management system project were to be responsible for approximately 80 of the recommendations.

The blueprint for youth justice is a vital piece of work that will take years to fully implement, require considerable resources and seek to positively impact on some of the most vulnerable children and young people in our community. Many of these children, young people and their families may experience mental health issues, alcohol and other drug use and have multiple complex concerns. They may have experienced trauma or abuse, be at risk of disengaging from education and have some experience with care and protection. Moreover, many of these families will require community support to address issues of generational social inequality and disadvantage.

The life trajectories for those children and young people who have tertiary or high level contact with the justice system is appalling. Longitudinal studies by the Institute of Criminology paint a bleak picture of homelessness, poor mental and physical health outcomes, high rates of alcohol, tobacco and other drug use, increased rates of unemployment and lower educational attainments. This has obvious and immediate negative effects on the community at large, the families involved, the individuals and the cost of territory money that could be better spent on strengthening the community.

These are highly complex and sensitive issues and, therefore, I believe, they require a highly skilled and suitably qualified panel of experts to inform the development of this blueprint. This work cannot be rushed as we have seen other initiatives rushed through, and nor can we treat it lightly. We require a measured and well-informed process that is led by the evidence-based research that was submitted by the Human Rights Commission in the youth justice review report.

The government has appointed a youth justice implementation task force to develop the blueprint, provide advice to the government and monitor the implementation of

the blueprint over a period of 12 months. The task force has seven representatives from government, three from the youth and community sector, one from a private consulting firm and one from the Aboriginal and Torres Strait Islander community.

While recognising the contributions these representatives can offer to the blueprint development, it is clear to me that this task force does not adequately address recommendation 4.4 of the Human Rights Commission report, which states:

The Community Services Directorate establish a Youth Justice Advisory Panel to guide the development of a statement of purpose for the youth justice system and to monitor the ongoing translation of this purpose into practice.

The government's response that the recommendation is not agreed to because the task force comprises representatives of the government and non-government sectors with expertise in youth and youth justice highlights the government's lack of understanding as to the complexity of the issues. This complacency about such an important and serious concern is, in part, how we got here, years after the Quamby report and years after the *Lost in transition* report highlighted systemic issues and weaknesses. Meanwhile, children, young people and their families are still not being provided with the best we are capable of.

On 5 December the Human Rights Commission provided the government and members of the Legislative Assembly with a copy of their comments on the government's response. I am not aware of such comments ever being provided about a government response like this before—certainly not during my time in this place—but I welcome them.

In this document the commission provide further comments on recommendation 4.4. They suggest there is additional need for a specialist advisory panel. When recommending an advisory panel, the commission envisaged the government would engage specialists in a range of disciplines and practice areas and academics and researchers with knowledge of the evidence base for youth justice policy and programs. The commission also commented that they anticipated that this body would also be ongoing; as distinct from the task force, which we understand will only be constituted for a short time.

Again, while I acknowledge and value the contributions of the task force representatives, I do not see it currently being comprised of people with the qualifications and ability to provide expert advice as needed. I believe a youth justice advisory panel should properly sit alongside but separate to the functions of the task force. This panel should be there to offer clarification, support, advice, critical analysis and positive feedback as to best practices. This panel should be consulted with regularly to ensure that the blueprint is being developed in line with the evidence.

Considering the broad scope of the work and the time frames spoken about by the government for its implementation, it strikes me as very short sighted not to create an advisory panel that can provide valuable insight into the progress and ongoing evaluation needs over the next five years. While there appears to be provision for the task force to seek the advice of experts when needed, this does not guarantee that we will develop a world class example of a youth justice system.

The development of the blueprint needs to be informed by the expert opinion of a youth justice advisory panel that has strong qualifications in child and youth psychology, trauma and abuse, education, health and, of course, youth justice. To move forward without this expertise is a mistake—one that we cannot afford to make. We cannot afford to let another year go by with a patchwork, incomplete and half-baked youth justice system letting the territory's young people down and failing to respond to the community expectations of rehabilitative justice.

We can look to other jurisdictions on this matter, and see that the use of independent or semi-independent advisory councils and committees who have ongoing and long-term engagement is common. The Juvenile Justice Advisory Council of New South Wales provides independent advice to the New South Wales government on juvenile justice policy and related youth, welfare and legal issues.

The council has a mandate to promote public awareness of and facilitate constructive discussion of juvenile justice matters and was established with the support of both major parties in the New South Wales parliament. The Juvenile Justice Advisory Council was established by the then Minister for Justice and Attorney-General on 18 September 1991 to provide advice to the government on juvenile justice policy and to develop a long-term strategic plan for juvenile justice in New South Wales. Since that time, community representatives, services providers and experts on juvenile justice and crime prevention have contributed to the advice provided by the Juvenile Justice Advisory Council.

In the Northern Territory there is the Youth Justice Advisory Committee. Under the Youth Justice Act, the YJAC must consist of not less than eight and not more than 12 members appointed by the minister. The committee must reflect the composition of the community at large and comprise government, non-government and community representatives. The term of office is three years or as stated in the instrument of appointment. Members are eligible for reappointment.

The YJAC has an important role. One of YJAC's main objectives is to monitor the Youth Justice Act, which has a number of provisions regarding how young people should be dealt with in the criminal justice system. The YJAC undertakes research in relevant areas, including new trends in the area of youth justice and the high level of offending and incarceration of Indigenous young people.

In addition, there are many more examples of the positive use of these panels, so why should the ACT be any different? I strongly believe that, without this panel, we are at risk of getting this wrong. Getting this wrong means many more years of negative outcomes for young people, families and the Canberra community.

In order to drive good reform that makes a difference, the ACT government needs to appoint a youth justice advisory panel that has the qualifications and expertise to properly advise the government and the task force on developing, implementing and monitoring the policies and procedures that are based on best practice and a solid evidence base.

I clearly put on the record that my motion is not about dismissing the contribution and input of the task force. They have worked hard and they have an important role in this reform process and in developing the blueprint. Their work needs to be complemented by the insight and expertise that a youth justice panel can bring to the process. I look forward to the support of members for my motion; support that will assist to bring about positive change to the youth justice system sooner rather than later.

MS BURCH (Brindabella—Minister for Community Services, Minister for the Arts, Minister for Multicultural Affairs, Minister for Ageing, Minister for Women and Minister for Gaming and Racing) (10.32): I thank the member for her motion and I welcome the opportunity to respond. I recently received a letter from the Children and Young People Commissioner and the human rights commissioner that comprehensively outlines the commission's comments on the government's response to the 2011 ACT youth justice system report.

I note that the commissioners welcomed the direction of the youth justice reform agenda already begun by government in response to the report and the development of the blueprint for youth justice and integrated management system at Bimberi. I acknowledge the commissioners' well-founded confidence that both initiatives should see realisation of a substantial number of the commissioners' recommendations.

I will write to the commissioners about their response and I wish to acknowledge the commissioners' recognition that the role of the commission is not to engage in a protracted debate about the merits of individual recommendations or how they are implemented. We all just want to get on with the job of improving outcomes for some of our most vulnerable children and young people.

Ms Hunter calls on the government to appoint an ongoing specialist advisory panel to advise the government and the youth justice implementation task force on the development of the blueprint and its implementation. With respect, the government asserts that the establishment of a youth justice advisory panel at this stage could be premature.

The Human Rights Commission has identified three urgent priorities for action by the government. These were service mapping, culturally appropriate programming and justice reinvestment. The commission also has identified three important priorities: early intervention, diversion and through-care. The government's response to the commission's report was tabled in the Assembly only 50 days ago and reflected closely these priorities.

Recommendations 4.4 and 6.2 have not been identified as priority actions by the Human Rights Commissioner and, therefore, were not seen as a priority action for the government. The task force and the government have been working tirelessly to develop a draft blueprint for consultation. Adding another layer of specialist administration at this stage could distract from the important work of developing the blueprint and investing in important services. The panel, if created, would create an impost on government and would require additional resources that I believe ought best be in front-line delivery of youth justice.

Furthermore, I believe that the capacity to engage other specialist individuals and groups to assist with the development and implementation of the blueprint already exists both through the task force and through other mechanisms. For example, the task force has already created two specialist working groups, one focused on meeting the needs of Aboriginal and Torres Strait Islander young people and one looking at enhancing accommodation options for vulnerable young people.

We know Aboriginal and Torres Strait Islander children and young people comprise up to 40 per cent of young people in custody at any given time. The Aboriginal and Torres Strait Islander working group has been established to provide advice to the task force on contemporary best practice, successful relevant service initiatives in other jurisdictions and other creative potential solutions and how best to engage local Indigenous service providers, community groups and individuals to support Aboriginal and Torres Strait Islander young people at risk or involved with youth justice.

If the ACT is to succeed in reducing our over-representation of Aboriginal and Torres Strait Islanders, more effective programming for young Aboriginal offenders must be identified and implemented. The task force has also created an accommodation working group. This group will provide advice to the task force along the same lines as advice provided by the Aboriginal and Torres Strait Islander working group. However, the accommodation working group will also provide advice on how best to engage local housing and homelessness service providers, community groups and individuals to support children and young people at risk.

If the ACT is to succeed in minimising children and young people's exposure to the criminal justice system and ultimately diverting them from that system altogether, suitable accommodations, including effective use of existing resources, ought to be identified and implemented. Even though they have met, both working groups are still finalising their membership. However, the membership of both groups will include at least a member of the task force as well as government and community representatives, including young people.

There is also the potential to expand the task force itself to facilitate the inclusion of expert and specialist input—for example, from fields such as child and adolescent psychology, trauma and abuse. Ultimately, the task force has the capacity to expand and contract, bend and twist, especially as it moves through each new phase of the development and implementation of the blueprint. The task force also has the capacity to evolve beyond its current shape into something new and perhaps longer lasting.

Ms Hunter also is concerned that youth justice practice ought to be based on evidence and based into the future. But I wish to remind the Assembly that there is a significant amount of peer review research available. Indeed, when I tabled the government's response to the commission's report in this place in October, I acknowledged the evidence base used by the commission to inform its recommendations.

I noted that in a number of areas the commission applied contemporary Australian and international research to support its recommendations. I also noted that this

contemporary research is particularly relevant in respect of operational practices in youth detention settings and that such research can be applied at Bimberi. Much youth justice research is already captured in other substantive pieces of work on the youth justice system that has been developed and distributed by the government.

For example, the discussion paper “Towards a diversionary framework for the ACT” released by CSD in February summarises much of the literature and better practice on models of diversion. All of this research and more is informing the development of the blueprint. As a vibrant and dynamic approach to inform the youth justice system, the blueprint will be informed by new and emerging research about what works to improve outcomes for vulnerable children and young people as it evolves over the next few years.

In its response to the commission’s report, the government attempted to meet the intent and objective of each of the 224 recommendations. Of the 224 recommendations, 124 have either been commenced or completed. Overall, 105 were agreed, 84 were agreed in principle, 29 were noted and six were not agreed. I think the government has been very clear that we have been supportive of the commission’s report and have met the intent of its recommendations. I note that, yes, we do not often get a response to a response to a response, but I may be compelled to respond to the response to the response to the commission’s report.

As my colleagues are aware, I have established the youth justice implementation task force to take forward the recommendations of the commission’s report. The role of the task force is to provide advice to the ACT government to inform its response, to develop a blueprint for youth justice and to monitor the implementation of the blueprint over a period of 12 months.

I have identified the membership of this task force in this place previously. The members are: Ms Emma Robertson, who is the Director of the Youth Coalition of the ACT; Mr Peter Sandeman, Chief Executive of Anglicare; Danny O’Neil, Director of Richmond Fellowship; Peter Murphy, Chief Executive of Noetic Solutions; and Mr Rod Little, the Chairperson of the Aboriginal and Torres Strait Islander Elected Body.

I find it somewhat incomprehensible to think that any one of those members would be considered unsuitable or without obvious qualifications, history, ability and expertise to make comment on supporting services for children and young people. To have the chair of the Indigenous body seen as not to be able to provide comment to government on how best to support the Aboriginal and Torres Strait Islander community in the ACT really is a slight on their ability to speak for their constituency.

The task force has provided advice to the government in respect of the government’s response to the commission’s report. The task force evidenced significant commitment to the process and I thank them for their work. The task force is now engaged with the government in its major task of developing a blueprint for youth justice. The blueprint will provide a strategic direction for the development of the youth justice system over the next five to 10 years.

The blueprint will be informed by the commission's report, including the quality elements of the youth justice system identified by the commission and elements needed to support the rehabilitative outcomes for children and young people. Building services that reflect these elements around the needs and aspirations of these children and young people and their families will be critical. The government will prioritise early intervention, prevention and diversion and continue to ensure that, consistent with our legislation, detention is considered the last resort for children and young people in contact with the youth justice system.

As I have already stated in the development of the blueprint, the task force will consider the importance of underpinning the blueprint with a clear mechanism for inclusion of Australian and international research about what works for young people in all stages of involvement in the youth justice system. As I have emphasised, the government is committed to promoting evidence-based practice.

In developing the blueprint, the task force will reflect on what children and young people, family, staff and other stakeholders have told us about what they want in a quality youth justice system. They have told us what they want through the commissioner's report as well as through consultative processes on the diversion framework in the change management process at Bimberi.

Children and young people, families, staff and other key stakeholders will be given a further opportunity to contribute to the development of the blueprint through a consultation process that will be launched before Christmas. The blueprint will reflect what we are told the community want in quality service and the consultation will be deeper than provided by the panel at this stage.

Recommendations 4.4 and 6.2 were not identified by the human rights commissioner as priorities for implementation. They have not been identified by the task force as priorities for implementation. The government believes that the resources required for such a committee ought to be reinvested in early intervention and diversion and other priorities that the human rights commissioner has identified.

Like the Human Rights Commission, the government has also acknowledged the magnitude of the task of implementing approximately 80 of the commissioner's recommendations through the blueprint or the integrated management system. However, the step the government has put in motion with the youth justice task force will lead to long-lasting change through the system.

I seek leave to move amendments Nos 1 and 2 that have been circulated in my name together.

Leave granted.

MS BURCH: I move:

(1) Omit subparagraphs (1)(b), (c) and (d), substitute:

“(b) the Government response to the report where the Government disagreed with the recommendation noting that the terms of reference for the Youth

Justice Implementation Taskforce are to develop the “Blueprint for Youth Justice in the ACT” and to monitor the implementation of the Blueprint over a period of 12 months. The Government stated the Blueprint will include the statement of purpose for the youth justice system and that the Taskforce comprises representatives from the Government and the community sectors with expertise in youth and youth justice. The Government noted that the Taskforce has the capacity to engage other expertise as required and, therefore, a separate Youth Justice Advisory Panel is not warranted;

(c) the Human Rights Commission provided a response on 5 December 2011 to the ACT Government’s response to *The ACT Youth Justice System 2011: A Report to the ACT Legislative Assembly by the ACT Human Rights Commission*;

(d) the role of the Taskforce in developing the Blueprint for youth justice can be enhanced by engaging with experts in juvenile justice to ensure the Blueprint delivers outcomes for vulnerable children and young people in contact with the criminal justice system in the long-term; and”.

(2) Omit paragraph (2), substitute:

“(2) respond to the Human Rights Commission’s response to the ACT Government’s response to *The ACT Youth Justice System 2011: A Report to the ACT Legislative Assembly by the ACT Human Rights Commission* addressing the Commission’s concerns about the establishment of a Youth Justice Advisory Panel.”.

Amendment No 1 just seeks to clarify the response in reference to the recommendation. The amendment ensures that the motion reflects the actual government response to the recommendation, which provides further context where the task force has actually envisioned that the ability to access expert advice is crucial to the development of the blueprint.

Also, amendment No 1 seeks to make comment around the membership of the task force, because I do not believe that we have responded in a half-baked way at all. The Commissioner for Children and Young People has had oversight since Bimberi has opened and he has not raised this as a priority with me. So I really do urge the Assembly to allow the government to get on with the system that has been put in place.

In amendment No 2 I am seeking to delete all of Ms Hunter’s section 2 and to make the statement that we will respond to the Human Rights Commission’s response to the government’s response to the report just so we can be really clear on our interpretation and have a clear understanding with the commission.

Finally, I am somewhat disappointed that throughout all the responses and the commission’s report there has not been a clear articulation of his view or his opinion of the position of youth justice and how he feels our system is sound. Whilst we all acknowledge that there are areas for improvement, I would like this Assembly to really just accept that youth justice, whilst there are areas for improvement, is in a

fairly solid space. We have got a significant number of programs that are doing our young people well. I would just like the occasional recognition of that through either the commission or members in this place.

MRS DUNNE (Ginninderra) (10.46): Mr Speaker, I flag that I will seek leave to move an amendment later.

MR SPEAKER: I am sure that will be fine.

MRS DUNNE: I thank members for their indulgence.

I want to thank Ms Hunter for bringing forward this motion, which the Canberra Liberals will be largely supporting, with an amendment which I will speak to later in the debate.

The Human Rights Commission's report on its investigation into youth justice in the ACT is a formidable document—close to 400 pages plus appendices—and makes more than 200 recommendations.

Members will be aware that the Human Rights Commission has, on occasions, been on the receiving end of some considerable criticism from me. But let me make two observations about the commission's approach to the task that the Assembly set it in the review of the youth justice system in the ACT and the human rights audit of the Bimberi Youth Justice Centre.

First, the commission's report is a learned, well-founded document, setting out an honest assessment of the ACT's youth justice system and making a large number of recommendations. The commission believes that implementation of these recommendations will result in best practice and setting a benchmark if those recommendations are implemented.

Second, the commission has not taken the view that, on handing in its report, its job has finished—far from it, Mr Speaker. The commission has taken a very proactive role in assessing the government's response to the report and in monitoring the implementation of the recommendations. It is not letting the government off the hook with interpretations that the commission did not intend and it is not letting the government get away with glossing over its recommendations.

To demonstrate its commitment to seeing this exercise through to the end, the commission hosted a community forum recently, to get more views about what the community saw as essential elements for a future youth justice system in the ACT. While the outcomes of that forum were largely as one might expect, it did serve to cement the view of the commission, expressed in its report, that the youth justice system in the ACT is failing our young people. It is struggling to deliver in a way that facilitates a positive future for our young people who are currently falling through the cracks.

The commission's ongoing engagement in the development of a best practice youth justice system is commendable and perhaps an unexpected outcome of the review. For

once, the government will not be allowed to pay lip-service to the report and its recommendations and then quietly file it in the bottom drawer never to see the light of day again. For once it seems that the government will have to replace that lip-service with real action. For once, we will not have a repeat of what we saw with the Vardon review, where, several years down the track, we find ourselves in a disappointing and extremely unfortunate state of *deja vu* with the care and protection system. I, for one, applaud the commission's commitment to seeing this through. In following through, the commission has now written twice to the minister, giving feedback on the government's response to and interpretation of the report's recommendations. It has made a thorough analysis of the government's response.

The commission's recommendation which is the subject of Ms Hunter's motion today is one that the commission clearly considered to be important and is one on which the commission has concerns about the government's response. That recommendation, No 4.4, asks the government to "establish a Youth Justice Advisory Panel to guide the development of a statement of purpose for the youth justice system and to monitor the ongoing translation of this purpose into practice". The government did not agree with that recommendation, stating that the youth justice implementation task force has the role of developing the blueprint for youth justice in the ACT and monitoring its implementation. The government said that the task force could engage other expertise as required and that, as such, a youth justice advisory panel was not warranted.

Whilst welcoming the establishment of the task force and acknowledging the expertise of the task force, the commission considers that there is a need for a specialist advisory panel to provide expert advice to the task force. Importantly, the commission noted that the task force would have a finite term of operation but that an advisory panel could be an ongoing resource for government and the directorate.

This, in a nutshell, is the substance of Ms Hunter's motion, and this is what the Canberra Liberals agree with. We agree with it because, like the Human Rights Commission's approach, it is one that does not allow the government to gloss over important matters. Like the Human Rights Commission and Ms Hunter, I applaud the establishment of the task force and acknowledge that there is expertise in that task force. But I have also noted the government's own statement that the task force is free to engage other expertise as required. This says to me that the task force does not have the breadth of expertise required to deal with all aspects of the very major and critically important projects that confront it. Quite simply, establishing an advisory panel puts some formality around the process by which the task force might seek the kind of expertise it will require. The range of expertise that Ms Hunter's motion calls for on the advisory panel is well considered and will serve to provide the task force with the support it needs.

In establishing an advisory panel, Ms Hunter's motion also takes the opportunity to implement recommendation 7.7 of the commission's report. This recommendation calls on the government to work with the advisory panel to "develop and implement a suite of risk and protective assessment tools for vulnerable children, young people and their families". The government agreed in principle with this recommendation. In fact, however, it was more a case of agreeing in part. The government agreed that the suite of risk and protective assessment tools could be developed as part of the blueprint, but talked about a "critical friend" for the youth justice system under the blueprint.

The commission, quite rightly in my view, is concerned about the government's response to this recommendation because the "critical friend" approach, firstly, may not have the same level of transparency or accountability as an advisory panel and, secondly, may not be sufficient for the amount of work expected to be achieved within the blueprint. Accordingly, I agree with Ms Hunter's proposal that the advisory group be asked to do this work. I agree also with the government's view that the assessment tools should be incorporated as an element of the blueprint being developed by the task force. Having the advisory panel develop these tools will provide a pathway for a positive and ongoing interaction between the advisory panel and the task force. I see this as most beneficial for all concerned, and it should enhance the overall outcome of the work of the task force and the overall outcome for youth justice in the ACT.

I will address my proposed amendment a little later, but I now want to address the amendments proposed by Ms Burch. The first amendment is probably unexceptional in that it is a different way of saying some of the things that have been said in Ms Hunter's motion. But her second amendment, to respond to the Human Rights Commission's response to the government's response addressing the concerns about the establishment of the youth panel, is not sufficient. It is a cop-out; it is an attempt by the government to try and minimise these issues. It would have been better for Ms Burch to consult with Ms Hunter and me, as vitally interested parties in this issue, about an appropriate way forward, rather than having a constant restating of a position which is clearly unacceptable to the majority in this Assembly and to the authors of the report in the first instance. While I do not have a very strong view about the merits or demerits of Ms Burch's amendment No 1, her amendment No 2, which is the vital one, is completely unacceptable, and the Canberra Liberals will not be supporting it.

MS HUNTER (Ginninderra—Parliamentary Leader, ACT Greens) (10.56): As Mrs Dunne has pointed out with Ms Burch's amendments, the first amendment really is a reworking of words that I had in my original amendment. The replacement (b) gives more information from the government response; it adds some more explanation there. I am happy with those amendments; they are, as was said, a bit of a reworking of what was in the original motion.

The Greens will not be supporting amendment No 2. As I said in my speech, we have probably had a new approach to government responses, in the Human Rights Commission deciding that it was important to put out its own response to that because there was a view that some of the recommendations had been misunderstood and there were some concerns raised by the government response. I do not think we need to get into the situation of responding again and again. What I am pleased to see is that this may indicate that there is ongoing dialogue. It is important to have dialogue between stakeholders within this debate—between CSD and the minister and the Human Rights Commission and others. We will not be supporting that amendment. We do not see the need for the government to respond to this latest document from the Human Rights Commission.

Ordered that the question be divided.

Ms Burch's amendment No 1 agreed to.

Question put:

That **Ms Burch's** amendment No 2 be agreed to.

The Assembly voted—

Ayes 6

Noes 9

Mr Barr
Dr Bourke
Ms Burch
Mr Corbell
Ms Gallagher

Ms Porter

Ms Bresnan
Mr Coe
Mr Doszpot
Mrs Dunne
Ms Hunter

Ms Le Couteur
Mr Rattenbury
Mr Seselja
Mr Smyth

Question so resolved in the negative.

MRS DUNNE (Ginninderra) (11.02), by leave: I move:

Add new subparagraphs (2)(d) and (e):

“(d) consult with the Standing Committee on Education, Training and Youth Affairs on appointments to the Advisory Panel before they are made; and

(e) instruct the Director-General of the Community Services Directorate to report, in the Directorate’s annual reports, on the activities of the Task Force and the Advisory Panel, including, but not limited to, an outline of the advice the Advisory Panel has provided to the Government and the Task Force and the responses of the Government and the Task Force to that advice.”.

I thank members for giving leave to move this amendment, which adds extra paragraphs to Ms Hunter’s motion at 2(d) and (e). They create some transparency and also create a small nexus back to the ACT Legislative Assembly for reporting on the implementation of the recommendations of this inquiry.

This inquiry was generated out of this Assembly and it is clear that the Assembly has a vital and abiding interest in the outcomes of the inquiry and its implementation. This was manifested by the level of questioning in annual reports, this motion here today and previous motions, and some of the recommendations of the Standing Committee on Education, Training and Youth Affairs.

This amendment requires the government to consult with the Standing Committee on Education, Training and Youth Affairs, in much the same way as it would for statutory appointments, on appointments to the advisory panel before they are made. That means that the government can make those appointments anyhow, but it is more open and there is some transparency; it gives the Assembly, through its delegate the committee, some input into that structure.

The second paragraph, 2(e), instructs the director-general of the directorate to report in the annual report on activities of the task force and the advisory panel. The

amendment gives some direction about the sorts of things that that annual report should cover. It should cover an outline of advice that the advisory panel has provided to the government and the task force, and the responses to that advice. This is a very important way of ensuring that this Assembly continues to be engaged in the implementation of the recommendations and the work of the task force in devising the blueprint. The advice of this panel will be very important.

I commend the amendments to Ms Hunter's motion. In doing so, I do not consider them a criticism of Ms Hunter's original motion, but rather an enhancement which will provide increased transparency for the whole process and increased transparency as we go through the process of developing a better youth justice system in the ACT.

MS HUNTER (Ginninderra—Parliamentary Leader, ACT Greens) (11.05): We will be supporting Mrs Dunne's amendment to my motion. As was stated, it does add some transparency. I see it as enhancing the motion. It will mean that when the youth advisory panel members are identified, those appointments will go off to the Standing Committee on Education, Training and Youth Affairs so that they can look at and be consulted on those appointments. We have many advisory panels across government. It is a regular practice for names and CVs to go off to the relevant standing committee for them to provide feedback to government.

The second one is about ensuring that in the annual reports there is documented information on the progress of the reforms, in a sense, through the activities of the task force and the advisory panel. It is not limited to, but it will outline, the advice that, for instance, the advisory panel has provided to government and the task force and the responses from the government and task force to that advice. It adds some extra work, but it is important that we have transparency in this process. Remember that this is about getting it right. We want a best practice, evidence-based blueprint that will see this community into the next decade. It is important that we have in place some way that, for instance, the Assembly can get some information on how that is going.

Therefore we will be supporting Mrs Dunne's amendment.

Amendment agreed to.

MADAM DEPUTY SPEAKER: The question now is that the motion, as amended, be agreed to.

MS HUNTER (Ginninderra—Parliamentary Leader, ACT Greens) (11.08): I thank members for their contributions on this important issue this morning. As I said, we do need to set up a youth justice blueprint that will benefit the Canberra community and also those children and young people who get caught up in our juvenile justice system. It is about ensuring that we do the best not only by them, their families and all those involved but also by the workforce, to ensure that we are supporting our workforce with professional development and with best practice approaches and ways of doing it.

My motion this morning is to complement the work of the task force. As I said, this is not about disrespecting or not acknowledging the hard work that they have already put into this process. They do have an important role. This is about complementing that

work by ensuring that they can access advice and support for the direction that they are going in in developing the blueprint and also the integrated management system.

Yes, we do have people who are involved in the task force who have had some connection or involvement with the juvenile justice system, whether through running family programs or through consulting, working and advocating for young people who enter that system. It is not about undermining that activity; it is about saying that we have experts out there—experts in trauma and abuse, experts in child and youth psychology—in areas where we really need to be getting the latest best practice. It is not just about the research. The minister mentioned that there was a range of research. It is about having someone who can distil that down and apply it to the issues that are being raised through the development of the blueprint process.

Obviously the task force already have a very large role. It is about them having at their fingertips that advice, input and feedback from people who can distil down all that information and apply it in the local context to say that this is how you can go forward and this is the sort of thing you want in the blueprint in order to improve our youth justice system.

Mrs Dunne picked up on the part of my motion that talked about assessment tools. That is the sort of practical, on-the-ground involvement and advice that experts can give to this process.

Once again, I thank members who have contributed to this debate this morning. As I said, what we have done here is enhance the current processes in place and ensure that there is good support. We are all committed—that was one of the things that came out in the human rights report—and we do need to ensure that youth justice does not become a political football. I know that members in this place are committed to getting the best system in place. As I said, it is not just about providing a rehabilitative environment for children and young people and therefore ensuring that they take a more positive pathway in life, but about ensuring that this is a good thing for the broader Canberra community. I thank members for their contributions.

Motion, as amended, agreed to.

Childcare

MRS DUNNE (Ginninderra) (11.12): I move:

That this Assembly:

(1) notes:

- (a) that on 1 December 2011, the Productivity Commission released its Early Childhood Development Workforce research report; and
- (b) that the Productivity Commission's report raises a number of issues including that:
 - (i) fees will rise by up to 15 percent;

- (ii) the childcare workforce will need to rise by 15 percent;
 - (iii) wages will need to rise by 10 percent;
 - (iv) there will be a time lag before workers become appropriately qualified; and
 - (v) consequently childcare centres face the prospect of staff shortages and long-term exemptions from complying with standards; and
- (2) calls on the ACT Government to table in the Assembly by the first sitting day in 2012:
- (a) a response to the Productivity Commission's report as it applies to the ACT, including details of the research and modelling undertaken to develop that response; and
 - (b) a paper outlining its strategy to assist:
 - (i) the childcare sector in the ACT to implement the national quality agenda; and
 - (ii) Canberra families to meet the additional cost of living burden that emerges as a result of the implementation of the national quality agenda.

On 7 April 2011 when presenting the Education and Care Services National Law (ACT) Bill 2011 the Minister for Community Services said:

... the first five years of a child's life do last a lifetime.

Apart from the statement being somewhat wrongly constructed and taking away from the intended cliché, I tend to agree with the notion that the first five years of a child's life are very important and that they have an impact well into the future. In those years a child's brain soaks up more information than it will do for the rest of a person's life. It is a fundamental human function, the fact of which is supported by scientific evidence. So of course it is important that we should do everything we possibly and responsibly can to foster that childhood development and create an environment in which it is done with appropriate skills, resources and standards and in an environment that is conducive to young children learning but also being relaxed and at one with the world. No-one, I think, would disagree with this notion.

But, if we are to create that environment, we must first extend our thinking beyond that space. We must think beyond that space because everything that we do here comes at a cost. It comes at a cost to government, to providers, to customers of the services of those providers and to the community as a whole. It is not just a monetary cost that we are talking about here; when we make changes in this area, we are making modifications which are not just things that people pay for out of their weekly salaries but we give up some things. As we have seen with an increase in workforce participation for women, women give up a lot. They often give up the benefits of

being at home and raising their children themselves in a homely environment with connections into the neighbourhood. Changes in our workforce have wrought great changes in the family, and these do not come without a cost.

We must think about what resourcing is required to achieve the best possible environment for children: what funding, what training, what infrastructure, what workforce stocks, what the workers are paid and so on. Importantly, we must think about how such an environment impacts on families. We must consider whether they can afford the cost, whether there is access to adequate childcare places, whether there is reasonable choice—and that choice includes the option of staying at home for those who choose to do so—and so on. We must also consider the broader economic and social issues: what will be the impact on employment, on workforce participation, on business development?

In developing the national quality framework, the commonwealth government and the state and territory governments, including this ACT government, did not look at all of these issues. They did not take the holistic approach that this issue most vehemently demands. It has become one of ideology rather than practicality; one of rhetoric over reality.

Ever since the national quality framework was mooted in 2009 the Canberra Liberals have cautioned against a blind jump into the abyss that the national quality framework creates. We have drawn attention to the many issues that emerge from the implementation of this framework. We have tried to draw the government into thinking about the whole. We have tried to draw the government away from ideology and into the practical; away from the rhetoric and into reality. Unfortunately it has been to no avail. This ACT Labor government has refused to listen. It has refused to listen not only to us but to the childcare sector and to the families who access childcare services across the territory.

We have heard Minister Burch, for example, try and wash her hands of any responsibility for the impact of government policies on the cost of childcare. She said memorably on one occasion that she had as much impact on the cost of childcare as she did on the cost of cornflakes. This is quite an unreasonable statement, because much of what she does has an impact on the fees charged by childcare centres to Canberra families. We have heard Minister Burch make many statements that the additional cost will be no more than a cup of coffee a week, but only yesterday she came to the admission that it would be at least five times that amount. We have heard Minister Burch pooh-pooh the Productivity Commission's assessment that childcare costs would rise by 15 per cent which, for the ACT, translates to something like \$60 per week, or 20 cups of coffee. And that is for every child in care.

Minister Burch will cry that the Labor government has increased the childcare rebate. Let me anticipate that and acknowledge that it did increase. But since then it has been decreased and now locked in at a lower level for the next three years. So its value is ever diminishing in an environment in which the cost of childcare, according to the Productivity Commission, is ever increasing and possibly increasing significantly.

The question is: who do you believe? Do you believe the government's ideology and rhetoric? Do you believe the opposition's cautionary view of the holistic outcome?

Neither believes the other, so we need someone independent to tell the true story, warts and all. Enter the Productivity Commission. Last week, the commission released its early childhood development workforce research study, which is one of a series of research studies that the Productivity Commission is undertaking. It has undertaken one in relation to the education workforce, and this is the second in the series.

Despite the rather limiting sound of its title, the study does much more than one would expect. It covers much of the holistic ground that I have been talking about since 2009. It looks at all the elements that the commonwealth, state and territory governments should have considered but failed to do so when they came up with the national quality framework for childcare. It reveals all the shortcomings of the framework in terms of the impact on the childcare sector, its impact on the cost for the sector and for families, its impact on the workforce, its impact on training—indeed, all the matters I have mentioned today and over the past two years.

So now we need the ACT government to set aside all the mixed messages and the misinformation and the spin and get down to the nitty-gritty of telling the ACT community exactly what they can expect as the national quality agenda takes hold over the next few years. Importantly, this ACT government needs to put aside politics and think about the childcare sector, Canberra families and the community in general. It needs to take on the mantle of reasoned analysis and sound modelling and look at the whole rather than one part of the whole, and it needs to take responsibility for its policies. That is what open and accountable government should mean, and this is what my motion today quite simply attempts to do.

It asks the government to take the Productivity Commission's report and distil and analyse all the elements—all of them—all the factors that are identified by the Productivity Commission as having an impact on the implementation of the national quality framework. It asks the government to look at all these elements as they apply to the delivery of childcare services in the ACT specifically. It asks the government to look at all those elements, all those factors, as they impact Canberra families and their ability to participate in the childcare sector.

In the simplest terms, my motion asks the government to at last be honest with the people of Canberra. It then asks the government to tell the people of Canberra what assistance, if any, it intends to provide to address the rising costs of childcare. How will the government assist the childcare sector to continue to provide childcare services under the national quality framework? How will the government assist Canberra families to continue to access the services that the childcare sector provides?

That is what the Canberra people need to know. That is what the childcare sector needs to know. And that is what we in this Assembly need to know. Purely and simply it is about asking the government to talk to the people of the ACT about the impacts of their policy. It is something that this government should have done much earlier in the piece, but it is nevertheless not too late to have an open assessment of the impacts of the government's policy on the childcare sector.

This is a straightforward motion that calls for the government to provide to the Assembly and to the community in a timely fashion the information it needs to help

develop a childcare sector which is responsive and accessible to the people of the ACT. I commend the motion to the Assembly.

MS BURCH (Brindabella—Minister for Community Services, Minister for the Arts, Minister for Multicultural Affairs, Minister for Ageing, Minister for Women and Minister for Gaming and Racing) (11.23): I do thank Mrs Dunne for bringing on this motion because it gives me an opportunity to highlight some of the work that the ACT early education sector and the government have done over the last two years to ensure that we do have smooth transition to the national standards from 1 January next year. The ACT government's work with the sector and the investments we have made do stand in stark contrast to the Canberra Liberals who, similar to their federal "no-alition" colleagues, have done nothing but oppose the investments we have made.

The ACT government has worked with the sector to prepare for these reforms. I have held a number of roundtables to discuss with the sector where they need support, and from these discussions we have seen a number of policies arise that have gone directly to supporting the sector transition to the national standards. The ACT Labor government is investing \$9 million to upgrade centres across Canberra, an investment which will result in over 170 childcare places as they come online, plus improve the facilities. This is how the ACT Labor government has listened to the sector. We have listened and we have responded.

The government has also committed \$785,000 over two years for an early scholarship program, which will assist childcare workers in the ACT to meet the minimum qualification requirements of the framework and encourage new people into the childcare industry. This scholarship program will commence in January next year and provide up to 75 places for new and existing educators.

Canberra families have told us that they want more childcare options, and we have delivered in the 2011-12 budget, through the Education and Training Directorate, to build a Franklin early childhood school, which will incorporate a 120-place childcare centre. We have committed over \$7 million to build a 125-place childcare-based centre at Holder on the south side for families and for the new communities of Molonglo. We are also releasing five sites for childcare across the ACT. We have listened to the sector and to the families and we are delivering. And the sector have welcomed these initiatives and they are ready for the reforms.

The Canberra Liberals, it would seem, have not been listening to the other states and territories. All states and territories, with WA having introduced this, whether Labor or Liberal governments, have implemented and are endorsing and are implementing these reforms. It seems that all of Australia is on board, except the Canberra Liberals.

What the Canberra Liberals have put forward, their sole childcare policy, is a centralised waiting list. This waiting list will do nothing to address the cost pressures for families, it will do nothing to improve childcare availability for families and the waiting lists under the Canberra Liberals, given that they are not prepared to do anything else, will just get longer and longer.

It is worth seeing the opposition's track record on childcare. In their 2008 election policy, the word "childcare" did not appear—not once. For the 2012 election policy, they have one policy so far, an articulated waiting list that everyone I have spoken to thinks is probably the most useless policy ever brought forward. So I would ask, given it is a costed policy, that Mrs Dunne table that policy, its costings and how it would work, because there are so many questions around that detail that it really is quite concerning.

Mr Coe: You are better when you read the speeches, Joy.

MS BURCH: I will read on. Thank you.

Members interjecting—

MADAM DEPUTY SPEAKER: Mr Coe and Mr Hanson, thank you for your commentary.

Mr Hanson: Pardon?

MADAM DEPUTY SPEAKER: I said thank you for your commentary.

MS BURCH: It shows that for almost two years the Canberra Liberals' rhetoric has not changed. I well recall some comments in the *CityNews*:

... the director of Northside Community Services, which runs Civic Early Childhood Centre, Majura Early Childhood Centre and Treehouse in the Park in Turner, says there seems to be a lot of scaremongering on the issue. 'I think what the government is doing is a good thing ...'

There are a number of issues with the Productivity Commission's report which I will draw to the Assembly's attention, and it is for these reasons that both the federal and the ACT governments dispute some of the report findings. The Productivity Commission has assumed this reform agenda comes into operation all at once, and this is incorrect. The reforms are being introduced gradually over almost a decade and that does make a considerable difference to how the sector nationally will transition to the new standards.

The commission also relies on data which predates the federal government's significant increase in the childcare rebate from 30 to 50 per cent. As a result of this investment, the proportion of family income being spent on childcare has almost halved since 2004, dropping from 13 to just seven per cent in 2010—families with one child in care and earning \$55,000 a year. Again, this does not suit the Canberra Liberals' fear campaign, but it is worth repeating. Families are paying less for childcare today than they were four years ago, when the federal Liberal government was in power.

The Productivity Commission does not properly account for the significant policy decisions and financial investments the government has made to support growth of the

early childhood workforce, and I have touched on some of these. Already in the ACT over 50 per cent of childcare services have moved to one educator in four, and all of our under 2s already meet the new ratio. Also, a centre-by-centre analysis in March this year of the childcare sector shows that centres that already meet the new child-to-staff ratios are on average less expensive than those that do not. It shows that the standards are not a barrier to affordability.

But again, this does not suit the Canberra Liberals. I repeat: families whose children are at centres that already meet the new ratios, irrespective of whether the centre is private or not for profit, in its own accommodation, paying rent or in government accommodation, on average are paying less.

The Productivity Commission quotes that high quality childcare programs have been found to have a positive effect on children, particularly those from disadvantaged backgrounds. The Labor government has demonstrated that it will not be stepping away from the early childhood sector in supporting them to deliver these positive outcomes for children.

It is one piece of work. There is only one piece of modelling that has been done on these reforms and that has looked at the impact of jurisdiction by jurisdiction, and that is work that has been done by Access Economics, which was validated in this year. But the opposition, again, do not like to cite this comprehensive piece of work because it does not suit their fear campaign. The modelling shows additional costs for the ACT to be \$2.75 per child, but it shows an increase of \$2.39 a day in 2015. The ACT government have always been up-front that we expect to see some increases in cost of around \$2.27 a day by 2014 as a result of these reforms.

As I said in question time yesterday, of course there will be a cost for quality. But we will look at the facts and we will listen to the sector. Organisations, including the country's largest childcare provider, have said publicly that they expect fees at their centres could change but not to the vastly inflated estimates of the Productivity Commission.

I also am surprised to see Mrs Dunne taking an interest in women returning to the workforce, because we know what she thinks about working women. Who could forget Mrs Dunne's speech on gender pay equity in this chamber in February 2010, when she said:

And it is also that often women have somewhat of a luxury—

Members interjecting—

MADAM DEPUTY SPEAKER: Sit down for two seconds, please, Ms Burch. Stop the clock, please. I recall that Mrs Dunne was heard in silence. I would ask members to hear Ms Burch in silence as well. Thank you.

MS BURCH: Thank you. Mrs Dunne's view on working women is this:

And it is also that often women have somewhat of a luxury about whether—

Mr Coe: On a point of order.

MADAM DEPUTY SPEAKER: Resume your seat. Stop the clock, please.

Mr Coe: I see absolutely no relevance whatsoever in what Ms Burch is saying here, especially when she is quoting Mrs Dunne on an issue which is unrelated to this.

MS BURCH: On relevance—

MADAM DEPUTY SPEAKER: Ms Burch, remain relevant, please, to the motion. Thank you.

MS BURCH: The motion refers to the Productivity Commission and also made comment on female participation in the workforce. So on that:

Often women have somewhat of a luxury about whether they are in the workforce or not—a luxury that does not accrue in the same way to men.

... And it is often the case, especially in a town like Canberra where perhaps people are not quite so dependent upon a second income, that women, especially in their middle years and later years, are more inclined to move in and out of the workforce as it suits them because they are not the principal breadwinner.

Labor believe that we are right in making sure that women here in Canberra have access to childcare. We believe that many women have a genuine need for work and we do not consider that work is a luxury for women. In stark contrast—

Mr Coe interjecting—

MADAM DEPUTY SPEAKER: Mr Coe, do you want to be warned before lunch?

MS BURCH: Thank you, Madam Deputy Speaker. I can understand their angst because I would be shamefaced to have made those comments about women in Canberra as well. I move the amendment circulated in my name:

Omit subparagraph (1)(b) and paragraph (2), substitute:

“(2) calls on the ACT Government to:

- (a) respond to the Productivity Commission’s report by July 2012 as it applies to the ACT, including details of the research and modelling undertaken to develop that response; and
- (b) table, by the first sitting of the Assembly in 2012, a paper outlining its strategy to assist the childcare sector in the ACT to implement the national quality agenda.”.

The amendment I have circulated acknowledges that the early childhood development workforce report has many findings and recommendations. And I look forward to providing the government’s response to the Productivity Commission’s report in due course.

However, as noted in the report, the ACT government only provides some funding in addressing these issues and must work in partnership with other jurisdictions to address the recommendations of the report. This must involve the ministerial council and, as such, greater time frames are required. July 2012 is a reasonable time frame, given that national quality standards in relation to qualifications do not come into effect until 2014.

I am very happy to table by the first sitting of the Assembly in 2012 a paper outlining the strategies to assist the childcare sector in the ACT to implement the national quality agenda. In fact, I table it right now. I present the following paper:

Supporting Quality Early Childhood Education and Care—the building blocks for a brighter future, dated April 2011.

I released a statement in April this year following consultation with the ACT childcare sector, including a ministerial roundtable which was attended by over 80 representatives. Let me quote from the section entitled “Supporting the Early Childhood Workforce”:

The ... Government has announced a new initiative to support the qualified early childhood development workforce in the ACT.

The ... Government has been working closely with the early childhood education and care sector to support the workforce in time of change.

The National Quality Framework will create new qualification requirements for early childhood educators to ensure educators have the skills to help children learn and develop.

The ... Government will introduce a new scholarship program to assist the early childhood workforce to meet the requirements ... The scholarship program—

of \$785,000—

will sponsor existing staff to up-skill to a Certificate III qualification ... and to encourage new people into the childcare industry. The initiative combines course fees, employer incentives and start-up costs for ... student. The scholarship will be available for new people and for existing educators in long day care, independent preschools and family day care sector. The scholarship would also provide access to training for those family day care educators who are self-employed.

While the government will not be supporting (2)(b)(ii) of this motion, I would like to point out some of the points of our early education package which I have just tabled. Under “Supporting Accessible Quality Education and Care” it states:

The provision of quality, accessible and affordable childcare is important for workforce participation. The Government has a strong commitment to increase places and equip parents with greater choice of where they can send their children. Long day care places have increased by over 1,100 places in the past two years and there are now—

at the point of publication—

15,988 places available across long day, family day care, outside school hours ... and independent preschools.

Excess demand, shown in low vacancy rates, is a determinate of fees.

Over the past two years, the ... Government has invested \$2.4 million in childcare capital upgrades. These investments go directly to providing more accessible, quality childcare ... in areas of demand ... reducing the costs for families. Given the high demand for childcare in West Belconnen, the Government provided—

in last year's budget a sum to create 110 childcare places as part of Flynn. Baringa has been extended to include additional spaces. It continues:

The Government has announced several new initiatives to increase accessibility and affordability ...

These initiatives will see the government increase childcare places by up to an additional 500 places. That is what the government is doing to support families to access childcare and return to work.

I do hope my amendment gets supported. Again I call on the Canberra Liberals to provide to this Assembly, given that they have reaffirmed their commitment to their waiting list, the details of that so that Canberra families, indeed, can make a judgement on the better childcare policies.

MS HUNTER (Ginninderra—Parliamentary Leader, ACT Greens) (11.38): The ACT Greens will be supporting the motion today, subject to the government amendment which we agree better reflects the situation and is reasonable in the time frames they propose for the work to be done.

On 1 December the Productivity Commission released its report on the early childhood development workforce. The report is a large and thorough piece of work that sets out a range of recommendations and findings, including that many more workers would be required in preschool and long day care, that the level of workers' qualifications would also need to increase and that the wages of workers in those early childhood education and care roles that require a relatively high level of vocational education and training or university qualifications would be expected to rise as a result.

With implementation due to start in January 2012, the Productivity Commission also found that the supply of the most suitably or highly qualified workers, particularly teachers, is likely to take some time to respond. The report notes that to sustain the benefits of higher levels of qualification access to ongoing professional development and support for staff will be very important, including in relation to training in the expanding integrated early childhood development centres.

The report indicates that early childhood development services for children with additional needs, and for Indigenous children, are not meeting the standards commonly available to other children. It is essential that early childhood development workforce requirements for children with additional needs and Indigenous children are given priority so that the gap between these groups and other children is minimised rather than exacerbated.

In addition, alternative childcare subsidy structures emphasising targeting to the most disadvantaged children and families could help ensure access to services for those who would benefit most. This report is the second in a series of three commission studies covering the workforces of vocational education and training, early childhood development and schools.

The Productivity Commission is a respected research and advisory body. Given that the changes are the product of nationally agreed reforms in the early childhood sector through the national quality framework, there is an obvious benefit to having a national perspective on the issue. Governments are implementing a range of substantial reforms to early childhood education and care. These reforms have substantial implications for the 140,000-strong early childhood education and care workforce. However, we do need to be very conscious of the particular circumstances of the ACT and recognise that in some aspects we are somewhat separated from the implications of these national reforms. We have a high standard of quality in some areas and may not necessarily have as much catch-up to do as some other jurisdictions.

I recognise that the motion allows for just that and asks the government to look at the issues raised by the commission in the local context. It is important that the advice given by the Productivity Commission is interpreted and applied to the ACT to ensure that we adequately respond to the issues and difficulties that we are likely to face in achieving quality outcomes for the early childhood education sector and the possible flow-on effects that could come from implementing this agenda on a local level.

The Productivity Commission report clearly outlines that the early childhood development sector contributes to the positive early life outcomes experienced by the majority of young children in Australia. The sector provides early childhood education and care, child health and family support services to over 1.5 million Australian children.

I will just turn to the Productivity Commission report and pick up on a couple of issues. Many of these issues were, of course, discussed at some length during the debate on the adoption of the national quality framework earlier this year. The supply of suitably qualified workers is likely to take some time to respond and temporary exemptions from the new standards will probably be required. There is an increased demand for qualifications and that in turn will increase demand for vocational education and training. This will require a range of responses both locally as well as nationally. I do note that there are partnership programs underway.

Appropriate and accessible professional development and support for staff are needed so that the benefits of additional training are enduring and to disseminate information

on the extensive pedagogical and regulatory sectoral reforms. The increase in early childhood education and care service costs due to labour cost increases will mainly be shared by governments and parents, rather than by workers or providers. Under existing subsidy arrangements, access to long day-care services is expected to be lower than without the reforms as a result of higher costs faced by parents.

In the Productivity Commission's opinion, the national time lines have not anticipated the lag time required to up-skill and increase qualifications of workers. They also have not taken into account the pressure on the VET sector to offer training places. This is something the ACT government should respond to and explain whether that is or is not the case for the ACT.

Early childhood development services are not currently providing the same start in life for children with additional needs and many Aboriginal and Torres Strait Islander children that is commonly available to other children in our communities. The workforce requirements to provide appropriate services for these children must be prioritised so that the gap in outcomes between them and other children is minimised. The development of integrated early childhood development centres provides new opportunities for improved service delivery but may require additional leadership and cross-disciplinary professional development for staff for them to be effective.

The ACT Greens recognise the importance of helping families meet their needs and expectations in relation to their choices about work and access to quality, affordable and accessible childcare services. Childcare is an important family issue and it is vital in the ACT that we have a well-developed policy on providing access to care for children through the day and during school vacations. This is not only essential for the parents or carers of these children but the grandparents and other friends who are responsible for providing alternative care. The ACT Greens have as one of our important aims to enhance the availability of a mix of high quality childcare services for ACT families through initiatives to support social inclusion and culturally appropriate care, as well as improving conditions, remuneration, training and career opportunities for childcare workers.

Childcare is expensive and takes a significant portion of families' budgets. We all recognise that childcare in the ACT is expensive and we should do what we can to address this, but equally no-one wants this to be at the expense of our children's educational opportunities and experiences. A large proportion, around 80 per cent, of our childcare providers are community based with many of them operating on a not-for-profit basis.

Attracting and retaining a strong childcare workforce for this sector is naturally a priority and means wages are often paid above the award level. The domino effect of that is that the other childcare providers need to do the same in order to attract and retain staff. All parents want the best quality childcare for their children at a reasonable cost. Inevitably this means that we have to recognise that if a proper wage is paid to attract and retain the high level of childcare skills that we want in the workforce it does mean an increase in the cost, but we also need to balance that with the lifelong benefits to those children who receive that care.

Research commissioned by the LHMU, the childcare union, shows that over 90 per cent of parents support childcare reform and 84 per cent would support a small increase in fees if it led to better education and care. The survey commissioned by the union actually surveyed more than 1,500 parents. In meeting the demand for childcare we need to recognise that investment in our childcare workers is vital and ensure that workforce shortages are addressed through a commitment to assist with professional development and training of childcare workers so that our already strong local childcare sector can be a more attractive career option.

We know that it is not always possible to control childcare costs and that centres have to be independently viable. The government is limited in what it can do in this regard. It can, however, work to ensure that the regulatory burden for childcare providers, imposed to ensure the standards around health and safety are addressed, are not too severe and do not result in higher costs and then, of course, those charges being passed on to families.

The ACT government have a role in working with their federal counterparts to do whatever is possible to bring costs associated with the high demand and the childcare industry skill shortages down. This may include, as recommended by the Productivity Commission, considering alternative structures for subsidies that improve the targeting of childcare assistance.

Access to childcare in locations right across ACT which enable families to drop off and pick up their children in line with their work and family demands is also essential. In turn, it is important that the ACT government ensures these childcare centres are afforded some security of accommodation so that the childcare providers can offer security to their staff and the parents using their services. These childcare centres form an important part of many families' lives in the ACT as they juggle the balance between work, life and family and what is in the best interests of their children. This is particularly important when we talk about the place where their child is being taken care of in their absence. Parents want a caring, supportive and stable environment integrated with high quality education programs.

The ACT Greens are committed to ensuring that there is access to quality childcare facilities in the ACT and that there are good conditions for childcare workers. There is a considerable amount that needs to be done to assist particularly low income families in relation to the cost of childcare. We ask that the ACT government continue to work with their federal colleagues to seek relief for those parents.

In relation to paragraph (2)(a) of the motion, it is my understanding that Ms Burch intends to respond to the Productivity Commission's report in 2012. Because of the national implications and the need to seek advice from national forums such as the Ministerial Council for Education, Early Childhood Development and Youth Affairs, who meet only a few times throughout the year, more time is required to table a response. In the amendment put forward by the government they have committed to give details of the research and modelling undertaken to develop their response. The ACT Greens support the amendment proposed by the government to table this report by July 2012.

With regard to (2)(b), the Greens will support the government's amendment to table in the Assembly by the first sitting day in 2012 its strategy to assist the childcare sector in the ACT to implement the national quality agenda, as was proposed in Mrs Dunne's motion. During 2011 the ACT government made announcements about some of the supports it was putting in place to work with the sector to ensure a smooth transition to the new standards, including a \$60 million support package announced through the ACT budget. I would like to see how some of these strategies are progressing in the ACT and whether they are having a positive impact on the transition arrangements in the sector.

The ACT childcare sector is generally well placed to transition to the new standards. We have a good track record with regard to the new educator to child ratios outlined in the standards for children over two years, and almost half of all providers already meet the new ratio for children under two years of age. However, it will be necessary to develop a strategy about how we support workers to increase and improve their qualifications, how we encourage new workers into the sector and what impact and pressure the up-skilling may have on the vocational education and training sector here in the ACT. The scholarship programs for those training to be childcare workers announced by the government can be only one part of what needs to be a suite of strategies to achieve a strong workforce and the retention of these workers in our childcare sector.

As I said, the ACT Greens support these reforms. It is important that we have high quality childcare services provided and that we have people with the qualifications, but of course if we are going to attract and retain workers into this sector we need to pay them a wage that shows that we value the work they do. We must also acknowledge the qualifications that they are achieving and have already gained. It is also important that we keep an eye on some of the centres who may find it difficult to transition. Some of that is about the ratios and some of that relates to how facilities have to physically change in order to incorporate the change in the worker to child ratio, particularly for younger children. I have spoken before about a centre that is finding it difficult—(*Time expired.*)

MR HANSON (Molonglo) (11.53): I rise to support Mrs Dunne's motion. Before I do speak to the motion in detail, I think that it is worth responding to the minister's comments, which in part were a slur on Mrs Dunne and somehow attacked Mrs Dunne for commentary supposedly made about working mothers. I think even Ms Hunter was rolling her eyes at that part.

Mrs Dunne is a working mother. Mrs Dunne has five children, two of whom have disabilities. I think it is extraordinary that the minister would spend so much of her speech attacking Mrs Dunne and attacking the Canberra Liberals rather than defending her own policy and her own government's performance. When she attacks Mrs Dunne, all she does is highlight the contrast between what Mrs Dunne has done in this place and what the minister has done.

I commend Mrs Dunne for taking leadership on this issue, for bringing this motion before the Assembly and for continually fighting for the families of Canberra who

have their children in childcare and who are dealing every day with cost of living pressures. I commend Mrs Dunne for the leadership she showed on child protection that exposed the failures in the child protection system—indeed, the breaking of the law and the failures of the minister. I commend Mrs Dunne for her work that she has done on Bimberi—

Ms Burch: Madam Deputy Speaker, on a point of order, Mr Hanson has just said that workers in care and protection broke the law. That is wrong and he should withdraw it.

Mrs Dunne: On the point of order, the minister does not have the right to stand up in the middle of a debate because somebody says something that she does not agree with. There are standing orders—for instance, standing order 47—that she can use at some stage. But just because she disagrees with something, she does not have the capacity to stand up and interrupt Mr Hanson.

MADAM DEPUTY SPEAKER: There is no point of order, Ms Burch.

MR HANSON: I commend Mrs Dunne for raising the issue of Bimberi that led to the review, whilst all Ms Burch could do was put her hands over her ears and say to the staff, “La, la, la,” not wanting to hear what was going on. I commend Mrs Dunne for the work that she has done when it comes to the Murray-Darling Basin plan and the backflip that that led to from the minister, Simon Corbell, who in this place and in the media lauded the plan when it was first announced. He then went back to take up many of the issues that had been raised by Mrs Dunne.

I commend Mrs Dunne for her work on the liquor licensing laws, which she exposed were flawed. The government has had to go back in embarrassing retreat on many aspects of those laws. I commend Mrs Dunne for her work on sentencing for culpable drivers.

If Ms Burch wants to come in here and spend most of her speech attacking Mrs Dunne, whose credibility in this place is enormous compared to the failings and dismal performance of Minister Burch, if she wants to lead with her chin and try to compare herself and her performance with that of Mrs Dunne, well, bring it on, because she will get smashed on the rocks of failure.

Today’s motion would not be necessary if Ms Burch and this Labor government had bothered to listen to the people of Canberra and find out the real factors affecting them on a daily basis. Today’s motion is about the people of Canberra, those people in the community who are struggling to run their households, feed their families, maintain their health and send their children to childcare while they are working for a living.

Today’s motion is about Mr and Mrs Average Canberran and the pressures that this government is putting on them with their out of touch policies and ignorance of the real issues facing families. Having had children in childcare myself, I understand the difficulties with balancing the costs of having the child in care with wages that would be gained in the workforce. However, we have made a choice as a community to support families to make the decisions that they want, for mothers and fathers to have the ability to return to their work if they wish to do so.

The Productivity Commission's early childhood development workforce research report released earlier this month illustrates that striking the balance between working and retaining childcare services has been made so much harder by these government reforms. The Productivity Commission report shows that 15 per cent more workers will be needed for childcare centres to meet the required standards. Due to the higher qualifications required, wages will need to be 10 per cent higher. There will also be a time lag before workers become appropriately qualified.

Subsequently, childcare centres face the prospect of staff shortages and long-term exemptions from complying with the standards. We already know that in the ACT retaining employees is difficult when you are in competition with the attractive remuneration packages offered by the public service. Retaining employees in the childcare sector in the ACT will now become that much harder.

The federal reforms to childcare, as examined in the Productivity Commission's report, are due to start in four weeks time. The not-for-profit advocacy group, the Australian Childcare Alliance, has stated that childcare costs will skyrocket under the planned workforce reforms. They argue that the reforms must be slowed down and that family and long-day childcare centres need to be properly funded and supported. Without slowing down the reform process, the alliance argues that inexperienced educators may be inadvertently employed in the rush to upskill and increase carer-to-children ratios.

It is important to remember in these discussions that over 5,000 early childcare services in Australia are managed by their communities, either by not-for-profit organisations or committees of volunteer parents. This is where reform will be hit hardest. The level of complexity in the regulation that these centres face will not only be exacerbated by the rushing through of this reform agenda.

The federal Labor government have argued that the impact of the reform agenda on childcare fees would be minimal, that it would be under 50c a week. The ACT minister, Ms Burch, has believed them hook, line and sinker. She did not think it was necessary to stand up for Canberra families and examine the impact that these reforms may have on the people of the ACT.

The Productivity Commission examined this statement of the impact on cost and found that 50c a week was a gross underestimate. The Productivity Commission estimates that the cost increase would be up 15 per cent, which is an increase of about \$50 a week, not the 50c as lauded by this Labor government.

The Productivity Commission report states that parents will be forced to make a choice—either to leave the workforce or to remove their child from care and move into unregulated backyard institutions to cope with the higher costs. At least someone understands the impact these reforms will have on the cost of living for families, because it is certain that the federal Labor government and this ACT Labor government, in particular the minister Joy Burch, would rather just bury their head in the sand—perhaps put her hands over her ears and say, “La, la, la.”

I think it would be timely to examine just how out of touch this Labor government is about the effect of rising costs of living on families. Taxation per person has grown by 76 per cent since Labor was first elected, making the ACT the second highest taxing jurisdiction in the country. If you put this in real terms, that is an increase of over \$1,600 per person.

Property rates and charges have grown 75 per cent in 10 years. In Banks, the charges have increased by 151 per cent, in Spence by 147 per cent and in Charnwood by 158 per cent. The increase in property rates and charges is not just impacting on homeowners but also on people in rental properties. Rents have increased by 68 per cent in 10 years, the second highest average weekly rent in the country, at approximately \$500.

It should not come as a surprise to government that the people of Canberra are finding it tight, but the government just does not care. They continue to pile on the costs. Water costs have increased by up to 200 per cent in the last 10 years. This is the community paying for the government's major cost blowouts in water infrastructure projects. For families this is an increase of \$550 to the annual amount paid for water. Electricity costs in the ACT are up by 74 per cent over the last 10 years. For families this is an increase of \$607 to the annual amount paid for electricity. Parking fees for all-day places in Civic—those people who are working—

Ms Burch: Mr Speaker, just on a point of relevance.

MR SPEAKER: Order! One moment, Mr Hanson. Stop the clocks, thank you.

Ms Burch: On a point of relevance, the motion is around the Productivity Commission and the early childhood development workforce, not a long list of rate charges, rent charges and everything else, given that they raised a point of order on me when I was quoting Mrs Dunne on workforce participation.

MR HANSON: Mr Speaker, on the point of order, it is obviously relevant because the point raised by the Productivity Commission was about the increased cost of living pressures that would be arising from the federal government's reforms. It is relevant in this debate when we are debating cost of living pressures arising from childcare to put them into context with other cost of living pressures facing Canberra families that arise from other federal or ACT government regulations.

MR SPEAKER: Yes, I just want to confer with the Clerks regarding the earlier ruling in this debate, as I was not here for it. There is no point of order. Mr Hanson, you have the floor.

MR HANSON: Thank you. Parking fees for all-day places in Civic for people who are working all day while paying for their children to be accommodated in childcare increased by 79 per cent over 10 years. That is \$1,378, Mr Speaker, for a full year of parking. ACT Labor has not been helped by showing the same attitude shown by the federal Labor government.

The flood levy will take approximately \$38 million out of the pockets of the ACT. The carbon tax will put three in five Canberra families out of pocket and one in five will receive no compensation. That means that one-fifth of Canberra families will be paying an additional \$515 per year. The carbon tax will see ACT electricity bills increase by approximately \$142 per year from 2012.

These are all additional costs that Canberra families must now face, but the ACT government has little concern for them. It is no wonder that Ms Burch is unconcerned by the cost increases when the leadership provided to her in the Labor Party believes that there is no problem. It is important to remember that when the Chief Minister was asked to discuss the options for people to tackle the rising costs of living, she said that they could “cancel Foxtel for a while”. Let them eat cake, Mr Speaker!

Mrs Dunne’s motion today calls on the government to take their head out of the sand and examine exactly how the childcare reforms will impact on Canberra families. The people of Canberra deserve to know exactly how much they will pay under these reforms. I commend Mrs Dunne for taking up the fight on behalf of all of those families paying for childcare in the ACT.

MRS DUNNE (Ginninderra) (12.05): The Canberra Liberals will not be supporting the amendment put forward by Minister Burch, and I am surprised that the Greens would go down the path of accepting the rhetoric of the government.

The minister in paragraph (2)(b) of her amendment agrees to:

table, by the first sitting of the Assembly in 2012, a paper outlining its strategy to assist the childcare sector in the ACT to implement the national quality agenda.

That is interesting because essentially the minister has said, and told Ms Hunter, that she is not proposing to do anything at all because she has already tabled that, which she thinks sufficiently answers that part of the recommendation.

I would like to draw members’ attention to the glossy that the minister tabled. It is a 16-page document and if you have a quick look through it there is a title page that has no information on it, an end page that has no information on it, and between the title page and the end page there are four other pages which contain full-page glossy colour photos of cute kids and three other pages where there are glossy colour photos of cute kids which take up at least 50 per cent of the page. That leaves us with a five or six-page publication which does not actually address the issues brought forward in this motion today, does not address the issues of how this Labor government will help the implementation of the framework in the childcare sector.

The minister’s amendment also skates over the issues of how this government is going to help Canberra families address the rising cost of childcare. And the government is being aided and abetted in this by the Greens, which I think is unfortunate. But the message will come out today that again Joy Burch has skirted around the issue of the rising cost of childcare and the impacts that will have on Canberra families. And she is being aided and abetted and being allowed to do this by the Greens, who again are

showing today that they have no concern about the rising cost of childcare and the impacts that that will have on Canberra families.

These are significant issues and the only people in the ACT who are interested in this issue and who are prepared to make a stand on it are the Canberra Liberals. In doing so we have to take into account that the formal childcare sector that Minister Burch likes to talk about, that Minister Burch likes to produce glossy magazines about, is only half of the childcare sector in the ACT. The people who will be missing out if they are driven out of the formal childcare sector will be the poor. If things continue as they are, there are very high risks that the people most in need of quality early intervention with their children, the poor, will be driven out of the childcare sector because they will not be able to afford the costs.

We have seen year in, year out—and we saw the last Productivity Commission report point to the fact—that on average Canberra families pay \$60 a week more than the average Australian family for childcare. We are already paying over the odds and that is a great shame. This minister says: “I’ve got nothing to do with that. You know, it is like the price of cornflakes; they go up, and I’ve got nothing to do with it.” But she signed up to a framework which is driving up the costs.

The minister keeps saying that the Productivity Commission is about Australia-wide figures. We understand that. We acknowledge that. And what we are calling for today is for the government to drill into the Productivity Commission’s report, to look at all the factors that the Productivity Commission has pointed out and to come up with an answer about how that relates to the ACT. The people of the ACT should not have to wait another six or seven months. If this minister is so engaged and knows so much about childcare and her department knows so much about what is going on in childcare, it should be no effort for the government to take out the figures that relate to the ACT and present them in a way that is comprehensive and available to the people of the ACT.

For the minister to come in here today and say, “We expect you to wait another seven months for this information,” is unreasonable. The minister is very quick to come in here and say: “There is nothing to see here. We’ve got figures that show it.” If the government have got figures to show the Productivity Commission is wrong, bring it forward; bring it forward in the first week that we come back next year. They are so quick to come out and say the Productivity Commission is wrong. Show us. Show the community where the Productivity Commission is wrong when it says that childcare prices will rise by 15 per cent. Show us how that is wrong for the ACT. Show us where the Productivity Commission says that wages will need to rise by 10 per cent; show us how that is not the case in the ACT and say whether that is a desirable thing or not. Where the Productivity Commission says that there will be serious workforce shortages, tell us how that will not be the case in the ACT. When the Productivity Commission tells us, as Ms Hunter pointed out, that disadvantaged children—children with special needs, Indigenous children—are not getting the services they need in early childhood education, tell us how that is different in the ACT. Tell us how the ACT is performing better than everywhere else.

Ms Burch sits here with her uninterested look. She has no interest, she has no knowledge, and she does not care. She has taken up the rhetoric of her Labor mates up

on the hill who have come out in furious disagreement with the Productivity Commission. We saw the softening of the ground by Kate Ellis, on the Sunday before the Productivity Commission report came out, where she threatened to name and shame anyone who raised prices.

I know of childcare centres across this town who are telling me that in the next year they will have to raise prices. And they are not, as Kate Ellis said in her commentary in the *Sydney Morning Herald* and elsewhere, some bloated plutocrats who are making money. These are community-run organisations who tell you, if you ask them, that they are terrified of the implications that this will have for their families. They know that they will have to raise costs. Community childcare centre after community childcare centre will tell you, if you care to ask and care to listen, just how much they will have to raise their fees next year.

And when we remember that most of the people in the ACT who run childcare centres are in the community sector, we will see just as many cost increases in the community sector as we will see in the private sector, and I defy Kate Ellis to name and shame the hardworking community sector organisations who are putting work into providing great childcare but who are going to be named and shamed because they have the temerity to tell the truth.

Then we had Peter Garrett come out and essentially just dis the Productivity Commission report, saying how wrong the Productivity Commission was. If the Productivity Commission was so wrong—and Minister Burch said here today again that the Productivity Commission was wrong—why when the draft report came out did the government not respond? Why didn't they go to the Productivity Commission and say: "You've overlooked this. Look what we did in 2007. We changed the childcare rebate and you haven't taken this into account"? If they had been so interested in getting accuracy and less desperate in their actions, they would have participated after the draft report came out so that these errors, if they were errors, would have been fixed.

The Canberra Liberals are standing up for people who are facing rising costs and rising difficulties in accessing childcare. We will not be supporting the amendment put forward by Minister Burch today and we condemn the Greens for agreeing with it.

Question put:

That **Ms Burch's** amendment be agreed to.

The Assembly voted—

Ayes 10

Noes 5

Mr Barr

Ms Gallagher

Mr Coe

Mr Smyth

Dr Bourke

Ms Hunter

Mr Doszpot

Ms Bresnan

Ms Le Couteur

Mrs Dunne

Ms Burch

Ms Porter

Mr Hanson

Mr Corbell

Mr Rattenbury

Question so resolved in the affirmative.

Motion, as amended, agreed to.

Teachers—enterprise bargaining

MS PORTER (Ginninderra) (12.19): I move:

That that this Assembly:

(1) notes:

- (a) the significant role that teachers play in delivering positive educational outcomes for ACT students;
- (b) that the new Enterprise Bargaining Agreement offer includes:
 - (i) parity of pay for all teachers in the first year of the agreement, and 3.5 percent increases in years two and three;
 - (ii) opportunities for accelerated progression for outstanding teachers;
 - (iii) opportunities for outstanding classroom teachers to be recognised through accelerated progression through the pay scale;
 - (iv) the establishment of a \$100 000 teacher leader position, keeping talented teachers in the classroom; and
 - (v) empowerment of ACT school communities to have more decision making power;
- (c) that these reforms are in line with the National Reform Agenda currently being implemented by the Commonwealth Government;
- (d) that the Australian Education Union's Executive Council has given in-principle support to this offer; and
- (e) that the offer will be put to teachers for a vote early in 2012; and

(2) also notes:

- (a) the successful implementation of the national curriculum in the ACT;
- (b) development of National Professional Standards for Teachers and a national standard for principals; and
- (c) the successful ACT implementation of National Partnerships.

I am happy to be able to move this motion today in relation to the significant role teachers play in delivering student outcomes in the ACT and the EBA negotiations that are coming to a successful conclusion. I believe all of us in this place today have been fortunate enough to receive a formal education. We all attended school, and I am

sure each of us remembers those teachers who believed in us, who stretched us beyond our comfort zones, who inspired us. I remember those teachers who worked with my own children to help them achieve, and now I watch my grandchildren benefit. I also remember the teachers that I experienced and who were positive in my life.

Education plays an important role in our economy, social and cultural development of our young people and the social maturity of our community. Of course, a key factor in the effectiveness of an education system is the quality of its teachers. Each teacher plays an important role in assisting students to become active and valued participants in society. Quality teachers inspire students and help them to gain new knowledge and skills that they will use throughout their lives.

The motion I move today recognises this significant role and what it means to the lives of young people and acknowledges recent achievements and progress towards attracting the best teachers and helping them to contribute towards strengthening the teaching profession. Teachers have a far-reaching influence on the lives of the students that they teach. This influence is evident in the high expectations that parents and the broader community have of schools and teachers. Parents and students recognise it each time they encounter a good teacher.

It has been said previously in this place that the most important factor in the education of children and young people outside the family home is the quality of their teachers. In demonstrating this fact, one only has to go to research by Professor John Hattie and Australian researchers including Dr Ken Rowe, Dr James Ladwig, Professor Jennifer Gore and McKinsey and Company. Professor Hattie's research into factors influencing student learning found that quality teaching is the single most important influence on student achievement. Other research and studies have drawn similar findings and conclusions. Research also highlights the importance of attracting and retaining the best people to become teachers. These are the teaching professionals who understand the best way to help each student to learn and achieve their full potential.

Building from this research and the experience of professional practice, the Education and Training Directorate has a number of core principles in relation to school improvement. These principles include clear statements that every principal is the instructional leader in his or her school, every student will be taught by highly effective teachers, and improving teacher capacity is the most effective way to improve student performance. These principles clearly recognise the importance and positive impact of quality teachers.

I am pleased that through initiatives, both locally and nationally, the enormous social contribution of teachers is being recognised and fostered. A new enterprise agreement is being finalised for ACT public school teachers. In-principle agreement has been reached with the Australian Education Union's executive council, and it is anticipated that teachers will be able to vote on the new agreement early in the new year. I would like to acknowledge the work of the directorate and the former minister, Mr Barr, in getting to this stage.

The new agreement will see some ACT teachers receive significant salary rises and result in some of our best classroom teachers being paid more than \$100,000 per

annum, the fulfilment of a fundamental election commitment made by this government. Attracting and retaining the best teachers in classrooms will have a positive impact on children, young people and their families.

The revised salary structure for classroom teachers with new classifications above the current scale will enable the best teachers to remain in the classrooms, mentoring colleagues and continuing to deliver high quality learning opportunities for children and young people. Teaching will progress through the salary structure based on their performance. Classroom teachers, the majority of whom are women, will have more options to advance their careers in the classroom or in school leadership.

Under the new agreement, outstanding teachers will be recognised and rewarded through being able to progress through the salary scales at a faster rate. This merit-based career progression will reward excellence and quality. The agreement also creates a new teaching career structure that enables high performing teachers to remain in the classroom. The introduction of an executive teacher (professional practice) classification from 2013 will provide an additional career pathway that does not require a move away from a direct teaching role.

The agreement not only provides pay increases for all teachers at all classifications but it also sees further progress on the delivery of a number of key education reforms, such as enhancing teacher quality and promoting school autonomy and local school decision making.

Teacher quality is also a key focus of the national education reform agenda. A number of national partnerships have been agreed to to implement nationally significant reforms designed to enable the school education system to pursue high quality schooling for all Australian students. The national partnership targets specific reforms to address educational disadvantage and improve student literacy and numeracy outcomes.

In March 2008 the Council of Australian Governments agreed to a national partnership to improve teacher quality, requiring each state and territory to submit an implementation plan for improving teacher quality. The national partnership builds from an already ambitious and interrelated set of COAG actions, which span workforce policy, national standards and accreditation processes for pre-service education. Reforms in the agreement include the development of new professional teacher standards, improved pathways into teaching, increased teacher mobility, improved performance management and teacher workforce planning.

As a key part of the ACT's implementation plan, the Teacher Quality Institute has been established to take responsibility for teacher registration, pre-service teacher education program accreditation and teacher certification against national standards. The Teacher Quality Institute will ensure that the quality of the teacher workforce is maintained and will broaden access to professional recognition and continuing professional development. The institute will play a key role in developing a teaching workforce that has a greater capability to contribute to the community and to regional economic growth through enhanced teaching practices and higher quality student outcomes.

The ACT has also been contributing to the development of national professional standards for teachers and school principals. These standards will ensure consistency in teacher standards across all Australian jurisdictions. Improvements to teacher quality will underpin the success of other educational national partnerships. Improvements in literacy and numeracy and low socioeconomic status schools will build on and benefit from efforts to improve teacher quality.

Education is a driver of excellence and achievement. It makes an enormous difference to an individual's health and wellbeing and potential outcomes. Education also impacts on our regional social cohesion and impacts on the level of participation in the community and economic prosperity. Teachers are our most important educational asset. We must recognise our high performing teachers and give them the chance to progress through appropriate career paths at a speed that they find stimulating and rewarding.

I am pleased that, with today's motion, this Assembly is able to acknowledge the commitment, passion and professional expertise of our teachers, noting some of the initiatives that contribute to strengthening the teaching profession in the ACT.

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

Sitting suspended from 12.28 to 2 pm.

Questions without notice

Taxation—GST review

MR SESELJA: My question is to the Treasurer. On 31 March this year Ms Gallagher stated in relation to the GST review:

We will be putting enormous energy into arguing the ACT's case as part of this review.

Last month you were forced to admit that the ACT government was the only state or territory government not to lodge a submission with the GST distribution review more than a month after the due date. Given the critical importance of the GST distribution review, why was the deadline missed?

MR BARR: I thank the Leader of the Opposition for the question. Members may recall that during the process of establishing and conducting this review the federal government also conducted a federal tax forum, and a key part of that federal tax forum was a detailed discussion of state and territory finances, state-territory-commonwealth fiscal relations and a number of other issues relevant to the consideration of the GST review panel.

Members would also be aware that the ACT sought an extension for its submission. Members may not be aware, but I do believe the shadow treasurer probably would be because he asked me a question on this in relation to our annual report hearings only a

couple of weeks back, that consequently from the federal tax summit the federal Treasurer changed and added terms of reference to the GST distribution review panel's work and extended the deadline for that particular panel to complete its work.

I think the question of when the ACT government's submission was lodged, given that it was understood by the panel that we would be some weeks after the original deadline, is really of little consequence in the context of the overall review, and that point is particularly reinforced by the fact that new terms of reference and additional issues have been added into the review panel's deliberations that emerged directly out of the federal tax forum that was held in October.

Those opposite may wish to engage in this as a debating point, but I think the reality of the situation is that the terms of reference have now changed. The commonwealth process will take longer as a result. So the question of the timing of the ACT government's submission, in this instance, is immaterial.

MR SPEAKER: Supplementary, Mr Seselja.

MR SESELJA: Minister, why did the cover page for the submission claim that the document was lodged in October when this was in fact not the case?

MR BARR: I do not think the cover page of this particular submission is particularly relevant to its submission date, Mr Speaker.

MR SPEAKER: Mr Smyth, a supplementary.

MR SMYTH: Minister, why did you initially claim in the Assembly that you had lodged a submission when this was not the case?

MR BARR: I apologised to the Assembly. I had lodged it in the cabinet process and I had thought that it had been dealt with. I was incorrect and I corrected the record as soon as possible.

MR SMYTH: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Minister, why did you initially claim that cabinet had approved the submission when this was not the case?

MR BARR: Because the submission had in fact been discussed in cabinet and had been the subject of a number of cabinet discussions, as you would anticipate, given the time frame for this particular review. It will of course continue to be the subject of cabinet deliberations, particularly now that there are new terms of reference and new issues that will be considered by the commonwealth review.

Civic—graffiti

MS HUNTER: My question is to the Minister for Police and Emergency Services and is in relation to Canberra CBD Ltd's two-week trial to combat graffiti within Civic

that includes canine units, thermal imaging and covert mobile video surveillance units. Minister, what are the licensing and regulatory requirements for private security firms using dogs for patrolling public places? How are the security guards permitted to use the dogs?

MR CORBELL: I would have to seek some advice on the specifics of the regulatory arrangements but in general the regulatory arrangements would ensure that security guards are appropriately licensed under the relevant security industry legislation. The owners of those businesses would be required to meet particular regulatory obligations in relation to their skills, experience and expertise. I would expect the firms that have been engaged by private businesses in this regard to meet those requirements.

MR SPEAKER: Supplementary, Ms Hunter.

MS HUNTER: Minister, what are the licensing and regulatory requirements for private security firms using virtual security devices such as thermal imaging and covert mobile video surveillance units in public places, and what public notification is required for such surveillance in this area?

MR CORBELL: Devices can only be used for the surveillance of private property and, as I understand it, the security agents who have been engaged for this exercise have been engaged for the purposes of protecting private property from vandalism and criminal damage. So the normal provisions apply in relation to the operation of security surveillance devices. The provisions of the Privacy Act, the provisions that may be set out in new legislation that this Assembly has considered in relation to the use of workplace surveillance, if that is applicable, would be the sorts of legislative regimes that would apply. But I would really need to seek some further more detailed advice on the specifics of the issues Ms Hunter raises.

MS LE COUTEUR: Supplementary, Mr Speaker.

MR SPEAKER: Yes, Ms Le Couteur.

MS LE COUTEUR: Minister, what power do security guards have to apprehend potential offenders and what agreements have been made with the ACT police?

MR CORBELL: As far as I am aware, no specific arrangements have been entered into with ACT Policing. Private security personnel do have some limited capacity in relation to detaining a person until a police officer is called, but that would be no different from a security guard in any other circumstance around the city.

MS BRESNAN: A supplementary.

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Minister, who outside of the police does the government support using dogs and other surveillance devices in the public domain?

MR CORBELL: Guard dogs are a legitimate security option that is used by businesses to protect their private premises. I see no difference between that and these circumstances.

Children and young people—care and protection

MR SMYTH: My question is to the Minister for Community Services. Minister, on 20 September in this place Mrs Dunne asked you a question about what you had done to ensure that the children in the care of an organisation that was not authorised as a suitable entity were safe and that such a situation would not arise in future. In your answer you stated:

I have been seeking assurances that ... all things being equal are in place.

Minister, have you received those assurances and what have you done to satisfy yourself that those assurances have translated into sustainable policies and procedures for the future?

MS BURCH: I thank Mr Smyth for his question. Care and protection workers do a tremendous job in difficult circumstances. Mr Smyth is referring to placements by an organisation that has been discussed at length here. Also what has been discussed at length here is that those placements were in order. Our first position has been and will continue to be that placements are made with a recognised out-of-home care provider. Should that placement not be available then the director-general goes to other alternative plans which ensure that children are safe, and I maintain that to be the case. The directorate continues to work on its policies and its processes to ensure that all accountability measures are indeed reflected and adhered to.

MR SPEAKER: A supplementary, Mr Smyth.

MR SMYTH: Minister, in the time since you sought and received those assurances, have there been any occasions on which any children or young people in care and protection have been placed in the care of any organisation not authorised as a suitable entity? If so, how many children or young people, how many occasions and why?

MS BURCH: The Public Advocate report has identified there were a number of places; I think there were 20. Some of those places identified in the Public Advocate's report were actually support provided within the family home. So I think we need to take them as separate from placements. We have also committed to ongoing work and the Public Advocate will come back and review—

Opposition members interjecting—

MS BURCH: The Public Advocate has identified 24 placements and I have said that we have committed to going through and checking other placement arrangements. That work is in discussion. The Public Advocate is discussing with the director-general how that work will proceed. Additionally, work through the Auditor-General will proceed in the new year.

MRS DUNNE: Supplementary question, Mr Speaker.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, what procedures are followed to assess whether an organisation that is not an authorised entity is in fact suitable to care for children and young people in the care and protection system?

MS BURCH: The directorate has very rigorous processes about deeming a placement to be safe and suitable, and the final decision of that rests with the director-general.

MRS DUNNE: Supplementary question, Mr Speaker.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, what are the things that are equal and are now in place?

MS BURCH: Rigorous policies and procedures that identify that placements are appropriate and that meet the satisfaction of the director-general, as is his requirement.

Calvary Public Hospital—agreement

MR HARGREAVES: My question is to the Chief Minister in her capacity as Minister for Health. Minister, recently you signed the new Calvary network agreement with the chair of the Little Company of Mary Health Care, John Watkins. Could you outline to the Assembly some of the benefits of this new agreement, please?

MS GALLAGHER: I thank Mr Hargreaves for the question. Yes, earlier today I was able to sign a set of agreements known as the Calvary network agreement. This provides significant progress in the arrangements between the territory and Calvary Health Care over the operation and their role within a networked healthcare system.

It replaces a number of agreements that have been in place for 30 years and actually provides us with a set of agreements going forward that reflect a modern day healthcare system. I think it shows that for the first time since self-government we have had a government that has been prepared to take on the challenge of actually delivering an integrated and modern healthcare system by ensuring that the territory actually has a say in the services that are offered.

If we go back to where this began, Mr Speaker, there was a desire by the Calvary board to sell the hospital. There was a reception from the government that we would like to buy the hospital. We have had some negotiations since that time with different chairs of the boards of Calvary Health Care.

At the beginning the government wanted to ensure that we had an integrated, modern healthcare system where the territory, which is providing—taxpayers in the ACT who are providing—between \$130 million and \$140 million a year, actually had a greater

say in how that money was spent and the range of services that was spent on. We believe that that would be best delivered through one manager of the healthcare system. However, the original goals of what we sought to do—that was to have an integrated and networked hospital system where our two public hospitals actually worked together—has been delivered through these agreements.

Calvary have had to give up the security of the older agreements that were written in a time where the pressures of modern healthcare delivery were not fully understood. So they have given up some of their protections. At the same time, the government has accepted that Calvary require certainty going forward.

So these agreements give us the flexibility we need. They set out a very clear process for engagement between the parties. They set out some very clear transparent arrangements around accounting for the public hospital services. They set out very clear arrangements around the resumption of private hospital beds within the public hospital setting to allow us to expand the public hospital presence on the north side of Canberra. They also outline an agreement for what is known as the Bruce healthcare precinct which will set out again the processes and procedures for the redevelopment of the Bruce precinct as we build new services and new facilities out there.

This does bring to conclusion some of those difficult negotiations but I think when I look back on what we wanted to achieve, we wanted better integration, we wanted more say about what was provided, we wanted modern agreements so that we were not relying on Calvary having agreements that were dating back to 1971. I think the benefits of these agreements will be clear to governments of all political persuasions for many, many years—indeed, for the duration that Calvary Health Care has the lease on the Bruce site.

MR SPEAKER: A supplementary, Mr Hargreaves.

MR HARGREAVES: I was having a little difficulty hearing the response. My supplementary to the Chief Minister and Minister for Health is: since the Calvary network agreement also includes a Bruce healthcare precinct deed, will you outline the major features of this agreement and how it improves on the current arrangements?

MS GALLAGHER: One of the challenges when we were looking at the redevelopment of the Calvary site was that the government did not own the land at that time and we still do not legally own the buildings on that land. If we are to invest hundreds of millions of capital expenditure into that site, this government believe that we should retain some ownership of those facilities. We did not want to see negotiations about price of land included in those discussions, and that would have been delivered through the sale of the hospital.

However, this is another area where Calvary healthcare have responded to some of the concerns of the government, and we have signed the Bruce healthcare precinct deed which, again, clearly outlines how we are going to redevelop the site at Bruce. Indeed, the first work is underway: a new car park for the Bruce site.

What it means is that a master plan would be agreed to by June 2012 which will clearly outline the development opportunities on that site, that all development proposals are considered by a committee where there is equal representation from Calvary and the territory. It also means that we actually get access to the land on that site for a peppercorn cost, which is very important and significant progress on what the arrangements were before. Of course new developments that would be constructed on that site, under the service concession arrangement that would exist, are able to be booked to the ACT community's book through the ACT budget.

So we believe these are significant improvements on the arrangements that were in place before, and this gives us some comfort as we go forward and negotiate with Calvary on the redevelopment opportunities ahead.

MS PORTER: A supplementary.

MR SPEAKER: Yes, Ms Porter.

MS PORTER: Minister, some members of the community have raised concerns over some services that may not be offered to the community under this agreement. Can you outline what the government is doing to address these concerns, and is the territory in a stronger position than it was in the past in relation to these agreements?

MS GALLAGHER: In relation to some concerns—and there have been concerns raised over the last few years—around the availability of a full suite of health services being offered at Calvary Public Hospital, this is an issue that weighs on people's minds. I start by saying that not all hospitals offer everything to everybody, and there is an acknowledgment that hospitals play particular roles within our system. The Calvary Health Care board and the operations are governed under a system of the Catholic Church and Catholic beliefs and values around provision of healthcare services, and this means that, particularly in relation to family planning services, these cannot be offered to women through the public system from that site.

However, I have had a number of discussions with the directorate about the ability to provide these services from either the new subacute facility that is constructed on that site or through the Belconnen enhanced community health centre. It is not necessarily a requirement that these services be offered from a hospital setting, and I think we will be able to meet our obligations to the community through the provision of these services from a different location but still on the north side of Canberra.

MS BRESNAN: Supplementary.

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Minister, what changes are there between the old and new agreement with regard to under what conditions the contract could end?

MS GALLAGHER: There are termination of agreement clauses within the agreement that set out a process where there is significant disagreement between the

parties. If there is significant disagreement between the parties about what should happen, there is a separate section of the agreement which goes through how that is to be followed, a process for resolution and also a process to extinguish the agreements if that is the end result.

I would say that, from my dealings with the Calvary Heath Care board through the negotiation of these agreements, I think that would be unlikely. The agreements are framed in the words of collaboration and cooperation and the parties having an equal say about the services that are provided from that site. I think that it would be unusual for us to have to use those clauses, but they are there for both parties if there is some unforeseen event on the horizon that the current agreements do not allow the resolution of.

Calvary Public Hospital—emergency department

MR HANSON: My question is to the Minister for Health. Minister, the ACT emergency department report card August 2011, which you released on 30 November, shows that the performance of the Calvary emergency department has declined relative to the performance of the Canberra Hospital since 2008. Minister, in 2008 you began your negotiations for the purchase of Calvary hospital. Will you apologise to the residents of the north of Canberra and to the staff of Calvary for the decline in Calvary hospital emergency department results following the turbulence of the last three years?

MS GALLAGHER: I do not know who is writing Mr Hanson's questions but they are getting worse every question time. Yesterday it was about the Rebels and today it is to try and say that negotiations between the board and the government have actually affected what goes on in an emergency department. How ridiculous is that! It obviously shows that Mr Hanson has absolutely no idea about how hospitals actually manage operational issues.

The Calvary hospital emergency department, over the course of the negotiations, has had increased resources put in there. There is a question—and we can almost identify the month where it happened. I think it is only in the past year actually, not back in 2008, that the Calvary emergency department has declined. From the initial advice to me—

Mr Smyth interjecting—

MS GALLAGHER: Thanks for your helpful interjection, Mr Smyth—as usual, wrong—

Mr Smyth interjecting—

MR SPEAKER: Mr Smyth, thank you.

MS GALLAGHER: As usual, wrong. We can pinpoint it back to about May—

Opposition members interjecting—

MR SPEAKER: Order, members! Just continue, Chief Minister.

MS GALLAGHER: Mr Speaker, it is almost impossible to give an answer in this place if those opposite—

Mr Seselja interjecting—

MS GALLAGHER: every single time I open my mouth—

Mr Seselja interjecting—

MS GALLAGHER: start interjecting and running lines across the chamber.

MR SPEAKER: Order, members! Mr Seselja, really! Let us just continue, thank you.

MS GALLAGHER: It is almost impossible to participate with them.

Opposition members interjecting—

MR SPEAKER: Order, members!

MS GALLAGHER: See? Here we have a little conversation going on. The constant disrespect that you show this place is astounding.

Opposition members interjecting—

Mr Seselja: It's too hard for you, Katy.

MR SPEAKER: Members, order!

MS GALLAGHER: It is not hard. I have got the answer. You just do not want to listen to it.

MR SPEAKER: Mr Hanson, a supplementary question.

MR HANSON: Minister, what budget submissions from Calvary hospital that would have built hospital capacity have you rejected since 2008?

MS GALLAGHER: Mr Speaker—

Mr Hanson: Be careful!

MS GALLAGHER: “Careful”? What is that—a little warning? You have got a smoking gun, have you, Mr Hanson?

MR SPEAKER: Order, members! Let us not have a conversation across—

MS GALLAGHER: The health—

Members interjecting—

MR SPEAKER: One moment. Stop the clocks. Chief Minister, sit down. Mr Hanson, the little interjection was unhelpful. I actually suspect the Chief Minister might answer the question but you distracted her. If we try and ask the questions and then try and answer them we will all have a much better question time.

Mr Hanson: On your point of order, Mr Speaker—

MR SPEAKER: There is no point of order.

Mr Hanson: I would like to raise a point of order then.

MR SPEAKER: On a point of order, yes.

Mr Hanson: Under standing order 42, ministers are required to direct their answers through you. The minister clearly was not. She has been engaging directly—

MR SPEAKER: Mr Hanson, sit down.

Mr Hanson interjecting—

MR SPEAKER: Sit down, Mr Hanson.

Mr Hanson interjecting—

MR SPEAKER: Really, Mr Hanson, I think that you—

Members interjecting—

MR SPEAKER: Order, members! Mr Hanson, that is a preposterous point that you have just sought to make, given the way you treated the Chief Minister after she had answered a question. Chief Minister, you have the floor to answer the question, thank you, and not talk about the Liberal Party.

MS GALLAGHER: Thank you, Mr Speaker. It will give me great pleasure not to talk about the Liberal Party. The budget submissions from both hospitals come to the budget cabinet. They are not necessarily hospital specific. For example, we will have funding that comes for increased elective surgery. That will go through to both hospitals. There have been additional submissions from both hospitals that have come to budget cabinet that have not been supported. There is a finite amount of money that is available and the budget cabinet takes those decisions.

In relation to the emergency department, both emergency departments have been provided with additional resources for improvements to their emergency department through the agreement that we signed with the commonwealth government. In relation to Calvary hospital's performance in the last year in relation to emergency departments, the advice I have been given is that it is related to the seven per cent

increase in activity that they have been seeing, which has not been replicated at Canberra Hospital, along with some potential issues around data recording. We are working with Calvary through that.

In addition, Calvary—as you will know from the Treasurer’s advance—get additional supplementation at the end of the year to acquit the extra activity that has been provided over and above their annual performance plan. That is a normal part of our budgeting process. If hospitals are running over budget due to increased activity then we pay those invoices as well.

MR SMYTH: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Minister, do you acknowledge that your flawed plan to buy Calvary hospital and sell Clare Holland House lacked community support, should have been revealed to the electorate before the 2008 ACT election and left Calvary hospital in limbo for three years, causing disruption to staff and residents of Canberra’s north?

Mr Hargreaves: On a point of order, my understanding is that Mr Hanson’s question was actually about the emergency department statistics. Mr Smyth has now put a supplementary question in around the Calvary hospital, which is quite a separate subject.

Mr Smyth: The question, and I will repeat it, from Mr Hanson was: will you apologise to residents of north Canberra and to the staff of Calvary for the decline in the Calvary hospital emergency department results following the turbulence of the last three years? It is about the turbulence in the three years and an apology. I have simply asked her to acknowledge that.

Mr Hargreaves: On the point of order, Mr Speaker, this has been part of the same train of questions in the last few days around emergency department statistics. Indeed, those opposite went to—

Opposition members interjecting—

MR SPEAKER: Order! Mr Hargreaves has the floor.

Mr Hargreaves: Thank you very much, Mr Speaker. Indeed, those opposite spent quite a bit of question time talking about the emergency department statistics in both the Canberra Hospital and the Calvary hospital over the last few days. This is part of a scenario to which they are entitled but they must stick to that case.

MR SPEAKER: There is no point of order. I think, whilst it is close, Mr Hanson’s question gives enough latitude to Mr Smyth to ask the question. Chief Minister.

MS GALLAGHER: The answer is no.

MR SPEAKER: Supplementary, Mr Smyth.

MR SMYTH: Minister, why are the statistics for emergency department presentations split between Calvary hospital and Canberra Hospital for the first time in your emergency department report card?

MS GALLAGHER: It follows the decision we have taken in elective surgery and it also follows the MyHospitals website where this information is available.

Government office building

MS LE COUTEUR: My question is to the Minister for Economic Development and concerns the government office building in Civic. Yesterday you issued a response to the motion on the government office building to the Assembly. In that you stated that Cox architects are leading a team of consultants to examine the adaptive reuse of existing office buildings and consideration of options for the government office precinct. What expertise is being included in the consultancy team for this evaluation process? Does it include a valuer?

MR BARR: I am certain that such expertise will be included, yes.

MR SPEAKER: Ms Le Couteur, a supplementary.

MS LE COUTEUR: Has the government considered whether there is a conflict of interest in having the same firm that designed the government's preferred office building also coordinating the feasibility study for alternatives, including adaptive reuse and an office precinct?

MR BARR: I do not believe there is a conflict of interest.

MS HUNTER: A supplementary.

MR SPEAKER: Yes, Ms Hunter.

MS HUNTER: Minister, how have Civic property owners been given opportunities to input into the feasibility assessment process, and what information has been given to land and property owners to allow them to input?

MR BARR: The process has been focused on the Gungahlin project, actually. That is the government's number one priority. This process will continue to unfold through 2012.

MS BRESNAN: Supplementary.

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Minister, is the feasibility process asking building owners how they could best meet the government's office requirements, especially given that it is currently a tenants market in Canberra?

MR BARR: All of those issues are being considered.

Youth justice—blueprint

MRS DUNNE: My question is to the Minister for Community Services. Minister, in a letter to you dated 26 October 2011, the Human Rights Commission advised that it would remain engaged with the youth justice implementation task force and CSD through the development and implementation of the blueprint for youth justice in the ACT and the integrated management system at Bimberi. However, the commission also flagged that it would write to the director-general of CSD to seek discussions on whether additional funding might be made available to the commission to enable it to carry out its intentions. Minister, have those discussions taken place? If yes, what was the government's response?

MS BURCH: Mrs Dunne has made reference to a conversation between the commissioner for children and young people and the director-general of the Community Services Directorate. There are a number of conversations that happen between the Human Rights Commission and the director-general, and I am quite happy to bring some detail back on that as I become aware of their finalisation.

Mrs Dunne: On a point of order, Mr Speaker, the minister has clearly misunderstood the question. I asked her whether discussions had taken place between the Human Rights Commission and CSD about extra funding for the Human Rights Commission.

MR SPEAKER: Minister, do you want to add anything further with that clarification?

MS BURCH: I have just answered it.

MR SPEAKER: Mrs Dunne has the floor for a supplementary.

MRS DUNNE: Supplementary question.

Members interjecting—

MR SPEAKER: Order! Mrs Dunne has the floor for a supplementary.

MRS DUNNE: Minister, can you tell the Assembly how much the commission has asked for, how much the government is prepared to provide and whether there is a difference between the two?

MS BURCH: I am not aware of the detail. As I have said in the response to her first question, I am happy to bring back information as those discussions are finalised.

MR COE: Supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Coe.

MR COE: Minister, does the government support fully and absolutely the commission's resolve to monitor how the government responds to its report and recommendations?

MS BURCH: I thank Mr Coe for his question. The government have made clear our commitment around the development of the blueprint and the integrated management strategy and its ongoing monitoring. These are significant changes that will take years to implement. There clearly needs to be ongoing consideration to make sure that those changes become effective and are in place. The first tranche of that work will work with the task force which has been a point of discussion today. The government have never stepped away from the need to make these changes, to commit to these changes and to implement the changes.

MR COE: Supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Coe.

MR COE: Minister, is the government listening to the commission's concern about the way the government has interpreted a number of its recommendations? If yes, to what extent has the government changed its interpretation?

MS BURCH: I am aware that yesterday the commissioner responded to the government's response to their report, to their inquiry. I do not know when it came to other people, but it certainly came to my office yesterday, and I will consider it in due course. But the government have absolute confidence in the task force; we consider them to have a sound community base, a base of youth justice commitment and involvement. As far as we are concerned our responses are solid but we will continue to work with the commission as we implement the blueprint.

Economy—policy

MS PORTER: My question is to the Treasurer. Can the Treasurer update the Assembly on recent economic information affecting the ACT economy and the ACT government?

MR BARR: I thank Ms Porter for the question and state from the outset the government's commitment to maintaining a strong economy and a balanced budget over the economic cycle. The government has a strong record of robust economic management and of fiscal discipline. Once again the fundamentals of the territory economy have proven strong and our fiscal policy remains sound. It is based on responsible investment in productive infrastructure, low debt, high quality services, well-targeted assistance, funded by an efficient taxation system.

In recognition of this today I am pleased to advise the Assembly that our credit rating agency, Standard & Poor's, has affirmed the ACT's AAA credit rating. The government considers maintaining the territory's AAA credit rating as a central feature of its budget strategy. This announcement by Standard & Poor's is an endorsement of the government's fiscal plan and the strength of the territory's balance sheet. The government have succeeded; our plan is on track.

It is worth noting in this context that Standard & Poor's are no soft touch. Earlier this year they downgraded the US credit rating for the first time, and they recently

changed South Australia's outlook from stable to negative. Yet today they have reaffirmed the ACT's credit rating.

This is not the only news on the ACT economy today. We continue to be a high wage, low unemployment economy. Some take this for granted but it is important to note that it places us in a very stable position compared to the rest of the country, and this remains the case following the commonwealth government's midyear economic and fiscal outlook.

A few facts about MYEFO—because there has been a lot of talk, and, not surprisingly coming from the shadow Treasurer, a lot of it has been disingenuous. Fact 1: GST payments in the ACT are projected to decrease because the overall GST pool is reduced. Fact 2: specific purpose payments, national partnership payments, particularly including funding for mental health and funding for the Majura parkway, into the territory mean that the funding for the territory is in fact projected to increase. This will result in a positive outcome for the territory. ACT Treasury estimates an improvement of \$46 million over the next four years. So it is disappointing that some would irresponsibly cherry-pick one figure and try to paint a negative picture.

Fact 3: the commonwealth has brought in a new efficiency dividend to bring its budget back to surplus in 2012-13. The commonwealth is also undertaking significant new programs in coming years around the clean energy future and minerals resource rent tax. These facts point to a very different picture than some might suggest. The commonwealth government is showing expenditure restraint. That has allowed the Reserve Bank to move on monetary policy, so yesterday the Reserve Bank again reduced the official cash rate by 25 basis points to 4.25 per cent.

This is great news for the territory economy and I would have thought would have been something that both sides of this chamber would have agreed is good news for Canberrans with a mortgage. It is also welcome for retailers in the lead-up to the busy Christmas season. It sends a very strong signal to consumers and to businesses and will certainly free up income for expenditure coming into the holiday season.

MS PORTER: A supplementary.

MR SPEAKER: Yes, Ms Porter.

MS PORTER: Minister, what implications do these announcements have for the government's fiscal strategy?

MR BARR: Standard & Poor's reaffirmation of our AAA credit rating provides a further endorsement of the ACT's fiscal strategy. It demonstrates confidence in the ACT government and in the strength of our balance sheet. Despite all of the catcalling from the Canberra Liberals, we have retained our AAA credit rating, so it is clear that the Canberra Liberals' arguments lack fiscal substance.

As I noted earlier this year in my economic statement to the Assembly, the overseas outlook does remain difficult and it is uncertain.

Opposition members interjecting—

MR SPEAKER: Thank you, members. Let us continue, Mr Barr.

MR BARR: This remains the case now, and the Reserve Bank certainly alluded to this when they cut interest rates yesterday. Yet, with all the overseas economic turmoil and political angst, the ACT economy continues to perform well and the ACT government continues to manage a sound fiscal policy.

Retail trade figures suggest a recent shift and a sign of recovery within the territory economy. The Reserve Bank's move on interest rates will provide further reinforcement of this and will have a stimulatory effect on consumer spending. It will allow households to think about shifting some focus from saving and paying down debt moving over into the expenditure side. It certainly will make life easier for the many tens of thousands of Canberra households that have a mortgage, and it will have a positive impact for ACT retailers—and, potentially, some additional expenditure will in fact boost the GST pool.

MR HARGREAVES: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hargreaves.

MR HARGREAVES: I ask the Treasurer: what other policy approaches are open to the government?

MR BARR: With Standard & Poor's endorsing the government's fiscal strategy as responsible and succeeding, it is difficult to see why you would adopt an alternative approach. But for the information of members, there are indeed a range of alternative approaches.

We could make reckless promises on expenditure and then give no indication at all about how we might pay for them. We could throw out all sense of fiscal responsibility. We could commit to removing taxes and raising expenditure and somehow hope it all might just work. We could put our faith and trust in the Brendan Smyth magic money tree, Mr Speaker.

But responsible budgets are not like that. Budgets are about choices and values. They have economic effects and they have social effects. Strong fiscal policy sends a signal to business. It generates investment and employment. Responsible budgets provide citizens with the capacity to invest in health, education, community services and infrastructure. These investments provide assistance to the most vulnerable in our community. They build human and social capital.

With all of these effects, it is critical to get fiscal policy right. I am delighted with the endorsement of Standard & Poor's. I think it reflects very positively on the contribution of the Chief Minister in her time as Treasurer. This Standard & Poor's report is a reflection upon the Treasurer's last three budgets and the budget plan that was put in place by the Chief Minister when she was Treasurer. We look forward to the continuation of our strong fiscal policy settings.

MR SMYTH: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Treasurer, in the latest Australian national accounts data released today, in trend terms, in the 12 months to September 2011—

MR SPEAKER: Mr Smyth, preamble.

MR SMYTH: did the economy grow or shrink?

MR BARR: I think we normally assess these things in seasonally adjusted terms.

Opposition members interjecting—

MR BARR: I note that state final demand, in seasonally adjusted terms, increased by 0.02 per cent and indicated again the strength of the territory economy. It would only be the shadow treasurer who, on this day when the territory records a significant economic result—

Mr Smyth interjecting—

MR BARR: and when our credit agency, Standard & Poor's—

MR SPEAKER: One moment, Mr Barr, thank you. Mr Smyth, I would ask you to withdraw that.

Mr Smyth: I withdraw, Mr Speaker. Perhaps he will answer the question I asked.

MR SPEAKER: Minister, the question.

MR BARR: Thank you, Mr Speaker. On a day when our credit rating agency delivers a AAA credit rating and reaffirms that and outlines its—

Mr Seselja: On a point of order, Mr Speaker—

MR SPEAKER: Order! Stop the clocks, thank you.

Mr Seselja: The question was very clear and very specific and he has not gone near it. I would ask you to ask him to be directly relevant. The question is whether the economy has grown or gone backwards in trend terms on the latest data.

Mr Hargreaves: On the point of order, Mr Speaker, I have not got the faintest idea what the question was about because the minister started to answer it and it was one, two, three people screaming more questions across the chamber at the minister. Please order them to be quiet. Please ask them to be quiet.

Mr Hanson: On the point of order, the fact that Mr Hargreaves does not know what is going on in this place is not a relevant point of order.

MR SPEAKER: Members, let us take the points of order on the standing orders. We do not need running commentary on other members in this place. That applies to both sides of the chamber. My patience is being tested on this. Mr Barr, you have one minute and 10 seconds remaining to answer Mr Smyth's question.

MR BARR: Thank you, Mr Speaker. As I was observing, on this day when we have—

MR SPEAKER: The question, Mr Barr.

MR BARR: an excellent report card on the territory's economy, the information that is available in terms of state final demand for the most recent quarter shows in trend terms a 0.1 per cent decline, but in seasonally adjusted terms—so taking account of those seasonal factors, as is standard in presenting this particular data—it shows growth in the territory economy. When you look at the drivers of that growth—private consumption and public investment—when you look across the year, when you look at the overall performance of the ACT economy and when you look at Standard & Poor's outlook for the territory economy, it all remains very positive. It would only be Brendan Smyth, the most negative man in territory politics, who would try and use today to talk down the territory economy.

Aboriginals and Torres Strait Islanders—young people centre

MR DOSZPOT: My question is to the Minister for Community Services. Minister, on 21 November, in the annual reports hearings before the Standing Committee on Education, Training and Youth Affairs, Ms Hunter asked you a question about the Aboriginal and Torres Strait Islander young people centre. She wanted to know how many adjoining rooms were used in the past year and how many of the residents using those adjoining rooms were Aboriginal and Torres Strait Islander young people or whether they were non-Indigenous young people. In reference to the figures, you responded:

Qualitative around the quantitative. We can say we used it once, or two or three times, whatever number of times it is. But if people chose not to have it opened, how do we account for that?

Minister, I seek your clarification. Were you talking about qualitative or quantitative information?

MS BURCH: I do thank Mr Doszpot for questions like that. There was a question from Ms Hunter about the number of times those rooms that have access between rooms were used. What I made mention of was that I could come back with information about the number of times they were used. But I also pointed that there would be times when they would be offered and the young people would not have an interest in sharing the room. What I meant by that qualitative data was the conversation with the young person where we asked them do they want to have access to the person in the next room. That conversation is a very important decision in determining whether that room is accessed or not.

I do not think that is unreasonable when we are looking at the person-centredness of these decisions. If the young child does not want to have access to the person in the next room, it is not up to the management of Bimberi to make that happen. That is what I meant—the qualitative nature of that information that I do not think we would have on record. We would have on record the number of times it is used but I do not think we would have on record—

Opposition members interjecting—

MR SPEAKER: Order, members! One moment, Ms Burch. Sit down, thank you. Stop the clocks. Members, I think those sorts of unnecessarily disrespectful jibes across the chamber really diminish the reputation of this place. I have spoken about this before. Mr Hanson, you are now on a warning for being unparliamentary to members across the chamber. I heard the interjection. Mr Seselja went close just before. That sort of personal insult is not welcome in this chamber.

Mr Hanson: Mr Speaker, just a clarification, I am unclear what I said that was a personal insult. If you could explain it to me.

MR SPEAKER: I think it is quite clear, Mr Hanson, but I will spell it out for you if you like. You were mocking Minister Burch in the manner in which she speaks and I do not think that that adds any value to parliamentary discussion. Under standing order 202, I think it is unparliamentary. Minister Burch, you have the floor to continue.

In case it is unclear, I intend to continue this point. I actually think we have reached a point in this chamber where the level of personal derision is entirely past the pale. Those sorts of snide remarks that go on across the chamber all the time—I do not care which side they come from—I will start to crack down hard on because I think we have reached a point that, really, it is only going to get worse as we come up to next October and I am determined to lift the standard of behaviour in this chamber.

Mr Smyth: To the point of order, Mr Barr uses derision all the time. He delights in deriding me whenever he gets up and speaks if I challenge him on anything. He has that prowess. He just spent the entire last answer picking on me. I take it on the chin because that is the nature of the Westminster system. Will you apply the same rule to that side of the chamber that you seem to be applying only to the Canberra Liberals?

MR SPEAKER: Mr Smyth, it is a fair observation. You may have noticed that several times during Mr Barr's answer I actually called him back to the question.

Mr Seselja interjecting—

MR SPEAKER: Members, I invite you—

Members interjecting—

MR SPEAKER: Order! We are not having a discussion. I have made my point clear. I have heard—

Mr Smyth interjecting—

MR SPEAKER: Mr Smyth, sit down, thank you. I have heard your point. I have observed back to you that you may like to go and review the tapes. You will have heard that several times I called Mr Barr back to the question and directed him to answer it when he started to talk about the Liberals. I have also made the same point to the Chief Minister today. Now let us proceed with question time. Minister Burch, you—

Mr Smyth: On a point of order, Mr Speaker, I would ask you to review the tape. I respect that you called him to order on relevance. You did not once call him to order on the words he used about me, and I would ask you to review the tape and give us your opinion.

MR SPEAKER: Minister Burch, you have the floor to continue if you wish. All right. We are up to a supplementary question from Mr Doszpot.

MR DOSZPOT: Minister, what are circumstances in which adjoining rooms might be used and what processes are followed in deciding whether to open them?

MS BURCH: I thank Mr Doszpot for his question. The rooms were designed for allowing sibling groups, kin groups, groups or young people who would benefit from closer access to somebody who is important to them and who can offer them additional care and support during their time there.

As far as the decision making goes, that is a conversation with management. It needs to be assessed as to whether it is fair and reasonable for risk with these young people. Then it is a conversation with the young people about how they feel about that and if they would benefit from that directly.

As I said before, Mr Doszpot, if the young people are not interested in that, if they do not think it is of great value to them, then it is not up to management to enforce it on them.

MRS DUNNE: A supplementary question, Mr Speaker.

MR SPEAKER: Mrs Dunne, a supplementary question.

MRS DUNNE: Minister, using the expression in your own answer, who are the people who make that choice and what record keeping policies and procedures are laid out to record that choice?

MS BURCH: I thank Mrs Dunne for her question. Those conversations would be had with team leaders and management of Bimberi. It is not for me to be part of those conversations, clearly, but the team leaders as the young people are brought into Bimberi and assessed as to what their needs are and what their risks are. This is all part of that discussion that happens on site with the team leaders and management of Bimberi.

MRS DUNNE: Supplementary question, Mr Speaker.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, to what extent can qualitative information be derived from quantitative data or vice versa?

MS BURCH: I think I have indicated that the depth and level of the discussions other than the final decision about whether the room is accessed or not I do not believe is recorded, but I am quite happy to go back and ask. But I think it is really telling of those opposite that in all the commentaries that we have about Bimberi they continue to just look at the negative aspects of Bimberi. There has been significant change occurring over the last 12 months at Bimberi that has been recognised by the commissioner for children and young people and that has been recognised by families.

Mr Smyth: Point of order, Mr Speaker.

MR SPEAKER: Yes. One moment, Minister Burch. Stop the clock, thank you.

Mr Smyth: Under standing order 118(b), the answer to a question shall not debate the subject. The question was: to what extent can qualitative information be derived from quantitative data or vice versa? I ask you to get the minister to answer the question.

MS BURCH: I have answered the question, Mr Speaker.

Taxis—wheelchair accessibility

MS BRESNAN: My question is to the Attorney-General and concerns wheelchair accessible taxis. It is apparent from the government's procurement website that the tender for the wheelchair accessible taxi central booking system has had to be re-issued. I understand that this is because no proposals were submitted in response to the initial tender. Minister, what is the government's plan if again no proposals are received in response to the second tender, and is the government, for example, considering running the booking system itself?

MR CORBELL: I thank Ms Bresnan for the question. Yes, it is the case that the government has issued a new tender for the wheelchair accessible taxi centralised booking service. The reason for that is that no tenders were received for the first tender. However, I think that Ms Bresnan's question is hypothetical in that clearly it seeks to commit the government to a course of action that has not yet eventuated.

On the basis of follow-up that my directorate has undertaken with businesses that made inquiries during the previous tender process, some of these businesses would be interested in tendering if the request for proposal was re-advertised. This in particular is a result of insufficient knowledge on the part of the potentially interested parties around whether or not they would be eligible. Having clarified those issues with those interested parties, we do now believe that a number of tenders will be received. That is why the government has decided to re-tender the service.

MR SPEAKER: Ms Bresnan, a supplementary.

MS BRESNAN: Does the government have minimum requirements that a successful proposal for a wheelchair accessible taxi central booking system must meet? Can you confirm that none of those requirements are being reduced in the second tender?

MR CORBELL: The requirements are, as I understand it, those that were previously tendered for. The issues that arose were really about lack of adequate knowledge on the part of potential tenderers that persuaded them or led them to making the decision not to tender. Now that additional information has been provided to them, we believe that we will see a number of tenders.

To the best of my knowledge, there has been no change to the overall requirements of the tender, but I will seek some further advice on that matter and confirm with the member if there are any differences.

MS HUNTER: A supplementary.

MR SPEAKER: Yes, Ms Hunter.

MS HUNTER: Minister, does the government stand by the promise made by the former Chief Minister that if the new booking system did not deliver significant improvements in wheelchair accessible taxi services the government would consider alternative models, such as salaried drivers?

MR CORBELL: The government will consider any options that deliver better taxi services for people with a disability in the ACT. At this point in time we are going through a tender process. It is the most sensible course of action, and it is prudent to await the outcome of that process before making further comments or decision about any other possible courses of action.

MS LE COUTEUR: Supplementary, Mr Speaker.

MR SPEAKER: Yes, Ms Le Couteur.

MS LE COUTEUR: Given that the government said it would more vigorously pursue wheelchair accessible taxi drivers who do not meet their licence requirements, can you advise how many drivers have been reprimanded and what has happened to their licences?

MR CORBELL: The government does take action against taxi operators who have a wheelchair accessible licence and who do not operate consistent with the terms of their licence. I do not have the specific details in front of me of individual circumstances, but I am aware that regulatory action has been taken against operators who are not fulfilling the obligations of their licence.

Workplace bullying—Cotter Dam site

MR COE: My question is for the Minister for the Environment and Sustainable Development. Minister, there have been reports about concerns over safety and bullying of whistleblowers at the Cotter Dam project site. Minister, what safety and bullying incidents are you aware of at the Cotter Dam project site?

MR CORBELL: Could you repeat the last part of your question, Mr Coe? I did not quite hear you.

Mr Coe: What safety and bullying incidents are you aware of at the site?

MR CORBELL: I am aware that currently there is some industrial angst at the Cotter Dam site. There have been allegations made about workplace behaviour. I am aware that those matters are being investigated to the extent they can be by WorkSafe ACT. It is important to stress also that the commonwealth has OH&S coverage at the site because a number of the contractors at the site are covered under the commonwealth workplace safety arrangements.

MR COE: Supplementary.

MR SPEAKER: Yes, Mr Coe.

MR COE: Minister, in the event that that investigation does expose that there have been safety concerns around whistleblowers and bullying incidents, what action will you take?

MR CORBELL: I do not think I can say what action will be taken based on an event that has not yet occurred or been determined to have occurred.

MR SPEAKER: Mr Seselja.

MR SESELJA: Minister, what policies and procedures are in place at the Cotter Dam project site to deal with safety and bullying incidents?

MR CORBELL: Policies and procedures that are place at the Cotter Dam site are the responsibility of the contractor at the site. They are required to meet their obligations under territory and commonwealth workplace laws.

MR SPEAKER: A supplementary, Mr Seselja.

MR SESELJA: Minister, what evidence have you seen that assures you that safety and bullying issues at the Cotter Dam project site are under control?

MR CORBELL: It is not for me to reach a view on those matters. If there are concerns about these issues, they are investigated by the appropriate regulatory authorities.

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

Rostered ministers question time

Minister for Aboriginal and Torres Strait Islander Affairs

Aboriginals and Torres Strait Islanders—child abuse and neglect

MR DOSZPOT: Minister, a report on Indigenous disadvantage delivered by the Steering Committee for the Review of Government Service Provision states that substantiated cases of Indigenous children being abused or neglected increased from 15 to 37 per 1,000 children between 1991-2000 and 2009-10. What are the reasons for this increase?

DR BOURKE: I thank Mr Doszpot for his question. The figures quoted in your question are Australian figures rather than ACT figures.

MR DOSZPOT: Well, you have had a fair bit of time to examine these figures. This question was given to you. What are the reasons for this increase?

DR BOURKE: I refer the member to my previous answer that these are Australian figures, not ACT figures.

Aboriginals and Torres Strait Islanders—businesses

MR SMYTH: Minister, recommendation 22 in the second report on the activities of the Aboriginal and Torres Strait Islander Elected Body deals with the development of Indigenous businesses. Minister, what specific actions have been implemented by the ACT government to increase employment by Indigenous people in the private sector and what have been the outcomes of these actions?

DR BOURKE: I thank Mr Smyth for his question. The ACT government became a fully participating member of the newly established Australian Indigenous Minority Supplier Council in late 2009. The council has certified two local Aboriginal-controlled businesses, Indigenous Success Australia and Straight Photography. Both these businesses are being promoted through ACT government agencies. Disability ACT supports the ACT social enterprise hub, which supports innovative projects with a focus on building the social and economic participation of vulnerable Canberrans, including Aboriginal and Torres Strait Islander people.

MR SMYTH: Minister, has the ACT government taken any action to encourage entities such as Billabong Aboriginal Development Corporation to equip Indigenous people to gain employment in such industries as horticulture, heavy vehicle driving, real estate, property management or childcare?

DR BOURKE: I thank Mr Smyth for his question. This is a particularly specific question which requires a detailed answer; I will take it on notice.

Alexander Maconochie Centre—drugs

MR SESELJA: Following an Indigenous prisoner suffering a methadone overdose at the Alexander Maconochie Centre, the Assembly passed a motion on 21 September

this year calling on the government to conduct “a review of the Royal Commission into Aboriginal Deaths in Custody, and the application of the recommendations to all correctional facilities in the ACT, ensuring that this application reflects current best practice”. How was this review carried out and who contributed to the review?

DR BOURKE: I thank Mr Seselja for his question. The government tabled its response to the motion of 21 September 2011 on Tuesday, 6 December 2011, yesterday. As part of this response, the government provided detailed reporting against the relevant Royal Commission into Aboriginal Deaths in Custody recommendations. ACT Corrective Services and the Health Directorate worked closely in preparing that response to the Assembly regarding this item, and I refer Mr Seselja to that response.

MR SESELJA: The representatives from Gugan Gulwan and the Aboriginal Justice Centre have stated that they were not actively consulted on the review. Is this a satisfactory level of communication with the Indigenous community?

DR BOURKE: I thank Mr Seselja for his question. This is a detailed question which will require me to take it on notice.

ACT public service—Aboriginal and Torres Strait Islander staff network

MS PORTER: Minister, what is the ACT public service Aboriginal and Torres Strait Islander staff network and what does it provide to its members?

DR BOURKE: I thank Ms Porter for her question. The ACT public service Aboriginal and Torres Strait Islander staff network comprises Aboriginal and Torres Strait Islander people employed by the ACT public service. The network meets every two months and provides opportunity for Aboriginal and Torres Strait Islander staff to contribute to improving service and program delivery by the ACT government and to promote cultural understanding.

The network provides a regular forum for the exchange of information between Aboriginal and Torres Strait Islander employees; the opportunity for Aboriginal and Torres Strait Islander employees to make recommendations regarding the design, implementation and delivery of services and programs that are funded by the ACT government; and the opportunity for staff networking and support.

Secretariat support for the network is provided by the Community Services Directorate's office of multicultural, Aboriginal and Torres Strait Islander affairs. All Aboriginal and Torres Strait Islander people employed by the ACT public service are invited and encouraged to participate in the network. All supervisors and managers are encouraged to support Aboriginal and Torres Strait Islander staff participation in the network.

MS PORTER: Minister, are there any traineeship opportunities for Aboriginal and Torres Strait Islander people in the ACT public service?

DR BOURKE: I thank Ms Porter for her question. The ACT public service Aboriginal and Torres Strait Islander traineeship program is a whole-of-government,

equal employment opportunity initiative prescribed under the Public Sector Management Act 1994 and standards. The traineeship is an entry-level program. A pilot 12-month program was held in 2008. That program placed 15 trainees in several ACT government agencies. Eleven trainees successfully completed the program and gained full-time permanent positions within the ACT government.

The traineeship program aims to offer at least 15 Aboriginal and Torres Strait Islander people ACT public service careers following the successful completion of a training program and workplace commitments over a 12-month period. Participants who successfully complete the program and meet their workplace commitments during the 12 months may be advanced to a higher position, an ASO2, in the ACT public service without a further merit selection process. The trainee would be promoted within the same agency where they undertook their traineeship.

A third round of the traineeship is currently in progress, with all trainees recently completing a nationally recognised qualification, certificate III or IV in government. Trainees are due to graduate in April 2012. Recruitment for the 2012-13 round of the traineeship will commence early in 2012.

Education—Indigenous students

MS HUNTER: What initiatives will be implemented to raise the attendance rates of Aboriginals and Torres Strait Islanders in year 7, which are amongst the lowest in the country according to the most recent performance against national reform agreement indicators?

DR BOURKE: I thank Ms Hunter for her question. The attendance rate in year 7 rose to 83 per cent in 2010 compared with 79 per cent in 2009. The regular attendance of Aboriginal and Torres Strait Islander students is a focus for the directorate. There are seven Aboriginal and Torres Strait Islander education officer positions based in high schools to support high schools and local primary schools.

Currently two positions remain unfilled. Advertising for these positions is not possible until the current EBA is finalised. The focus of these positions is to improve participation; support primary to high school transition and high school to college transition; and establish a connection and build relationships between schools and Aboriginal and Torres Strait Islander families and communities. The schools in which the education officers are based are Calwell high school, Wanniasa senior campus, Melrose high, Stromlo high, Telopea Park school, Lyneham high school, and Melba Copland secondary school.

A transitions officer has been employed to support Aboriginal and Torres Strait Islander children who have been identified as requiring additional support with all the transitions. The directorate is looking to extend this position for a further 12 months in 2012. The north Canberra-Gungahlin school network has also agreed to a whole-of-network approach to improving transitions, and there is work to identify the consistent steps which will be used to transition all Aboriginal and Torres Strait Islander children.

MS HUNTER: Minister, can you outline how the gap between the proportions of Indigenous and non-Indigenous students who attain the minimum standard is in general increasing in the ACT?

DR BOURKE: I thank Ms Hunter for her question. One of the things that the directorate has been working with is the aspirations program. This is a policy designed to engage Aboriginal and Torres Strait Islander students and encourage them to aspire. It works particularly with students in year 11 and year 12; the aim is to encourage those students to increase their year 12 attendance, participation and success.

Personal explanation

MR SMYTH (Brindabella): Under standing order 46, I wish to make a personal explanation.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: During the supplementary on the state of the ACT economy question, I asked about the trend data that was available today and was accused of picking the worst data available to make my case. The reason for using trend data was this. I refer to the ABS bulletin today. ABS bulletin 5206.0 of today's date says at paragraph 13:

Given the qualifications regarding the accuracy and reliability of the quarterly national accounts, the ABS considers that trend estimates provide the best guide to the underlying movements, and are more suitable than either the seasonally adjusted or original data for most business decisions and policy advice.

So Mr Barr has used the least suitable data to justify his case.

Teachers—enterprise bargaining

Debate resumed.

MR DOSZPOT (Brindabella) (3.14): Once again I see that Ms Porter has been put up as the defender of the indefensible for the education portfolio. Let me say that this would have to be the most bald-faced, galling attempt at gloss and spin in the Assembly this year, and that takes some doing among the Melbourne Cup field for that title from the other side of the chamber. Here we have a motion that is so misrepresentative of recent history that you have to wonder whether Ms Porter was missing for the best part of this year or is on some sort of penalty for choosing to stay on the Labor backbench. As I said in a previous motion when she was dragged up to defend the indefensible, yet again related to the education portfolio, Ms Porter, I thought better of you.

My comments today are not directed at the member in whose name this motion appears; they are directed at this government that have mismanaged the enterprise bargaining negotiations so badly that they could almost be a candidate for penalty under Ms Bresnan's bullying bill.

And even more glaring, much of the motion is factually incorrect. The motion includes the usual platitudes trotted out by Labor about the significant role that teachers play in delivering positive educational outcomes for ACT students. I say “platitudes” when such lines come from those opposite because everything this government have done in their interference with teachers demonstrates clearly that they do not believe teachers play a significant role. Or if they do believe their role is important they have a funny way of showing their appreciation for that role.

Let me quote some of the media headings in recent months on the question of salary negotiations between the former education minister and teachers: “Teachers strike again over pay”, “Sick and tired teachers vent pay anger”, and “The best teachers won’t stay for the worst pay”. As the *Canberra Times* noted in September this year:

Civic Square resembled an unruly classroom yesterday as angry public school teachers shouted their frustrations at the ACT Government.

More than 1500 Australian Education Union members crowded outside the ACT Legislative Assembly in a three-hour rally that highlighted teachers’ determination to achieve pay parity with NSW.

Glenn Fowler, acting secretary, said at the rally:

MLAs, there is a ruckus outside your building because teachers have had enough ... We are sick and tired of having to make this stand over and over. We are sick and tired of having to sing for our supper.

Those comments come from a group that one would assume is the natural friend of a Labor government. This is a union saying, “We are tired of being treated like dirt by this Labor government.”

When a Labor MLA stands in this place and waxes on about the significant role that teachers play in delivering positive educational outcomes for ACT students, one has to respond with “bunkum”. This year we have seen a rally and two teacher strikes. One can only wonder whether, had the former minister not wanted to clear the decks for a new minister, the stalling might have dragged on even longer than it did.

Only a few months ago we had a minister suggest that it was tough luck if teachers did not agree with his approach to teacher absence reporting. So much for appreciating the significant role that teachers play. Former education minister Andrew Barr was not happy to just penalise teachers who were not filling in their leave forms appropriately; he decided to keep all teachers in and make them write lines. The teachers had the last say because they refused to do any of it. So much for the concerns of the audit process in the name of which it was taken.

This motion suggests a number of things that are not, frankly, correct. Yes, the AEU ACT branch council has endorsed the in-principle ETD teaching staff agreement. But there are some documents and the detailed wording to be finalised. Then the agreement will go to a ballot early in the 2012 school year. The first pay increase is not quite at parity with New South Wales for each step on the scale. If we are going to

be technical about it, they are a few hundred dollars short. And it is incorrect to say, as Ms Porter says, that there are 3.5 per cent increases in years 2 and 3. The pay increases agreed in principle are 1 October 2011, a differential increase; 1 October 2012, three per cent; 1 October 2013, 1.5 per cent; and 1 April 2014, 2.5 per cent.

Second, part (iv) of the motion refers to:

... the establishment of a \$100 000 teacher leader position, keeping talented teachers in the classroom ...

This, Ms Porter, is also wrong. There is no teacher leader position. The AEU agreed to 20 SLC positions called “executive teacher—professional practice” who, along with all other SLCs, will be paid over \$100,000. This bonus teacher stuff has been Mr Barr’s mantra for years—in fact, for almost a decade. How far out of touch he is with teachers and their representatives. A media release in November this year from the federal office of the AEU says quite clearly:

Bonus schemes do not meet the challenge we have in Australia which is to put in place career and salary structures that will ensure we can attract the best people into teaching and keep them in the classroom.

The motion also refers to the successful implementation of the national curriculum in the ACT. The national curriculum is not yet finalised; some key learning areas are still in draft. So it is wrong to suggest that it has been successfully implemented. This is an ongoing three-year phased process that has not been adequately supported by the government to give time for teachers to get their heads around it, link current with new curriculum, develop units of work and so on. It is still just a framework; there is much work to be done to get it to the syllabus stage.

It is another error when Ms Porter claims the successful ACT implementation of national partnerships. The national partnerships are ongoing as well. There is still much to be done with low SES issues, literacy and numeracy and teacher quality.

At best, this motion is misleading and hasty. At worst, it might well reflect the arrogant beliefs of Labor members of this Assembly that they have done well and are heroes in the education sector. Nothing could be further from the truth. The department officers are well regarded. However, the management of education at the political and policy level by Labor has been abysmal, and the unions, the teachers and Canberra families know it. I move:

Omit all words after “for ACT students” in subparagraph (1)(a), substitute:

- “(b) the new Enterprise Bargaining Agreement offer has been given in-principle support by the Australian Education Union’s Executive Council;
- (c) the offer will be put to teachers for a vote in early 2012; and
- (d) continued work needs to be done to consider ACT teacher work conditions in our public school system; and

(2) calls on the Government to:

- (a) foster regular meetings with our ACT teachers;
- (b) explore alternatives to address and minimise delays in future negotiations over salary and conditions;
- (c) work collaboratively with ACT teachers to ensure that negotiations do not hinder the daily operations of our schools; and
- (d) report on the outcomes of these initiatives to this Assembly by the last sitting day in April 2012.”.

MS HUNTER (Ginninderra—Parliamentary Leader, ACT Greens) (3.22): The ACT, after a protracted and at times tumultuous period of negotiation during which no less than four government offers were rejected by the ACT branch of the AEU, has finally moved closer towards remunerating our teachers as they deserve. The in-principle endorsement of the branch council of the enterprise agreement is a sign of the concerns raised by teachers and education directorate staff being recognised as genuine and valid.

Canberra is a vibrant city with a young population and a city that has a national and international reputation for providing world-class secondary and tertiary education. When viewed on the national stage, we have been rightly proud of our year 12 retention rates, which have historically been higher than average, and of the solid performance of our colleges in the Australian tertiary admission ranking scores.

Every weekday morning in the ACT nearly 60,000 children and young people are sent off by their caregivers to a variety of schools and into the care of professional teachers who have committed to supporting them to learn, achieve and strive for success. It is the teachers and educators of this territory—the backbone of any schooling system—who have provided this achievement and created such positive outcomes for our children.

Teacher salaries in the ACT are amongst the lowest in the country. Queensland, Western Australia, Tasmania, New South Wales and the Northern Territory already offer better remuneration and retention programs than the ACT, and the other states are currently and successfully negotiating for better conditions. Over the past decade, the workloads of principals, teachers, support staff and those in the Education and Training Directorate central office have increased significantly. The recent earn or learn legislation, while seeking to improve the positive educational and life goals of young people, has seen increased pressure on teachers and schools. They are expected to engage with those students that are disengaging, to work harder with multidisciplinary teams to support families and to be even more active in identifying and responding to barriers faced by students.

Teachers are also being tasked to ensure that excellence is rewarded and that a culture of success and educational ambition is being fostered. The former Minister for Education and Training, Mr Barr, told the Legislative Assembly this time last year:

... we are not able to use the most important resource, teachers, as effectively as we could ... we are not able to attract the best graduates because we cannot offer them a career path, pay and recognition that would make teaching a profession of choice again.

The government's previous offers would have continued to see the ACT teachers as amongst the lowest paid in the nation. But the issues raised by the AEU were not just about financial remuneration; the concerns also related to overworking, poorly designed assessments of school complexity and a very short-sighted view of workforce retention and supporting excellence. There have been other issues relating to the Education and Training Directorate not properly supporting the work of its staff or reducing the capacity of specific programs or sections.

It is not just the teachers in our schools that we need to support; it is the program managers and policy developers who are tasked often with more than one project and sometimes in differing areas. It is the staff who have a teaching role, a policy and program development role and who put in extra and unpaid hours to activities that enhance the education and experience of our children, who are doing their best to juggle multiple demands. It is the school counsellors, whose positions are so important and yet so poorly remunerated that many jobs are unfilled.

While the Greens support Ms Porter's motion, some of it is a little premature in that it asks the Assembly to note the successful implementation of the national curriculum in the ACT. The fact is that the national curriculum is being released in three phases and will not be fully implemented in the ACT until the start of 2013. While the Greens acknowledge the hard work and competent way it has been put in place to date, we still have some way to go. I do know that teachers will continue to diligently and with all their professional skills see this process through.

Ms Porter's motion also asks the Assembly to note the successful ACT implementation of national partnerships. It is my understanding that while there have, indeed, been many positive initiatives implemented as a result of the national partnerships, such as the youth commitment signing ceremony to do with youth attainment and transitions, there is still a long way to go.

The literacy and numeracy partnerships are a work in progress, and as is the teacher quality partnership. Similarly, it is my understanding that the development of the national professional standards for teachers and a national standard for principals is also work to be considered ongoing and not complete. Furthermore, the qualified success or otherwise of these partnerships will be based on ongoing assessments from the Council of Australian Governments reform council.

Excellent teachers are an asset to the community, and an excellent education system benefits us all. The Greens believe that by properly investing in our education sector staff we are investing in the future of our children and young people, and only by a properly resourced workforce can we achieve the best outcomes. Our policy has always been that it is the responsibility of government to ensure the provision of high quality, well resourced and safe learning environments that are open to all students

and that high quality, free and equitable education is a cornerstone of a healthy democracy.

We have long supported properly funded comprehensive school support services, ranging from learning assistance to health and welfare, and making a significant investment in high schools and colleges to improve school coordination and administration, innovative teaching and to improve and enhance student–teacher relationships

The Greens have constantly advocated for better support for our hardworking teachers and a better strategy to both foster continuous learning through professional development and to retain the best teachers. The Greens support Ms Porter’s motion, noting the comments that I made earlier, and I foreshadow that I will be seeking leave to move some amendments.

As I said, noting the comments that I made earlier in regard to the initiatives and partnerships that have been successfully rolled out, we need to be aware that that is to date. They have been successfully rolled out to date, and a lot of that success, of course, is due to our professional teachers. These processes will be ongoing and teachers, if they are properly supported, will be able to continue to roll out those initiatives.

It is incredibly important that we properly support and value our teachers. One thing many teachers have said to me on many occasions is that they want others in the general community to see the value they add to our children’s lives. Certainly the Greens acknowledge and recognise the valuable contribution our teachers make.

I also note the current in-principle agreement of the Australian Education Union’s executive council of the recent enterprise agreement and look forward to a positive outcome for our wonderful teachers out there.

As I said in my speech, teachers are in there doing what they do best—that is, teaching our children and young people. But I know with my own children that teachers put in a lot more hours. Many of them spend hours outside the normal working week to prepare lesson plans, to mark work and also to be engaged in a range of extracurricular activities that really enhance our children’s experience of learning.

A recent one I know of is teachers from my youngest child’s primary school, who gave up their time on three nights to ensure that they would be there looking after a bunch of students from the primary school who were participating in a performing arts event. These teachers went above and beyond to be there and to spend many hours with a very excited group of kids, ensuring that they were safe, ensuring that they got on stage on time and that their costumes were in place and ensuring that the performing arts experience was very special for those students.

As I said, the ACT Greens certainly value the fantastic contribution our teachers make. Again, I foreshadow that I will be moving some amendments once we have dealt with Mr Doszpot’s amendment to Ms Porter’s motion.

MR HANSON (Molonglo) (3.32): The discussion today has been about excellence in teaching. I was not going to speak to this motion were it not for the fact that today I attended a graduation of my son's primary school class, and I would like to take this opportunity to commend a number of outstanding teachers who have been teaching the year 6 class at Canberra grammar school.

The teachers of the various classes in year 6 made speeches at the graduation ceremony in recognition of their students, and it was quite clear what a profound understanding they had of each of their students and how much effort each of those teachers had put into educating those young boys. Led ably by Tony Laudenbach, the teachers are Mr Tim Guthrie, Mr Geoff Hill, Mrs Kathy Johnston and Mr Craig Donaldson.

I am very privileged to have some outstanding teachers teaching my children. My other son, Robbie, is taught by two fantastic teachers—Anna Fox and Danielle Bugden. My small contribution to this debate today is to acknowledge a number of the very fine quality teachers that I know in the ACT and to commend their efforts.

DR BOURKE (Ginninderra—Minister for Education and Training, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Industrial Relations and Minister for Corrections) (3.34): What is the most important job for any government? To ensure every young person gets the best possible start in life. This means ensuring every student gets the best possible education. The ACT government is determined to attract and retain the very best teachers for ACT public schools. I therefore wholeheartedly welcome that in-principle agreement was reached with the Australian Education Union executive council regarding a new teachers enterprise agreement, which will see important elements of the government's education reform take place.

Enterprise agreements with teachers form the industrial framework for implementing government policies to improve delivery of school education and student outcomes. The new enterprise agreement for teachers in ACT public schools will have far-reaching positive social impacts for the ACT community. It will help attract and retain high quality teachers and school leaders for ACT public schools. The agreement will help to keep the best teachers in classrooms where they have direct, daily interaction with our children and young people. It will also help the ACT government meet its reform commitments to the Council of Australian Governments under the improving teacher quality national partnership.

ACT public school teachers already enjoy employment conditions that compare very favourably with those of teachers in other jurisdictions across Australia. Weekly face-to-face teaching hours in ACT secondary schools are lower than in any other jurisdiction. For ACT primary schools, weekly face-to-face teaching hours are lower than in any other jurisdiction except Western Australia. ACT teachers have 197 teaching days in the school year. This is lower than in New South Wales and Victoria and the third lowest overall after Queensland and the Northern Territory.

The latest published figures for student to teacher ratios in 2010 show the ACT primary school ratio of 13.5 students per teacher to be lower than any other

jurisdiction except the Northern Territory and well below the Australian average of 15.4. The New South Wales student to teacher ratio is 15.7.

The general conditions of service for ACT teachers are based on the ACT public service common terms and conditions and, in most cases, match or better the conditions in any other jurisdiction. The government offer to ACT public school teachers of 26 October 2011 for a new enterprise agreement provides salary parity with New South Wales without increasing face-to-face teaching hours.

The ACT currently has an eight-point classroom teacher incremental scale. The government offer of 26 October 2011 proposes a ninth increment be added to the classroom teacher scale in order to match the New South Wales scale. Under the agreement there will be pay parity with New South Wales for classroom teachers, executive teachers, deputy principals, casual teachers and principals backdated to 1 October 2011. This will be followed by increases totalling seven per cent over the second and third years of the agreement.

Recognising high performing teachers early in their careers will also help to attract and retain quality teachers in ACT public schools. Through previous agreements, the ACT government has already strengthened the performance culture and the focus on educational outcomes for our students. This agreement will deliver a structure that recognises high performing teachers early, progresses them faster up the pay scale and promotes them to higher paid positions in the classroom. Accelerated progression will make it possible for outstanding teachers to reach the top of their salary scales after their fifth year of teaching rather than the usual eight years.

This agreement brings a new career pathway for classroom teachers with the introduction of an executive teacher (professional practice) classification from 2013. The roles and responsibilities of the executive teacher (professional practice) will be focused on classroom teaching and building teacher capacity. The salary for this professional practice role will be at least \$100,000 because the ACT government recognises the importance of these outstanding teachers in building the strength for the teaching workforce within their schools and across the entire ACT public school system.

The agreement also provides principals with greater capacity for making decisions at the local school level, decisions which target the needs of their particular school community. For the first time principals will have a say in choosing their own teaching staff to meet the particular needs of their students, thereby helping them to achieve the best possible educational outcomes. Principals will be able to create high performing teaching teams. Teachers with different talents and areas of proficiency will complement one another to form an expert team in every school.

To support quality teaching in every class the ACT government will put in place a transparent career structure system. It will enable excellent teachers to accelerate through their careers without being hindered by the number of years served. The agreement will remove the current requirement for teachers to transfer at the end of their placement periods. This, in turn, will enable principals to continue to drive whole school priorities without the fear of losing corporate knowledge or their lead teachers.

I am a firm advocate of the best pay going to the best teachers. By having a strong, competitive selection process for promotional teaching positions, we will ensure teaching is a career of prestige, opportunity and longevity. The intent of the new teachers enterprise agreement aligns with education reforms taking place across Australia. The ACT government signed up to the improving teacher quality national partnership in 2009 following agreement by the Council of Australian Governments to commit \$550 million to improve the quality of teaching and leadership in Australian schools. The ACT entered into the national partnership on improving teacher quality as a joint initiative with the ACT Catholic Education Office and the ACT Association of Independent Schools. The partnership has been highly successful with the three school education sectors in the ACT working collaboratively on a broad range of reforms to improve teacher quality in all ACT schools.

These reforms include the development of new professional teacher standards, improved pathways into teaching, increased teacher mobility, improved performance management and comprehensive teacher workforce planning. The national reform targets, some of which have already been achieved, include establishment of the ACT Teacher Quality Institute and teacher education committee, creation of school centres of teacher education excellence and implementation of national standards and certification processes for teachers.

The ACT Teacher Quality Institute was established in 2010 to raise the standing of the teaching profession in the ACT and to strengthen the quality and sustainability of the teaching workforce. The establishment of TQI brings the ACT in line with the states and Northern Territory, which all have teacher registration bodies. Its purpose is to uphold the standards of the ACT teaching profession, provide quality assurance processes to support the delivery of education in schools in a professional and competent way by approved teachers, recognise, develop and promote professional learning, and maintain community confidence in the teaching profession.

The Teacher Quality Institute is responsible for the professional registration of teachers, accrediting education courses for pre-service teachers and teachers, certifying teachers against national professional standards, developing and applying a code of practice for teachers, and working closely with employers to promote continuous professional learning by teachers. These functions will enable greater career opportunities for teachers. Teachers will be able to access the highest quality professional learning which has been quality assured. Best of all, the institute will ensure that only teachers who meet rigorous professional standards are teaching in ACT schools.

The most important job for any government is making sure that young people get the best possible start in life. This means ensuring every student gets the best possible education. This enterprise agreement and the underlying work that supports these reforms can only enhance the quality of the already high performing ACT teaching workforce and improve the already high performance of ACT students. This work supports the key role that teachers play in delivering positive educational outcomes for ACT school students. Education has always been and will continue to be a priority for the ACT government.

MR BARR (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism, Sport and Recreation) (3.43): I am delighted to take the opportunity to say a few words in this debate. It is certainly very good of Ms Porter to raise these issues today and to continue her very strong interest in the education portfolio.

Mr Hanson: Did you write it for her?

MR BARR: I will ignore the interjection of the shadow minister. A year ago I indicated in a major speech to this place the importance of better pay and better careers for ACT teachers. I indicated that the government would be seeking some significant reforms to the teaching profession as part of what was then a forthcoming EBA. It is terrific to see, after what was admittedly a difficult and complex negotiation, that we have been able to achieve a range of significant reforms in this area.

Reform in education is not easy. I think we have heard in this debate some of the reasons why it is difficult at times. It is always easy for shadow ministers to take the cheap populous route and to bury their heads in the sand when it comes to significant reform. It perhaps raises the question of who, if not the ACT government, is going to drive these sorts of reforms to the teaching profession because we all knew that the teaching profession was stuck in the 1970s in terms of its industrial relations regime. It was stuck in the 1970s in terms of professional development.

Every credible commentator on education reform in this country has observed that the questions about teacher evaluation have been complex ones, but ones that have needed to be addressed. Through this enterprise bargaining agreement and the in-principle acceptance, we have a couple of significant reforms. Firstly, we can finally say that the era of advancement by exhaustion for teachers is over, that we now have a situation where younger teachers can apply for advancement much more quickly than the long, slow march year by year to the top of the classroom teacher scale.

The accelerated progression opportunities contained within this agreement are significant. They mean that younger teachers can reach the top of the salary scale much quicker. With our capacity as an education system to retain those teachers and to provide them with the sorts of incentives to stay in the public education system, their work will be valued and going the extra mile, as so many teachers do, will actually be rewarded. These are critical reforms.

Equally, we have done something about the very flat career structure for classroom teachers. The best and brightest classroom teachers, if they wanted to earn six figure salaries, had to move further and further away from the classroom. That nexus has now finally been broken. There is the capacity now within the ACT system for teachers to stay in the classroom, to mentor and develop younger teachers, to take a leading role in the development of best classroom teaching practice. They can do this while staying in the classroom. That is contained within this agreement.

I think it is critically important that the government—this is certainly something that we will do—extends this opportunity for that career structural reform into the non-

government system as well. It is certainly the government's intention to allow for, as is traditionally the case, the Catholic education system in particular to wait until the government enterprise bargaining framework is resolved and then make an offer to its own staff based around the conditions that are offered by the government. It is important that this is extended into non-government schools, particularly into the Catholic education system. The government looks forward to working with the CEO in relation to the implementation of this initiative.

It is important if we are to say to our best and brightest who are coming into university and making a decision about what career they wish to pursue that the teaching career and the teaching profession provide them with the professional development opportunities and the accelerated progression opportunities that are available to them in virtually every other competing profession. To break the back of this in this agreement is a significant reform. It is a significant reform. It is one of the most important that will be achieved in the ACT education system, in my view, for some time.

Teacher quality is the silver bullet. It is the most significant factor in improving student performance. Having the best teachers at the front of classrooms teaching our students, whether they are in public, Catholic or independent schools, is critical. That will be what will drive increased and improved performance across the ACT education system. It will be the most critical element in closing the achievement gap between Indigenous and non-Indigenous Canberrans and between wealthy and not-so-wealthy Canberra students.

The capacity the government now has to direct these promotional positions into the most disadvantaged schools, to work with the most disadvantaged students, is one of the most fundamental pieces of public policy that this place can ever deliver. It will make a difference to the lives of many thousands of Canberra students, because they will have access to the best classroom teachers. That is a very proud achievement of this Labor government, something that I hope all people with a view about the transformative power of education would agree with.

There are many other elements of the government's offer that I think are important and worth reflecting on. Clearly, rewarding leadership within the ACT public education system is critical. We have moved to provide much more autonomy for school principals and school leadership to employ staff and to run schools according to local needs. That again is a critical reform, supported nationally with funding and political will. That is what is needed to drive reform in education.

It is easy to take cheap shots. It is easy to whinge on the sidelines. But when the hard work is required to deliver structural reform within education, it is the Labor Party that does that hard work, because of all political parties in Australian history, we recognise the power of education to transform lives. We will continue with our efforts to drive reform in education, to continue to do better for ACT students and to provide the sorts of career opportunities that will attract the best and brightest into the teaching profession.

Before I close, I think it is also worth acknowledging that this agreement contains two other important boosts: an additional \$8,000 per year allowance for school counsellors

to meet costs associated with their professional requirements and additional pastoral care support within two very important schools in the ACT public education system, the Black Mountain school and the Woden school. In supporting Ms Porter's motion and in supporting reform in public education, I commend this motion to the Assembly.

Question put:

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

The Assembly voted—

Ayes 6

Noes 11

Mr Coe	Mr Smyth	Mr Barr	Mr Hargreaves
Mr Doszpot		Dr Bourke	Ms Hunter
Mrs Dunne		Ms Bresnan	Ms Le Couteur
Mr Hanson		Ms Burch	Ms Porter
Mr Seselja		Mr Corbell	Mr Rattenbury
		Ms Gallagher	

Question so resolved in the negative.

MS HUNTER (Ginninderra—Parliamentary Leader, ACT Greens) (3.56), by leave: I move the following amendments together:

(1) In subparagraph (2)(a), after “implementation”, insert “to date”.

(2) In subparagraph (2)(c), after “implementation”, insert “to date”.

The amendments that I have just moved are simply about clarifying a couple of parts of Ms Porter's original motion. In relation to paragraph 2(a), where it talks about the successful implementation of the national curriculum in the ACT, it just clarifies the status and where we are up to on that by inserting the words “to date” so that it states “successful implementation to date of the national curriculum”.

As has been said, certainly in Mr Doszpot's speech and in my speech, this is an ongoing process. Also, in paragraph 2(c) we note the “successful ACT implementation of national partnerships”. As was mentioned in some speeches, there has been significant hard work done by teachers out there on the ground and done by members of the department in implementing what we have got today on these national partnerships. But of course there is work that still needs to be done.

I note again that it is about inserting those words so it would be very clear that, yes, to date there has been successful work undertaken, as I said, by hardworking teachers, by officers in the Department of Education and Training, but just to clarify that these are ongoing processes.

MR DOSZPOT (Brindabella) (3.58): I certainly agree with paragraph 1(a) of Ms Porter's motion about the significant role that teachers play in delivering positive educational outcomes for ACT students. The rest of the motion is just fabrication,

obfuscation, about the so-called record of this government and, even in this, much of the information that has been presented is flawed or misrepresents facts.

I am surprised that the Greens are prepared to turn a blind eye to these misrepresentations and are trying to change the odd word to make the representation have a little bit more legitimacy. I guess I should not be surprised, as we have seen it time and time again when we have come up against these sorts of scenarios, but I am. I am disappointed that, despite the Greens' mantra about keeping this government accountable, it does not matter how flawed, how wrong or how many mistakes there are in the motion and how much more the motion could be improved to help the teaching profession, Ms Hunter agrees with the misleading comments in this complete motion. I find that quite incredible and I am sure that the teaching profession, Ms Hunter, will find this quite incredible as well.

The rhetoric from Mr Barr—I would not say the same thing about the rhetoric from the new minister for education; I think that was just more of what Ms Porter provided to us—was wonderful rhetoric about how much the teachers are valued. Just ask the teachers what they think about the value that this government places on them and ask them what they feel about the way they have been treated by this minister and by this government for the past 10 years.

Ms Porter: On a point of order, Madam Assistant Speaker, I do not think Mr Doszpot is actually addressing the amendments of Ms Hunter. He is reflecting on the previous debate and the vote that we have just taken. I would have thought that he would address the amendments that we are considering at the moment, which are Ms Hunter's amendments.

MR DOSZPOT: I am addressing the amendments, which reflect on some of the things that were put in the motion.

MADAM ASSISTANT SPEAKER (Ms Le Couteur): Mr Doszpot, please, if you can keep yourself to the amendments you are welcome to continue.

MR DOSZPOT: I am surprised that you are reflecting on me in that sense. I have not—

MADAM ASSISTANT SPEAKER: Clerk, please stop the clock.

MR DOSZPOT: I have done nothing different from what any other speaker has done in speaking to an amendment that reflects on the motion and some of the support that has been given to that motion by other speakers. That is all I am doing.

MADAM ASSISTANT SPEAKER Mr Doszpot, please start addressing the amendments and continue your speech.

MR DOSZPOT: Madam Assistant Speaker, I think—

Ms Hunter: On a point of order, Mr Doszpot is reflecting on your ruling, Madam Assistant Speaker.

MADAM ASSISTANT SPEAKER: Thank you, Ms Hunter. Mr Doszpot, please address the matter at hand.

MR DOSZPOT: Thank you, Madam Assistant Speaker. I said that Ms Hunter has tried to put forward support for this motion. By changing the words which we criticise Ms Hunter thinks that the motion can be fully qualified. The single word changes you have suggested, Ms Hunter, do nothing more than justify what we said about the fact that this motion is so far off the mark that it does not bear any more talking about, quite frankly.

I referred before to the rhetoric from the former minister for education, trying to justify the way that teachers feel about what this government has done for them. This motion from the government looks at patting its own back, and the Greens have added to that pat on the back by saying what a wonderful job this government has done. I am surprised, disappointed—but in the end, I am just absolutely confounded—that the Greens will not stand up for the fact that this government has misrepresented something. The education profession will certainly have a lot to say about that.

It does not matter how much obfuscation, it does not matter how much misrepresentation, there is, so long as it comes from the government side the Greens feel it is worth agreeing with it. If the Greens want to push these rather strange amendments that they have put and this is the way they are going to go, there is not much more I can add. I am disappointed in this whole exercise and I am disappointed with the Greens' attitude on this, yet again.

Amendments agreed to.

MS PORTER (Ginninderra) (4.04): I thank members for their contribution to the debate. Once again I am disappointed by Mr Doszpot, who dismissed the motion in such a high-handed manner. It is a pity that at the end of the educational year he misses the opportunity to agree with a motion which seeks to recognise the significant contribution of teachers in the ACT.

I thank Ms Hunter for her support and her affirmation of the important role of our teachers. I agree that teachers do not knock off at 3 or 4 o'clock in the afternoon on any school day and they are often engaged in professional development during times when children and young people are on holidays. This is true of teachers everywhere in the nation. I can confirm this, as my daughter-in-law and my sister are teachers in two other states. Teachers are committed members of our community, committed to their job. This has always been the case in my experience. This is why this government has put in place and is putting in place important measures to further quality teaching in the ACT. This is why the commonwealth is working with states and territories to achieve very important reforms. Of course there is always much work to be done, as Ms Hunter just said.

I thank Mr Hanson for his positive contribution. I am sure all of us in this place could stand up and list a number of teachers who deserve our personal thanks for their efforts in supporting our children or our grandchildren.

As the minister has emphasised, this agreement has a far-reaching effect and rewards. It recognises our quality teachers and allows for significant positive reform. I am sure that the minister would agree with me in thanking the former minister, Mr Barr, for passing on to him a great education system. Mr Barr should be justly proud of his achievements and that of his directorate.

Once again I would recognise the significant role our teachers play in delivering quality teaching to our ACT students and I thank them.

Motion, as amended, agreed to.

Education—English as a second language

MR DOSZPOT (Brindabella) (4.07), by leave: I move the motion as amended:

That this Assembly:

(1) notes:

- (a) that approximately 12 percent or nearly 4 900 students in ACT public schools have been assessed as requiring English as a second language (ESL) support, an increase of 35 percent since 2000;
- (b) that under the current rating scale, only 55 percent of students identified in need of ESL support in ACT government schools attract ESL funding;
- (c) that this continued lowering of English proficiency was the subject of several recommendations in the Legislative Assembly Standing Committee on Education, Training and Youth Affairs report, Inquiry into the Educational Achievement Gap in the ACT, of May 2010;
- (d) that ESL school based facilitators, many of whom have no ESL qualifications, rely heavily on the support of two ESL executive officers, based in the Education and Training Directorate, who provide specialist ESL professional development for the entire Education and Training Directorate workforce, including advice and in-service programs;
- (e) that the ACT Government had decided to cut 50 percent, or one of two, existing ESL executive officer positions, despite the objections of ESL teachers and their union; and
- (f) that this will have the potential to further reduce the capability of ESL teachers, given the two officers currently have workloads well in excess of current demand; and

(2) calls on the ACT Government to:

- (a) retain existing staff until consultations have been held with ESL classroom teachers and their representatives as to what their needs are in respect of professional development, departmental support and resources; and

- (b) provide assurances that future staffing in the ESL area, at both the departmental and classroom level, will effectively address the 45 percent of students who currently miss out on any targeted support from an ESL teacher.

I have made one small correction: it is not 52 per cent of students in need of funding; it is actually 55 per cent. It has been estimated that there are nearly 5,000 students in Canberra public schools who require ESL support, and that number is growing. In fact, ESL students make up 12 per cent of all public school enrolments, and they have increased as a percentage of students by 35 per cent in 11 years.

But it seems, when it comes to languages, this government has a somewhat conflicted view and approach. On the one hand we have the rhetoric and the published mantras that set out to show the ACT is a multicultural society, one well equipped literacy-wise, to help residents meet the challenges of living in a city when their native tongue is not English. For example, we have a proposed whole-of-government language policy to be in place by 2012. This policy talks about language being an essential tool in the social organisation of a community. The preamble says that it aims to cover all languages, including English, and it recognises that “employment and participation in the economic life of the ACT requires ability in the English language”. But it does not give any commitment as to how we get people to have the appropriate level of English. The only thing it says in relation to the teaching of English is:

The ACT Government will pursue opportunities for promotion and provision of English language education to students and teachers from other countries.

Similarly, in its multicultural strategy 2010-13, launched in late 2009, it says that, by 2011, all year 3 to 8 students in ACT government schools will study a language other than English. So we have a government that embraces the notion of a multilingual society and wants to ensure this multilingual education starts in early primary education. We have a government that recognises that employment and prosperity in the ACT depends on an ability to speak and understand English. But that is where the rhetoric ends and reality starts because, when it comes to teaching English to overseas born students, the reality does not match the rhetoric. That support for teaching English is not happening in our schools and the situation has been getting progressively worse for years.

In its latest measure, the government has decided to cut one of only two ESL executive officer positions within the department. These are the people who provide professional support to front-line ESL teachers. This is the position we are trying to protect, Minister Bourke. It does not make sense to, on the one hand, have a policy that identifies the importance of fluent English to achieve employment and prosperity but, on the other hand, slash support that will enable new arrivals to achieve that employment and prosperity. Theory is fine, but when it comes to delivery we see slashed budgets and diverted resources. We saw this last year in the efficiency dividend round—assurances that no service would diminish in the hearing and vision impaired teaching sector and we are seeing it now with ESL teacher support.

The ACT education union and the Association of Teachers of English to Speakers of Other Languages have both written to the now former minister for education. Not

surprisingly, he wrote back and, in essence, said: “Yes, we are cutting one staff position—50 per cent of the executive officer support for ESL teachers—but it is no loss in resources. The work of this specialist support officer will be done by other members of the literacy and numeracy section.” This man is the ACT Treasurer now. He must be taking lessons from the federal Treasurer in more obfuscation.

Minister Barr told the union that the one remaining ESL departmental officer will focus on policy, finance and associated processes that support the delivery of programs in schools. So ESL teachers at the coalface have effectively lost both ESL executive officers, but the Greens do not seem to mind that. They have lost both ESL executive officers who have provided a whole heap of assistance and professional development specifically targeted to and for them as ESL teachers. In their place they get less specialised literacy and numeracy section assistance.

But it would not be an ACT Labor government plan without a pilot program promised for somewhere, some time in the future. We have one here as a substitute for what is working here and now, which the ACT education union think should be retained, which the Association of Teachers of English to Speakers of Other Languages want to retain and which those on whose behalf the ACT multicultural forum has lobbied want to retain. But does this government want to retain it? No. I quote from the minister’s letter to the AEU:

The Directorate has planned and budgeted for pilot programs in 2012 for school based teacher and co-ordinator support of teachers working with students from refugee backgrounds.

This is not what is needed. The ESL teachers in the classrooms need that central departmental support. They have had it until now, and now they are losing it. The members of ATESOL and the AEU are concerned, and rightly concerned. They are concerned because they know what the departmental officers are currently delivering. They set up, implement and coordinate ESL programs across the public school system for students in classes from preschool to year 12. These officers are the main source of practical assistance, advice and in-service programs on curriculum, teaching strategies and materials, assessment, cross-cultural and community-related issues and a host of related matters. They provide that advice and support to not only ESL teachers but also mainstream classroom teachers, school leaders and administrative staff. The in-school substitutes promised for some time into the future are not going to provide that broad level of support.

ATESOL have suggested that the ongoing reduction in the provision of ESL tuition for new arrivals and the failure to appoint adequate numbers of appropriately qualified ESL teachers have put these officers’ services increasingly in demand. ATESOL argue these officers’ workload is, and I quote, “well beyond the capabilities of two positions, and halving the support will reduce ESL to what could fairly be called tokenism”. But, again, that seems to be okay with the Greens, Ms Hunter.

The president of ATESOL has suggested that the issue of funding ESL support in schools is critical for our multicultural community. Again, Ms Burch would not know about that. She has been asked to take up the cudgel on their behalf, but I do not think she either cares or understands what the issue is. I quote:

The issue of funding ESL support in schools is critical for our multicultural community, as many children from diverse backgrounds are growing up in homes where languages other than English are spoken and they are learning English as an additional, or second language. Many children have English competency which is well below the one which is needed for successful learning in the English-medium school system. And for many children, school is the only place where systemic teaching of ESL can occur. We know at present we have increased numbers of children with very high ESL learning needs, and those needs persist ... when they enter mainstream schools.

But the cutback in support services is not the only problem in ESL issues in the ACT. As the motion highlights, only 55 per cent of ESL students in need of assistance receive any ESL funding. Given this government's proud boast about numeracy and literacy levels among ACT public schools, it is interesting to note that an average non-ESL student is regarded as being proficient in English at level 4 on the ACT's official 0-5 measure of English language proficiency.

But funding for ESL learners cuts out when they reach a rating of only 1.75, leaving a proficiency gap of 2.25. This continued lowering of the official English language proficiency ratings that attract ESL funding has been a concern to ESL teachers for some time and, in fact, it was the subject of recommendations in the report of the education, training and youth affairs standing committee in its inquiry into the educational gap in the ACT in May 2010.

The government at the time agreed with the recommendation that any program or initiative developed in the ESL area should be undertaken in consultation with ESL teachers. But it did not happen here. The standing committee's findings also identified the need for a review of the funding model, with "particular attention to the capacity of the model to meet the needs of the broader group of students identified in the profile review". It also recommended a review of what sort of support students might need.

The minister chose to not support either of those recommendations. So we have, 18 months later, a system that is still underfunded, a minister that claims it is well resourced and a growing number of students who will continue to achieve at less than optimum because the system needs an overhaul and the government thinks that pilot programs, strategy papers and deckchair shuffling will suffice.

The Canberra multicultural forum wrote to the minister for education in November highlighting their concerns on this issue and the cutbacks to ESL positions. They called on him, as Treasurer, to ensure that funding to the ETD enables both the ESL executive officer positions to be retained and that English proficiency levels that attract ESL support be raised to a level that more realistically reflects the level of need identified in government school classrooms. So we also have the multicultural forum decrying the decision.

But if the ESL teachers think they might turn to the Minister for Multicultural Affairs for support, they are going to be sadly disappointed. When Minister Burch was questioned on this issue last week she was not aware of the problem and was reluctant

to offer support for the ESL sector. By her own admission, her interest is in teaching English speaking Canberrans a second language and in supporting foreign nationals to maintain fluency in their own language. Learning English is apparently not a high priority. As a bilingual Canberran, I can attest that you cannot get by in this city, in any city in Australia, if you cannot speak English. There are over 6,900 languages spoken throughout the world, but it is the English language that is most critical to economic and social development in our country and in Canberra.

I am encouraged by the new minister for education's interest in literacy and numeracy issues among Indigenous Australians. I would hope that he would demonstrate a similar interest in, and support for, ESL students and their teachers who are underfunded and under-resourced. Having just said that I hope that he would do that, we recently saw a press release on this very issue in which the minister was again absolutely stretching the bounds of reality by saying that I am trying to get rid of a position.

Minister, I am trying to make sure your department retains a position that the ACT multicultural forum wants to retain, that the ACT education union wants to retain and that ATESOL wants to retain. Your obfuscation is just beyond words. I just find it completely incredible that you are trying to level an accusation at us that we are trying to get rid of a position—just as incredible as the Greens' support, as I understand their position, on this matter. Again, it is a case of: the government is saying it, so it must be right. I am getting so heartily sick and tired of that line from the Greens, as I am sure all of my colleagues on this side are as well.

Dr Bourke, you come here with high expectations from a number of people in our education community. For you to be putting such rubbish in your very first press release I find contemptible. The fact is that this activity that we have tried to address here today has been sullied by your comments. ESL students deserve—

MR ASSISTANT SPEAKER (Mr Hargreaves): Mr Doszpot, address your remarks through the chair, please.

MR DOSZPOT: ESL students throughout Canberra deserve better than this. I would have hoped for better from the minister. I encourage all those who have a genuine interest in educational outcomes—and I thought that the Greens would fit into that category—to support this motion.

DR BOURKE (Ginninderra—Minister for Education and Training, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Industrial Relations and Minister for Corrections) (4.23): I wish to respond to the amended motion by Mr Doszpot on ESL staffing. I move the amendment circulated in my name:

Omit all words after “May 2010” in subparagraph (1)(c), substitute:

“(d) the ACT Government has delivered a record \$8 million to ESL programs in the 2011-2012 budget, which includes funding for ESL professional learning programs for classroom teachers.”.

The ACT government is proud of its achievements in meeting the needs of students with language backgrounds other than English. The Education and Training

Directorate provides resources to schools to support ESL students in mainstream classes and in intensive English centres.

There has been an increase in the number of students requiring ESL support in recent years. In recognition of this, the ACT government have committed significant resources to this area. In 2008 we provided an additional \$3.144 million over four years, and in 2011-12 an extra \$245,000 has been allocated to ESL staffing from the Education and Training Directorate budget. The total ESL budget for 2011-12 is approximately \$8 million. This includes staffing support to the introductory English centres and \$5.8 million provided directly to schools to meet the needs of ESL students in mainstream classes.

The directorate has three primary introductory English centres based at Hughes, north Ainslie and Namadgi schools. A secondary intensive English centre is located at Dickson college, catering for students aged from 12 to 18 years. In 2012 an additional primary introductory English centre is being established in Belconnen at Charnwood-Dunlop school. This recognises the changing location of families who are moving to newer areas of Canberra and who require intensive support to learn English.

The ACT government has shown its commitment to capacity building of teachers of ESL while in schools through providing scholarships for 40 teachers at the University of Canberra. These scholarships allow our teachers to increase their knowledge and understanding of ESL teaching and learning practices. In addition, all ESL teachers in public schools have access to ongoing support and professional learning. The directorate has identified leading-practice professional learning resources and courses for mainstream and ESL teachers. There has been an increase in the number of teachers trained as facilitators in these courses, thus enabling more teachers to access professional learning in ESL in their own schools.

The directorate's approach to ESL teaching is based on leading practice and research, where classroom teachers are responsible and accountable for the diverse needs of all students. Every public primary school and high school has a literacy and numeracy coordinator that provides high-level, on-the-job training to teachers. These coordinators work in close collaboration with classroom teachers, supporting them to deliver programs to students with a range of language and cultural needs and experiences.

I would now like to table some additional information. I present the following paper:

English as a second language—Supporting EALD students with LPRs from 2.5 – 4.0.

In addition the directorate accesses national and international experts to work with their school staff. Just last week, a directorate forum brought together 130 school leaders and ESL teachers, focusing on the issues facing schools with ESL populations. Two eminent national speakers in the field, Professor Joe Lo Bianco, chair of language and literacy education at the University of Melbourne, and Misty Adoniou, senior lecturer in language literacy and English as a second language at the University of Canberra, discussed the difference between language and literacy needs of second-

language learners in our schools. Ms Adoniou praised the ACT directorate for its leadership in taking on the new national English as an additional language/dialect teaching document to accompany each of the Australian curriculum documents. These national documents support all teachers to deliver a quality program to ESL students.

In implementing its focus on developing expertise at the school level, the directorate has realigned its central office resources. From 2012, one executive ESL will be required to provide policy and advice. This officer will be joined by a larger team of literacy and numeracy officers within the learning and teaching branch. This approach has allowed the directorate to shift the additional central office resource to the school level, moving resources from the education central office out into schools, putting in more teacher time at the chalkboard or, these days, at the electronic whiteboard. Is this not what we should be doing?

In preparation for this realignment, the directorate has developed an ESL action plan with—

Members interjecting—

MR ASSISTANT SPEAKER (Mr Hargreaves): Order, members! Mr Doszpot, Mr Coe, Dr Bourke heard you in silence. I expect you to extend to him the same courtesy.

DR BOURKE: In preparation for this realignment, the directorate has developed an ESL action plan with three strategic priorities. Staff are trained, qualified and well supported. Students are supported to access high quality programs. Policy and procedures are futures focused and accountable. The ESL manual on policy has been updated and a comprehensive procedural manual, which will support students in all aspects of their ESL program, has been written. Both documents will be in place for the 2012 school year and provide greater clarity of process and procedure across the directorate.

Another large body of work undertaken this year has been the finalisation of the professional learning resources to update ESL programs, in particular resources to support teachers working with students with refugee backgrounds. 2012 will see the directorate piloting a refugee support program that is a partnership between the University of Canberra and the Australian Literacy and Numeracy Foundation. As mentioned, classroom teachers and ESL teachers are having their needs met through the in-school model of support, system-endorsed professional learning courses and central office forums and will continue to do so next year. The Education and Training Directorate recognises the importance of supporting every student to receive a high quality education in an environment that is respectful of students' different cultures, experience and learning needs.

The initiatives, resources and budget allocations I have outlined to the Assembly today leave me confident and proud that ACT public education is a leader in the provision of support to ESL students.

MS HUNTER (Ginninderra—Parliamentary Leader, ACT Greens) (4.31): I move the amendment circulated in my name to Dr Bourke's proposed amendment:

After subparagraph (1)(d), add:

“(2) calls on the Government to:

- (a) undertake a review of ESL services including the Language Performance Rating cut off for full and partial support funding, with a view to raising the required level of English proficiency and the professional development and Directorate support services available to teachers;
- (b) in conducting the review, consult with all relevant community stakeholders as well as ESL classroom teachers and their representatives; and
- (c) report back to the Assembly by April 2012.”.

In the 2011 annual report of the Education and Training Directorate I read that the provision of assistance to students with English as a second language, or ESL, to support them to quickly and successfully transition into mainstream education has been identified by the Australian government as an important aspect of future economic growth and social cohesion for our country.

Of course, it is more than that. Proficiency in English is essential for people to be able to pursue opportunities. Communication skills give students access to more choices in learning areas, possibilities for contributing to the school culture, and to post-school options in the workforce and further education.

With parts of this motion highlighting some facts and figures, I question if this government is sincere in its commitment to these principles. This motion asks that the Assembly note that approximately 12 per cent of ACT public school students have been assessed as requiring ESL support and that this represents an increase of 35 per cent over the past 11 years. Currently the cut-off for full support offered to students who are learning English as a second language is based on the language performance rating of 1.75. We heard that this was out of a scale of 0 to 5.

So what does that mean? That means that a student has been assessed as having an English-speaking competency of well below average. It is also the case that the cut-off of partial funding support for students with ESL is based on a rating of two. This means an English-speaking competency of below average.

I am concerned to learn that we are restricting our support to these children and young people. We should not be accepting that well below or below average English-speaking competency is a cut-off point for some supports. How well will these students be able to engage with their peers, teachers and schools and make positive contributions to their education?

Supporting young people and young children to gain improved English speaking competency is of benefit to everyone. We see an immediate and tangible improvement in students' academic achievement. Literacy and numeracy are greatly enhanced as English-speaking competency increases. I have heard that unfortunately some ESL students are unfairly deemed to have literacy and numeracy problems when, in fact, they do not.

It can sometimes take an expert in ESL to understand and to recognise the distinctive social and cultural dimensions of learning a second language and to ensure that a student is not unfairly labelled as disruptive or as having learning difficulties. We can see enhanced social inclusion for the student. For a student who may have recently arrived in Australia, and particularly for those from a refugee background, this benefit cannot be overestimated.

The ACT strives to provide a human rights-based inclusive, safe and progressive place to live. We quite rightly pride ourselves on being a city of choice for many international students who have come to access a range of educational opportunities. A student with a refugee or migrant background deserves no less opportunities. I hope they would be offered and, in fact, are offered even greater support to feel welcome and supported and to fully engage with our society.

Language is an obvious barrier to this and is perhaps the first cab off the rank in terms of integration. We can see a more inclusive society overall that values and supports the contributions of all people, regardless of background or place of birth. We like to consider Canberra as a multicultural and cosmopolitan city that shares and learns from other cultures, just as those newly arrived can learn from us.

We know that many children of parents who have English as a second language are often called on to advocate and translate for them. By improving the English-speaking competency of children and young people, we can see benefits for their families as well and see greater engagement from families in their child's education, which is positive for schools, teachers, the child and the community. It can lead to more examples of cross-cultural exchange.

To do this effectively, we need to support and resource the teachers and experts in this area and to assist the front-line educators to be able to respond. While there are positive professional development opportunities available, these need to be offered in a sustainable and well-planned manner. We need to properly understand the needs that exist in our classrooms and to listen to those who work every day in these areas. We need to heed the calls for better coordination, advocacy and representation as well as greater access for students to ESL teaching.

My amendment calls for the language proficiency level that attracts ESL support to be reviewed with a view to raising it to a level that more genuinely meets the needs of students in public schools, particularly those who may be newly arrived to Australia and those with a refugee background. It is my hope that by doing this review with a directed focus, we can provide a stronger framework for ESL issues.

While the needs in this area have been raised several times and recommendations regarding ESL were included in the inquiry into the educational achievement gap in the ACT in May 2010, I once again find that there is more to be done. If my amendment is agreed to, the response to ESL issues will receive a greater focus. I note that the minister has tabled a paper outlining the overall funding to ESL programs and several of the key professional development and capacity building initiatives underway. It appears that the overall funding for ESL has increased in recent times and I believe that this goes some way to answering the calls for greater resources.

However, it is clear that with increasing numbers of students with ESL support needs and an anticipated increase in overall student enrolment numbers in ACT public schools, more needs to be done. The minister needs to identify strategic and sensible ways to better resource and empower the hardworking teachers on the ground with what is obviously a rewarding job but a job that can sometimes be a difficult and isolating one.

The Greens are committed to ensuring that the government provide free, high quality education to all children and young people in the territory, regardless of their background. We stand for an end to the gap in academic achievement associated with students' socioeconomic status and a public education system that encourages and supports the efforts of all students to reach their potential. We support implementing education system planning, resourcing and decision making that respects the views of school communities and other stakeholders.

We believe that on the issue of language performance rating and English-speaking competency, better consultation, planning and resourcing to respect the views of the stakeholders are needed to deliver better access to those children and young people. A review of the language performance rating and the apparent cut-off of some supports to students who are assessed as well below and below average would be a timely way and a necessary way that we have to go.

We need to listen to the concerns of many stakeholders. I suspect that this will lead to the need for greater resources and also for greater opportunities for teachers to be able to deliver ESL support to students. As I have outlined, that is what my amendment is about. It is about looking at where we need to focus our attention around improving the access for those students—those children and young people—in our system today.

As we have heard, they are only able to get those supports until a grading of two. That is still below average in English proficiency. That is where we need to be putting our focus. That is where we need to be putting our efforts—out there on the front line for those children and those young people. That is what this is about. It is calling for a review of that rating, to be looking at why it is that those supports cut off at such a low level, with a view to raising the required level of English proficiency. Of course, I would suspect that that will mean that we will need to be looking at how we are going to properly resource that, and that will be through greater teacher hours on the ground.

Of course, along with that, hand in hand with that, goes these sorts of professional development needs and the support services that that workforce is going to have to have in order to follow this along.

Mr Doszpot: And that you are cutting out by your motion.

MR ASSISTANT SPEAKER (Mr Hargreaves): Mr Doszpot, thanks.

MS HUNTER: Mr Doszpot is intent upon just yelling out interjections across the chamber and I think—

Mr Doszpot: Correcting what you are saying.

MR ASSISTANT SPEAKER: Mr Doszpot, I will not put up with it.

MS HUNTER: it would be really important for him to understand that this is a focused amendment that goes to the heart of what we need to be doing for our children and young people out there in schools. What we have at the moment is an unsatisfactory situation where the proficiency levels seem to be well below average and below average. That is just not good enough.

We need to be looking at how we can raise that, move that up more towards five. I think, Mr Doszpot, even in your speech you acknowledged this point. You said that four was really where we should be looking to go to. This is about reviewing and having a look at that to improve that on-the-ground access.

Mr Doszpot interjecting—

MR ASSISTANT SPEAKER: Mr Doszpot, I will not speak again. Next time it is a warning. I will not be ignored.

MS HUNTER: The on-the-ground access, front-line, in the classroom access—

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

MR ASSISTANT SPEAKER: Stop the clock. Mr Hanson, you had a point of order?

Mr Hanson: Yes, on a point of order, I just note that it might be helpful if Ms Hunter was to make her comments through you in accordance with standing order 42—

MR ASSISTANT SPEAKER: Thanks very much, Mr Doszpot. I have been listening to that, and I have had that—

Mr Doszpot: Mr Hanson, Mr Hanson—

MR ASSISTANT SPEAKER: You can put your finger down please, Mr Doszpot. That is rude.

Mr Doszpot: You called him Mr Doszpot.

MR ASSISTANT SPEAKER: Stop being rude and just be quiet. If you have got a point of order, stand on your feet. If you have not—

Mr Doszpot: Mr Assistant Speaker—

MR ASSISTANT SPEAKER: Are you going to speak on Mr Hanson's point of order?

Mr Doszpot: Yes, I am.

MR ASSISTANT SPEAKER: All right; go.

Mr Doszpot: You called him Mr Doszpot. I am simply correcting you to say that that is Mr Hanson. Thank you.

MR ASSISTANT SPEAKER: I take your point, Mr Doszpot. If I have caused you offence, Mr Hanson, by calling you Mr Doszpot, I apologise for that. I have in fact been listening to Ms Hunter and I have noticed that she has not referred to Mr Doszpot directly across the chamber. She has been referring to Mr Doszpot to the chair. I have been conscious of that, I am conscious of that and I will be conscious of it. However, I have asked you, Mr Doszpot, on four occasions—if you want to check the *Hansard* feel free; on four occasions. I do not like to have to keep asking the question. When it gets to five you go on the list with Mr Hanson on the warnings. That includes you at the moment, Mr Doszpot. Other people will be judged on their behaviour in this chamber. Ms Hunter you have the floor.

MS HUNTER: As I said, my amendment goes to the heart of really ensuring that we review, that we look at what access we are giving to children and young people out there in our classrooms. That is where we need to be focusing our effort. We need to make sure that we do have the right number of teachers out there. We do need to make sure that we improve the level of proficiency that those children and young people are getting in their English language education.

My amendment does go also to the issue of professional development and support for the teachers in those areas. Secondly, it does go into conducting the review, to consult with all relevant community stakeholders as well as ESL classroom teachers and their representatives, which of course we have heard about today. They are the representative groups who, of course, have an important part to play in that discussion.

My amendment asks that there be a report back to the Assembly by April 2012. As I said earlier, there was the inquiry into the educational achievement gap. This is one of the items that was in the Labor-Greens parliamentary agreement. I am pleased that that inquiry was undertaken. It was an important inquiry to look at those students who are not doing so well in our system and how we can ensure that we do the best by them.

Today we have touched on one of those groups, which is those students where English is their second language. Again, I do hope that I have the support of all members for my amendments because, as I said, they go very much to the heart of this matter.

The heart of this matter is that we need to ensure we do the best and provide the best language education or access to language education that we can and to improve the proficiency. The better the proficiency or the higher the rating that those students can achieve, the better they are going to be able to go back into the mainstream schools and get the best out of the wonderful education that is delivered by our hardworking teachers.

MR COE (Ginninderra) (4.47): I am very pleased to contribute to the debate on Mr Doszpot's motion today and I would like to thank Mr Doszpot for bringing up this motion on this very important issue and for his continued interest in the education

outcome of all ACT students. Ms Hunter is right. This issue does go to the core of the challenges that students and teachers in this space do regularly confront. And it does go to the heart of that. What Ms Hunter is doing is taking a dagger to the heart of Mr Doszpot's motion. What she is doing, deliberately by omission, is taking out what is perhaps one of the most important aspects of Mr Doszpot's motion, and that is retaining the existing staff until the consultations have been held.

Mr Doszpot raises this motion as yet another example of how the government has let down those most in need. It is another example of this government reducing services by stealth to areas that are already and rapidly exceeding capacity. We saw this, of course, in 2010 when funding for the Shepherd Centre for hearing impaired children was reallocated to other initiatives. This Labor government continued to insist that services were adequate for hearing impaired children in the ACT, yet in reality the centre was facing closure in the face of a lack of funding. Now we see the same kind of attitude, the same kind of spin, when it comes to ACT students for whom English is a second language.

The fact is, as my colleague has noted, we know there are 12 per cent of students in ACT government schools who meet the ESL eligibility criteria in our system but only half of those students attract any ESL funding. Again, as Mr Doszpot has noted, this is an increase of 35 per cent over 10 years. We could assume that this steady increase in demand for specialised teaching would see an increase in the resources available but this logical approach is once again not the case with this Labor government. We do not see anything extra for these students; nothing at all. In fact, they are getting stuff taken away from them. What they actually get is a withdrawal of support, a lack of commitment, from this government.

The ACT Labor government has seen fit to halve the support, take one of the two positions available as ESL executive officers in the department and cut that down to one, effectively giving one individual responsibility for the learning outcomes of all the teachers who cater to 5,000 students. The school-based, face-to-face teachers of the students who need the extra support are not fully qualified as ESL teachers and have previously sought the support of the modest two, just two, executive teachers who facilitate professional development and support—two experts for almost 5,000 students. That is clearly not the best scenario for an optimal learning outcome for any student, let alone for students that need to be able to master the English language as a starting point before they can even get to where the rest of the school is at.

The other point that has been made today by Mr Doszpot that is worth focusing on is the lack of consultation. This whole scenario has occurred without face-to-face conversation with the teachers involved, without one conversation with a student or family that is affected, and without even consulting the union—no consultation with those at the coalface, with those who have the daily task of ensuring that each of the students receive the support and education they deserve and who need that support in order to be able to fully realise their potential.

It is, indeed, disappointing to see the Greens' response to this motion. They are blindly following their coalition partners and subscribing to Labor's rhetoric yet again.

And Dr Bourke's performance as a minister on day one in this place has been extremely disappointing. He has been uninspiring, has been unministerial and has been unimpressive. In fact, you would think that Mr Barr was still the minister, the way he was talking earlier. What happened earlier, and some people may not have noticed, was that Dr Bourke left the chamber and Mr Barr suddenly went into full flight as if he was the education minister. He contributed far more substance to the debate than did the actual minister. Of course, I disagree with much of what he said but the fact is that Mr Barr contributed far more to the debate.

If Dr Bourke is serious, if Dr Bourke is really interested in taking on this portfolio head-on, you would think he would have a little more passion, a little more interest, than what he has demonstrated today. Instead, one of his first actions as a minister is going to halve the support that 5,000 students in the ACT so desperately need. It is not just support directly to the students; it is indirect support through the teachers. He is letting down all the teachers that support those 5,000 students.

What is he telegraphing to these students? What is he telegraphing to the parents, to the family, to the friends, of these students? He is saying: "You are not worth it. You are not worth two ESL executive officers." When it comes down to it, that is what Dr Bourke is saying. And it is very important that we get to the heart of that issue, so much so that you have got to ask the question: what does this show? When you have the Australian Education Union, members in this place and the Association of Teachers to Speakers of Other Languages all coming out and saying that this is a bad move, it shows how stubborn this government is. It shows how stubborn this new minister is.

The thing about this minister is that he is taking on the culture and he is accepting the practices of a very tired government, a very tired cabinet. Who is his mentor? Perhaps it is the woman next to him, Minister Burch, who was there in question time giving him a few tips on how to answer. What was that great answer? The same one that got Ms Burch into so much strife: "I will take it on notice." Dr Bourke, if you had paid much attention when Ms Burch was a minister in her early days, you would know that did not fare well for her then and I doubt it is going to fare well for you either. You have got an opportunity here to show some leadership and to actually have some courage.

MR ASSISTANT SPEAKER (Mr Hargreaves): Mr Coe, through the chair, please.

MR COE: Thank you, Mr Assistant Speaker. I think you too would agree that Dr Bourke has an opportunity to actually show some courage and to show some commitment to the 4,900 students that desperately need the support that English as a second language can provide. In doing so, he would be supporting the teachers who administer this support. Take the words of Marina Houston, who represents the Association of Teachers to Speakers of Other Languages:

We are particularly concerned that removing the second ESL officer position will jeopardise the insurance of most effective support provision of ESL in schools as well as an ongoing ESL teacher development.

Let us go to the AEU:

We wish to express our concern that the ETD is planning to cut one of the two ESL executive officer positions at the end of 2011.

They go on to say:

Both these officers are invaluable in providing a wide range of specialist ESL professional development to the entire EDT workforce.

Rather than being invaluable, what Dr Bourke is saying is that these people are disposable. These two officers are disposable. He is, in effect, condemning them. He is saying, "You have not lived up to expectations and because of that, we are going to get rid of one of you." It is pretty heartless and it is a real insult to the 4,900 students, their parents, their friends and their teachers who are committed to ensuring that they have the best opportunities possible. But that will not be so because of Dr Bourke and, indeed, because of the Greens' lack of support for Mr Doszpot's motion.

Mr Doszpot's motion calls on the ACT government to retain existing staff. Ms Hunter's amendment explicitly removes that section of the motion. Let us be crystal clear about this. Ms Hunter and the Greens have said they do not want to retain the existing staff. Anybody reading this debate, the ETD listening to this, a school or a parent or perhaps a student of ESL themselves should be crystal clear in knowing that Labor and the Greens are cutting support to the ESL scheme and they do not want to retain existing staff. That is what they are going to vote for. That is exactly what they are going to vote for.

Mr Doszpot is here sticking up for those teachers, sticking up for the 4,900 students, sticking up for their parents, sticking up for their other family members, sticking up for the teachers. And what do Dr Bourke and his Labor colleagues and the Greens do? Absolutely nothing. They shun that community. It is extremely disappointing. Indeed, I commend Mr Doszpot for bringing up this motion today and for his ongoing support for all students in the ACT, all teachers and all staff for whom English as a second language is a priority.

Ms Hunter's amendment agreed to.

Question put:

That **Dr Bourke's** amendment, as amended, be agreed to.

The Assembly voted—

Ayes 11

Noes 5

Mr Barr
Dr Bourke
Ms Bresnan
Ms Burch
Mr Corbell
Ms Gallagher

Mr Hargreaves
Ms Hunter
Ms Le Couteur
Ms Porter
Mr Rattenbury

Mr Coe
Mr Doszpot
Mr Hanson
Mr Seselja

Mr Smyth

Question so resolved in the affirmative.

MR DOSZPOT (Brindabella) (5.03): Once again, for the second time this afternoon, we come to this incredible situation where the Greens are defending the indefensible from the government's point of view. We have the situation where the Australian Education Union have made a case for the retention of this position. I quote from their letter, a letter written to the former minister for education, Andrew Barr:

Dear Minister Barr,

We wish to express our deep concern that the ETD is planning to cut one of the two ESL executive officer positions at the end of 2011.

I think the Greens ought to be paying attention to this as well. The fact is that the Australian Education Union thinks it is a bad move. Dr Marina Houston, the president of ATESOL, has written an additional paragraph, an initial email, regarding the support of these positions:

The issue of funding ESL support in schools is critical for our multicultural community, as many children from diverse backgrounds—

Are you listening to this, Ms Burch? You are the only one from your side—

MR ASSISTANT SPEAKER (Mr Hargreaves): Mr Doszpot, direct your remarks through the chair, please.

MR DOSZPOT: I apologise, Mr Assistant Speaker. Ms Burch's interest in this topic is quite interesting to note. The president of ATESOL has made the following comment in support of the importance of this position:

The issue of funding ESL support in schools is critical for our multicultural community, as many children from diverse backgrounds are growing up in homes where languages other than English are spoken and they are learning English as an additional, or second language. Many children have English language competency which is well below the one which is needed for successful learning in the English-medium school system. And for many children, school is the only place where any systemic teaching of ESL can occur. We know at present we have increased numbers of children with very high ESL learning needs—

such as most refugee background children. She continued:

These children's ESL learning needs persist once they are still exceptionally high when they enter mainstream schools after several months in an introductory English centre.

Dr Houston goes on to say:

We are particularly concerned that removing the second ESL officer position—

Ms Hunter—

will jeopardise the insurance of most effective support provision of ESL in schools as well as ongoing ESL teacher development.

The other group that has a very high interest in this is the Canberra Multicultural Community Forum that I think Ms Burch might know about. It is in her portfolio. The CMCF call on you, as minister for education, Mr Barr, and Treasurer to ensure that funding to the ETD enables both the ESL executive positions to be retained and that the English language proficiency level that attracts ESL support be raised to a level that more realistically reflects the level of need identified in government school classrooms, particularly among newly arrived refugees and immigrants.

You may well laugh, Dr Bourke, just like Ms Burch laughed when I raised this issue at another forum. You may well laugh. And it really highlights—

Ms Burch: Mr Assistant Speaker, can you ask Mr Doszpot to address his comments through you and not directly to us across the floor?

MR ASSISTANT SPEAKER: Thank you very much, minister. Mr Doszpot, I have asked you before to address your remarks through the chair. And I would ask you to again.

MR DOSZPOT: Mr Assistant Speaker, I am profoundly sorry, but it obviously hurts Dr Bourke—

MR ASSISTANT SPEAKER: Sorry about this, Mr Doszpot, but I am not interested in acts of contrition. I just want you to address your remarks through the chair, please.

MR DOSZPOT: I am doing that as I speak.

MR ASSISTANT SPEAKER: Thank you.

MR DOSZPOT: I am very interested to see that Dr Bourke cannot even bear to be talked to directly on this. I take your point that I have got to talk through you, Mr Assistant Speaker, but Dr Bourke has a very interesting situation to contend with. Every single organisation that has an interest in ESL has recommended the position be retained. But the Greens and Dr Bourke and the former minister for education, Andrew Barr, seem to know better than all of the people who are involved at the coalface.

I am just wondering what sort of consultation process has taken place to come to the conclusion that has been presented here to us this afternoon. We have talked at length about the reason for retaining this position. To make this an even more profound contradiction that Dr Bourke has presented to us here, I read from a press release that was put out this afternoon related to this matter. The minister's press release bald-facedly states:

Minister for Education, Dr Chris Bourke, has today slammed the ACT Liberals for moving a motion aimed at moving resources from the frontline and putting them back in the directorate. What Mr Doszpot is talking about here is removing a frontline ESL teacher from assisting those students who need help to improve their English language skills the most.

Dr Bourke, my motion refers to the retention of a teacher whom everybody else within our community wants retained, except you and your government and your colleagues in government, the Greens. But the fact is that there are so many speaking about one issue and it is falling on very deaf ears in the government because you know better.

Dr Bourke also states in his press release that the government have increased funding provided to the ESL programs to around \$8 million. Yet they cannot provide the salary for one additional teacher. In fact, they are cutting the teacher and moving that teacher's position to a single school. So all of the other schools are deprived of this teacher's capacity to assist on ESL-related issues. The Greens do not care. The government do not care. I do care. I once again commend my motion to this Assembly and to people who are interested in quality education and quality education for the ESL community as well.

Motion, as amended agreed to.

ACT public service—workplace bullying

MR RATTENBURY (Molonglo) (5.10): I move:

That this Assembly:

(1) notes:

- (a) an internal ACT Government survey has reportedly found that more than 1 600 government workers have been physically attacked, bullied or harassed by members of the public in the 20 months until September 2011, which represents a rate of 4.8 incidents per 100 workers over a 12 month period;
- (b) the 2010-11 ACT Policing annual report records there were 2 916 reports of "offences against the person" in the total ACT population, which represents a rate of 0.8 incidents per 100 citizens over a 12 month period;
- (c) that based on a comparison of parts (a) and (b) there is a disproportionate number of government workers being physical attacked, bullied or harassed; and
- (d) that the Justice and Community Safety Guide to Framing Offences states, at pages 34-35, that:
 - (i) there are other industries and professions, in addition to the public service, that experience assault; and
 - (ii) preventing assaults or other anti-social behaviour at an industry or professional level is a far more effective strategy than focussing on the offences and the penalties attached to those offences; and

(2) calls on the ACT Government to:

- (a) release the full results of the internal ACT Government survey by the close of business on Thursday, 8 December 2011; and
- (b) report to the Assembly by the last sitting day in February 2012 on:
 - (i) the data it collects for assault and bullying at the industry by industry level, for example, the public service compared to the taxi industry compared to the liquor and hospitality industry;
 - (ii) how this information is used to tailor assault and bullying prevention strategies at the industry and professional level;
 - (iii) what Government strategies are currently in place to prevent assault and bullying at an industry and professional level; and
 - (iv) what additional prevention strategies have been investigated for government workers in response to the internal survey.

I am pleased to bring this motion on for debate today because preventing assaults on workers is an issue that everyone can and should support. No-one deserves to be assaulted at work. Whether you work in the public sector as a nurse, a police officer or a teacher, or whether you work in the private sector as a taxidriver or a bartender, you should be able to go to work and feel safe. Sadly, this is not the case for everyone in the ACT. Unfortunately, there are industries and professions that do experience high rates of assault.

Recently it has emerged that an internal government survey of the ACT public service workforce found 1,600 incidents of workers being attacked, bullied or harassed over a 20-month period. This is a rate of 4.8 adverse incidents per 100 workers per year. The closest data available at the general population level shows that there are just 0.8 adverse incidents per 100 people per year. This is contained in the number of reports to police of assaults against the person. This is quite a striking statistic which shows that people in the public service are experiencing violence at a high rate.

It is important to note that only broad conclusions can be drawn by using this data, because the two data sets do not align precisely. Nonetheless, they are the best data that is publicly available and I think they illustrate the broad trend we are seeing. It is also important to note that government workers are not alone when experiencing violence at work. The Justice and Community Safety *Guide for framing offences* notes that there will be other professions and industries that also experience high rates of assault. I have mentioned taxidrivers and nightclub workers as two potential examples of other jobs where there is a high risk of violence. There certainly could be more examples, and I hope for more of that data to be released if my motion is successful.

I am hopeful that today the Assembly will form the unanimous view that reducing assault against workers is something to be supported. If that is the case, the critical question becomes: what is best done by government to assist in resolving the problem and reducing assaults against workers?

On this topic of what is the most effective strategy to reduce assaults, the government's guide to framing legislation makes the statement that "preventing assaults or other anti-social behaviour at an industry or professional level is a far more effective strategy than focusing on the offences". This proactive, preventative approach is certainly something the Greens support. By far the best way to reduce assaults is to invest in on-the-ground strategies to prevent the crime before it occurs, rather than waiting to react after the event. This preventative approach really is in the best interests of all involved. I would point out that the bill that Ms Bresnan tabled this morning on workplace bullying takes that approach, and it is a good example of the action we need to take.

Another interesting example of proactive action on workplace violence is the action taken to reduce armed robberies against bank branches in New South Wales. In the 1980s and early 1990s there was a concerted effort to strengthen bank branches' resilience against armed robbery. Practical strategies such as alarms that were easily reached by bank tellers, more targeted use of surveillance inside and outside banks and partnerships with police all helped to reduce armed robberies. These are referred to as "target hardening" and they worked to cut the number of robberies.

The unions have become involved through the use of union prosecutions which have also been successful. The Finance Sector Union were tired of having their members put through the physical and emotional trauma of an armed robbery. In one private prosecution in 2002 they were able to require banks to invest \$100 million in improving safety standards. The result was a dramatic fall in armed robberies from 102 in 2002 to just four last year. It is a slightly different circumstance with union prosecution, but the example draws out the principle that I am trying to articulate very clearly: this type of preventative approach is better for potential victims, because it is far better to prevent a crime than to wait until after the event. That is in many ways self-evident.

It is also better for the taxpayer to invest in preventative strategies, because in the long run preventing crime costs the community less than dealing with it after the fact. Whether it is the costs of incarceration or the potential flow-on costs once the offender is released from prison, it makes sense economically to do everything reasonably possible to prevent the crime actually taking place in the first place.

I would classify this preventative approach as a smart on crime approach, rather than simply what is often described as a tough on crime approach. A smart on crime approach is one that looks at the root causes of crime and invests in preventative strategies, whereas a tough on crime strategy simply relies on harsh penalties to lock up offenders after the crime is committed. The Greens believe that such an approach simply does not work, and we believe the evidence backs this up.

This issue of how to best tackle crime is something the Assembly has already discussed this year in the context of sentencing. Where the Canberra Liberals and the government have agreed to increase maximum sentences, we have advocated for a different approach. I do not want to relitigate those points, but I am hopeful that as an Assembly we can today turn over a new leaf and support a preventative approach, more specifically a preventative approach to assaults against workers.

In the context of preventing assaults on workers, the starting point must be the statistics and data on the assaults that are currently occurring. Only once we have the data can targeted strategies be implemented. Once we know things such as which industries are experiencing assault, where those assaults are occurring, what times they are occurring and even which events triggered the assault, the government can begin to put together prevention strategies.

One key aspect of my motion is that it essentially requests an inventory of what the current level of data is and what strategies have been put in place in light of that evidence. Each industry, of course, will be different, and because of this the preventative strategies will need to differ. For taxidriver the strategy may involve protective screens between drivers and passengers; for nurses it may be silent alarms. The crucial point is that they must be targeted to the needs of the industry and based on discussions with the workers.

Once the inventory of data and strategies is released early next year, if the motion is supported, the Assembly will be well placed to see gaps in coverage and where action needs to be targeted. The motion that the Greens are putting forward today also seeks to get clarity about current government strategies that exist and to therefore get an insight into what is already being done and again highlight where the gaps may be.

The motion essentially calls on the government to perform a stocktake of what data it currently collects for assaults and bullying at an industry by industry level and what strategies are in place at an industry by industry level. We know already, from questions Ms Bresnan has asked, that there are likely to be some significant gaps. I would emphasise that support for Ms Bresnan's bill, in combination with support of my motion, will go a long way to addressing serious workplace issues in the ACT.

Let me conclude by saying that the Greens believe that we need to protect front-line staff, whether they be in the private sector or the public sector. Nobody deserves to be assaulted or bullied while they are out doing their job. We do believe that there is a responsibility on government to partner with industry and to do everything reasonably possible to prevent these incidents before they occur. That role of government partnership is an important one, because many of the examples I have touched on today involve small businesses or single operators. Their individual capability to respond to what might be a systemic pattern or an issue across the board in a particular field, profession or industry is limited for those small or individual enterprises, whereas the role government can play is to facilitate across a grouping and provide, in some ways, critical mass.

We believe it is important to take a clear and cool-headed approach to this issue rather than cast blame. Casting blame and promising to get tougher and tougher on offenders really does risk being nothing more than an empty gesture for those people who need assistance. And casting blame risks being an empty gesture because it does nothing to prevent assaults in the future and better protect workers.

The discussion that we hope to provoke out of moving this motion is about what more government can do to prevent assaults against workers, where the gaps in our current

strategies are and where we need to target our attention. That is very much the intent of this motion today—to draw out the information and enable the Assembly to have a well-informed discussion about an issue that, as the data shows, is clearly very significant here in the ACT.

Those figures on the number of incidents seen in the ACT public service are unacceptable. It is a matter that this Assembly needs to turn its mind to. We need to think about what steps we might take at this level to assist in reducing that number, and hopefully reducing it dramatically, and provide the means for industries and individual workplaces, perhaps at the coalface, to take the steps that they need to take so that in the end we see those numbers dropping over coming years. I commend the motion to the Assembly.

MRS DUNNE (Ginninderra) (5.20): The Canberra Liberals will support in principle the motion put forward by Mr Rattenbury today. I had drafted and circulated some significant amendments to his paragraph (2), which I note that the Chief Minister has subsumed almost entirely into her proposed amendments, so I will not be moving my amendments but will instead be supporting the Chief Minister's proposed amendments to Mr Rattenbury's motion.

Over a very long period of time, much has been said in the Assembly by the Canberra Liberals on the subject of bullying and assault. In more recent times we have seen concerns about assaults at Bimberi—assaults on staff and assaults on residents of Bimberi. And we have seen that, through the persistence of pursuing these issues, the Canberra Liberals have managed to achieve some improvement at Bimberi Youth Justice Centre and a long-term commitment to turning around the operation of the Bimberi Youth Justice Centre. That has been because of persistence in the face of denial by the minister.

There has been much said about bullying in the context of health and hospital systems. My colleague Mr Hanson will speak about that. It is useful to note that when much was being said by the Canberra Liberals and much was being called for by the Canberra Liberals in this area, the Greens were strangely silent on the subject.

I go back to at least my second term as a member of the Legislative Assembly when I started to raise issues in the context of schools in relation to bullying—not just the bullying of children, but the bullying of staff. I recall, when Ms Gallagher was the minister for education, asking her a question in question time one day about a bullying incident at a school which I did not name. It turned out that coincidentally there were a number of high school teachers in the chamber for that question time; they were on some study unit in the Legislative Assembly. Text messages went all through the education system that afternoon that Mrs Dunne was asking questions about “insert name of high school here”. It was a poorly kept secret. By asking one simple question in this place, all the teachers present knew about it and knew what I was talking about.

We have seen spectacular form from this government in relation to whistleblowers, most recently the issues highlighted in the department of urban services where we have seen people basically hounded out of their job, put through hell and put through huge expense so that they have had to sell their home and move out of town. They

will bear the scars of those experiences for a very long time; they may never recover. Only last week we saw claims of bullying at the Cotter Dam site, which the minister responsible, wearing a number of hats, showed that he knew nothing about today.

There are even new branches developing in relation to workplace bullying. It is not only wielded by people holding power of rank. Subordinates, in what might be described as reverse bullying, have used bullying tactics up the line to their superiors. Ms Bresnan sees these issues as so important that she introduced a bill on this today. Ms Bresnan's action begs the question as to why she did not propose this motion rather than Mr Rattenbury and why, on the same day that she has introduced this bill, we are having another motion from Mr Rattenbury. Perhaps the Greens are still doing their research.

It is clear that the government has a responsibility to combat bullying and assault in the workplace. Indeed, the government should be the leader in reducing the incidence of assaults and bullying in the workplace of its employees. Sadly, there is some doubt about the government's record and behaviour in this regard. The data outlined in Mr Rattenbury's motion underscores this concern. At paragraph (1)(c) of the motion, it concludes that there is a disproportionate incidence of assault and bullying throughout the ACT public service compared to territory-wide offences against the person. That conclusion is perhaps a somewhat simplistic form of statistical analysis; nonetheless, it is important and worrying and should be looked at more carefully.

The ACT public service should be a leader, not a follower, in reducing and ultimately eliminating workplace assault and bullying. Mr Rattenbury's motion, even as amended by the Chief Minister, is a simple one. It seeks to get some data that can be analysed in a more scientific way than Mr Rattenbury has been able to do so far.

We would like to see the comparative figures between the public service and the private sector over the past three years, as well as what the government has learned incrementally over the years. Then we would like to see what the government has done with the data it has obtained over the past few years. Finally, we would like to see how the government works with the ACT public service as well as the private sector to promote assault-free and bullying-free workplaces. This will show the community just how proactive the government has been in addressing the issue of workplace assaults and bullying. Importantly, it will show the community whether the government is a leader or a passive bystander when it comes to assault and bullying incidents in the ACT public service.

I thank Mr Rattenbury for bringing this motion forward today and I thank the Chief Minister for her contribution to the debate.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Health and Minister for Territory and Municipal Services) (5.27): It is nice to have a motion in this place that all three parties can agree to, and I now move:

(1) notes:

- (a) the ACT Public Service accident and incident reporting system indicates that around 1 600 government workers have reported being verbally or physically attacked, bullied or harassed by members of the public or other ACTPS staff in the 20 months until September 2011, which represents a rate of 4.8 incidents per 100 workers over a 12 month period;
- (b) the 2010-2011 ACT Policing annual report records there were 2 916 reports of “offences against the person” in the total ACT population, which represents a rate of 0.8 incidents per 100 citizens over a 12 month period;
- (c) that based on a comparison of parts (a) and (b) there is disproportionate number of government workers being physically attacked, bullied or harassed; and
- (d) that the Justice and Community Safety Guide to Framing Offences states, at pages 34-35, that:
 - (i) there are other industries and professions, in addition to the public service, that experience assault; and
 - (ii) preventing assaults or other anti-social behaviour at an industry or professional level is a far more effective strategy than focussing on the offences and the penalties attached to those offences; and

(2) calls on the ACT Government to:

- (a) release the reported incident data by the close of business on Thursday, 8 December 2011; and
- (b) report to the Assembly by the last sitting day in February 2012 on:
 - (i) the assault and bullying data it has collected by industry and profession over 2008-2009, 2009-2010 and 2010-2011;
 - (ii) the assault and bullying data it has collected by government directorate for the three years 2008-2009, 2009-2010 and 2010-2011;
 - (iii) the assault and bullying prevention strategies it has developed in response to the reported annual data, both in the public and private sectors;
 - (iv) the activities and programs it already has in place to promulgate the assault and bullying prevention strategies through industry, the professions and the Government; and
 - (v) what other strategies the Government may be considering to address workplace bullying.”.

There is one change to the amendment that was circulated previously—instead of just the word “members”, we have inserted the words “of the public”, as it looked like members were bullying ACT public servants.

Mr Hanson: Don't you, Katy?

MS GALLAGHER: Thank you very much, Mr Hanson, as usual, for that very helpful interjection. It is pleasing to see that we have a motion here that all parties can agree to. We are happy to provide the information that the Assembly calls for with some minor adjustments to some terminology that exists.

The ACT government takes its legal and moral obligations towards the men and women of the ACT public service very seriously. We value the work they do and we recognise that in some instances it is difficult and dangerous work. We also take strenuous efforts to minimise those difficulties and dangers.

When it comes to inappropriate behaviours, threats, bullying, intimidation, and verbal and physical abuse, we need to come at the problem from two directions: firstly, to address the behaviours within the workplace itself so that all workers treat each other with respect, and I will speak more about what the government has been doing in that regard in a moment. Secondly, we also need to protect our public servants from inappropriate behaviour from outside—verbal abuse from members of the public, bullying and threats from the clients they are trying to serve and even physical attack.

That challenge is of quite a different order. The government cannot insist that a member of the public behave respectfully towards its officials. As the Minister for Health, I do not have the power to stop members of the public swearing or shouting or acting in a threatening way to nurses, but I can ensure that nurses understand that they are not expected to tolerate this behaviour and that they are entitled to remove themselves from harm or potential harm. The government needs to ensure that our public sector workplaces have in place the formal strategies and procedures to allow this to happen.

No member of the ACT public service is expected to accept verbal or physical abuse as part and parcel of their daily work. It is, of course, a reality that front-line staff in many of our agencies by the very nature of their jobs deal with some of the most stressed and vulnerable members of our community—individuals who are at breaking point, individuals who are angry, scared, sick or emotionally fragile. That does not excuse poor behaviour, but it does mean that we should not assume that the statistics at the heart of today's motion indicate some general breakdown in civility or a rise in the incidence of abuse.

The vast majority of the millions of interactions between Canberrans and members of the ACT public service are cordial, professional and calm. Since January 2010 there have been approximately 1,600 reported incidences of harassments, threats, verbal abuse, physical violence, bullying and assault on ACT government workers. These incidents are reported through the whole-of-government accident and incident reporting system. They are risk rated, reviewed and acted upon.

Most of the reported incidences relate to violence or harassment by members of the public and, of course, some agencies are particularly vulnerable. Unsurprisingly, most of the reported incidents involve front-line staff from the health, education and

community services directorates. Included in the statistics are incidences of nurses being verbally abused by members of the public, community service workers being physically assaulted while serving clients and teachers being hit by students or by thrown objects.

I am a little concerned that Mr Rattenbury has sought to directly compare the reported incidence of abuse against public servants with the incidence of offences against the person for the public generally as reported to police. The categories are so dissimilar as to make comparisons meaningless. The reporting requirements are not the same and the categories of abuse are not the same. Therefore, we do not believe any meaningful correlation can be drawn from community-wide statistics relating to offences against the person and work-related verbal and physical abuse encountered by front-line public servants working with society's most vulnerable.

In the same way, it may actually not be very useful to directly compare the incidence of abuse in one part of the private sector and another. One would not meaningfully compare the incidence of abuse in the hospitality industry with that in the horticultural sector any more than one would usefully compare the incidence of abuse in the horticultural sector with the incidence in the police force.

We are more than happy to make data available when it exists. Indeed, we are only debating this motion today because the government openly and transparently made public the data in relation to the abuse of public servants. Today I take the opportunity to table that information for members for the period from 1 January 2010 to 31 October 2011, which shows over 500 reports of violence against public servants, with both the Education and Training Directorate and the Health Directorate leading the way.

We hope any data we release would be used in a meaningful way. A small proportion of the incidents reported to our whole-of-government system relate to in-house bullying, aggression and assault—in other words, abuse of public servants by other public servants. According to the Commissioner for Public Administration's annual report for 2010, there were eight substantiated cases of bullying and harassment across the service. The numbers may be small but, as far as I am concerned, a single case is one too many.

Achieving a safe workplace requires leadership. Every director-general in the ACT public service knows what is expected of them. They know they have a responsibility to ensure that models of respectfulness and courtesy are displayed through their organisation, that it is clear that workplace bullying will not be tolerated, that the respect, equity and diversity framework actively endorses the ACT public service respect at work policy and implements the preventing work bullying guidelines, that they promote the ACT public service values of code of ethics and conduct, and that they consult and communicate with staff about prevention initiatives and ensure that incidents of bullying are taken seriously and responded to where appropriate.

Appropriate action can and will be taken against individuals found to be in breach of their obligations under the Public Sector Management Act, the Work Safety Act and the Discrimination Act. We want to ensure that staff feel empowered to speak up and

resolve issues early, because speaking up about unacceptable behaviour is the surest way to bring about lasting cultural change. I have had a number of meetings over the past six months about ensuring that this is dealt with on a directorate-by-directorate level.

In 2012 a whole-of-government incident reporting system will be implemented. This will, I hope, enhance the reporting and investigations of incidents across the public service. In relation to private sector workplaces, the government has a role to play via WorkSafe ACT, our health and safety regulator. I know workplace bullying is a matter that the Work Safety Commissioner takes a particular interest in and, indeed, I have had meetings with him in the last six months on that subject.

WorkSafe ACT received 36 allegations of bullying in 2010-11, 67 per cent of them from the private sector. WorkSafe also collects data from insurers in respect of workers compensation claims arising from assaults, bullying and harassment. Obviously this data only includes cases that involve a claim for workers compensation.

WorkSafe also publish a range of materials on workplace bullying, including a publication designed to help workers understand their options if they believe they have been bullied in the workplace. The commissioner's office also runs training courses to help workplaces understand what constitutes bullying behaviour and how it can be combated. I understand that these courses are very popular and are attended by about 2,000 workers a year from the public and private sectors. The Human Rights Commission also offers similar courses.

The ACT is one of only two jurisdictions to have approved codes of practice under their health and safety legislation covering the prevention and management of workplace bullying. The other jurisdiction is Western Australia. I think it is another indication of the importance that we place on this issue.

I have said many times in this place that every worker deserves to be safe at work. Whilst we will never be in a position where we can reduce the risk of abuse or attack to zero—simply because we cannot mandate the behaviour of members of the public—some jobs by their nature will carry with them a higher risk than others, and that goes for the private sector as well as the public service. But we can ensure that workers understand they do not have to tolerate abuse or intimidation. To public servants working for this government, I can say that no staff member needs to put up with that type of behaviour, and that is why we want to understand it a bit more and make sure that we have programs in place to deal with it.

I was at the Canberra Hospital on Saturday night watching some of the interactions between staff and members of the public. I also noticed that posters were widely displayed in the emergency department setting out that staff should not be subjected to abuse in their workplace. The Health Directorate has done an enormous amount of work over the past 12 months in relation to supporting staff both to raise issues within the workplace about other staff but also to ensure that they are protected in very stressful situations in their interactions with members of the public.

My sister is a nurse at the hospital and on a regular basis she tells me stories of situations that she has put up with in the performance of her duties as a nurse. Some of the situations are simply shocking and you would not believe that it happens in modern workplaces today. This does not take away from her commitment as a nurse, but it adds another stress to what is already a very stressful job.

Better understanding some of the reasons behind the violence that public servants are subjected to gives us better ways of managing particularly directorate-level responses to the stresses that are experienced in individual workplaces. With the amendment that I have moved, we will be happy to support the motion.

MS BRESNAN (Brindabella) (5.38): I will speak briefly to the motion. I too speak in support of Mr Rattenbury's motion about preventing assaults on workers. The statistics Mr Rattenbury has referred to are very concerning. The figure of 1,600 incidents of ACT public sector workers being attacked, bullied or harassed over a 20-month period—a rate of almost five assaults per 100 workers—is very high. Mr Rattenbury's motion is focused on workplace assaults, also known as occupational violence.

This morning I tabled legislation that is focused on workplace bullying in the ACT. While the two issues are related, they can be distinguished, as has been noted today. Bullying and harassment involves repeated or systemic behaviour over a period of time and is typically conducted by work colleagues. Occupational violence includes one-off instances and can be conducted by work colleagues or by others, including members of the public.

Occupational violence or assaults can be thought of as the physical issue but, in fact, they are closely linked with mental health issues. Occupational violence results in stress and anxiety and is a primary reason for claims of mental stress. A number of recent studies showed that work factors such as occupational violence can lead to the onset of major depression. As I pointed out this morning, SafeWork Australia reports that the median payment for a worker's mental stress claim due to occupational violence is \$10,100 and the median time off work is 7.4 weeks. There are significant economic and health arguments for reducing the incidents of occupational violence in the workplace. I believe it will be instructive to calculate the overall cost to the ACT due to the incidents of occupational violence, and I imagine that figure would be quite high.

The legislation I tabled today would have an impact on addressing the impacts caused to all workplaces from bullying and harassment. The specialised inspectors and advisory committee that my legislation would establish are tasked with dealing with broader psychosocial issues, of which workplace violence is key. Clause 4 of the bill notes that workplace aggression is listed as one of the specific examples the bill covers.

One of the key asks in Mr Rattenbury's motion is to request the release of data about which industries are experiencing assaults, where those assaults are occurring and what are the triggers. This is a critical ask as a lack of data or a lack of attention on the

problem means these workplace problems continue. Without this data it can be difficult to create prevention strategies.

I am strongly of the belief that these issues—workplace violence and bullying—need to be brought out into the open and actively addressed. A significant amount of progress can be made with corresponding progress in health and productivity in employment. The requests made in Mr Rattenbury's motion will play an important part in achieving this. Bringing these issues into the open could result in more claims being made in the area of occupational violence and bullying, but this should be characterised as a success. Firstly, we will be providing restitution to people who have experienced bullying, and, secondly, the broader economic benefits of addressing these issues far outweigh the costs incurred every year through health impacts and lost productivity.

Lastly, I want to reiterate the point made by Mr Rattenbury that preventative strategies are crucial in addressing workplace hazards. Whether it is workplace assaults or workplace bullying, preventative strategies are the best approach rather than waiting to react after the event. I commend Mr Rattenbury's motion to the Assembly.

MR HANSON (Molonglo) (5.42): I commend Mr Rattenbury for bringing this motion forward. I think we can all agree that bullying is both unacceptable and insidious. I share the Chief Minister's concern about the bullying, and in some cases brutality, faced by front-line working staff, in particular people like our nurses at the hospital and our teachers, who sadly sometimes face these sort of incidents.

But I do want to point out the difference between the rhetoric that we are hearing today and our agreement with the principles. The reality is the failure of Katy Gallagher and the government, and also the Greens, when it came to the incidents of bullying that occurred in ACT Health throughout 2010. You will recall that 11 registrars resigned and there were complaints made. But at that point Katy Gallagher denied any complaints, publicly, before confirming one way or the other. She went publicly and said that all she had seen was a lot of mud being slung and that this was all politics. The chief executive said no complaints had been made—when they had been made, and we have seen that from the clinical review that was conducted.

Katy Gallagher and the then Chief Minister, Jon Stanhope, then threatened doctors by saying that they were going to conduct a review of all the medical board investigations over the previous 10 years. That was a disgraceful act that was clearly threatening, was clearly bullying, and was described by the doctors as such; it was described by the AMA as a thinly veiled threat, and that is what it was.

Katy Gallagher stood up here today and talked about how much she feels about bullying and how this is an insidious thing. Yet she was conducting this threatening behaviour against doctors and was essentially trying to cover up and obscure any complaints that were made. Had we not driven and fought hard on these issues, as did the ABC in this case, the review or the reviews would never have occurred. The clinical review found that the complaints that had been made to the management about bullying at the Canberra Hospital had been ignored. That was shameful, and the

Minister for Health at that stage was entirely complicit. That brought out a whole range of other complaints—

Ms Gallagher: Point of order.

MADAM ASSISTANT SPEAKER (Ms Le Couteur): Stop the clock, please. Yes, Ms Gallagher?

Ms Gallagher: Madam Assistant Speaker, Mr Hanson has just alleged that I was complicit in bullying behaviour. That is not correct and he should withdraw those comments.

Mrs Dunne: On the point of order, I made the point this morning that if a member disagrees with something which has been said in debate they have the standing orders to refer to after the debate. I would suggest that the Chief Minister use standing orders 46 or 47 if she thinks that she has been misrepresented. Because someone disagrees with something that has been said in debate does not give them the right to take points of order and try to disrupt the flow of debate.

MADAM ASSISTANT SPEAKER: Mr Hanson, you may continue. There is no point of order.

MR HANSON: This is nothing that we have not heard before, but the extraordinary attack by the minister on the doctors that raised the complaints, and the fact that she went publicly in the media and said that no complaints had been made and then it was found that they had been made, show extraordinary negligence on her part. I think it was disgraceful.

I received throughout that process very little support from the Greens. When I received a whole range of complaints from nurses and others in ACT Health about bullying, one issue that I wanted to get to the bottom of was the culture survey that had been conducted in ACT Health. I wanted to see that. I thought that was an important part of the information puzzle.

Amanda Bresnan said in her speech that these issues should be brought out into the open. Back in 2010 I wanted a judicial inquiry that would have brought this into the open. We could have had in camera hearings. Then it could have been brought back into the open and we could have dealt with some of these systemic issues. But the Greens and the government refused to do that. When I wanted the culture survey that had been conducted in ACT Health, the Greens and the government conspired to refuse that.

So, as much as I commend Mr Rattenbury for bringing this on today, I would also make the point that the Greens have changed their actions in this place. Their narrative might be the same, but when it comes to it the Greens were complicit with the government in 2010 in preventing this issue from coming out “into the open”—in Amanda Bresnan’s words.

It is rank hypocrisy that we are seeing now on the part of the government and the Greens when they stand up in here with their crocodile tears, when back in 2010 they were conducting themselves in a manner which was entirely contradictory with looking after the front-line workers of the ACT—in particular in that case of ACT Health.

MR RATTENBURY (Molonglo) (5.47): The Greens will be supporting the amendment moved by Ms Gallagher. We believe it does add further value to the motion. I particularly note the contribution that Mrs Dunne and the Canberra Liberals made in drafting the substantial parts of the new paragraph 2(b). We were quite happy to support those amendments when they were sent over to us by Mrs Dunne. I think she has picked up the essence of what we had in mind and perhaps made it somewhat clearer, and I am quite relaxed about acknowledging that between the various parties we have come up with an even better motion today. I welcome that.

I guess the nature of the debate here today and the combined efforts reflect the fact that reducing assaults against workers is something that we all agree on. There is obviously a level of consternation around some of the history, which Mr Hanson has focused on. But the tripartisan support today is certainly very welcome and I think it speaks to the seriousness of the subject matter. I look forward to having a look at the data that Ms Gallagher has tabled today and I also look forward to the more detailed strategies being released by the last sitting day in February next year; the motion seeks to have that information presented. As I said earlier, once we have all the data and the current prevention strategies, we will be in a much better position to gauge where our attention as an Assembly should be directed.

I thank members for their support today and I look forward to continuing the discussion.

Amendment agreed to.

Motion, as amended, agreed to.

Commonwealth public service—proposed cuts

MR SMYTH (Brindabella) (5.49): I move:

That this Assembly:

(1) notes:

- (a) the Federal Labor Party's scheme to sack up to 3 000 Commonwealth public servants;
- (b) the impact job losses will have on the cost of living for Canberra families; and
- (c) that the Leader of the Opposition has written to his Federal colleagues regarding this issue; and

(2) calls on the Chief Minister to:

- (a) follow the example of the Leader of the Opposition and write to her Federal colleagues about the Federal Labor scheme to sack Canberrans; and
- (b) stand up for the Canberra community and publicly denounce the Federal Labor scheme to sack Commonwealth public servants.

Members, if you look at this motion it may appear familiar. It should appear familiar to you because we debated a similar motion just some months ago, except you could change the words “Liberal” and “Labor”. When there were proposed Liberal cuts in the air Ms Porter was quite keen to see a motion calling on the Leader of the Opposition to write to his federal colleagues and say, “Don’t punish Canberra.”

I think it is appropriate, given that there are proposed cuts to the public service, and some would say up to 3,000 jobs—the number is unclear because the federal Labor government does not have the courage or the wherewithal to determine what the number will be—that I have simply transposed in most cases the words “Liberal” for “Labor”. I look forward to the support of all members today because, no matter who is proposing the cuts, members in this place should stand up and say: “Let’s not blame Canberrans. Let’s not cut public servants in the ACT because you, the federal Labor government, can’t balance your books.”

I want to make it clear that in paragraph (1)(c), where I say “the Leader of the Opposition has written to his Federal colleagues regarding this issue”, that was, of course, in relation to a previous matter and it was done before the previous matter, as Mr Seselja pointed out. He had written straightaway to Mr Abbott and had conversations with Mr Abbott. I had conversations with Mr Abbott saying, “We decry any cuts to Canberra.” I look forward to everyone agreeing to this motion today. If we hold everyone who spoke to the motion previously to their word, they will agree with this motion.

I think it is important to remind Ms Porter of some of her words:

Labor, on the other hand, has always been the party of working people and the party that creates jobs. ... Labor has always been in the business of creating jobs.

She actually said in the opening lines of her speech:

On this subject the difference between the Labor Party and the Liberal Party could not be more stark. The contrast goes to the very essence of our philosophy as opposed to that of those opposite.

We will see how those opposite react to this very starkness, because it is an important motion. Potentially, up to 3,000 jobs may go as a consequence of this budget and it is very important for people’s personal security and that of their families. Then, of course, there are the flow-on effects to our economy.

As I have said, my motion repeats in almost identical terms a motion moved in this place on 24 August by Ms Porter. Obviously, the variations relate to the request for the Chief Minister to write to her Labor Party colleagues in federal parliament expressing grave concern about the federal government's proposal to reduce public sector employment in the ACT.

Government members interjecting—

Mr Hanson: Madam Assistant Speaker—

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

Mr Hanson: Madam Assistant Speaker, could you ask the cacophony opposite to quieten down a bit?

MADAM ASSISTANT SPEAKER: Members of the government, please be quiet. Mr Smyth, you have the floor.

MR SMYTH: I think it is fascinating that the attempts by Ms Porter to find fault with the purported actions of the federal Liberal Party have now come home to roost well and truly. How do Ms Porter and Ms Gallagher and their ACT Labor colleagues now defend their federal Labor colleagues in the face of the decisions announced in the recent federal mini budget? I could move my motion simply by taking Ms Porter's speech on 24 August and replacing "Liberal" with "Labor" and "Labor" with "Liberal". But that would be a bit too close to home, wouldn't it? Nevertheless, the sentiments are precisely the same in my motion as they are in Ms Porter's motion, only with the roles reversed.

I want to spend a few moments looking at what Ms Porter said in her motion on 24 August as it provides a very illuminating insight as to where we have got to in this broad debate. It is perhaps best just to go to the finishing paragraphs of Ms Porter's speech. I have quoted from the first. I will read them again. The first couple of paragraphs say:

I am happy to move this important motion regarding the destruction of jobs in Canberra. On this subject the difference between the Labor Party and the Liberal Party could not be more stark. The contrast goes to the very essence of our philosophy as opposed to that of those opposite.

I think the philosophy just got thrown out. It was very careless of Ms Porter to be so careless with her philosophy. That philosophy, apparently, is the same as the Liberal Party philosophy or vice versa. Ms Porter talks about the slashing and burning of the Howard government, and we all remember those years. Indeed, it was a Liberal government, part-way through cleaning up the mess of the former Labor government in this place, that had to deal with those dilemmas. She goes on to say:

Labor, on the other hand, has always been the party of working people and the party that creates jobs. Consistent with its charter of working to improve the lot of every citizen, Labor has always been in the business of creating jobs.

She says:

After 12 long years of federal Liberal neglect of the ACT, it is great to be able to work with the federal Labor government to build infrastructure—to fill the “project pipeline”—and to assure the jobs of Canberrans into the future.

I am happy to peg the record of the Howard government on things like the National Portrait Gallery, the National Museum, the Barton Highway and the Federal Highway. I have read the list in here before. It is a very slim list since the Labor Party has been in office. It is interesting to read the last two paragraphs of Ms Porter’s speech:

The Chief Minister has stood up for Canberra. She has written to the federal Liberals regarding their scheme to sack Canberrans. Today we call on the Leader of the Opposition to follow the Chief Minister’s lead.

Quite apart from the fact that he had already done it. She continued:

I am not going to hold my breath on that, but I call on him to do that, to write to his federal colleagues ... and suggest to them that to do what they are proposing would decimate Canberra. If those on the other side of the house care about Canberra and Canberrans, as they are constantly telling us they do, then they will do this.

As I said, I am not holding my breath, but today we call on the Leader of the Opposition to follow the lead of the Chief Minister. We call on him to stand up for the Canberra community. We call on him to write to his federal colleagues regarding their anti-Canberra worker stance. We call on him to publicly denounce the federal Liberal scheme to sack Canberrans.

Let us substitute the words: “As I said, I am not holding my breath, but today we call on the Chief Minister to follow the lead of the Leader of the Opposition. We call on her to stand up for the Canberra community. We call on her to write to her federal colleagues regarding their anti-Canberra worker scheme. We call on her to publicly denounce the federal Labor scheme to sack Canberrans.”

That is the guts of what Ms Porter said. It is the guts of the argument today. I look forward to when the Chief Minister, standing up to support this motion, agrees that she will do so. Perhaps she will surprise us and reveal that she has already written. I would be delighted to hear that. I would be surprised—and I would be surprised if Mr Barr has done it, given that when the last round of cuts came to cultural institutions he was dubbed the “chief cheerleader” of the cuts to places like the National Gallery. He actually thought it was good to cut the National Gallery. He thought it was good because it would cut their travelling exhibition program so that people would have to come to Canberra. Not even Kate Lundy bought that one. Not even Kate Lundy had the temerity to even attempt to defend that little statement on the ABC when Mr Barr dropped that one into the argument. It will be interesting to see what Mr Barr has to say today about the proposal to cut up to 3,000 jobs.

Putting aside the nonsense of Labor being the party of working people, I was under the impression that there are more than 12 million people in Australia who are working people and not all of them vote Labor by any means. Ms Porter says that Labor is the party that creates jobs. Let us consider that statement in a bit of detail. Just last week—on Tuesday, 29 November 2011, to be precise—the federal Treasurer brought down a mini budget.

This is not the time to go into details of this magical event of smoke and mirrors in an attempt to concoct a surplus in the federal budget for the year 2013, but the critical issue raised by this mini budget is the imposition of an additional efficiency dividend of 2.5 per cent which has been placed on larger federal government departments. This efficiency dividend is expected to save \$1.5 million over three years.

What has been the response to the additional 2.5 per cent? Here is one headline from the *Australian* of the following day: “\$1.5 billion cuts will slash 3,000 jobs”. This article is based on comments made by that well-known member of the Liberal Party—whoops, it is actually a report based on comments from the National Secretary of the Community and Public Sector Union, Nadine Flood. I assume she was in Sydney last week for some conference and I assume some members of this place may have taken it up with her and said: “We’ll back you to the hilt on this. We won’t let them cut up to 3,000 jobs.”

The main public sector union is right on top of this increased efficiency dividend. It will be implemented by targeting people who are employed and, typically, it is done at the lower levels in the public service. Some might say that the claim of a cut of 3,000 jobs is extreme. Well, let us consider the other comment that is floating around. Again, this comment has been made by that well-known member of the Liberal Party—whoops, actually it is the Deputy Chief Minister in the ACT. He is predicting that the job losses will only be limited to 300 jobs. That is interesting—300 jobs at approximately \$100,000 a job. That accounts for about \$30 million of the \$500 million.

At 6 pm, in accordance with standing order 34, the debate was interrupted. The motion for the adjournment of the Assembly having been put and negatived, the debate was resumed.

MR SMYTH: Of course, we had the predictions from Mr Barr that it would be limited to 300 jobs. I am not sure where Mr Barr gets that number from, but 300 jobs at \$100,000 a job is about \$30 million. That leaves about \$470 million unaccounted for in cuts in a full year. I am not sure where they will come from, but the reality of modern budgets and public services around the country—ours is the same—is that about half your expenses are staff. If you assume that even half of these cuts go to that, you could say there are at least 2,500 jobs at risk.

The answer is that we do not know because the federal government do not know. If they do, they are not telling us. They have not got the courage to announce that. It made me think back to another budget where the federal Labor Party, after a period in office, had blown their budgets and had to cut public servants. Of course, that was the

1995 budget, where 4,000 jobs were mooted to have gone. Lo and behold, I went looking and found this wonderful grab where Mr Johns, the minister, had said that many would be out of jobs. It was reported in the *Canberra Times* on 11 May 1995. Here is a quote from *Hansard*:

The government should come clean. When will it say how many jobs will be lost in the federal Public Service through its budget? What hypocrites and deceivers government members are.

Of course, that government said they would not cut the public service either. Now, those quotes are my quotes because I stood in the chamber and spoke to this. I said how disappointing it was and asked the minister questions about the job cuts and where they were coming from. Of course, like the federal Labor Party now, they obfuscated and would not tell the truth. They should tell the truth. People have a right to know where these jobs are coming from. Again, we have got the chief cheerleader saying: "Don't panic. It's not that bad. It's only 300 jobs." But, again, before the 2010 federal election, who promised not to cut the public service? The ALP. What is happening now? Because they cannot manage their budgets they cut the public service.

Mr Seselja: An absolute lie.

MR SMYTH: It is a flat-out lie; it is a lie to the people of Australia. They gave a commitment that there would be no carbon tax and there would be no cuts to the public service. Yet the lies continue. Far from Ms Porter's claim that the Labor Party is the party of jobs, the actions of the same Labor Party will result in some hundreds—probably more like thousands—of people losing their jobs. So much for the Labor Party being the party of jobs.

The purpose today is to ask our Chief Minister to stand up to her federal colleagues for the ACT. It does not matter who is proposing these job losses. It does not matter which side of politics you are on. This place should be united in this thing. This side have asked their federal colleagues to reconsider. We have stood up. We got to the purpose of Ms Porter's motion even before Ms Porter had considered the motion, and we have done the right thing. We are now saying it is time for the Chief Minister to stand up. It does not matter which party is proposing it. The Canberra Liberals will always stand up for jobs in Canberra. It is about time that the Chief Minister did it today.

My purpose today is to ask our Chief Minister to stand up against her federal colleagues for the ACT, to stand up for the ACT economy, to stand up for the ACT community but, most importantly, to stand up for the ACT residents who will lose their jobs as a consequence of federal Labor's mismanagement of the budget. My motion asks the Chief Minister to demonstrate in the strongest possible terms that the actions of the Gillard federal Labor government will disadvantage the ACT and will disadvantage the people who lose their jobs and the families of those who lose their jobs. It reminds me of something else that Ms Porter said, quite stupidly, when she said, "After 12 long years of federal Liberal neglect of the ACT, it's great to assure the jobs of Canberrans into the future." What a difference a couple of months make, Ms Porter; what a difference a couple of months make.

In contrast to the treatment of the ACT by the local Labor Party, what we need through the Chief Minister is for Ms Gallagher to make the strongest possible representations about the consequences of the latest economic policy decisions which have been announced by the Gillard Labor government. Ms Gallagher must write to her federal colleagues arguing the case for the ACT. Ms Gallagher must denounce the silly decision to increase the efficiency dividend in this way because of the adverse effects that this decision will have on employment in the ACT.

MR BARR (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism, Sport and Recreation) (6.05): We are all enlightened by that 15-minute nonsensical rant from the shadow treasurer. Let us go to the substance of this motion. Paragraph (1)(a) has no basis in fact.

Mr Seselja: We're not allowed to do that anymore, are we?

Mr Smyth: Point of order, Mr Speaker—

MR SPEAKER: Mr Barr, one moment, thank you. Stop the clocks.

Mr Smyth: You said this afternoon that there were going to be no more personal attacks. I do not mind, but I think it shows the hypocrisy of the minister. Can you give a ruling on what the minister has just said?

MR SPEAKER: Yes, Mr Smyth. I clearly did not articulate this clearly enough for you earlier, but let me have another go. I think a clear distinction can be made between being attacked politically and being attacked personally. Certainly in the incident this afternoon that particularly sparked my response, Mr Hanson was mocking Ms Burch in a personal way—I have just been upstairs reviewing the *Hansard*—whereas I felt Mr Barr's earlier comments were about your policies and it was a political approach. I think there is a clear difference and I think members understand this. I am sure the opposition will roll their eyes at my attempt to draw this distinction, but I think there is a distinction between mocking somebody at a personal level and attacking them politically. That is the line I intend to draw.

Mrs Dunne: Right—no more “wog boy” comments from you.

MR BARR: Thank you, Mr Speaker. I accept that is a fair cop, Mrs Dunne. And if there are any more “sissy” remarks coming back the other way I hope you will treat your colleagues in that exact same way. All right? That is the deal I will do with you here and now. Do not ever suggest what you have just suggested and think that I do not know what comes back the other way. All right? Thank you. Mr Speaker, I digress.

MR SPEAKER: Let us move on, members.

Mr Seselja: Yes, we'll move on now.

MR BARR: Yes, we will, Zed. I think that is a good thing. We have all had our little go and we will move on. Thank you. So in relation to the matter before us—

Mr Seselja interjecting—

MR SPEAKER: Order! One moment. Stop the clocks, thank you. Mr Seselja, as I have made clear, I expect members, if they want to take an issue on, to at least get to their feet and to have the fortitude to do so. It is quite clear that Mrs Dunne provoked Mr Barr. I find myself as the Speaker in a very difficult position in these circumstances. I guess I could have warned both Mr Barr and Mrs Dunne, but I simply sought to try and keep the chamber moving along so that we can actually finish this debate. Mr Barr, you have the floor.

MR BARR: Thank you, Mr Speaker. I apologise; I should not have reacted. I apologise.

In relation to the motion before us, paragraph (1)(a) refers to an alleged scheme to sack 3,000 commonwealth public servants. There is no truth to that statement, so the government cannot support it.

Paragraph (1)(b): I think we have all acknowledged the impact job losses have on Canberra families, so I can make that statement. I would make a political observation and contrast an efficiency dividend for one year with the exact quote of the federal shadow treasurer, Mr Hockey, on ABC Melbourne, referring to the public service:

What we have said is that you have to reduce that, as soon as possible, by more than 12,000 as a starting point.

So even if you were to assume, which I do not believe, that it is 3,000, what Mr Hockey is referring to is another 12,000 on top of that. So let us get some perspective in relation to this.

I certainly do not accept point (1)(a). On point (1)(c), that the Leader of the Opposition has written to his federal colleagues regarding this issue, good; I am glad he has.

The rest of the motion from Mr Smyth calls on the Chief Minister to follow the example of the Leader of the Opposition and write to her federal colleagues. Yes, the Chief Minister has written to her federal colleagues in relation to this matter and made personal representations, both over the telephone and face to face, as I have done, and made repeated comments, particularly—and it is online on the ABC website if they could bother to do even a modicum of research—in relation to the National Capital Authority.

Part 2(b) calls on the Chief Minister to stand up for the Canberra community and publicly denounce the “scheme to sack public servants”. But there is no scheme to sack public servants. There is, however, an efficiency dividend, and everyone has acknowledged that. I was pleased, and I am sure all members will be pleased, that the small cultural institutions were exempt from any further efficiency dividend. I think that is a good decision. I am concerned and have put on the public record more than once, and did again today, concerns about those three institutions that sit within

broadier portfolios, most particularly the National Capital Authority. We have made representations that in the context of achieving efficiency dividends within those larger departments and agencies the NCA should be spared, particularly as it has picked up an additional capital works responsibility in relation to Scrivener Dam.

However, it is important to note—I do not know that there is a contest on this issue, although I would be interested to hear from those opposite—the importance of the commonwealth government returning to surplus, as is the case for the territory government over time. We can have arguments, and there should be robust debates, about when that return to surplus should be, but it would appear that there is a consensus in Australian politics—perhaps excluding the Greens, although I will let them make their own statements—in relation to a return to surplus. The question would appear to be over timing and also over what methods government should use to achieve that.

I do note, in the context of the MYEFO and the update that the commonwealth provided last week, that the commonwealth identified that savings would be focused on reduction in the use of consultants and contractors, reduced travel requirements through better use of information and communication technology, and reductions in other non-salary administrative expenses. There is no doubt that reductions in the use of consultants and contractors will have an impact on the private economy within the ACT. I know the Canberra Business Council have observed that they think up to 100 positions could be at risk if the commonwealth government significantly reduces its use of consultants and contractors.

In the context of ACT government decision making around the 2012-13 financial year, given this news and particularly that it is a one-off impact in relation to a reduction in the commonwealth spend in the territory in 2012-13, it certainly would be appropriate for the ACT government to look at what actions we can take in relation to our capital program and in relation to our expenditure in the 2012-13 year and in particular to look at what we can do to offset the impact of the reduction in commonwealth expenditure, although I do note an important announcement today in relation to a \$26 million injection into the territory through the University of Canberra and the structural adjustment fund coming from the federal government. I think that is an important and welcome boost; a particularly important investment in education and training and a particularly important investment in the long term for the territory economy.

When it comes to the other elements of the commonwealth's program I think we all recognise the importance of sound fiscal policy to put downward pressure on interest rates. The capacity that the RBA clearly has now to respond, through two consecutive 25 basis point reductions in interest rates, is a reflection of the RBA's views on the state of the international economy but also the capacity that the federal government has given it by running an appropriate fiscal policy to return to surplus, to attack some of those areas of middle-class welfare that have certainly crept into the commonwealth budget over time.

I do note that another element of the commonwealth's approach through the midyear update was to wind back some of those quite generous payments and to look at means

testing some of those, and that is appropriate as well given the circumstances. It is far better that there is some effort made in that space than in cutting jobs for Canberrans, which is the easy political call at a national level. We see Joe Hockey do it: “12,000 Canberra jobs”, on top of what has been announced. When it comes to making those decisions and throwing around those statements there is undoubtedly a contrast.

Even the Leader of the Opposition, in a quiet and reflective moment, might acknowledge that there is a difference between what has been put forward in this midyear update and what the shadow treasurer has proposed, because he has even written to the federal Leader of the Opposition and indicated that he opposes that. You are already on the record as saying you oppose what your federal leader is doing, so you should not have a problem acknowledging that.

Mr Smyth: I do. So have you written and—

MR BARR: Indeed, and we have made those representations.

Mr Smyth: So you will be supporting the motion.

MR BARR: I am not supporting a motion that contains factual inaccuracies. If you are prepared to remove a number of elements of this motion, it may be possible to find something that we agree on, Mr Smyth. But, given your mood and your backchat to me across the chamber right now, I do not think you have an intention of compromising on this particular issue.

Mr Smyth interjecting—

MR BARR: If you were to remove a number of statements from this motion, we might be able to find something we agree on.

I see Ms Hunter has put forward and is circulating an amendment that appears to be a pox on both our houses. Ms Hunter, I congratulate you for joining me in this most robust of political debates this evening. I should foreshadow that I do not think the government will find its way clear to support your amendment either, so this could end up being quite a circular argument in the end.

To recap, yes, we recognise the importance of the commonwealth government achieving a budget surplus. We are particularly appreciative of the fact that that has allowed the RBA to make two cuts to interest rates. That, I think we would all agree, has a positive impact on the Canberra economy, because we have a larger than Australian average mortgage belt and we have a retail sector that could certainly do with this boost coming into Christmas. Is anyone going to disagree with that statement? No. I will take silence as an agreement that those two are important reflections upon where the territory economy will be going through 2012.

Mr Hanson: Mr Speaker—

MR SPEAKER: Yes. Stop the clock, thank you.

Mr Hanson: On a point of order, Mr Speaker, I invite your ruling. The minister is inviting interjections from across the floor, speaking directly to the members of the opposition, inviting a comment from the other side, and then saying—and this will be in *Hansard*—that that indicates that there is agreement with him on a particular matter. In accordance with standing order 42, or any other standing order inviting the minister to address directly through you—

Members interjecting—

Mr Hanson: I am seeking your guidance here. It puts the opposition in a difficult position where essentially a minister is calling on an interjection; otherwise his claim would indicate a certain decision being taken by the opposition. I seek any ruling that you may have on that matter.

MR SPEAKER: Thank you, Mr Hanson. You raise a fair point. Minister, I would ask you not to invite interjections.

MR BARR: Thank you. I have—

MR SPEAKER: Sorry, but before you continue, I note Mr Hanson's views that the silence did not represent an endorsement of your argument.

Mr Hanson: Thank you, Mr Speaker.

MR BARR: It may have been a series of rhetorical questions and a debating point. Nonetheless, I do note that those opposite rarely need an invitation to interject. You are right: I should not encourage them.

I am due next door to present the water safety awards and I am already 10 minutes late, so I will wrap up simply by observing, in relation to Mr Smyth's motion, that the invitation is there if he wishes to word something sensibly. If he wishes to word something sensibly, the government certainly will consider supporting something sensible. But what we have seen today is just a series of politically charged statements, and on that basis he could hardly expect the government to support his motion. If he was serious about a motion that would get bipartisan support—

Mr Smyth: Then propose an amendment. Have the energy to propose an amendment.

MR SPEAKER: Mr Smyth, thank you.

MR BARR: I am not the one who moved the motion. I have not brought this issue into the chamber; you have.

Mr Smyth: You are the one objecting, though.

MR SPEAKER: Order, Mr Smyth. You will have a chance in a moment.

MR BARR: You have brought this issue forward, Mr Smyth. You profess to be seeking a bipartisan position and then you put forward something that is impossible for the government to support because it contains so many factual errors and politically loaded statements. If you would like a motion to be carried by this Assembly that says that the federal government should not disproportionately target Canberra and public service jobs in seeking to return to surplus, that is something I think everyone in this chamber could sign up to. But I do not think that is really the purpose of this exercise this evening, and clearly from Ms Hunter's amendment it is not the purpose of the Greens in debating these issues.

I am sure the Chief Minister will have the opportunity to contribute to the debate as well and will no doubt be back for the series of divisions that will occur when we vote on the various amendments. In the meantime, I do have a commitment with the Royal Life Saving Society next door that I will go and complete.

MR SESELJA (Molonglo—Leader of the Opposition) (6.21): From Mr Barr's contribution, we see the absolute moral bankruptcy of the Labor Party on this issue across the board. Federally, Labor have lied to the people of Canberra time and time again. Their Labor mates in here are now going to endorse that behaviour.

Let us go back a step. Let us look at the gall of the Labor Party. This is a party that looks the Australian people in the eye, looks the people of Canberra in the eye, and lies to them. That is what they are now best at: the "whatever it takes" of Graham Richardson is now embodied across the board in the Labor Party.

Let us look at what they did. They came into federal government in 2007, inheriting the best of times in terms of the budgetary position that they were left. The Liberal Party had paid off all of their debt and left them with tens of billions of dollars in the bank. They turned around swiftly and threw that money away. They wasted money hand over fist and put the budget back into massive deficit—the largest deficits ever seen in this country. Then, when the Liberal Party said, "We will make savings," they said, "Aha, the Liberal Party is going to cut jobs but we are not." That is what they said: "Aha, the Liberal Party is going to come and fix our mess. We are not going to fix it; we are not going to cut jobs." They looked the people of Canberra in the eye and they lied to them.

Katy Gallagher and Andrew Barr are now complicit in that lie because they refuse to condemn it. I remember the ads at the last federal election. I remember the ads here in Canberra. We heard it over and over again. We had the likes of Senator Lundy, Andrew Leigh, Gai Brodtmann and all the federal Labor reps saying, "Those nasty Liberals are out to get Canberra, but not us; we will protect your jobs."

They are liars, Mr Speaker. They should be called that and condemned for it. And when they go to the next election and say, "The Liberals—don't believe a word they say, because it might be 3,000 jobs now but it will be 5,000 or 8,000 jobs," there will be thousands and thousands of Canberra jobs lost. They will be lost because of the mismanagement of federal Labor and they will be lost despite the promises and the lies told by Labor. Let us remember this when we are hearing the propaganda from Labor and the Greens next time.

The Greens will fall in behind Labor, as they did in the last election. They will ignore the job cuts. They will ignore the fact that Labor go to every election and say one thing and do the exact opposite. How many times are they going to lie to the electorate and be taken seriously? This is why they are a morally bankrupt party; this is why they cannot be taken seriously.

What we have today from Andrew Barr—and no doubt we will have it from the Chief Minister—is an endorsement of that. Andrew Barr went out there and told some of his own porkies, didn't he? Nadine Flood from the CPSU, affiliated with the Labor Party, went out and said, "It will be 3,000 jobs." What does Andrew Barr come back with? "No; it is only going to be 300." What a load of rubbish. How dishonest. Instead of actually saying, "I am concerned about this and I am going to stand up," he says, "Well, it is not really 3,000; it is 300." That is not true. That is a lie. Any reasonable person looking at these cuts knows that that is simply not true, that the Treasurer was not telling the truth. And why was he not telling the truth? He was not telling the truth to ingratiate himself to his federal Labor colleagues.

Now we have the position where a motion in virtually the same terms was supported by the Labor Party in this place previously. When it was about hypothetical Liberal cuts, they were prepared to support it. But when it is about actual job losses that are going to take place now and in the coming months here in Canberra under this federal Labor government, they cannot bring themselves to do it. They are going to look the people of Canberra in the eye and say: "Liberal cuts bad; Labor cuts good. We will support the Labor Party here and the ACT will support the cuts if they are done by a federal Labor government."

That is disgraceful from representatives in the ACT. There is a lot of Canberra bashing that goes on nationally. There is a lot of Canberra bashing. Unfortunately, both major parties—all parties—engage in it from time to time. I remember the comments from Kevin Rudd that he was going to take a meataxe to the public service. Andrew Barr, Katy Gallagher and Jon Stanhope cheered him on. They did not take him on. They did not take—

Ms Gallagher: No, we did not. We did not.

MR SESELJA: We did. We heard Andrew Barr on the radio at the time. The Chief Minister does not like it, but Andrew Barr was there. He was even defending the cuts to the NCA when they cut it by 40 per cent. Now he is pretending to stand up for the NCA. He was right behind it. Kate Lundy was leading the charge and Andrew Barr was the local cheerleader.

Chief Minister, tonight you have got a chance to actually stand up and say, "We don't care who is doing it; we will stand up for the people of Canberra." It is not about who is implementing these cuts; it is about working people in Canberra facing all of the uncertainty that goes with these cutbacks. And we know that there are likely to be more to come.

I talked about the moral bankruptcy of Labor. Let us just look at what they had to say when there was a 1.25 per cent efficiency dividend. This is what Kate Lundy and

Annette Ellis had to say. In fact, it was all the Labor members here in Canberra. It was Bob McMullan, Annette Ellis and Kate Lundy all saying this:

The Liberals will do this by increasing from 1 percent to 1.25 percent, the 'efficiency dividend'. This will require each agency and department to deliver this 'saving' to Treasury each financial year. This equates to real budget cuts of \$240 million which will mean job cuts in the Commonwealth public sector. This blanket approach to an efficiency dividend is lazy and vindictive.

That was when it was 1.25 per cent. What did they do? They went to an election and again lied to the people of Canberra. They said, "We won't increase the efficiency dividend." They have broken that promise not once but twice. They took it to 1.5; now they are taking it to four per cent. And they have the gall to come in here and pretend that it is someone else's fault. The Labor Party are responsible for the economic mismanagement. The Labor Party are now imposing cuts on the public sector that they said they would not do. This is about honour, truth and integrity, and the Labor Party do not have them.

Mr Speaker, what we are seeing here tonight is rank hypocrisy—what we are seeing from federal Labor and what is being backed here by Katy Gallagher and Andrew Barr. You want to stand up to it—

Ms Gallagher: I have not even spoken yet.

MR SESELJA: We know how you are voting, so unless you are going to break ranks with your deputy and Treasurer, we know how you are voting. You are voting to endorse the cuts. Here tonight the Labor Party—Katy Gallagher, Andrew Barr, Simon Corbell and all of the rest of the Labor Party team in the ACT—are saying: "Well done. Well done on the cuts." We heard it from Andrew Barr. They are saying, "Well done." That is what their vote will do today. They are voting against it. The very thing they voted for when it was hypothetical Liberal cuts they will now vote against.

The people of Canberra will see very clearly tonight what their Chief Minister thinks. Their Chief Minister, their Deputy Chief Minister, their whole ministerial team and their backbench are all saying tonight, "We value public sector jobs when it is a federal Liberal government." When it is a federal Labor government doing the cutting, the Labor Party in the ACT do not go and do the job. They will not stand up to their Labor mates, because they cannot bring themselves to do it.

Do they really care about the families who will suffer from these cuts? We know they do not, because Andrew Barr is on the record. He tells porkies about the extent of these cuts. Nadine Flood says that it will be 3,000 and it could well be more. He says that it will be 300. Everyone knows that is a lie. Everyone knows that is not true. The moral bankruptcy of this Labor Party is here for everyone to see. It is there in federal Labor and we are now seeing it endorsed with ACT Labor. They have got the chance to stand up.

Ms Gallagher interjecting—

MR SESELJA: Ms Gallagher groans because she does not like it. She has got a chance here. She endorsed these words when Ms Porter brought them. She was not groaning when Ms Porter was putting this forward. So obviously it is all about politics. It is not about Canberra families; it is not about jobs in Canberra. It is about who is in government; it is about who is making the cuts.

The Canberra Liberals say that we will stand up to political parties federally, no matter who they are. If it is in the interests of Canberra families, we will stand up to them. We would expect nothing less from our opponents; we would expect nothing less from the Labor Party here. But we are not getting it. They are a morally bankrupt party. They consistently lied to the people of Canberra over this issue; they should be held accountable for those lies and untruths and for selling the people of Canberra out.

MS HUNTER (Ginninderra—Parliamentary Leader, ACT Greens) (6.31): On 24 August this year we also debated a motion on commonwealth public service job cuts. On that occasion we noted that the federal Liberal Party were proposing to cut 12,000 public service jobs. I understand that since that time Mr Hockey has raised the stakes to say that the proposed cuts are of at least 12,000 jobs.

In that debate I moved an amendment noting that the Liberals proposed to scrap the department of climate change. This is consistent with their policy of climate change denial and it appears to be consistent with the new local Liberal position, which appears to be not to do anything about climate change whatsoever.

We all recognise the impact of this issue on Canberra and how profound the impact of public service job cuts are on all of us. Not only do we all know someone who works in the public service, but also we know that the economic activity and prosperity of the ACT depend on the flow-on effect of public service jobs.

As a result of the MYEFO we know that our GST revenue will decline but special purpose payments will increase. We also know that government spending as a share of the economy is expected to decline from 24.8 per cent of GDP in 2011-12 to 23.6 per cent. This is an important point to note. I think we all recognise that we are, and will remain for some time, reliant on commonwealth spending. The challenge is to minimise this reliance and create a sustainable economy that ensures the greatest prosperity for all our residents.

The Greens have proposed a number of initiatives and talked about the types of industries and initiatives that we should be looking at delivering to get to this ongoing prosperity. Tomorrow we will conclude the debate on the large-scale feed-in tariff, which is an excellent example of the diversification of our economy and one that will provide a range of benefits to the whole community.

Mr Speaker, I will turn to some of the particular details of the motion. There is, of course, a bit of tit for tat. I must admit that I am a little surprised that the Liberals would want to draw attention to this issue. On 27 June this year Mr Hockey said on the ABC program *Q&A*:

For a start, 12,000 public servants in Canberra will be made redundant over a two year period immediately upon us being elected.

I understand that since that time he has again reiterated that at least 12,000 jobs will go.

On 29 November, in announcing his proposed saving plan, the Treasurer, Wayne Swan, contemplated the possibility of job cuts. The unions have estimated that it could be up to 3,000 jobs. We have heard from the head of the CPSU, Nadine Flood, that their estimate is up to 3,000 jobs.

It is, of course, very difficult to predict exactly how agencies will respond to the efficiency dividends and achieve the required cuts, but it does appear that cuts in some areas will be significant. I reiterate the Greens' concerns that whilst efficiency dividends do have a place in ensuring efficiency in public sector activity, they are a very blunt instrument and there are far better alternatives to achieving the required savings.

I move:

Omit all words after "That this Assembly", substitute:

(1) notes:

- (a) both the Federal Labor and Federal Liberal parties have committed to policies that will result in public service job losses in the ACT;
- (b) the Federal Liberal Party have committed to at least 12 000 public sector job losses;
- (c) the extent of job losses under the Federal Labor Party's plan, whilst significant, remains unclear; and
- (d) the Federal Greens have proposed a series of alternatives that would prevent the need for public service job cuts; and

(2) calls on both the Chief Minister and the Leader of the Opposition to again write to their respective Federal colleagues advocating against public sector job cuts."

As I was saying, there are other options and much better ways of achieving the required savings and delivering better outcomes for the community as a whole at the same time. On 29 November this year my federal colleagues, through Senator Bob Brown, put out a media release on this issue. It was titled "Think longer term: look at revenue for the public purse and ditch short-term cuts". It said:

The Australian Greens today released official Treasury costings obtained under formal arrangements as part of the agreement to form government. The costings show that abolishing a range of fossil fuel subsidies would help to re-balance the budget.

“Billions of dollars could be made available for the public over the next four years if the Gillard government adopted measures proposed by the Greens to raise revenue fairly and reduce distortions in the tax system,” Australian Greens Leader Bob Brown said ...

He went on to say:

If the Government is determined to achieve a budget surplus arbitrarily in one particular year for political purposes there are better ways of doing so than cutting community and environmental programs ... There should not be job losses or cutbacks in delivering services.

The Greens propose measures which, according to official Treasury costings, could provide \$9 billion more for the public purse over the forward estimates, largely from the mostly foreign-owned resources sector which is reaping windfall gains not shared across the country—and not adequately taxed under current measures.

The media release goes on to say:

Abolishing the following fossil fuel subsidies would help to re-balance the budget. The Greens’ recommendations to Treasurer Wayne Swan include:

- Removing the fuel tax credit for the mining industry, so they pay the same fuel tax as ordinary customers. Abolishing the 38c per litre discount would mean a further \$1.8 billion in 2012-13, and \$5.4 billion over the forward estimates;
- Ensuring condensate (a light oil extracted from gas) is taxed fairly would increase revenue \$550 million in 2012-13, and \$1.9 billion over the forward estimates; and
- Removing the immediate deduction for exploration and prospecting expenditure associated with mining and quarrying, saving \$90 million in 2012-13 and around \$500 million over the forward estimates.

These measures would mean there should be no need for public service job losses or cutbacks in delivering services ...

He went on to say:

Another measure that would favour those who need a leg-up in an increasingly two speed economy, rather than the already wealthy resources sector, is the Greens’ plan to scrap the tax cuts for big business and replace it with a 5% tax cut for small businesses—the nation’s biggest employer.

The final point of my amendment is that both the Chief Minister and the Leader of the Opposition should again endeavour to convince their colleagues that public sector bashing and cuts to Canberra jobs are not the answer. The public service provide vital services for the community. They are not just there for fun; we have the public service because we need them, because they add to our community. Without them, the government of the country simply would not function.

While I do not expect support for my amendment, I would encourage everyone to consider the options that the federal Greens have proposed, as I am confident that they are far and away the better option both for the Canberra community and also for the Australian community.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Health and Minister for Territory and Municipal Services) (6.39): I welcome the opportunity to speak to this motion today. As the Deputy Chief Minister outlined earlier, the government are not in a position to support a motion that is factually incorrect, and that does put us in a position where we will not be able to support the motion. Listening to Mr Smyth talk about and explain his view that they will sack up to 3,000 commonwealth public servants and use—

Mr Smyth: Nadine Flood.

MS GALLAGHER: Nadine Flood's press release, which is all I have seen available, says, I think, up to 3,000 jobs, without any evidence to back that up. But that is a figure that I have, from my reading of her comments that she has used nationally. So I think what the Canberra Liberals are trying to say here is that 3,000 jobs would go from the ACT.

Indeed, Mr Seselja in his extraordinary performance—I have not seen him quite as excited for a long time; I had to look over my shoulder to see whether there was a WIN TV camera in here, because we usually only see that sort of performance when there is a camera around—said that Andrew Barr had lied or told porkies, I think it was, when he was talking about the analysis that the government has used. It is based on the limited information that we can take from the MYEFO documents at this point in time, an estimate from the ACT Treasury that potentially 300 jobs could be lost in the public sector here in the ACT, and is based on some of the assumptions that the ACT Treasury has made about a voluntary redundancy process. But I do not think any of us in this place are in a position to come in here and say a certain amount of jobs are going to be lost from the ACT and refer to the subsequent impact that those job losses, which are at this point in time undetermined, if there are going to be any, will have on Canberra families.

Indeed, my comments and the comments of the Deputy Chief Minister—and I think there are stories online of the Deputy Chief Minister's comments in relation to some of the savings measures that have been included in the MYEFO update from the commonwealth—have been that we think they are regrettable. Indeed, I said that very clearly on 2CC, from memory. I think it was on air. I was in the studio when we talked about the cuts, that any cuts to the public sector here are regrettable. I think they are my statements.

Indeed, I have taken the opportunity to raise my concerns in person, only in a short, informal way, during the Labor Party conference on the weekend but I had also written to the Prime Minister and the federal Treasurer. Indeed, I had followed that up last week with a call to the Prime Minister's office seeking a meeting about the savings that they had outlined in the MYEFO, to get a better understanding of what

the intentions were and certainly to argue against the savings being imposed on organisations such as the NCA, which we already know is cash strapped. Indeed, I have also put in a request for a meeting with the minister for the territories, Simon Crean.

Unfortunately, to disappoint those opposite, we have already put in train a number of different avenues to go and argue our case for Canberra, as we do regularly in any opportunity that we have to speak with federal ministers, as I presume those opposite, if they speak to their federal colleagues and federal members for the ACT, are also arguing the case for Canberra in everything they do. In every single meeting I have, it is all about arguing the case for Canberra. This is the city we represent, and it is exactly what I do.

I did write to Joe Hockey when he made the comments, because he actually said 12,000 public servants in Canberra. I took that up the next day and I invited him to come down to Canberra and meet Canberrans who work, live and play in our city so that he could have an understanding that real people live in Canberra. When he makes comments like that—

Mr Hanson: Better say the same to Wayne Swan, then.

MS GALLAGHER: No federal Labor member has said the first thing they will do is sack 12,000 Canberrans, with the disdain that the federal Liberal member actually said it. And do you know what? I have not even had a reply from Joe Hockey. The Chief Minister, the head of the territory, writes to a federal member, a senior federal member in Joe Hockey's position, and I have not even had a "I've received your letter and am not actioning it, because I don't care and I'm not responding". He does not even need to say that.

I spoke to members of our business community and asked would they participate in a roundtable. I invited him to a roundtable. I have not even had a response. I would not even have minded so much if he had said, "I don't want to come to the roundtable," or, "No, I'd find that a bit awkward after what I said." But I have not even had a response. I think that shows, again, the disdain that the federal Liberal Party has for the ACT.

Mr Hanson: It is a bit like me emailing you about visits to the hospital system, isn't it? I did not even get a response on that. It is quite hurtful, isn't it? I was quite aggrieved.

MS GALLAGHER: Mr Hanson is seeking to raise an issue about his visits to the hospital, which I am happy to deal with in another motion, if Mr Hanson chooses to move one. I will respond by letting everybody know that you did not turn up to the meeting that we had organised around budget funding for health where I had senior officers from the directorate available. You did not turn up, Mr Hanson. So we can have this little, clever, funny game if you would like, but this issue is actually around public servants and efficiency dividends across the—

Mr Hanson: And not receiving responses to correspondence.

MS GALLAGHER: Not everything is about you, Mr Hanson. As much as you might find that surprising, it is not all about you all the time. This is about a serious matter of efficiency dividends. The government have taken every step that we can to argue the case for Canberra and to advocate it clearly in every single representation we have with senior members of the federal government. Whether they be Labor members or Liberal—and this is an approach we had when we had Liberal members in the federal government—we always argued the case for Canberra. And we will continue to do that. The commonwealth public service is the biggest employer in town. It is important. It is important not only for the public servants who work for it, it is important for the private sector that rely on a lot of the commonwealth's spend in the ACT too.

This is something that I think the Assembly could have a shared position on. If the motion was factually correct, if the motion was not about political point-scoring, if it was genuinely about Canberra, if it was genuinely about expressing concerns for an efficiency dividend, if it was genuinely about putting forward a unified and constructive approach to making the representations for the ACT and having those heard across the federal government, then the government would be in a position to support it. But this is petty politics being played by a petty opposition.

Mr Hanson: What was Mary's motion? Come on!

MS GALLAGHER: The difference between this motion and Ms Porter's motion is that Ms Porter's motion was factually correct. Perhaps, as I said, if you could have had a factually correct motion, the government would have been in a position to support you. But this is not what this is about. It is regrettable, because you do not actually want the outcome, which is to put forward a unified position from the Assembly about the value that the commonwealth government play in this town and the fact that we would like them to ensure that a disproportionate impact of the cuts is not felt in the ACT.

We also acknowledge that budgets need to return to surplus. I must say that not once in any of the speeches from those opposite—and they talked about honour and truth a lot—did one of them mention the impact of the GFC on budgets. If you listened to Mr Seselja, the Liberals left and there was all this money in the bank, and then, oh my goodness, a few years later, there is no money and we are borrowing. Yes, it is a little bit in between, perhaps, around the global financial meltdown that occurred and the fact that we have the strongest Western economy in the world, from what I can understand, because of the actions that were taken.

If you look here, the actions that we took, similar actions, injecting money into the economy, not cutting it, and look at where we are today, retaining our AAA credit rating, having a strong economy, second only to the resource-rich state of WA, that shows that we have the skills and the capacities to deliver and those opposite do not.

MR SMYTH (Brindabella) (6.49): It is interesting to look back at the amendment passed by the Assembly in August and that was voted for by the Greens and the Labor Party. They were quite happy to have the Leader of the Opposition stand up and

publicly denounce the federal Liberal scheme to sack Canberrans. They have checked the word “scheme” and apparently it comes down to a semantics debate—“We can’t support it because you’ve used the word ‘scheme’.” “Scheme” simply means “plan”. It means “policy”.

I do not think anybody is doubting there will be job losses in this mini budget. Mr Barr thinks it is only 300. I think he is wrong. Nadine Flood thinks it is 3,000, and I have not heard too many people decry that number. But the government say it comes down to the fact that the Liberals have not put forward a proposal that the government can agree to. But with job losses looming over Canberra, the government, with their seven members and 20,000 public servants to back them up, cannot come up with a single amendment to the motion. There is no effort on the part of the government to amend this motion to put it into a satisfactory format, let alone any indication that they want it amended.

We all know how the system works: it goes on the notice paper and the members go to the committee that sets the procedure for today. Everybody has had it from mid-afternoon yesterday, but in the 24 hours that the government has known about it not one of them had the commitment, the passion or the caring in their souls to come up with an amendment that says, “We don’t want these cuts.” There was not an ounce of effort on the part of—what did Mary Porter call it?—the party for jobs.

It is impossible to take the Chief Minister seriously. I did not hear her once say: “I denounce these cuts. I condemn these cuts.” Clearly she does not. She will not take her federal colleagues on and say no. Indeed, she is backed up by the Greens. Ms Hunter’s amendment does not condemn the Labor Party for their cuts. There is no denouncement of the Labor Party’s cuts, because, of course, the Greens would not do that; you do not do that to your coalition allies. Liberal cuts are bad but Labor cuts apparently are okay, according to the Greens. That is the problem: the double standard from Ms Hunter and the hypocrisy of the Greens’ position on this is quite amazing. This is the get out of jail card paid by the Greens for the Labor Party.

Ms Hunter started by saying, “We all recognise the impact.” Then why won’t you denounce that impact, as you were so keen to do in August? It is because of the double standard that exists: “We will not denounce anything the Labor Party does. We will not denounce anything this Chief Minister does, because we are in this cosy, snug, Greens-Labor alliance and we don’t care about the jobs that will be lost in the ACT. We endorse the lies”—that is, the lie that was taken to the last federal election by the Labor members that there would be no cuts.

But those cuts are about to occur. There have been cuts in the past, but more are coming. That is the way the Labor Party operates, and the Greens are complicit in that deception. The Greens are complicit in that lie that was taken to the last election. When Ms Hunter was speaking, I actually thought it was a motion condemning the Liberal Party. I do not think Ms Hunter has put any effort or any thought into what the Labor Party is doing here, and she is about to, yet again, let her colleague Ms Gallagher off the hook. Ms Hunter did not condemn the federal Labor Party. Ms Gallagher did not condemn the federal Labor Party. So one can only assume they are happy with these cuts.

We will give them leave to speak again, for them to stand up and say, “We condemn the cuts.” Let us be clear about this—no semantics, no syntax, no definition debates here. Stand up and say, “We condemn the cuts.” We have said it. It does not matter what political party it is, the Canberra Liberals will always stand up for Canberra jobs. Today I am urging the Labor Party and the Greens to do the same. Vote for my motion—or move amendments that condemn the Labor Party. But you will not. You will water it down or you will walk away from it, because you do not believe in it. You do not believe in condemning the Labor Party or holding them to account. You will not denounce the federal Labor scheme to sack Canberrans.

Mr Hargreaves: Point of order, Mr Speaker.

MR SPEAKER: One moment, Mr Smyth. Stop the clocks, thank you.

Mr Hargreaves: My point of order, Mr Speaker, is that Mr Smyth is not addressing himself to the amendment; he is just addressing himself to the main motion. I ask you to bring him back to the amendment proposed by Ms Hunter.

MR SPEAKER: At this stage there is no point of order, but I will keep an eye on it. Mr Smyth, if we can keep focused, thank you.

MR SMYTH: Ms Gallagher talks about the GFC and says there is no acknowledgement of the GFC. We all acknowledge the GFC. But where is the acknowledgement from Ms Gallagher that the Howard government inherited almost \$100 billion of debt? It inherited deficits, not surpluses, but was able to steer its way through things like the Asian meltdown in 1997, the HIH collapse, the Ansett collapse and a string of other financial disasters. It was still able to steer this country to money in the bank and a string of surpluses that no-one will ever match.

When was the Labor Party’s last surplus? It was 1989. There will not be a surplus because of these cuts. These are the magic pudding cuts: “We’re going to cut half a billion dollars this year and that will give us a \$1½ billion surplus next year.” That is great maths. We all look forward to that surplus—because it is illusory. I do not think any economic commentator in the country accepts—

Mr Coe: It is seasonally adjusted!

MR SMYTH: Perhaps they are using seasonally adjusted figures instead of trends—quite true, Mr Coe.

Mr Seselja: It is Labor-government adjusted.

MR SMYTH: This is Labor-government adjusted.

This is a very simple motion, and the amendment should not be supported. The Assembly thought Liberal cuts were worthy of condemnation and denouncement in August, but Labor Party cuts are apparently not worthy of similar denouncement. I find that extraordinary. That is simply hypocrisy. We will not be supporting the

amendment. The motion, as it is, should stand. The Chief Minister should have the courage, if not of her convictions then of her position, to stand and condemn these cuts in this place, in this debate. But she will not, because she does not believe in jobs in Canberra. If she did, she would stand immediately and say, “Julia Gillard, Wayne Swan, we denounce the cuts that you propose.” But she will not do that, because she puts her party before the people that she represents.

Ms Gallagher also said this is petty politics. But it is the same motion from just four months ago. It was not apparently petty politics when it was a device to attack the Liberal Party; that was okay. But if you seek to attempt to hold the federal Labor Party to account and protect the people of the ACT, that is petty politics. I am quite amazed that that would be petty politics.

What was amazing was the air of resignation and the lack of enthusiasm for this debate in the tone of the Chief Minister when she spoke. There is no way this Chief Minister will stand up to her federal colleagues. There is no way she will do what the Leader of the Opposition did. There is no way she will stand in this place and say things similar to what the Leader of the Opposition said. There is no way she will say today: “It doesn’t matter what political party it is. The Canberra Labor Party will always stand up for Canberra jobs and today we are urging the federal Liberal Party—

Ms Gallagher: The Canberra Labor Party? I think you meant the Liberal Party.

MR SMYTH: No, the Canberra Labor Party. Let us put it in a local context—the Canberra branch of the Labor Party.

Ms Gallagher: Yes. You said we will stand up for jobs.

MR SMYTH: I am paraphrasing. That is what I am asking you to do. But she will not. She has not. She cannot. Mr Speaker, the amendment should go down.

Amendment negatived.

MR SMYTH (Brindabella) (7.00): To close the debate—

Ms Gallagher: Lucky us.

MR SMYTH: If you will not do the job, I will do it for you. It is as simple as that. If you cannot stand up and denounce your federal colleagues, I will take every opportunity I can to denounce you for your failure and to denounce the federal Labor Party for what it is going to do to my city.

The last election was won by the Gillard Labor government on a basis of lies. It was a bed of lies designed to deceive the people of Australia and designed to deceive the people of the ACT. We all heard the promise: “There will be no carbon tax under a government that I lead.” And there was another promise: “We will not cut the public service.” The Prime Minister is revealed for her hypocrisy, and I think this motion highlights that not only is the Labor Party a party of hypocrites; it is a party of very sloppy hypocrites. They cannot even be good at their hypocrisy. Those opposite cannot even muster a defence to defend the hypocrisy of their federal colleagues.

My motion is almost identical to a motion moved in this place on 24 August 2011 by Ms Porter—a motion that today is petty politics yet four months ago was good public policy. Oh, how the times change. I wonder how Ms Porter, Ms Gallagher and their ACT Labor colleagues can now defend their federal Labor colleagues in the face of the decisions announced in the recent federal mini budget.

I want to spend a few minutes looking at what Ms Porter said in her motion on 24 August, because it provides a very illuminating insight into where we have now got to in this broad economic debate. Ms Porter said very early in her speech:

Labor, on the other hand, has always been the party of working people and the party that creates jobs.

She went on to say that Labor has been in the business of creating jobs. As I so accurately point out, from 1995 certainly, and now in 2011, thousands of jobs have been lost or will be lost as a consequence of the Labor Party's lies to the electorate. I notice Ms Porter has not come down to defend her motion of August this year. Far from Ms Porter's claim that the Labor Party is the party of jobs, the actions of this same Labor Party will now result in some hundreds of job losses or, if you believe Nadine Flood—and Nadine Flood is not necessarily a big friend or ally of the Liberal Party—3,000 job losses. Laura Tingle says 5,000 jobs. You could reasonably say that an efficiency dividend of 2½ per cent that amounts to \$500 million is approximately 5,000 jobs. Given the 1½ per cent that is already there, there is only so much you can cut before you have to get to jobs. It is quite clear that contractors will go, it is quite clear that consultants will go and it is quite clear that public service jobs will go.

My motion today had a very simple purpose—to ask our Chief Minister to stand up, against her federal colleagues, for the ACT, for the ACT economy, for the ACT community, but most importantly for those ACT residents whose jobs will now be sacrificed on the vanity of Wayne Swan. My motion asked the Chief Minister to demonstrate in the strongest possible terms that the actions of the Gillard federal Labor government will disadvantage the ACT—disadvantage people who will lose jobs and disadvantage the families of those people who will lose jobs.

This reminds me of another piece of stupidity in Ms Porter's comments on 24 August:

After 12 long years of federal Liberal neglect of the ACT, it is great to ... assure the jobs of Canberrans into the future.

We had a crisis in the ACT under the Howard government; it was a crisis that they could not get the accommodation out of the ground fast enough to house the public servants. There were some great reforms, in areas like border security, in customs, in defence, that grew in response to very difficult policy decisions. But decisions were made and growth in the public service occurred, and most of that growth was in the ACT.

The contrast with the treatment of the ACT by the current federal government could not be more marked. Federal Liberal governments invest in Australia's national capital city—and they did. Whether it be the National Portrait Gallery, the National

Museum, extensions to the War Memorial, refurbishment of the Mint, the emergency services memorial, the police memorial—any number of memorials were built and indeed a huge swag of office accommodation.

What have we had since the federal Labor government have been in? They have treated this nation's capital city with absolute disdain, with contempt, because they see it as safe Labor seats. It is time for the local Labor Party, through the Chief Minister, Ms Gallagher, to make the strongest possible representations about the consequences of the latest economic policy decisions which have been announced by the Gillard Labor government.

Ms Gallagher tells us she has written to her federal colleagues, but she will not stand in this place today and denounce them for what they do. Ms Gallagher must denounce the silly decision to increase the efficiency dividend, because of the adverse effects this decision will have on employment in the ACT, will have on the population of the ACT, will have on the costs of living in the ACT.

This motion is worthy of support. If a similar motion was worthy of support four months ago, this is worthy of support today. Those who do not support it will be damned by their own hypocrisy.

Question put:

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

The Assembly voted—

Ayes 6

Noes 11

Mr Coe
Mr Doszpot
Mrs Dunne
Mr Hanson
Mr Seselja

Mr Smyth

Mr Barr
Dr Bourke
Ms Bresnan
Ms Burch
Mr Corbell
Ms Gallagher

Mr Hargreaves
Ms Hunter
Ms Le Couteur
Ms Porter
Mr Rattenbury

Question so resolved in the negative.

Motion negatived.

Adjournment

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

That the Assembly do now adjourn.

St Vinnie's night patrol

MR HANSON (Molonglo) (7.09): I rise tonight to talk about the St Vinnie's night patrol. I went with the Vinnie's night patrol yesterday evening into Civic with a number of volunteers. I would like to mention two in particular. Peter Sutton, whom I

know from the RSL, is very active in a range of community activities. He is one of these Canberrans who spend much of his time volunteering and helping those who are less advantaged than he is. Also present was Maryanne. Maryanne is a member of the Palliative Care Society and I know she is also a volunteer at the Canberra Hospital emergency department, a program that she praised. Also I got to meet Nat and Crystal, two other great volunteers.

I will read from the web here:

The Night Patrol is a van that provides a mobile outreach service offering refreshments and friendly faces to people on the streets at various hours of the night. It is a service which engages with people by offering friendship, support, and compassion. Volunteers provide warm drinks, something to eat, warm clothing as required, and friendly conversation.

The Night Patrol has been operating in the Canberra region since August 2001, and is currently operated by 150 volunteers who visit various locations in a specially equipped van.

All are welcome when Night Patrol arrives. It is not only the homeless, or those isolated by health or circumstances that obtain great support from our volunteers. Both regulars and new acquaintances drop in for a chat and companionship

Referrals to other community services are available from the Night Patrol.

We visited a couple of locations. We started outside the Canberra Centre at 7 pm and ended up at Garema Place. In the course of the evening I had the opportunity to meet many Canberrans who are more disadvantaged than we are. Many were people coming out of public housing flats in the nearby area and all of them that I spoke to had the very highest regard for the service provided by Vinnie's night patrol. Obviously it was something that they attended regularly. Indeed one lady I met came from Kambah to visit the night patrol. Obviously it is providing companionship as well as a coffee or a cup of tea for many hundreds of Canberrans.

The fact that there are 150 volunteers, I think, is remarkable and I would like to commend all of those people—not just Maryanne, Nat, Crystal and Peter but all of the 150 volunteers who give of their time and are out there every night. While we are in bed at home or enjoying a movie, they are out there helping the disadvantaged on the streets of Canberra in either the freezing cold or in the heat of summer.

Well done to the Vinnie's night patrol. It is great work that you are doing and I would encourage those members who have not had the opportunity to go out with the night patrol to do so.

Carbon dioxide emissions

MS LE COUTEUR (Molonglo) (7.12): I rise tonight to briefly comment on some very disturbing news. Global carbon dioxide emissions from fossil fuel combustion and cement production grew by 5.9 per cent in 2010 and unfortunately that means that, while there was a decrease of 1.4 per cent in 2009 due to the global financial crisis, it has been more than offset.

You cannot see it but I have a graph of CO₂ emissions with points of economic crisis at the same time. It shows that when we had the oil crisis, things stabilised. When we had the US savings and loan crisis, CO₂ emissions actually went down. The former Soviet Union collapse gave us a few years of stability. The Asian financial crisis, the one last century, again gave us a few years of stability. But the global financial crisis only gave us one year. We are now back on the exponential growth.

This is very worrying because if the world is to limit global warming to two degrees Celsius, which is thought to be probably about the maximum that we can afford before we have devastating effects, we have to keep CO₂ emissions below 450 parts per million. We are up to 390 parts per million already. So the time for action is fast running out. I implore all my fellow Assembly MLAs to take this issue very seriously. We as the ACT, as Australia, as the world, need to act on this now.

Lung cancer

MR COE (Ginninderra) (7.15): On Tuesday, 22 November I had the privilege of taking part in the shine a light on lung cancer twilight vigil and walk which took place between old Parliament House and new Parliament House. The vigil in Canberra was organised by the lung cancer support group at Canberra Hospital in conjunction with the Australian Lung Foundation. I must say that, given the miserable weather conditions on that Tuesday, it was heartening to see around 100 people turn up to show their support for this very worthy cause. The vigils were initiated in the USA and this year was the first time Australia has been involved. Similar vigils to the one held in Canberra were also held in Sydney and Perth during the month of November, which is also the month that is recognised as the month of the lung.

The stats about lung disease are really quite scary. Seven million Australians over the age of 35 are at risk; 9,100 Australians are diagnosed with lung cancer every year; and more women die from lung cancer than from breast cancer. They really are scary figures and ones that need to be addressed.

I would like to commend the CEO of the Australian Lung Foundation, William Darbyshire, who was in attendance at the vigil. I would also like to acknowledge his staff, Helen Bogaart, Amila Fernando, Heather Allan, Glenda Colburn, Chris Emery, Kerrie Callaghan, Juliet Brown, Karen Lather, Karen Wright, Jenny Hose, Elizabeth Harper, Eileen Boyle, Judy Henry, Judy Powell, Ainslie Ringma, Jo Mason, Nigel McPaul and Bridget Dixon. I would also like to acknowledge the council, including Her Excellency Quentin Bryce AC, the Governor-General of Australia, the patron, the national council members Dr Bob Edwards, Mr Andrew Churchill, Adjunct Professor Matthew Peters, Adjunct Professor Peter Holmes, Dr Martin Phillips, Dr James Markos, Professor Mark Holmes, Mr John Caravousanos, Professor Peter Frith, David MacIntosh, Professor John Upham, Professor Phillip Thompson and Professor Paul Reynolds.

The Australian Lung Foundation was established in 1990 by a group of thoracic physicians concerned about the chronic shortage of funds for research work in respiratory medicine and the impact of lung disease on our community. I commend

William and his team, including his staff and council at the Australian Lung Foundation for their commitment to this cause.

The aim of the vigil and walk here in Canberra was to raise awareness of the disease and to encourage awareness and early detection of lung cancer. Organisers are keen to see early screening processes such as those that are in place for breast, skin and prostate cancers so that a higher survival rate can be achieved. At present, most lung cancer patients are diagnosed too late as symptoms usually occur once the cancer has spread to a secondary location.

We must address the stigma that is involved with lung cancer. Shine a light on lung cancer was made possible through a partnership with the Lung Cancer Alliance, a US-based non-profit organisation dedicated solely to patients, support and advocacy for people living with lung cancer and those at risk of the disease. The Australian Lung Foundation was the exclusive host and Australia was the first country outside the US to host the shine a light on lung cancer campaign.

I would like to make special mention this evening of some of the people involved in the organisation of this particular event, including Victoria Taber, Judy Rafferty and Kim Phillpot. Victoria is a lung cancer survivor who was diagnosed by chance before going away on a holiday that involved getting a health screening prior to the trip. Judy is a lung cancer nurse care coordinator at the Canberra Hospital and plays a vital role in supporting patients suffering from the disease. Kim is also part of the Canberra Hospital Foundation.

I encourage all Canberrans to spare a thought for sufferers of this terrible cancer and consider playing a part in next year's shine a light on lung cancer campaign. I also encourage all members to visit www.lungfoundation.com.au to find out more about lung disease, treatment and initiatives of the foundation.

Women's sport

MR RATTENBURY (Molonglo) (7.18): I would like to speak tonight about women's sport in the ACT, particularly the members of the ACT roller derby team. Women's sport in the national capital really is something we Canberrans have every right to be proud of. This city has a great track record, with our female sporting teams doing particularly well.

The Capitals are perhaps the best known of our teams; whilst they are not having the best of seasons so far this year, I was very pleased, on 23 November, to join the Capitals for their inaugural business breakfast with head coach Carrie Graf and Basketball ACT chief executive Tony Jackson. Whilst the Capitals are frustrated by their progress this season, the professionalism of the side and the optimism in coach Carrie Graf's presentation that day augur well for both the rest of this season and future seasons. And Canberra United are having a great season.

One of the frustrations for me is that so much of the women's sport in the ACT is played in the summer, which clashes with the triathlon season. It means that I do not get to as many of the matches as I would like.

Tonight I want to particularly focus on roller derby, because the outstanding quality of some of our best Canberra athletes has been on display over the last seven days at the roller derby world cup in Toronto, Canada. Roller derby is a rapidly growing and fast-paced women's sport with a loyal and increasing fan base in the ACT, Australia and worldwide. When I say a loyal fan base, I think that the fans at roller derby leave those at some other sports in the shade. Team Australia did exceptionally well at the world cup, making the semifinals and establishing itself as the fourth best country in the world in this highly popular sport.

As always, Canberra punched well above our weight. Of the 20 women that make up the Australian team, four are skaters from the Canberra Roller Derby League. I would like to congratulate King Cam, ShortStop, Amykazeee and of course Bambi von Smash'er on their incredible achievement. I was fortunate enough to catch all four of these athletes myself when the ACT team, the Vice City Rollers, took on the Sun State Roller Girls at the AIS arena earlier this year. The skill level was obvious; the results of the world cup are testament to that skill and the hard work of the players.

Team Australia has won great respect on the roller derby world stage. I know the players train hard; I have seen them out. I have seen them practising skating out at the Stromlo forest park. It is an odd mix, with the triathletes, the cyclists and the runners all out there on a Saturday morning—and then the roller derby girls turn up as well. It is one of those Canberra moments, I suppose, but it is quite fun to see them out there putting in the hard work on the track.

On the way to the semifinal, Australia defeated Germany, Finland, Scotland and Sweden. We lost to the eventual champions, the USA, and then unfortunately in the bronze medal match we fell to England, of all the countries to lose to—perhaps only New Zealand is a worse country to lose to—which gives us a target team for the next world cup.

Congratulations again to all of Team Australia. For members who have not made it yet to a Canberra Roller Derby League bout, I would highly recommend it.

St Anthony's parish primary school

MR SESELJA (Molonglo—Leader of the Opposition) (7.21): Bambi von Smash'er is a sensational name!

I would like to pay tribute to the St Anthony's parish primary school. I had the great pleasure, as I do on many occasions, of going out there recently for the opening of new facilities. As always, I was given a very warm welcome. The two year 6 students who I had a good chat to upon welcome were unfailingly polite and very intelligent young students, and we were talking about what the future held for them.

I want to pay tribute to the various people who made the event work. I was joined by my Assembly colleagues Mr Smyth and Mr Doszpot, and the blessing was by Archbishop Mark Coleridge. Claudia Hale, the principal, welcomed us to the school, as did Sarah Maldon, the assistant principal. We had an address from Moira Nadjeci

and a number of contributions from various people. Father Lachlan Coll also did some of the blessings and a reading.

Morgan Arnold did the acknowledgement of country, Thomas Deishan did the welcome and history, and we had prayers from Olivia Parquette of year 5, Stuart Thark from year 4, Teliah Collins from year 3, Jacob Dawson from year 2, Frances Malone from kinder and Emma Kinmoth from year 1. Taylor Construction Group were involved as were Dutailis Architects. I pay tribute to all those for putting together a valuable addition and also for a wonderful opening ceremony.

I finally pay tribute to the St Anthony's parish primary school community. They do a wonderful job. I grew up in the area just up the road and was part of the St Anthony's parish. I attended the school up the road, Padua Catholic high school, as it was, which is part of the same parish. I have fond memories of the area and I am always given a very warm welcome.

I pay tribute to the school community—the principal, all the staff and all the parents who make up a wonderful community—which makes a wonderful contribution to education in the ACT.

The Aboriginal Soccer Tribe

MR DOSZPOT (Brindabella) (7.24): I would like to mention an interesting book I received recently from Magabala Books called *The Aboriginal Soccer Tribe*. It is a first in sporting literature. *The Aboriginal Soccer Tribe* is the largely untold story of Aboriginal involvement with the world game in our nation's sporting history. The acceptance that Aboriginal players found within the post World War II migrant communities had a profound impact on their lives. The multicultural environment of Australian soccer provided them with a haven from the prejudice and racism of wider Australian society.

Interweaving personal stories and extensive research with an instant broader Indigenous world community, Maynard's book is a celebration of the extraordinary journey taken by Aboriginal sports men and women to forge the way ahead for the present crop of talented players. John Maynard's book is a wonderful account of the history of Aboriginal involvement in football with stories of the evolution of the game with Bondi Neal, the first Aboriginal football star in the early 20th century, followed by the famous names of John Moriarty, Charles Perkins, Harry Williams and on to Jade North, Travis Dodd and today's emerging stars like James Brown and Adam Sarota.

I was pleased to contribute some photographs and a few reminiscences to the book about long-time friend Charlie Perkins and his involvement with the Canberra community. He was secretary/permanent head of Aboriginal affairs based in Woden in the mid-1980s, and during this period Charlie also somehow found time to establish the Nomads soccer team, which was predominantly an Aboriginal team with a couple of us interlopers. It featured players like John Moriarty, Gerry Hill, Neville Perkins, the late Joe Croft, John Janke, Keith Brandy, Terry Kapeen, Ralph Rigby and Billy Cooper. Charlie's son Adam was dragooned in sometimes when we were short.

Our team probably had more players come through our ranks than any other in the competition as friends of Charlie's who came to Canberra to visit for the weekend were often drafted in for a game, and they did not seem to mind as they realised it was probably the only way they would catch up with Charlie. In his book John Maynard relates a few of these episodes of Charlie's involvement in the Canberra scene.

The author of the book *The Aboriginal Soccer Tribe*, John Maynard, is a Worimi man from the Port Stephens region of New South Wales. He is Professor of Indigenous Studies and Director of the Wollotuka Institute of Aboriginal Studies at the University of Newcastle. He is also deputy chairperson of the Australian Institute of Aboriginal and Torres Strait Islander Studies. He is the author of four books, including *Aboriginal Stars of the Turf* and *Fight for Liberty and Freedom* and now, of course, *The Aboriginal Soccer Tribe*.

I congratulate John Maynard on his book. It is an interesting book and certainly worth reading. It is a great addition to Canberra-related sporting history.

Question resolved in the affirmative.

The Assembly adjourned at 7.28 pm.